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GOVERNOR JOHN A. KITZHABER ADMINISTRATION

Legislative Message, 2001

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Members of the Legislature, honored guests, fellow Oregonians.

We are joined here today in the home of Oregon's Democracy, inheritors of a precious tradition of self governance and guardians of the solitary that generations of Oregonians have created.

We are joined here today to renew this tradition and to begin writing our own chapter in this 140 year history. For many of you, this will be the first chapter. For me, it will be the final.

So, I want to state today not by looking ahead to the next six months, but back at the last twenty-two years to share with you the things I have learned about legislating and governing in Oregon.

These are not lessons in public policy. They are lessons about how this place works when it well. About how this Legislature works when we labor not in the interest of a political party, but in the interests of the people who sent us here, people who think of themselves first as parents, farmers, entrepreneurs, or teachers; people who are citizens first and only second, if at all, partisans.

The first lesson I have learned is that of civility – of being able to disagree without being disagreeable. To learn to engage in a spirited debate about a controversial issue and to walk away friends. To learn to separate people from politics and personalities from policies.

No one in this chamber exemplifies this principle more than the Senator from Medford, my friend of twenty years, Lenn Hannon. Although we often agree, we have many areas of disagreement. Yet, when we served together in the Senate, Lenn would always walk over and tell me when we was going to vote against one of my bills – which was often. And just as often, after we had been on opposite sides of a heated debate, we would walk across the floor and shake hands and remind each other of our friendship and mutual respect.

The second lesson is that of acknowledgement. Everyone who comes here brings with them something of value and something to contribute? And idea, a perspective, a unique range of experience. And everyone who come s here deserves to be acknowledged for what they bring...whether you always agree with it or not. To do so requires open-mindedness and humility; a willingness to believe that someone else might know more than you do; or even that you might be wrong. In my twenty-two years in this building, I have learned – and grown – at least as much from the debate of those who have opposed me as from the support of those who have agreed with my policies.

The third lesson is that of inclusiveness. The need to learn that policy is more important – and ultimately more powerful – than partisanship – and to recognize the danger in isolating ourselves from each other on the basis of our party registration. There will be very few bills of consequence that will pass either chamber this session without at least some bipartisan support. We should begin with that premise and with the

knowledge – born out by history – that the most far reaching and long lasting accomplishments of the Oregon Legislature have been the result of a bipartisan effort.

SB 100, for example, which created our land use planning system, passed in the House with 25 Democratic and 15 Republican votes. The Oregon Health Plan passed the Senate with 11 Democratic and 8 Republican votes and a 58-2 vote in the House. And in 1991, the Education Act for the 21st Century passed the Democrat-controlled Senate 26-1 and the Republican-controlled House 53-5.

We will need these lessons – and more – to meet the challenge of this, the first legislative session of the new century. Why? Because this budget reflects not only the growth in our population and the growth in the State's responsibility to finance education, health care and public safety. It also reflects the growing discrepancy between the state budget and the revenue that supports it – a trend that I believe will continue at least for the let two to three biennia.

I have presented to you and Oregonians a budget that, by necessity, reflects more cuts than enhancements – a fact that will make your job more difficult than it has been in a decade. Anyone who was elected after 1992 has never really had toe cut a budget. In every b biennium since 1993-95, there has been more revenue available to the Legislature at the end of the session than at the beginning. The 1993 Legislature, for example, saw available revenue grow by \$130 million during the session. In 1995 it was 4213 million and nearly \$154 million in 1997. In addition, between 1995 and 1999, we sent back to taxpayers over \$800 million in surplus revenue.

This session will be different. The envoy is slowing and state revenue has been reduced by unanticipated lawsuits, a reduction of federal matching dollars and by the income tax cut adopted by the voter in Ballot Measure 88. As a result, this budget required difficult choices and the establishment of clear priorities.

My first priority is education, perhaps the single most important and far-reaching investment we can make in Oregon's future. Public education is the cornerstone of a progressive, democratic society. From grade school to graduate school to life-long learning, it is vital that Oregon 's education system prepares all of our citizens for the challenges that they will face in the 21st Century.

This session we will begin to implement the quality Education Model, and for the first time, the Oregon Legislature will debate a K-12 budget that is directly built around the outcomes expected in the classroom and what it costs to achieve those outcomes. We have also invested in growth in our community colleges and in expanding geographic access to post-secondary education.

An yet, within each of these important segments of our educational continuum there are legitimate unfunded needs and real cuts – meaning that priorities will have to be established. Even so, this budget commits fully 57 percent of the General Fund to primary and secondary schools, community colleges and higher education.

My second priority is helping children. The significant investment we have been able to make in education cannot be sustained over time unless we are willing to take aggressive steps to reduce the number of children who enter school unable to fully engage in learning. For that reason, this budget calls the question of our overall priorities in terms of prevention.

Each year in Oregon, we lose thousands of our children to school failure, school droop out and subsequent involvement in the criminal justice system Sixty percent of first-born children in Oregon today have at least one social or medical risk factor that puts them at jeopardy of this tragic future. Over forty percent of our children arrive at school unable to fully participate in the learning experience due to these same risk factors.

If there were disease that affected this many children we would view it as an epidemic. We would muster our resources and meet the challenge aggressively. There would be no question. Well, this is an epidemic – and its course is just as deadly sure – not from an infectious agent, but from drugs or alcohol or violence ... from neglect and indifference.

This tragedy is due, in large part, to our failure to make adequate investments in our children in their earliest years. As a consequence, we pay for their failure, instead of benefiting from their success. We know who these children are long before they get into trouble. And we know the kinds of programs and supports that are effective in keeping them on the path to success.

To quote the Citizens Crime Commission KIDS Report of June 2000:

“We cannot afford to ignore programs and policies proven to work in reducing juvenile delinquency. The resources for these programs must be found. We must no longer give “lip service” to making children a priority: must literally put out money where our mouth is.”

This budget does just that. By creating the Oregon Children’s Plan it will allow us to identify – for all first births in Oregon – a set of risk factors which are closely correlated with school drop out and juvenile criminal activity later in life; and, to make available a comprehensive set of services and supports that have been proved effective in addressing these problems.

To fund these initiatives in education and early childhood, however, I have been forced to propose real cuts in other important services – cuts that carry with them very real human consequences. To the extent that fiscal limits make difficult decisions inevitable I am willing to defend the choices I have made on the basis that putting an emphasis on prevention reflects a higher priority than paying more to mitigate problems after they have already developed. But someone gets left out.

As you debate this budget you will find that as you try to move more resources into higher education, for example, or human services or public safety – all of which need and deserve them – that you will have to take resources away from other areas which will result in human consequences of a different sort.

Let me share with you an experience I had during my medical internship in 1973 which, more than anything else, taught me about setting priorities and about the consequences of making budget decisions with limited resources. I hope it will be instructive in the work that faces you over the next few months.

In July of 1973 I watched a baby die. His name was Sam. He weighed less than three pounds when he was born and didn’t really have a chance from the start. He was born prematurely to a young woman who had received no prenatal care over the entire course of her pregnancy. Sam wasn’t breathing when we delivered him in the emergency room, and we had to resuscitate him before transferring him to the neonatal intensive care unit. I was part of his short life from the moment he was born to the moment of his death two days later. I can still remember standing by his incubator during that final hour, knowing that was going to happen and feeling depressed and helpless.

I remember what a quiet death it was. There was nobody there but his mother and father, a nurse, and myself. Nobody else knew about Sam and his two-day struggle to live. He never made the papers of the evening news. It was an anonymous tragedy that touched the lives of no one but those in the room.

I remember Sam’s death because it was one of the first I had seen as an intern and because it offered such a sharp contrast to the second I watched a few days later. The second involved a 90-year-old woman whose name was Gladys. Although she was not my patient, I had talked with her several times during the nights on call in the hospital. She had lung cancer and was scheduled for surgery to remove her right lung. She had told me that she did not fear death, but she did fear the surgery. She didn’t want any more pain. I knew it was her

when the emergency was called on the surgery floor. I rushed to the room – along with another intern, a surgical resident, two nurses, and a respiratory therapist. She had suffered a respiratory arrest and then a cardiac arrest following her surgery and we spent a year in the frantic attempt to save her life. We didn't – but we tried hard.

Unlike baby Sam's passing, the last hour of her life was not quiet. We stuck tubes into her nose, throat and bladder; needles into her veins. We pumped her full of drugs and shocked her repeatedly. We "failed," she dies, and we ran up a huge bill to be picked up by her family or her estate.

Sam died because we didn't know as much then as we do now about treating respirator distress syndrome in newborns. But he also died because somehow nobody had made the token investment to get his mother the prenatal care that could have prevented his prematurely and low birth weight. The elderly woman died because she was ready to die. She recognized that but we couldn't. We had been trained to view death as a failure, not as a natural part of the life process.

And we were responding to an immediate crisis – something right in front of us. There was no visible crisis when Sam's mother did not get prenatal care – but the failure to make that small investment of resources was just as fatal to her baby as the elderly woman's lung cancer was to her. And it probably could have saved his life – unlike all the expensive technology we used, to no avail, on Gladys.

Why am I sharing this with you? I am sharing it because of the contrast between the frenzied efforts of a roomful of people, with all their sophisticated equipment, to save someone at the end of a very long life, and the quiet and undramatic death of someone at the very beginning of life. I am sharing it with you because of the connection between the money spent on Gladys in her final hour and the money not spent on Sam during his mother's pregnancy.

It is a metaphor for the budget and for what we are facing in Oregon today. It is a metaphor for the fact that politically, may not always reflect the best public policy. For the fact remains that a decision to fund one thing is always, and at the same time, a decision not to fund something else. Almost every program area in this budget can be legitimately criticized as inadequate – unless compared to the unfunded needs in other program areas.

So, to the lessons of civility, acknowledgement and inclusiveness, I would add the lesson of accountability – the willingness to take responsibility and credit not just for what we fund today, but also for the long term consequences of what we choose not to fund. Accountability teaches us to reject the political expediency that leads us to act only for the present – and gives us the courage and the wisdom to make decisions that will secure the future for the next generation of Oregonians.

This budget represents my priorities which, in turn, are a reflection of my values. It reflects not only my priorities for education and for helping our children, but for investing in rural Oregon and its economy, for providing affordable health care to the citizens of this state, and for preserving our salmon runs and the quality of our natural environment.

Engraved in the marble flanking the front doors of this capitol is written:

"A free state is formed and is maintained by the voluntary union of the whole people joined together under the same body of laws for the common welfare and the sharing of benefits justly apportioned."

I am confident that we can live up to the challenge implicit in those words: to make fair laws and to establish wise priorities with the limited dollars with which our fellow citizens have entrusted to us.

How we meet this challenge is up to us. For me, as I round the last bend, I pledge to do it with civility, acknowledging out legitimate differences, reaching out to include everyone I cc an, and willing to be held accountable for the consequences of my actions. It has worked before since 1859, in fact. I put my trust in you that it will work again.