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# INAUGURAL MESSAGE

*of*

THE HONORABLE LEE KNOUS  
GOVERNOR OF COLORADO

*Delivered before the Joint Session of the*

COLORADO LEGISLATURE

*Thirty-sixth Session*

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AT DENVER  
JANUARY 14, 1947

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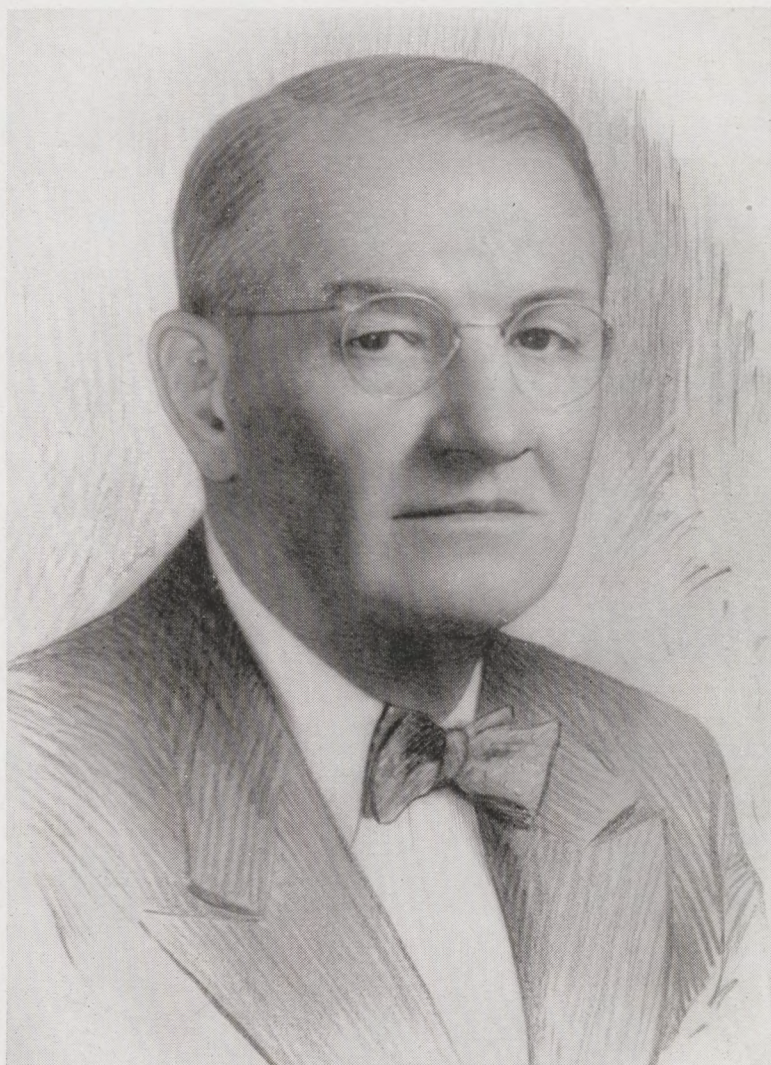
COLORADO LEGISLATURE

*Thirty-sixth Session*



AT DENVER

JANUARY 14, 1947



GOVERNOR LEE KNOUS

# INAUGURAL ADDRESS

OF

THE HONORABLE LEE KNOUS  
GOVERNOR OF COLORADO

TO

THE JOINT SESSION OF THE  
COLORADO LEGISLATURE

THIRTY-SIXTH SESSION

*To the Members of the Thirty-sixth General Assembly of Colorado:*

In accordance with tradition, following his inauguration it becomes the first privilege, as well as the duty of the Governor, to express to you, the General Assembly of the State of Colorado, and to the people, in whom under our Constitution the legislative function finally reposes, recommendations with respect to the enactments which to the Executive seem essential to the general welfare of our beloved commonwealth.

The program for current state government I shall offer you today embodies in exact pattern the pre-election proposals and pledges I carried directly to the people in most of the 63 counties of the state in the recent campaign.

Concurrently, and since the election, these proposals have been aired freely and widely by Colorado's newspapers and radio stations.

I know that many of you, without reference to your political party affiliations, in your individual campaigns pledged attention to the same subjects and your efforts to activate state government to accomplish the same objectives.

Thus to most, if not all of you, my aims in government are well known. This circumstance makes it unnecessary that I should detain you unduly in their exposition.

Considering this widespread atmosphere of understanding and public interest it would seem that the verdict of the people, as expressed by their ballots has more than ordinary significance. To me, at least in my view, the electorate bespoke their support of the proposals I made and promulgated their command that I should exert every effort within my capabilities to reach the goals of government I have advocated. Such I intend to do.

Before proceeding to the discussion of those specific subjects, I wish to extend to you, individually and as a body, my

most sincere felicitations and good wishes for a session of accomplishment and achievement.

I sometimes think that too many of the public underestimate the importance of the legislative branch of state government. Many even seem to think of it in the light of a necessary evil to be tolerated for the shortest possible time, and before long, if past experience is a criterion, you likely will hear that you can accomplish greater service to the state by adjourning *sine die* than by continuing in session longer. I do not concur in such a viewpoint. To me, based upon my study and experience, a proper functioning and respected legislative arm is by far the most essential of our three departments of government if democratic processes are to prevail. As the Constitution clearly proclaims, such was the philosophy of our forebears and should be ours today.

Good legislation can be accomplished only by painstaking application and a deliberate consideration of the problems at hand and our Session Laws will disclose that many of our poorest and unworkable laws have emerged from General Assemblies while under intrinsic pressure for early adjournment. Experience also has shown that reasonable dispatch and comprehensive action in legislative matters are not inconsistent and can be accomplished by men so inclined. I trust such will be your record.

I know that your duties have taken all of you from your ordinary businesses and pursuits and many from their homes and firesides. Your willingness to serve, notwithstanding the inadequacy of your compensation, which is hardly sufficient to defray the daily expenses of those who come from out in the state, speaks more eloquently than words, of your interest in the welfare of our state. I believe most of the people appreciate this and would not object to your increasing the salaries of legislators to come, since unfortunately you cannot constitutionally so effect as to your present term.

I further firmly believe that the policy of legislation should repose exclusively in your hands, free from dictation on the part of the Executive Department as to its form or tenor. However, if we are to have good government, history has demonstrated that there must be close and understanding cooperation between the two branches, and it is to this end that I make the following recommendations with respect to what I believe to be our most pressing problems of government and the measures which may effect their alleviation.

#### HIGHWAYS

Likely it is unnecessary for me to say to you that the people of Colorado are clamoring for more highways and better highways. They know that if we are to hold the four

corners of this state together in one economic unit we must have a highway system and soon. Rangely has made everyone conscious of that and we have other potential Rangelys too. Colorado has a total of some 7,500 miles of federal aid highways; about 5,000 miles of primary state roads not on the federal aid system and about 60,000 miles of other roads of which approximately 50,000 miles are unimproved. Included in the "other" road category are miles upon miles of farm-to-market and mine-to-market feeder roads, as essential to our economic development, if not our convenience, as is the primary system. Naturally enough, the money we have is going almost entirely to federal aid highways. Yet, even so, when the 1947 highway budget was submitted to Governor Vivian earlier this month, the people of Colorado found we were short by a million dollars of highway funds to match waiting federal aid allotments. This circumstance demonstrates unequivocally the necessity of additional money for federal aid matching. When the cost of development of the remaining 65,000 miles of roads is contemplated, the great need of additional funds is most evident and should make it clear that Colorado must have a planned, long-time, pay-as-you-go highway program backed by a stable, continuing financial base of expanded dimensions.

Counties, cities and towns also should have more state money for roads and streets to keep pace with an accelerated highway program.

From comprehensive studies by the Highway Department, the Highway Advisory Board, your Interim Committee and various road and civic associations, which are available to you, it appears to me that a two-cent increase in the gasoline and motor fuel tax is the most feasible and equitable way to raise the additional revenue required for such a program, since thereunder the road user in proportion to his travel on the highways pays for their construction and maintenance. It may be of interest to note that it is estimated out-of-state visitors to Colorado pay from 20 to 30 per cent of the gasoline tax. Also, all the polls which have come to my attention disclose that a substantial portion of our citizens favor and are willing to pay an increased motor fuel tax for road construction.

I sincerely urge that you proceed to the enactment of such a measure at your earliest convenient opportunity, since it must be recalled that there will be a considerable time lag between the effective date of the Act and the accumulation of substantial revenue therefrom. In my opinion the enactment should preserve exemptions for motor fuels not used on the highways, with the possible exception of that used in aviation, which you should consider and resolve, as well as the proper formula for the division of the proceeds, the duration of the term of the program and other related questions.

## PUBLIC EDUCATION

Not only in Colorado, but in the nation at large, public education faces during this present year the most critical time within the experience of this generation. The shortage of qualified teachers has reached alarming proportions. Many have thought that the end of the war would bring a return of teaching personnel from service and war industry to the classroom. This has not been the case. Today many schools are operating with skeleton staffs, or are closed for the want of a teacher. The threat of this shortage of qualified teachers to the standards of education appears vividly when it is recalled that today more than one teacher in every three in Colorado holds only a temporary certificate. To make the situation more disturbing a check of university and college enrollments shows there is a continuing decrease in the number of young people preparing to teach. According to all authorities these conditions are directly traceable to the lowness of teachers' salaries. Patently the situation can be saved only by increasing teachers' salaries to a position commensurate with their professional learning and their service to the public. Naturally such will require substantial sums of money. Already many school districts have reached the permissible limit of taxation. Many others, in recent months, have been compelled to increase their mill levies thereby adding to the load of the already overburdened property taxpayer. Notwithstanding that constitutionally, as our highest court has held, the support and maintenance of the public school system is a proper function of the state, Colorado ranks in the lower quartile of the commonwealths of the nation in the amount of state funds contributed to public elementary and secondary education. In these circumstances I am satisfied, as I believe to be the view of the people, that state government forthwith must give additional state financial support to the schools. According to experts in this field, as is supported by statistical studies of other commonwealths, the state's contribution ultimately should be at least 50 per cent of the total cost of education. Considering the present low level of state assistance in Colorado and other pressing financial needs it may be impracticable to reach this objective in one step in one biennium. However, to meet the present crisis, I do believe it essential and necessary that we now should enact a long-range program of support, specifying that in 1947-48 state contributions to public education should be increased to reach at least 35 per cent of the total cost thereof, which approximates the percentage of state aid in the median state of the United States, and further providing for biennial increases over such period as you deem proper until the 50 per cent goal is reached.

Such state support should be in the form of:

(1) A basic distribution of funds to each and every school district in the state on the basis of the average daily pupil attendance therein, and

(2) The distribution of whatever funds are required to needy districts to provide equalization of opportunity for an education at minimum levels to all children in Colorado.

Because of the emergent need it would seem that this question of increased state financial support for the schools should be considered as having the top priority of consideration among the problems of elementary and secondary education and I so suggest. Others, however, merit serious attention.

Thus, to attain the full measure of economy in operation and efficiency in educational achievement, made possible through a realistic program of state financial assistance, it is essential and necessary that the consolidation of our numerous small school districts into larger units of administration should be effected. State government can and should initiate positive machinery to insure this objective, reserving the final consummation to local levels in the communities involved.

Many states have improved their educational systems by reposing the executive authority of the Department of Education in a non-partisan board with power to appoint a director or superintendent and staff. Such a change, which must be accomplished by a constitutional amendment, was proposed in the 1946 Republican party platform. I concur in this proposed innovation, provided the people are given the right to elect the board. I recommend that you give favorable consideration to the adoption of a joint resolution for the submission of such an amendment to the electorate at the 1948 general election.

Experience in other commonwealths has suggested that procedure attendant to the consolidation of school districts can be handled most expeditiously and economically by the technically trained staff of a Department of Education so modernized and, in my opinion, the likelihood of the adoption of the proposed amendment therefor should be borne in mind in the formulation of any legislation or program designed to bring about a consolidation of school districts.

#### INSTITUTIONS OF HIGHER LEARNING

In the retention of competent staffs our public institutions of higher learning face the same crisis as do the elementary and secondary schools. As the press proclaims almost



daily, key members of their faculties, compelled by the economic stresses resulting from the inadequacy of their present salaries, reluctantly leave our state to accept positions in colleges and universities paying a substantially higher remuneration.

In addition there exists in many of these institutions a crucial need for expanded housing and increased facilities and equipment for education.

Today these institutions are nearer to the people and rendering them service in more ways than ever before and never in our recent history has as high a percentage of Colorado boys and girls gathered in their classrooms.

Surely no citizen of Colorado wants them to deteriorate or fail for want of sufficient funds.

I therefore invite your most serious attention to the expanding needs of these institutions to the end that ample appropriations may be made to them.

#### PUBLIC HEALTH

I believe it most essential that during the present session you should enact new legislation, implemented by adequate appropriations, reorganizing the State Board of Health and permitting the organization of county and multiple county health departments, to achieve a broad and progressive system of health administration throughout the state, to the end that our citizens may be assured the greatest possible freedom from preventable and controllable diseases. The need for such a program is made most impressive and certain by the report of Governor Vivian's post-war planning committee on public health, headed by our distinguished fellow citizen, Dr. Florence R. Sabin, which found that in Colorado over 1,500 persons die unnecessarily every year for want of a modern system of health protection and the application of preventative medicines. As Dr. Sabin has said: "Public health is purchasable." We must not fail in supplying the prerequisites to so accomplish nor let disputes over collateral issues in this field effect the defeat of this general objective. Consideration also may well be given by you to increasing the amount of assistance for the hospitalization of indigent residents afflicted with tuberculosis.

#### INSTITUTIONS

Generally, because of rising labor and maintenance costs, as well as the increase of the number of inmates, our so-called eleemosynary, correctional and penal institutions are in need of substantial increased appropriations. The very fact that

you are presently faced with the necessity of making emergency appropriations to meet deficiencies in their operation expenses during the present biennium discloses the necessity for a realistic consideration of their needs for the ensuing two years. Many of these institutions also are crowded beyond capacity and in varying degrees all of them require an expansion of building facilities. Construction prevented or halted by the war, for which funds have been allocated, should proceed as soon as possible and your consideration given the need for added housing. In the case of one at least—the Industrial School for Boys at Golden—more than money, essential as it is, is needed to restore the institution to the purposes for which it was created and to efface the stains which lately have appeared on its record. The fact that during the last 12 years it has had 11 superintendents as against but 14 for the first 54 years of its existence, indicates its state of unrest. I fear that in these rapidly shifting interludes, some regimes, more intent on the security of their jobs and emoluments than upon the objectives of the school, came to regard the inmates as problem boys rather than as boys with problems. As the result, suppression and repression seem to have been considered as the only kind of treatment to which the boys would respond and such has been employed. Obviously this policy is the very antithesis of one of correction and rehabilitation.

Based upon my present unofficial information, it would seem that the recent happenings at the school which have so shocked the public largely can be corrected by administrative action. It may be that the recently inducted superintendent will be able to so achieve and I assure him of my assistance to this end. However, from today hence and until solved, the problems of this school will be matters for my preferred attention and the invocation, if required, of the transfer, disciplinary and removal procedures of the Civil Service Commission. If investigation and study disclose need for remedial legislation, I shall, if the state of your session permits, seek the indulgence of the submission of a supplemental message on this subject to you. As presently informed, notwithstanding its present talented personnel and the excellent success they have rendered, I question whether there is any necessity for extending the term of the present State Institutional Board, which expires on June 30 of this year.

#### CIVIL SERVICE

For many years the administration of civil service in Colorado has been the subject of much warranted criticism and condemnation. Without attempting to analyze the causes of this unfortunate situation, in which the connivance of politicians, within and without government, has not been a minor

factor, it seems certain to me that the people are expecting changes in the system. As you well know the Civil Service Commission is a constitutional branch of the state government just as are the legislative, judicial and executive departments thereof. Thus, fundamental changes in our present form of administration can be made only by the people. In order that they may have opportunity to express themselves I recommend that you proceed to the submission at the next general election of a constitutional amendment creating an unpaid Civil Service Commission, the members of which may not serve for more than one term of six years, with provisions therein for their removal for cause and for the employment of a personnel expert as the executive officer of the commission. It might not be amiss to mention in this connection that the foregoing suggestion is in substantial accord with the 1946 platform pledges of both the Republican and Democratic parties. Until constitutional changes are made I am satisfied the public interest best can be served by permitting the commission to operate within the sphere of its authority without political interference by anyone. I pledge myself to this objective and trust that you will observe the same policy and in addition will allot the commission sufficient funds to carry out its proper functions. In short, can we not agree that a civil service system based upon real merit is one of the cornerstones of good government and that we should seek such goal?

#### GAME AND FISH

I think most of you will agree there is much public dissatisfaction with the game and fish situation in Colorado. Progressively, each season the fishermen complain of poorer fishing and of more streams being posted against the public. It even has been suggested by the responsible press that we should desist from advertising Colorado as a trout fisherman's paradise until we are able to make good on this boast. Tourists echo this sentiment in no uncertain terms. Residents of our plains area bemoan the dearth of warm water fish in their sections. Controversies rage over the question of closed and open seasons on game and fish and their proper duration. Many protest that our game and fish license fees, especially for non-residents, should be revised.

You will recall that in 1937, following an era of discontent of the people over the then existing single commissioner form of management, the General Assembly placed the Game and Fish Department under the jurisdiction of a newly created Game and Fish Commission, which still continues. In broad outline by that enactment the legislature retained the power of appropriation of funds for the Commission and the right to

fix penalties and license fees, but conferred practically all other administrative duties and functions on the Commission.

The present critical public interest in this subject well may be taken as portending that this system of administration still is on trial.

I regard it to be your present duty to give sympathetic consideration to the financial needs of the Department, seeing to it particularly that all of the funds derived from license fees, penalties and game and fish sources, should be made available to the Commission, either by automatic direct transmission or *pro tanto* appropriation for expenditure by it for the propagation and protection of fish and wild life consistently with the needs of our people and our visitors.

I also recommend that a survey be made by you of our present schedule of game and fish license fees to the end that needed and warranted adjustments therein may be made during the present session.

Given adequate appropriations, as you may determine, it seems to me, the solution and remedying of the particular complaints from the public I have mentioned above, and of other attendant problems, is the primary and unescapable duty of the Commission to be accomplished by its affirmative action within the scope of its lawful authority or by comprehensive recommendations to you where legislation is required. I think the public will be content with no less.

#### SALARIES OF STATE EMPLOYEES

Progressively during recent years, because of the increased federal taxation of incomes and soaring living costs, the plight of state employees on fixed monthly salaries has become a most critical problem. To many of those in the lower income brackets having families to support, the results have been little short of tragic.

I recommend, as I feel sure you would do in any event, that you address yourself to the problem to the end that the salaries of state employees in every category may be raised sufficiently to at least maintain their relative post-war position with the current increased compensation of private employees engaged in substantially similar pursuits and avocations.

#### LABOR LEGISLATION

Colorado is 30 per cent below the average maximum workmen's compensation benefits paid in the 45 other states having Workmen's Compensation Acts and 35 per cent below the

average minimum of those states. Today, considering the increased cost of living, weekly payments to the injured, even at the maximum provided in our present law, do not provide sustenance for the average family.

In recognition of this situation the 1946 platforms of both parties advocated an increase in the amount of workmen's compensation benefits.

I, therefore, recommend the amendment of those laws so as to increase the minima and maxima benefits from \$5.00 and \$14.00 per week respectively to \$8.00 and \$20.00 and enlarge the percentage of wages to be used in determining absolute benefit amounts from the present 50 per cent of the worker's pay to a minimum of 60 per cent. I also believe that the present provision which requires that an injured workman wait 10 days before receiving benefits should be reduced to 5 days.

Nineteen of our sister states, as well as the federal acts, cover all industrial occupational diseases; 13 other states cover a limited number of such diseases, while Colorado covers only one-fourth of the diseases covered in the 13 states having restricted laws. As an incident of the industrial expansion in Colorado it seems essential that our working men and women should be entitled to comprehensive protection in the field of occupational diseases and accordingly I suggest that the coverage of the present Occupational Disease Disability Act should be increased so as to embrace all occupational diseases with the same weekly benefits which may be fixed for injured employees under the Workmen's Compensation Act.

During the war period and since, few states have had a higher or better record of freedom from local industrial strife than has Colorado. This good record must be attributed to the predominant good sense and the fairness with which most unions and most employers have carried on their negotiations and relationships and not to the compulsive effect of any so-called labor legislation.

Recently during the post-war period, we have had an epidemic of nationwide and industrywide strikes, the repercussive effects of which have been felt in Colorado as well as in our 47 sister commonwealths and by reason of which the public, along with management and labor, have suffered tremendous financial losses and great inconvenience. As a result, today in the Congress and in many of the states in which these strikes have centered legislation designed to eliminate or control these disturbing incidents is being considered. Admittedly this projected legislation is experimental in character and various groups of management and labor are

unable to agree among themselves with respect to some of the procedures proposed.

Considering the good record of the people of Colorado in the field of labor relations, I would suggest that you await developments of some sound plan and practice, with proven beneficial results, by Congress or by the legislature of some of the industrial states before pioneering any experimental legislation here. In the meantime, until an acceptable and effective program emerges from some legislative forum, I believe you might well consider the restoration of the Labor Code which served Colorado so well before the enactment of the new dismembered Colorado Labor Peace Act, by its outright repeal or by the elimination of provisions in the latter in conflict with the old Labor Code.

#### OLD AGE PENSIONS

I recommend that the present Act be amended to provide that pensions payable thereunder shall be not less than \$45.00 per month, thus permitting our eligible senior citizens to receive monthly assistance in excess of that amount from any present or future federal grant or from state funds made available therefor. Provision also should be made for the equitable monthly division of excess state funds which under existing arrangements would be permitted to accumulate in the so-called "jackpot" for division only once each year. I understand you are now engaged in the consideration of legislation designed to accomplish these results. I compliment you on your dispatch and express confidence in your ability to devise an acceptable procedure therefor.

#### TRAFFIC SAFETY

The promotion of traffic safety presents one of our most challenging problems. Progress requires your attention to such factors as the adoption of uniform traffic laws and regulations, adequate examination for drivers and their orderly licensing by a thoroughly competent and well-equipped agency, a realistic inspection of motor vehicles, the promotion of safety engineering in highway construction and marking, and broadened traffic law enforcement. In the latter connection I deem it very essential that the personnel of the Colorado State Patrol be increased very soon to insure adequate policing of our highways, and in furtherance of its efficiency and effectiveness I recommend that you give serious consideration to the establishment of a statewide radio system to be operated by it. As has been witnessed by the President's Highway Safety Conference and another called in Colorado by Governor Vivian, many valuable suggestions and great public coopera-

tion have been contributed by citizens' groups and their committees. The press also has functioned notably and well in the promotion of highway safety. These activities should be continued and encouraged and in my opinion provision well may be made for a committee drawn from existing state agencies, dealing with the problems of the highways and motor vehicles, including the patrol, to translate proper suggestions and recommendations from citizen groups and research into enforcement policies.

#### VETERANS

Throughout the recent campaign I expressed that my object with reference to state legislation for veterans was to place Colorado in the vanguard of the progressive states of the Union in this field. I still think that should be our goal and I recommend that you examine the laws of the states rated high in this field by veterans' organizations to secure a pattern for our enactment, in which I trust you will see the facilities of existing state agencies are utilized to the greatest possible extent in setting up service facilities for the benefit of Colorado's veterans.

#### AVIATION

I believe that attention should be given to the development of a sound and constructive aviation program to the end that the state, and our county and municipal governments may be placed in a position to realize the full benefits of the federal airport program. Provision also should be made for the promotion of air safety and enforcement of safety regulations and for the correlation of the state's aviation program with those of the federal and other state governments.

#### OTHER MATTERS

I am quite sure that many of you, as well as others of our citizenry, will feel that in making the foregoing analysis of Colorado's governmental needs I have omitted many more important matters and stressed some not too vital. Among the important matters omitted I am sure some will mention the worthy legislation sponsored by the Insurance Department, state advertising program, the restoration of Fort Garland and Ouray's residence as historical shrines and museums, the hot school lunch program and certain desirable changes in our election laws to extend the period between primary and general elections.

I concede that such a view may not be without validity and wish you to know that the program I have suggested is neither completely conclusive nor inclusive of the subjects

you should consider. It is even quite likely that as your session proceeds I may request the privilege of submitting supplemental messages on some of the items I have mentioned or on others new.

By reason of wartime strictures, repressions and other causes, many of the essential obligations of state government I have mentioned have slipped into a position of repose, if not into one of retrogression. Much money will be required to again revitalize these functions and provide for their expanding needs.

In other departments not so essential I have no doubt economies can be effected by the reduction of appropriations to some and the elimination of useless or overlapping boards and agencies. The latter course has been tried in Colorado by original legislative action a number of times through so-called Code Bills sponsored by both Republican and Democratic administrations, but experience has proven that no lasting benefits have resulted.

Should you deem such a plan worthy, I suggest, on the general plan of the recent Federal Governmental Reorganization Act, that you may delegate to the Governor, subject to your final approval before its becoming effective, authority to develop a plan or plans for the abolition of useless departments, boards and bureaus and for their consolidation when they have conflicting or duplicating functions.

If after effecting all economies, and notwithstanding the very substantial surplus in the general funds of the state, you still should find need for additional revenues to adequately support the essential functions of state government, I direct your attention to the possibilities of the enactment of a severance tax levied upon units of production or of gross values resulting from the severance of natural resources from the earth or of passing community property laws whereby the federal income tax liability of our citizens would be reduced, thus making it possible to increase state income tax rates and revenue without adding to the present burden of the taxpayers and refer you to the recently published reports of Prof. Earl C. Crockett on these subjects for more detailed information.

I fear this message has been drab in tone. If it has, I assure you that it comes from the intentness of my desire to give you the facts on the state of our commonwealth, as I see them, and to suggest possible steps for elevating Colorado to the high place she should occupy in our sisterhood of the states of our Union. Believe me, when I say to you that I sincerely seek your cooperation and pledge mine to you to that end.



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