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Inaugural Address

of

Governor

Julius C. Gunter

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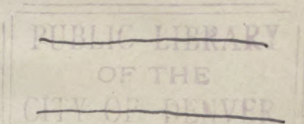
Twenty-first General Assembly

State of Colorado



In Joint Session, January 9, 1917

Denver, Colorado



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Colorado Governor
Carter, J.C.
Governor, W.C. Stebbins.

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Inaugural Address
of
Governor Julius C. Gunter

Mr. President and Members of the Twenty-first General Assembly:

Forty years August last the Territory of Colorado became a sovereign state. Population then 60,000, now 1,000,000. Less than three per cent of the realty then in title and less than one per cent materially improved. Now one-third of the state taxable and ten per cent of the land well improved. Assessed valuation then less than \$45,000,000, now more than \$1,211,000,000. Total production of the state then \$20,000,000. The finished steel product of The Colorado Fuel and Iron Company this year equals the entire production of 1876. This year's sugar output twice as great, live stock three times as great, minerals two and a half times as great and agriculture more than five times as much. The first year of statehood the mines produced \$6,000,000, this year an excess of \$53,000,000. In 1877 950 miles of railroad, assessed valuation, \$4,000,000; in 1915 5,600 miles of railroad, assessed valuation, \$173,000,000.

With this magnificent material growth, governmental functions, agencies and duties have become necessarily enlarged. Boards are necessary now unnecessary then. Laws of a paternalistic nature not required then absolutely necessary now.

The constitutional convention was an able body, perhaps the ablest ever gathered in this commonwealth. The succeeding legislatures have contained strong men. Wise laws, under their direction, have been enacted. With the growth of the state and the passing of time amendments have been required, new laws have been necessary, the repeal of old laws has been demanded by changed conditions. Legislation, progressive and constructive, has been enacted by the nation and state. Many laws which a decade ago would have been considered radical, nay revolutionary, experience has proven to be wise. Conservative people must be educated to changes in laws and systems, even though those changes be wise. The law-maker should stop and consider well before old laws are amended or repealed and before new laws are enacted. But when, after careful deliberation, the change is made, those laws should remain until the wisdom of the enactment is tested. Colorado takes steps in progressive legislation—

some wise, some unwise. The action is heralded throughout the Union. Soon thereafter the law is repealed. Unfavorable comment is justified. Let us give our legislation a fair trial before it is radically amended or repealed. Let us only after experience amend. Let us repeal only after we have tried out the new law by amendment and otherwise.

You constitute the Twenty-first General Assembly of the State of Colorado. Among your numbers, college men, business men, experienced legislators. You come from various parts of the state; you represent most of the avocations of life. This Assembly ought to be and is a wise, conservative, thoughtful and practical body. A proud honor it is to be a member of the Legislature of Colorado; you represent the people, you think upon and you pass laws that will affect the interests of the people of this entire commonwealth, the interests of the people of your respective localities who have honored you and who have placed in your hands the material welfare and the good name of this state. The day has been when the most distinguished characters in the history of our nation have been proud to sit as members of the State Assemblies. It was there their useful lives in public service began; it was there they laid the foundations of larger usefulness and distinction in public life. Every member of this body desires to do his highest duty as his judgment dictates. The chief executive of the state understands your honored and influential position in the domain of state government and desires at all times to act in earnest and effective co-operation with you.

May I now call to your attention as recommendations the following:

STATE EDUCATIONAL INSTITUTIONS.

University, School of Mines, Agricultural College, Schools of Agriculture, Teachers' College, Normal School. Conferences have been had with the heads of these institutions. We are impressed with their zeal and efficiency. Their highest concern is effective work in the exalted service to which they have devoted their lives.

The state is growing rapidly. The school population is increasing more rapidly relatively than our other population; students are coming in from other states. This is a young commonwealth. No endowments of consequence have its state educational institutions. Their buildings and equipment have been provided by our people, consistently as they have thought, with their means. These institutions need buildings, equipment, if they are to rise to their highest efficiency. We want them brought to high achievement. Some of our students are not able to go out of the state to the old institutions of the East. Let us provide every opportunity at home. Let us make our institutions more attractive to students from all parts of the Union and especially let us claim the large student body which goes from the Southland to the universities and colleges of the older states on the Atlantic seaboard. We wish the fullest conference by the proper

legislative authorities and boards with the heads of these institutions. We also request early in the session visitations to these institutions, so that their work and their needs may the better be understood. Perhaps you may conclude that their demands for permanent buildings and equipment are imperative to their efficiency. You may conclude that this outlay must be provided by a fund not all of which should be laid upon the taxpayers of the present time. You may conclude that a mill tax levy running over a term of years, or a four per cent serial bond issue, shall be made, with the provision that the bonds shall be sold at par and that every dollar so realized, under proper safeguards, be invested in the construction of buildings and permanent equipment. Your careful consideration, experience and wisdom will guide you in this action, but allow us to most earnestly urge generous action herein consistent with the resources of our state.

Time forbids enlargement upon the great practical good these institutions are bringing to our people. Effective work among the farming communities, right at the farm; effective work among the metalliferous miners right at the mines; effective work among the coal miners of our state right at the mines. All of this service promotes efficiency in production and advances security in the labors of the worker.

STATE SCHOOL SYSTEM.

Next to the church and the home no influence is so effective in building up among the youth of the state high and useful citizenship as the school system of the commonwealth. It ramifies out and reaches the most remote hamlet of our state. It reaches the home of wealth, the family of the humblest householder within the commonwealth. The efficient head of this exalted calling in the state is a wise and experienced enthusiast in her work. Public-spirited men have given long hours to an investigation of our system. They point out imperfections; they say that our system provides for no efficient control or supervision of the schools by any state or county agency; does not provide for equality of opportunity; does not place the burden of support of schools equally on all property; favors the city and town at the expense of the country. The Superintendent of Public Instruction charges infirmities and makes recommendations. All are moved by the unselfish desire to be of help to you in your labors. May we ask you to give patient and careful consideration to their recommendations; seek their co-operation and counsel and let us address ourselves to making our school system more efficient and to properly recognize by salary and otherwise, those giving their lives to this respected and useful calling? Bills reaching these subjects will be submitted for your consideration.

CHARITABLE INSTITUTIONS.

The people of our state have at all times realized their obligations to care for and help the unfortunate. As rapidly as has been practicable these institutions have been erected: Home for Dependent and Neglected Children, School for Deaf and Blind,

Insane Asylum, Home and Training School for Mental Defectives, and the Workshop for the Blind. The very mention of the names of these institutions touches a tender and sympathetic chord in every heart. They have needs—great needs; you will confer with the heads of these institutions. You will visit them, you will give them patient and thoughtful consideration, and you will respond to the wishes of your constituency and to your own sympathies and judgment in extending generous help within the resources of the state.

PENAL AND QUASI-PENAL INSTITUTIONS.

Penitentiary, Reformatory at Buena Vista, Industrial School for Boys, and Industrial School for Girls. Here again we have the unfortunate. Environment, home training and heredity have been determining factors in many of the untoward careers of the inmates. Many of them have been born and reared under Colorado skies. Let this great commonwealth, while approaching them in the spirit that its laws must be respected and obeyed, be willing, yea solicitous, to extend a wise helping hand to every deserving inmate, and especially to the young girls and boys who have fallen under the ban of the law. Through the spirit of the heads of these institutions, through their management, through the legislation of this state, let us bring home to them that this commonwealth which declares in the constitution upon which it was erected a "profound reverence for the Supreme Ruler of the Universe," will act in His spirit and attempt to give every aid for a better life and new opportunities to these inmates. The heads of these institutions, imbued with the modern more kindly spirit, are earnestly endeavoring to set apart the hopelessly vicious and yet to give every opportunity of improvement to those deserving and worthy. They will ask help for permanent improvements, for the acquisition of lands upon which these inmates can have wholesome employment, can earn something for those left at home and aid materially the commonwealth in its burden. We ask your confidence to the heads of these institutions, your full conference with them, your early visitations, if only by a small committee, in aid of your understanding of their needs.

Allow us in this connection to ask your serious consideration of a four per cent serial bond issue, the proceeds of which shall be invested in permanent improvements, such as buildings, and the acquisition of lands, especially those for agricultural purposes.

SOLDIERS' AND SAILORS' HOME.

Here are gathered those whom the state desires to surround with every comfort and to whom the state would do honor. Many of them are advanced in years, many maimed and feeble. Their requests are modest, but they have substantial needs. No request that is made of you appeals more to you, appeals more to the chief executive of the state, than the appeal from this home. Consider well their requests. Be generous to this institution.

STATE HIGHWAYS.

A great material interest of your state. Investment now more than \$22,000,000. Six hundred and twenty-two miles of state highways have been surfaced, 5,500 miles have been graded. Five hundred concrete and steel bridges have been erected. It is estimated that \$9,000,000 was left in the business channels of this state by those entering in automobiles during 1916. Head of the department enthusiastic and efficient. Let us heed his counsels by being generous in the development of this great asset of the state. A special message could be directed to this subject, but it is preferred to be advised by further and fuller counsel with members of this body and those who have charge of this work. Bills directed to this branch of our service will be presented.

PROHIBITION.

We have our constitutional amendment and statutes passed in aid thereof. This is a question of great interest to our people. The enactment of these laws has worked untold benefit. They are not yet in perfected form. Liquor in great quantities, in violation of the purposes of our constitutional amendment and prohibitory statutes, is being brought into the state from adjoining states. Various proposed statutes in aid of our prohibition law will be submitted to you for consideration. Give these various proposed bills a hearing and after being fully advised, we urge upon you such legislation as will make the purpose of our prohibition law effective.

INITIATIVE AND REFERENDUM PETITION.

The rights given under this statute should be protected from abuse. Various suggestions have been made as to the means whereby this purpose can be effected. None of them have been so thoroughly considered that any specific measure can be recommended to you. We leave the matter to your wisdom, urging some amendatory statute, which while permitting the exercise of the right, shall so safeguard the right as to prevent its abuse.

PRIMARY LAW.

This law, recent in its enactment, has not yet been thoroughly tried out in Colorado. Infirmities, however, have been developed, which ought to be cured. For example, it should not be in the power of those of one political faith to choose in the primaries the candidates of those of another political belief. If the people are to know the character of the candidates, abundant time should be allowed between the sitting of the Assembly and the primaries. These are but illustrations.

CAPITOL BUILDING.

*We recommend to your consideration the advisability of an appropriation of a specific sum for the purchase of lots for an executive mansion. In the course of years the necessities of the state will require an executive mansion. These lots should be commanding in location, ample in size and convenient to the capitol. They are available now; they will not be as the years go on.

The capitol building is overcrowded. We submit for your consideration the advisability of making provision for additional space, either by the enlargement of the capitol building, or by the construction of an additional building.

COLORADO-MADE GOODS.

We recommend for your consideration the enactment of a statute requiring the heads of the state institutions or departments of the state, in purchasing supplies of all kinds, to purchase Colorado-made goods, when the same can be secured at the same price as goods manufactured out of the state of the same quality.

ADULT PROBATION LAW.

We urge upon you the enactment of an adult probation law. There has been legislation upon this subject in most of the states and its consideration will aid you in your action.

MOTHERS' COMPENSATION.

The mothers' compensation law should be extended in its scope and operation. The present law is impracticable in its operation in that the County Commissioners do not appropriate any specific fund for this purpose. We recommend to your consideration legislation needed to make this law effective.

MINIMUM WAGE LAW.

The Nineteenth General Assembly enacted a minimum wage law for women and minors. It has never been enforced owing to a lack of funds to carry out the provisions of the law. We recommend to your consideration a sufficient appropriation to make this law effective.

STATE LAND BOARD.

At the recent election the people adopted an initiated measure authorizing the loaning of the school fund on farm lands. The duty of administering this loan is lodged with the State Board of Land Commissioners. The fund now to be handled is in excess of \$3,000,000. In the course of time this fund will be much larger. Under this board is also the leasing and sale of more than 3,000,000 acres of state lands. In view of this very large estate, which is rapidly increasing in value, it is imperative that an organization should be perfected along the lines of modern business, capable of its administration. To effect this, well-considered legislation will be required and also an appropriation from the general fund of the state to pay the salaries of the clerks and employes and the expenses of the board. The salaries of the members of the State Board of Land Commissioners are paid from the income or Commissioners' Cash Fund as has been decided by our Supreme Court. To sum up: An enormous trust estate, rapidly enhancing in value; wise and well-considered legislation will be necessary for its administration. May I call your attention to the valuable report of the Survey Committee on this subject?

WORKMEN'S COMPENSATION LAW.

The Workmen's Compensation and Industrial Relations acts, passed at the last session of the Legislature, are sound in fundamentals, but are susceptible of improvement. We ask you to give them your most serious consideration.

As to the Workmen's compensation law, consider the questions of increased benefits, the supervision of its medical system by the Industrial Commission, the employment of the partially disabled, present restriction upon the state fund, the payment of claims for compensation out of any and every part of the fund, the requirement of a special license from the Industrial Commission as well as from the Commissioner of Insurance, to all stock companies transacting a compensation insurance business and the power in the Industrial Commission, as well as the Commissioner of Insurance, to revoke the license, power in the Commission to determine the form of policies and supervision by it of the application of rates established by it to the various risks insured, protection against danger of loss through self-insuring employers; also the question of the uncertainty in construction in the Workmen's Compensation act. All of these questions, however, should only be considered after full notice to parties interested and a full hearing.

THE INDUSTRIAL RELATIONS LAW.

The Industrial Relations Law confers upon the Industrial Commission not only the power to enforce the Workmen's Compensation Act, but likewise to superintend and regulate in various ways the other relations between employer and employe. The commission operating under this law ought to prove a tremendous influence for good in the industrial affairs of our commonwealth. It is a tribunal which in a calm, judicial spirit should approach the grave and difficult questions arising between capital and labor, patiently investigate them and endeavor to rule them wisely and justly.

Various amendments are suggested to this law, some of them, as we think, wise, some unwise. One of the most important and constructive provisions in this act relates to the power of the Industrial Commission to maintain industrial peace as between the employer and the employe. To promote this end the Commission is given power to investigate industrial disputes and during this time the employer is forbidden to lock out the employe and the employe is forbidden to go on a strike. In order to prevent possible abuse and to not interfere too long with the liberty of each side to take such measures of relief as the law permits, a limit should be set upon the period of time to be consumed by the Commission in the investigation of any particular industrial dispute. Another amendment is one providing that the state at its own expense shall furnish and maintain a few well-equipped rescue cars to save the lives of workmen entombed in mines, the control of which should be under the Industrial Commission.

We prefer to leave you and the executive unembarrassed to further consideration of this law and urge that in making any important changes, all parties interested, whether employer, employe, labor unions, employers' associations, or the state fund or the various kinds of insurance carriers, be given ample opportunity to present their views. It is only after a full consideration that laws should be enacted.

IRRIGATION SUITS.

Suits are pending of vital importance, involving the waters of our inter-state streams. The defense of these must largely fall on the State of Colorado. Previous legislatures have made appropriations for a defense fund. We recommend like action by this body.

DRAINAGE.

Because of excess of water, improper methods of irrigation and lack of facilities for the disposition of waste water, there are at least 1,000,000 acres of land now in Colorado needing drainage. A part of the amount necessary therefor can probably be provided from private funds, but there must be some public aid. Most of the land requiring drainage lies in the San Luis valley, where it is most desirable to secure the co-operation of the Federal government. I recommend for your consideration legislative aid.

PUBLIC UTILITIES COMMISSION.

The law providing for this commission and the commission acting thereunder, have been of invaluable service to the public and to the people of the State of Colorado. Material amendments should be made to the law under which this commission is organized, enlarging its powers and promoting its efficiency. Among suggested amendments are those authorizing the issuance of Certificates of Public Convenience and Necessity, giving it control of the stock and bond issues of public utility corporations. Again we deem it wise that you and the chief executive be unembarrassed as to specific recommendations until after consideration of the bills to be introduced and our conference upon them.

RAILROAD LEGISLATION.

As the Congress of the United States is now considering legislation upon grave questions existing between the railroads and their employes, we recommend no legislative action upon your part that may add embarrassment to the situation. Further, the large powers of the Utilities Commission and the Industrial Commission will reach most of the questions that such state legislation would affect.

REVENUE.

Our revenue laws are in great confusion. They have been amended from time to time until various sections are entirely out of harmony. An illustration: Under our statutes assessments are made as of the first of April. The constitution provides for a county board of equalization with the duty of equalizing assessments made in the county. This work should be performed and

the assessor's figures corrected before his return of the abstract of his county to the State Tax Commission. As the law stands the assessor is required to transmit his abstract to the Tax Commission the first of September and before the county board of equalization acts; then the Commission has only a month for inspecting the returns from sixty-three counties and is required to make its report to the State Board of Equalization on the first Monday in October. In the meantime the county board has met and may still be in session. The result is the State Board of Equalization may be considering the report of the Tax Commission while the county board of equalization may be making radical changes in the assessor's figures.

PUBLIC PRINTING.

The statutes pertinent were passed years ago. They employ terms no longer in use by printers. It is said that it would be absolutely impossible, under the changed conditions, for the State Printing Commissioner to follow the letter of the statute under which he is supposed to act.

It is further said that a vast amount of unnecessary printing is done under our present law. Many of the reports printed under the present law should be dispensed with, others reduced in size. These matters are referred to your wise consideration.

MINERAL LANDS.

The state, school and other trust funds hold several hundred thousand acres of land which are chiefly valuable for the minerals beneath them. At the present time these minerals are sold on a royalty basis and the revenue put into the income fund and used for general expenses. The state is held responsible for keeping the permanent fund intact. These minerals form a far greater proportion of the value of the permanent fund than does the surface of the land. If the minerals are exhausted by selling them on the royalty basis, the depletion of the permanent fund is just as great as if the minerals were sold in bulk. The interests of the state and its school children demand legislation which will protect this fund for the purpose for which it was intended.

In this connection we are entitled to about 100,000 acres of land from the federal government to come to us upon selection. This selection should be promptly made, otherwise, in view of the rapidity with which public lands are being taken up, there will be no land of value available for the state to select.

JUDICIAL DISTRICTS.

The judicial districts of the state should be rearranged, the act to take effect two years hence; thus the business of the district courts can be divided up to give each judge an equal amount of work. Such an arrangement would bring economy to the state and expedition in the dispatch of legal business.

SURVEY COMMITTEE.

The Twentieth General Assembly created a "Survey Committee of State Affairs." This committee has placed in my hands

a summary of its findings, with detailed reports and recommendations upon its investigation of certain departments of the state government. The small appropriation made this committee was inadequate for its needs. Therefore, the committee wisely sought the aid of federal and other experts and their assistants. The results accomplished show that the work of this committee has been done in a spirit of high-minded public service. A study of the various reports discloses the necessity for the continuance of this, or a similar committee, in such manner and with such powers that the continuity of the work may be preserved. To accomplish this an adequate appropriation should be made.

OTHER LEGISLATION.

Time forbids going into detail as to some other matters which deserve your consideration and action, such as a pure seed bill, an appropriation for a geological survey, and appropriation for the Bureau of Child and Animal Protection, and also an appropriation for the completion of the Fall River road, either specifically or in connection with other highway matters.

BUDGET SYSTEM.

We suggest for your earnest consideration the adoption of the necessary legislation for putting in force the Budget System, for the expenditure of all moneys required for maintaining the government and the institutions of the state. This system, which is working satisfactorily in many of the states, tends to secure not only economy in expenditure of public moneys, but it also protects one department or institution from being cramped in its work for the benefit of another department or institution.

CONCLUSION.

In conclusion the session and its possibilities for constructive and useful laws is before us. Let us vigorously enter upon our service, let us not undertake too much. What is done let it be well weighed. Let us avoid hasty, ill-considered legislation. Let us counsel together, let us avail ourselves of the wisdom and varied experience of the members of this body; but let us approach all of our work with a big, generous spirit, especially so as to our educational, penal and charitable institutions and system of highways. Heavy taxation comes from local levies, not the state levy. From the state levy provision for these charges is made. An additional mill would be safely within the constitutional limit and yet would produce the munificent sum of \$1,211,000. The burden, if it can be called such, would be but a pittance to each taxpayer: \$2.50 to a property of \$2,500, \$5.00 to a holding of \$5,000, \$100 upon property of the value of \$100,000. While considerate of the taxpayer's burdens and rights, let us not hesitate to increase the levy if necessary to our duty as a sovereign state. Let us wisely and patriotically do our part to give this commonwealth of magnificent undeveloped resources, of public-spirited, progressive citizenship, the proud place she is entitled to command in the sisterhood of states.