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Assembly
California Legislature
Stan Statham
Assemblyman, First District

Day Able Dist 4

October 8, 1991

San Diego County Board of Supervisors
1600 Pacific Highway, Room 335
San Diego, CA 92101

Dear Supervisors:

As you may know by now, I am asking the Board of Supervisors in each of our 58 counties to place an advisory measure on the "Should California be divided into two states?" Please accept this letter as a formal request for placing the advisory question on the June 1992 ballot.

For your review I have enclosed copies of my press packet. If you have any questions regarding this material, my staff or I will be happy to answer them.

I look forward to hearing from you at your earliest convenience.

Sincerely,

Stan

STAN STATHAM
Assemblyman

SS:pkr

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Assemblyman Stan Statham

State Capitol-Sacramento

Should California be divided into 2 states?

(Northern and Southern California)

Overview:

Taxation without representation. Northern Californians are tired of being taxed into oblivion and not having enough say in their government. Only a streamlined form of government...a decentralized system can ever solve the huge money problems of this state. California is the world's 6th largest economy. It has 30 million people. It has become a super state with a super government. If government has grown too big and expensive, should we split it in two? The bureaucracy has grown too unresponsive and unmanageable. Decisions are made best closest to the people, let's allow northern and southern Californians to have their own governments and capitols.

History:

The movement to split the state is as old as the state itself. Since 1825, there have been many attempts to divide California into two or more political territories or states. Campaigns for division were lead by northerners in 1825, 1941, 1965, and 1967 through 1980 and by southerners in 1852 through 1859 and 1907.

Why Did It Fail?

The overriding reason before was no grass roots involvement in the efforts.

It's Been Done Before:

Vermont was once part of New York.
Kentucky was once part of Virginia.
Tennessee was once part of North Carolina.
West Virginia was once part of Virginia

What Do We Do?

1. Introduce an Assembly bill in January 1992. California law requires only a majority vote of the Legislature to pass this measure.

2. Each Board of Supervisors in Northern California is being asked to place an advisory measure on their June 1992 ballot so that the people can decide for themselves if they feel California should be divided.

3. The Legislature must obtain the consent of Congress. This will be done by introducing an Assembly resolution urging Congress to approve the forming of a new state

Who would decide the details of the new state?

If Congress approves the division there will be a Compact Commission to coordinate the details of the division. The new states would convene a Constitutional Convention to develop the governmental framework for the new states. All the laws would be considered at this time.

It would be no easy task to split such a complex state. It will only be accomplished when enough proponents—from north and south become willing and dedicate themselves to a long term effort. Programs must be worked out to satisfy the needs of the people who live, work and invest in California. The split must appear to be a win-win situation for Northerners and Southerners alike.

Why would Northern Californians like it?

1. A split would give two US Senators to both Northern and Southern California (on the eastern sea board, the same geographical area has 20 US Senators - while California only has two). The large populated areas of Los Angeles, San Diego and San Francisco would not be the tail wagging the dog any longer.
2. We get to start over. Get rid of over government regulation. We decide what our welfare and school system would be like. Perhaps privatization of prisons, Department of Motor Vehicles and other government run bureaucracies. There would be more involvement by people.
3. We could structure a part-time legislature like other small states. You would elect all new officials: Governor, Lt. Governor, Secretary of State, Superintendent of Schools, State Senators, State Representatives ... or maybe some of these could be eliminated after all we would be starting over!

Why would Northern Californias not like it?

1. California is a great state - let's keep it that way.
2. It may be difficult adjusting to less regulation -- this may cause more lawsuits without laws on the books to cover new situations
3. Less government means less services.

Why would Southern California like it?

1. If small is beautiful, let's live in two smaller, more beautiful states. "A more perfect union."
2. Rural Counties are perceived to be a burden. "They can't balance budgets, and won't raise taxes."
3. Southern California is tired of the North whining about stealing water, reforming government or reducing the welfare system.
4. They would get two U.S. Senators and the West would have more clout in Congress.

Why would Southern California not like it?

1. A weak argument would be, if split, the state might have less influence and prestige in the Federal Government than one large California.
2. Southern California has an ever-increasing thirst for northern California's water. The north/south water conflicts will become much worse in the mid-90s.

The 51st State?

If the new statewere to consist of the 27 counties on the map, it would approximate the size of the state of Iowa. The state would contain 54,678 square miles and have a population of 2,157,100 people. This would make it the 34th largest in the nation.

State Capitol
P.O. Box 942849
Sacramento, CA 94249-0001
(916) 445-7206

Assembly
California Legislature
Stan Statham
Assemblyman, First District

410 Hemsted Drive
Suite 210
Redding, CA 96002
(916) 223-6300

October 4, 1991

Dear Supervisor:

During the past few months I have travelled to over ten counties and had more than 50 meetings. I met with city officials, county officials, small business owners, big business owners, loggers, people financially independent and people who are unemployed. There is one message I received loud and clear : Everyone is tired of too much government! They want more say in their lives. They feel frustrated and out of control. They feel that government has gotten so big that it's no longer "by the people and for the people".

When people ask what can they do, I'm stymied because here in Northern California we are at a terrible disadvantage. While I represent 9 counties... 20% of California's land...28 Assemblymembers represent the County of Los Angeles. When LA wants something badly enough, it has the votes! Southern California doesn't understand our rural economy and unique problems. It's time to face the fact we have completely different needs and wants.

I am proposing a possible "solution". It may not be a perfect solution - but it is worth trying. Imagine if you will two Californias. Northern and Southern California. If you are trying to do a job that is too much for one person, doesn't it make sense to split the job ?

Examine this from all sides -- except one. And that is "it will never happen, so we shouldn't attempt it." If the Wright Brothers had felt that way, we would never have gone to the moon.

It is probably inevitable that we divide. Our state government is too complex to simplify. With each new budget and budget crisis, I've found time and time again, you can't rollback the huge bureaucracy, so perhaps its time to start over.

In January I am introducing a bill to split California into two states. I am asking you and your board to place on the June 1992 ballot the following advisory question so that the people have a chance to decide for themselves:
SHOULD CALIFORNIA BE DIVIDED INTO TWO STATES?

If the people decide affirmatively then I will proceed with my bill after the June election.

I look forward to hearing from you. If there is anything my staff or I can do to answer any questions, please do not hesitate to call.

Sincerely,

Stan Statham
ASSEMBLYMAN

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State Capitol, Suite 3021
Sacramento, CA 95814-4996
(916) 445-3057
Telecopier (916) 324-5311

Legislative Counsel of California

BION M. GREGORY

Gerald Ross Adams
Martin L. Anderson
Paul Antilla
Charles C. Asbill
Joe J. Ayala
Flaneene P. Beisle
Lara K. Bleiman
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Jack G. Zormer
Deputies

Sacramento, California
September 19, 1991

Honorable Stan Statham
4098 State Capitol

Division of California - #25305

Dear Mr. Statham:

You have asked us to describe the legal procedure that should be followed to divide the State of California into two separate states.

It should be mentioned at the outset that neither the United States Constitution, the California Constitution, nor the act admitting the State of California to the Union sets forth the exact procedure for the division of the state. However, Section 3 of Article IV of the United States Constitution does provide as follows:

> "New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislature of the States concerned as well as of the Congress." (Emphasis added.)

This section requires that the consent of both the United States Congress and the state concerned be given for a new state to be formed, since the phrase commencing with "without the consent" qualifies the whole of the section back to the word "Union," notwithstanding the semicolon before nor. As a matter of ordinary construction, where several words are followed by a general expression which is as much applicable to the first and other words as to the last, that expression is not limited to the

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last, but applies to all (United States v. Standard Brewery, 64 L. Ed. 229, 235, citing Great Western R. Co. v. Swindon & C. Extension R. Co. L. R., 9 App. Cas. 787, 808).

In accordance with this constitutional requirement, Kentucky was admitted to the Union in 1791 (Act of Feb. 4, 1791; 1 Stat. 189 c. 4), Maine in 1820 (Act of March 3, 1820; 3 Stat. 544 c. 19), and West Virginia in 1862 (Act of Dec. 31, 1862; 12 Stat. 633 c. 6), in each case following the consent of the legislature of the mother state.

The creation of the State of West Virginia out of the Commonwealth of Virginia provides a litigated example of a division of a state (Virginia v. West Virginia, 55 L. Ed. 353). Eliminating reference to matters relating to the secession of Virginia from the Union, the procedure in chronological sequence was as follows:

(1) An ordinance for the formation of a new state was passed by the western portion of Virginia (Aug. 20, 1861), which provided for the assumption of a just proportion of the public debt of the Commonwealth of Virginia, a constitutional convertion, consent by the General Assembly of Virginia to the formation of the new state, and a request of Congress for admission into the Union.

(2) A Constitution for the new state was framed and adopted (Nov. 26, 1861).

(3) The consent of the Legislature of Virginia to the creation of the new state "under the provisions set forth in the Constitution for the said State of West Virginia" was obtained (May 13, 1862).

(4) Consent was granted by Congress (Act of Dec. 31, 1862, supra), which recited the framing and adoption of the West Virginia Constitution and the consent given by the Legislature of Virginia, as well as the request of the West Virginia Convention and of the Virginia Legislature, as grounds for its consent. The effectiveness of the congressional consent was conditioned upon the amendment of the West Virginia Constitution to include an emancipation clause and a proclamation by the President, stating that fact, when the desired amendment was made.

(5) Accordingly, after the amendment and a proclamation by the President, West Virginia became a state on June 20, 1863.

It was held by the United States Supreme Court that the above course of action constituted a binding agreement between the old state and the new state (Virginia v. West Virginia, supra, p. 357; see also 31 Harvard L. Rev. 210, 236, 237).

Prior to 1972, the boundaries of the State of California were prescribed in the California Constitution (Sec. 1, Art. XXI, Cal. Const.). In November 1972, Section 1 of Article XXI of the California Constitution was repealed, and Section 2 of Article III was adopted and reads as follows:

> "The boundaries of the state are those stated in the Constitution of 1849 as modified pursuant to statute. Sacramento is the capital of California."

Sections 160 and 176 of the Government Code contain the statutory boundary descriptions of the state. Thus, the boundaries of the state, per se, may now be modified by statute rather than by amending the state Constitution. However, there are some matters that may call for constitutional changes involving, for example, institutions such as the University of California and subjects such as property taxation.

In summary, the following actions would bring about the valid division of California into two states:

(1) Enactment of a bill by the Legislature, or adoption of an initiative measure by the people, consenting to a division, and adoption by the Legislature of a resolution requesting consent of Congress to the division.

(2) Passage of legislation by Congress consenting to the division.

Although the United States Constitution does not require it, Congress might condition its consent on an expression of consent separately from the people of the territory that would constitute either or both of the new states. In this regard, the California Supreme Court has emphasized that Congress' power to set state boundaries as a domestic matter is preeminent, and that such a boundary is fully effective as between nation and state, regardless of contrary state claims or expectations (People v. Weeren, 26 Cal. 3d 654, 660-663, cert. den., Weeren v. California, 66 L. Ed. 2d 45).

It would further be appropriate for the Legislature to enact legislation calling a convention for the drafting of a constitution for the new state, and to propose a revision of its own Constitution or call a convention for its revision.

The requirement for state legislative action consenting to the division of the state is based upon Section 3 of Article IV of the United States Constitution and only requires a majority vote. In order to call a constitutional convention for revision of the California Constitution, or to propose its revision, a two-thirds vote of the Legislature and approval by the electors would be required (Sec. 2, Art. XVIII, Cal. Const.). The California Constitution, either in the provisions relating to constitutional conventions (Sec. 2, Art. XVIII) or in the provisions relating to the power of the initiative (Sec. 8, Art. II), does not, however, contain authorization for the voters to call a constitutional convention, without the issue having been placed on the ballot by the Legislature.

Very truly yours,

Bion M. Gregory
Legislative Counsel

By
Jeff Thom
Deputy Legislative Counsel

JT:kg

51st ☆ State Update

Special Publication for Elected Officials State Capitol, Sacramento, CA 95814

"A little rebellion now and then is medicine necessary for the sound health of government"
- Thomas Jefferson

Let The People Speak

During the past few months I've travelled all over northern California and have had many, many meetings with city officials, county officials, small business owners, big business owners, loggers, people financially independent and people who are unemployed. There is one message I received loud and clear: Everyone is tired of too much government! They want more say in their lives. They feel frustrated and out of control. They feel that government has gotten so big that it's no longer "by the people and for the people".

While I represent 9 counties... 20% of California's land ... 28 people represent Los Angeles. Southern California doesn't understand our rural economy and unique problems. It's time to face the fact that we have completely different needs and wants.

I am proposing a "solution". It may not be a perfect solution - but it is worth trying. If you are trying to do a job that is too much for one person, doesn't it make sense to split the job ?

Examine this from all sides — except one. And that is "it will never happen, so we shouldn't attempt it". If the Wright Brothers had felt that way, we would never have gone to the moon.

It is inevitable that we divide. Our state government is too complex to simplify. With each new budget and budget crisis, I've found time and time again you can't rollback the huge bureaucracy, so perhaps its time to start over.

I will be introducing a bill to split California into two states.

To get input from the people, I am asking every county supervisor in each of the 58 counties to place on the June 1992 ballot the following advisory question to allow the people a voice in their government: **Should California be Divided into Two States?**

Because of overwhelming response from counties south of Sacramento, a second question may be added to their county ballots, **"If California Is Split In Two, Would You Want To Join The New Rural State?"**

Stan Statham

No Fault Divorce

Think of this as a marriage gone bad. Two California's have been married for many, many years...but in recent decades have developed their own way of doing things, their own friends, their own culture. They simply don't run in the same circles anymore. For more than 10 years they have been in counseling trying to put the pieces together - but their way of approaching problems and of doing absolutely everything is totally different from one another.

The only alternative is a 'No Fault Divorce'. Let's act like adults, split up the community property and go about living out the rest of our lives!

How Do We Rate?

Polls are showing overwhelming support:

KRCR TV, 96%
KHSL TV, 95%
Sacramento Union, 66%
Stockton Record, 80%
Feather River Bulletin, 95%
LA talk shows: 50-60%.

On October 11, 1991, 10 climbers hiked to the top of Mt. Shasta in support.

What Do Others Say?

"I think it's the most wonderful idea that any politician has come up with in a very long time. We're just the bastard child of the state right now. They take our land, they take our water, they take our work... They're sucking us dry and not giving anything in return."

✍ Pat Massie

"The north is so much different from the south. It sounds like a good plan to me because we're so different. I actually want to move out of California because it's such a rip-off here." ✍ Marie Nassbaum

"The 51st State would have no big cities, the air would be clear and the homes would be cheap. It would be a wonderful place to live and work." ✍ LA Daily News

"There is no disputing the fact that Northern California has been controlled politically by the votes of Southern California interests for many - too many - years."
✍ Chico Enterprise Record

"One heck of a good idea! Let's extend the lines to include the Delta and farming communities in Northern California because we have a lot of similarities."
✍ Neil Whorton

"The concerns are genuine and they have a legitimate complaint."
✍ Dan Walters, Sacramento Bee

"I don't see anything ridiculous or absurd about a plan that has so much merit to separate the biggest liability of people and financial problems in a given area."
✍ T.R. McDonald

"What has transpired the past 40 years in Sacramento is the transfering of the power to... The *un-elected* bureaucracy. Instead of beginning the task of 'scaling' back services, the Legislature and Governor- driven by the *un-elected* bureaucracy- promised greater levels of service to a greater number of people."
✍ Supervisor Jim Chapman

"Rural residents are the poor relations of the city cousins...our needs are not recognized."
✍ Supervisor Patti Mattingly

"...has vision and courage unparalleled since the time of Jefferson...we have suffered abuse at the hands of politicians from the more populated southern portion of the state." ✍ Allen Daugherty

"The 51st state would be a paradise." ✍ SF Examiner

"California has always had a dual personality: North versus South, urban versus rural, rich versus poor...it seems to be happening again with the latest effort to split the most populous state in two." ✍ Christian Science Monitor

Water? No Problem!

The water that flows from north to south will remain as it is. Federal water law will remain intact. State water has been contracted. Those contracts are valid and legally enforceable. There will be no change in the existing water plan.

Ugly Stepsister

● Northern California usually gets the crumbs while the rest of the state gets the main course. Recently, Governor Pete Wilson VETOED a bill that would spend a mere $150,000 to study passenger rail service in Northern California while there are hundreds of million dollars spent annually in Southern California on mass transportation! This time we were denied even the crumbs.

● We are spending less on kids than we are on bureaucracy. The huge bureaucracy of the Department of Education had a 1990-1991 operating budget of $159 million. School children in the northern rural California counties had less than $20 million spent on them and there was $56 million spent on Los Angeles County children. We're too top heavy!

● Northern California gets the short end of the stick when it comes to road transportation. In 1990, over $73 million was spent in 10 Southern California counties- while $70 million was spent in 48 Northern California counties. The ten far Northern Counties received even less – only $11 million!

Two Steps For Mankind

The people of California do not have to vote to divide the state, but we want their input anyway! I am asking all County Boards of Supervisors to place an "advisory measure" on their local ballots in June 1992.

The steps necessary to legally divide the state are:

1. Introduce an Assembly Bill to split the state at boundaries decided after the election.

2. Introduce an Assembly Joint Resolution to ask for Congressional approval according to the terms of our Assembly Bill.

(When Congress approves, a commission will be formed to split the community property and work out the details. Each new legislature will appoint their own representatives.)

Prop 140 deja vue

I did not support Prop 140. But it was passed - and it passed overwelmingly. Why? It was the people's way of saying, "We've had enough government...we're tired...leave us alone". For these very same reasons, the people will overwelmingly support this advisory measure. It's a way - the only way - to roll back government - to start over. I've sat through 15 budgets and believe me, it never - never gets any better. It is no longer "by the people or for the people".

Q & A

Q Would California lose power in Congress if the state split?

A NO. Southern and Northern California would each have 2 U.S. Senators. (on the eastern seaboard, the same geographical area has 20 U.S. Senators) The net result is that Northern California would be as powerful as any other state in the U.S. We would have the same number of Congressmen as we currently have based on population.

Q Why aren't the borders drawn further south?

A The idea is to create a "homogeneous" state. Presently, California is already split ... by geography, by life style and by philosophy. The proposed boundary is just a starting point for discussion.

Q Who would decide the details of running the new state?

A When Congress approves the division there will be a compact commission to coordinate the details of the division. The new states would convene a Constitutional Convention to develop the governmental framework for the new states. All the laws would be decided at this time.

Q Will the split ever occur?

A Yes! It will be no easy task to split such a complex state. Programs must be worked out to satisfy the needs of the people who live, work and invest in California. The split must be a win-win situation for Northerners AND Southerners alike.

Q What's the last date to put this advisory question on the June 1992 ballot?

A March 6, 1992

Northern Calif. Benefits

- We get to start over. Get rid of "government over-regulation". We decide what our welfare and school system would be like. There would be more involvement by people.
- We could structure a part-time legislature like other small states. We would elect all new officials: Governor, Lt. Governor, Secretary of State, Superintendent of Schools, State Senators, State Representatives ... or maybe some of these could be eliminated. After all, we would be starting over!

Southern Calif. Benefits

- Southern California would have more political power because two United States Senators would be covering a smaller area concentrating on just their urban problems.
- Southern California thinks rural counties are a financial burden to them and would like to get us off their backs.
- Southern California is tired of our whining (Butte's bankruptcy; Lassen wanting to join Nevada).
- ...and most importantly, they too, want to send a message to Sacramento saying they feel they are "over-governmented". They feel government would be more responsive to their needs if it were smaller.

Paying For It

How do we pay for our new state? By getting rid of the "Unelected Government" that we don't want - and don't need. By reducing the size of ALL government ... including the Legislature, we will have a wonderful, sound based, rural economy. The same taxes that we're paying now would go a much longer way if we didn't have so much bureaucracy.

Unelected Government

We just went thruough a $14 Billion dollar crisis in which your taxes were raised. Not one government board or commission was eliminated!

Funeral Directors Board
Home Furnishings Board
Home Furnishings Bureau
Advisory Board Home Furnishings
Track Leasing Commission
Permit Assistance Office
Private Security Board
Auctioneer Commission
Abrasive Blasting Advisory Committee
Heritage Preservation Commission
Humanities Council
Landscape Architects Board
Office of the State Architect
Electronic Appliance Board
Structural Pest Control Board
Super Speed Transport Commission
Century Freeway Housing Program
Polygraph Examiners Board
Recreational Trails Committee
Guide Dogs for Blind Board
Off Highway Commission
Debt Advisory Commission
California Horse Racing Board
Auctioneer Review Committee
Fire Marshal for State
New Motor Vehicle Board
Southern California Exposition
Cemetery Board
Industrial Development Committee

...a very partial list. Do we really need all of this government?

What's the Alternative?

Keeping things just the way they are - doesn't sound too good does it?

Who Doesn't Like It?

Officials who think they will have less power and influence than if the state were kept as one large bureaucratic unit. But then, isn't that the reason the people feel it's a good idea?

Taxes Everywhere

When people talk about taxes, or tax base, they are generally referring to the big three: INCOME, SALES and PROPERTY, but think about everything you're paying for - directly and indirectly: annual auto registration, registration fees each time you purchase a vehicle, drivers license renewal fees, insurance premium tax, personal property tax, bed tax, estate, alcohol, payroll, bank and corporation taxes, not to mention, gasoline, gift, pesticide, inheritance and horseracing taxes. But let's not forget hunting and fishing license fees, toll bridges, utilities taxes including cable, electric, phone, and water. Then there's the timber yield tax, genetic disease testing fees ... fees to build or construct anything, anywhere - and the list goes on and on. There's a zillion taxes and fees going to support a bulging bureaucracy!

Win-Win

It's been said that California has always been on the cutting edge (when California sneezes, the rest of the country gets a cold). All of California is ready for a more manageable form of government. It is not an easy task to split such a complex organization into two. The split must include the development of a fair tax structure. It must ensure that each new state can create its own pattern of government. It must give us the opportunity for change. It must be a win-win for North and South.

Memory Lane

Since 1852, there have been many attempts at dividing California into two or more political territories or states. The campaigns for division were lead by northerners in 1925, 1941, 1965, and 1967 through 1978; by southerners in 1852 through 1859, and 1907.

The motivations for splitting the large territory were generally economical and political—representation in state and federal government, accessibility to the state capitol, distribution of federal funds for transportation and development, and distribution of natural resources (primarily water). Most of the attempts worked within the political framework of the time. A northern group went so far as to declare Secession Day in Siskiyou County on December 4, 1941, but the bombing of Pearl Harbor by the Japanese on December 7th completely eclipsed the internal event. The most recent attempt was in 1978.

California is now the most populous state in America. She is rich in natural and human resources—boasting more Ph.D's per capita than any other place on earth. Yet, California is overdeveloped and polluted. There are hundreds of miles of multi-laned highways. Half of yesterdays highly promoted suburbs are todays rotting slums.

California is already split—by geography, by politics, by life style and philosophy. A political division, a clearly defined boundary between territories, will give the California—North and South, a turning point: an opportunity to redefine the regions as areas of resource and consumption; to reduce the governmental system, making it more flexible to meet the challenges of the 21st century.

51st Hotline

If you have questions, want information, or want to leave us a message... call (916) 324-2227.

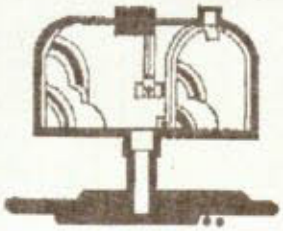
Millions Will Vote

On June 2, 1992, millions of Californians will be voting on a non-legally binding advisory measure. What a wonderful way to determine what the people of the State of California think and feel! We hope your Board of Supervisors has seen fit to ask for input from its constituents.

A Final Note

"...we are endowed by our Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed: that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness".

(emphasis added)



Write or Call

Mark Powers, Chief of Staff, 445-7266
Ray Narbaitz, 51st Spokesman, 223-6300
Mardi Cornelius, Off. Manager, 223-6300
Geraldine Statham, Press, 445-9999

51st ☆ State Finance Facts

A Special Publication For Elected Officials

State Capitol, Sacramento, CA 95814

Executive Summary

Since the idea of a 51st State was proposed in October, there has been overwhelming grass roots support. In polls, this support has ranged from 100 percent in Siskiyou County - California's most northern County (KSYC Radio call in) to 55 percent on Los Angeles talk shows. People all over California are seeing this as a referendum on government. They are frustrated with government bureaucracy on all levels and see this as a way to send a message to Sacramento.

But is "rural" California financially sound? I felt that if we were "de-regulated" and didn't have to pay for such a massive "un-elected bureaucracy" as currently exists, we could have a healthier North California.

Sacramento has treated us as ugly step-sisters here in the North when we actually have as much financial right to go to the ball as anyone else!

This analysis clearly indicates that the 51st State would not only survive but florish by itself. If counties are added to the 27 original I proposed, the figures will only improve!

The 51st State will be the 33rd largest state population in the country, ranked between Kansas (32) and Arkansas (34). It has a much smaller land area than Kansas and a bit more than Arkansas.

As a general rule, the cost to deliver government services goes down as the population per square mile goes up. The 51st State has about 50% more people per square mile than Kansas and substantially less miles of public roadway to maintain than Arkansas or Kansas.

The less bureaucracy the better. Kansas has almost four times and Arkansas almost triple the number of county governments as the 51st.

Many believe the 51st State is full of children on welfare and retired senior citizens. We actually have more people of working age than either Kansas or Arkansas. Our unemployment figures and welfare population is higher than Kansas but lower than Arkansas. For an adult and three children on welfare California pays $788 a month, Kansas $470, and Arkansas $247.

Like all states across the country, Kansas and Arkansas are facing challenges in balancing next year's budget. However, they do not even remotely compare to California's nightmare.

A good way to measure the level of services you are getting for your tax dollar is to look at what your state spends per person for certain government functions. While California has a higher tax burden than 41 other states, it outspends 41 other states in only one area: WELFARE! Just 8 states have a lower tax burden than Arkansas, yet Arkansas outspends many more than eight states on education, higher education, highways, hospitals and police.

We compared all the major sources of tax revenue for Kansas, Arkansas and the 51st State. The figures were gathered by my staff and then rechecked for accuracy by the appropriate analysts. I have requested a comprehensive financial analysis of the 51st State be developed by the Assembly Office of Research. Federal funding was omitted because the 51st State would immediately qualify for similar aid upon its admission to the Union. The results will be surprising to those who have accepted the urban perception of our rural financial capabilities. Even though the 51st State has over 123,000 less people than Kansas, we generate more tax revenue. The difference between us and Arkansas is truly shocking: the 51st State has only about 1,500 more people than Arkansas, yet collects almost double the major tax revenues we surveyed. To make matters even worse (better?), our revenue projections do not even include the massive tax hikes passed last July!

Many questions still remain as to the level of services the residents of the 51st State will want to pay for. Clearly, the tax base in the northern 27 counties is at least equal to Kansas and much greater than Arkansas. Both seem to do a better job than California in getting tax dollars back to the people.

The real advantage to a 51st State is choice. Anything from a part-time citizen Legislature to transferring public services to the private sector can, and will be, considered when the new state is formed. We all feel helpless today. Let's take charge of our future and return government to its rightful owners.

- Assemblyman Stan Statham

Demographic and Financial Comparision

POPULATION

51st State	2,353,929
Kansas	2,477,574
Arkansas	2,350,725

Source: 1990 U.S. Census

The 51st State has 5% (123,645) fewer people than Kansas and a fraction of 1% (3,204) more than Arkansas. The 51st State will be the 33rd largest in the nation.

AREA (Square Miles)

51st State	53,495
Kansas	81,823
Arkansas	52,075

Source: 1990 U.S. Census

The 51st State has 53% (28,328) less land than Kansas and 3% (1420) more than Arkansas.

DENSITY (Per Square Mile)

51st State	44
Kansas	30
Arkansas	45

Source: 1990 U.S. Census

The people of the 51st State and Arkansas are less rural than Kansas.

WORKING POPULATION (Ages 18-65)

51st State	1,431,487
Kansas	1,473,389
Arkansas	1,379,536

Source: 1990 U.S. Census

The 51st State has 61% of its people of working age compared to 59% in Kansas and 58% in Arkansas. Both Kansas and Arkansas have more people under 18 and over 65 than the 51st.

PUBLIC ROADS (Total Miles)

51st State	41,931
Kansas	132,640
Arkansas	77,050

Source: California Department of Transportation
Kansas Department of Transportation
Federal Highway Administration

The 51st State has 216% (90,709) fewer miles of roadway to maintain than Kansas and 84% (35,119) less than Arkansas.

COUNTY GOVERNMENTS (Total Number)

51st State	27
Kansas	105
Arkansas	75

Source: 1990 U.S. Census

The 51st State already has 290% (78) less bureaucracy than Kansas and 180% (48) less than Arkansas!

TOTAL PAYROLL (Wages Paid In Billions)

51st State	$15.1
Kansas	$19.4
Arkansas	$17.6

Source: California Employment Development Dept.
Kansas Department of Labor Information
Arkansas Bureau of Legislative Research

The 51st State wages are probably understated because they do not include self-employed workers. Adding the disproportionate number of small businesses and contractors in the 51st State may close the gap between the other two.

UNEMPLOYMENT (% of Civilian Labor Force)

51st State	6.6%
Kansas	4.4%
Arkansas	6.9%

Source: California Employment Development Dept.
U.S. Department of Labor

The 51st State has a higher unemployment figure than Kansas but lower than Arkansas. The U.S. average in 1990 was 5.5%.

PUBLIC ASSISTANCE (% Cash Grant to Pop.)

51st State	2%
Kansas	1%
Arkansas	5%

Source: California Health and Welfare Agency
Kansas Management Analysis Division
Arkansas Department of Human Services

Welfare payments to an adult with three children in the 51st State last year was $824 and the Legislature lowered it to $788 this year. Kansas splits their state into four regions which offer benefits from $427 to $470 per month. Arkansas gives only $247! Since California welfare benefits are the same statewide, doesn't it make sense that recipients would head for the lowest cost of living areas to make their money go farther? Payments more in line with the lower costs of rural areas will stop, and may even reverse the flow.

BUDGET SUMMARY

California - We have faced a major budget crisis the past two years. In 1990, the deficit was almost $4 billion and this year exceeded $14 billion. Despite the staggering shortfall, our spending will still be 7% over last year! Taxes were increased over $1000 for a family of four. A special session of the Legislature is needed to deal with a multi-billion dollar deficit projected for next year. Higher taxes ahead? California has lost almost 400,000 jobs in the past year according to the Commission on State Finance; the worst figure since the 1940's.

Kansas - Revenues are coming in at or above estimates. Their annual expenditures have exceeded revenues over the past few years but have been offset by a budget surplus. That surplus is now gone and a $50-100 million shortfall is expected. A sales and income tax increase that would have generated $140 million ($238 for a family of four) was passed by the Legislature but vetoed by the Governor. They returned $200 million to taxpayers through income tax reductions over the past two fiscal years. Governor can reduce state spending by any amount at any time with approval of Finance Council. Employment is growing 1% and personal income 4% each year.

Arkansas - Last year they collected $17 million more than budgeted. Each governmental department gets a maximum authorization to spend, not a guaranteed appropriation like California. Every three months the authorization is adjusted to reflect changes in revenue. Last month they automatically reduced spending by 1.3% because sales tax collections were off due to the recession. Personal income is growing at about 9% per year and the state gained 6,800 non-agricultural jobs in July alone.

Financial figures contained in the following tables are based on the fiscal year ending July 1990 unless otherwise noted.

SPENDING LEVEL (Per Capita / Rank)

	All California	Kansas	Arkansas
Revenue	$3000 (11)	$2084 (41)	$1933 (45)
Tax Burden	$1459 (9)	$1077 (32)	$ 962 (42)
Education	$ 904 (10)	$ 745 (30)	$ 717 (33)
Higher Ed.	$ 315 (20)	$ 305 (23)	$ 251 (35)
Highways	$ 118 (49)	$ 220 (20)	$ 179 (33)
Welfare	$ 552 (6)	$ 295 (35)	$ 335 (28)
Hospitals	$ 69 (33)	$ 111 (16)	$ 81 (24)
Police	$ 26 (11)	$ 12 (45)	$ 14 (40)

Source: U.S. Census Bureau. State Government Finances: 1990. GF-90-3

Note: Revenue figure does not include California's massive tax hikes last year.

The most striking comparison is how the three states rank in delivery of services in relationship to their tax burden. For example, there are only eight states in this country with lower tax burdens than Arkansas. Yet, they can deliver more money per person for education than 17 states, more to higher education than 15, and so on. The difference in health care spending is dramatic. Both Kansas and Arkansas get their best rankings in hospital expenditures, while California's highway spending is the only thing worse than health care. You could have guessed the one service California can deliver better than its tax ranking: WELFARE!

PROPERTY TAX BASE (Assessed Valuation Revenue Collected in Billions)

51st State	$100.8	$1.1
Kansas	$ 14.1	$1.6
Arkansas	$ 14.7	$0.568

Source: California Board of Equalization
Kansas Department of Revenue
Arkansas Assessment Coordination Division

Property taxes are returned to the local level for spending, primarily on schools. Kansas and Arkansas assess property at only a fraction of market value. For example, Kansas is 12% of residential value and 30% of commercial. Property tax load falls more heavily on businesses than in California. The 51st State generates $500 million less than Kansas in property taxes and $500 million more than Arkansas.

SALES TAX BASE (Taxable Receipts Revenue in Billions)

51st State	$18.8	(6.00 cents)	$1.1
Kansas	$17.2	(4.25 cents)	$0.73
Arkansas	$21.0	(4.00 cents)	$0.84

Source: California Board of Equalization
Kansas Department of Revenue
Arkansas Bureau of Legislative Research

The $1.1 billion figure does not include the 1.5 cent increase in the sales tax passed in July. At 7.25 cents, the 51st would generate $1.4 billion; $670 million more than Kansas and $560 million above Arkansas.

PERSONAL INCOME (Adjusted Gross Income Revenue in Billions)

51st State	$26.0	$.767
Kansas	$38.5	$.786
Arkansas	$20.0	$.735

Source: California Franchise Tax Board
Kansas Department of Revenue
Arkansas Department of Finance

Despite over $12 billion more in personal income, the revenue collected in Kansas is only $19 million more than the 51st State. The 51st State generates over $100 million more income taxes than Arkansas.

BANK AND CORPORATION INCOME

(Revenue In Millions)

51st State	$257
Kansas	$202
Arkansas	$130

Source: California Franchise Tax Board
Kansas Department of Revenue
Arkansas Department of Finance

The 51st has almost double the revenue of Arkansas.

ALCOHOL TAX (Per Capita Revenue In Millions)

51st State	$10.87	$26
Kansas	$12.13	$30
Arkansas	$ 7.79	$18

Source: California Board of Equalization
Kansas Department of Revenue
Arkansas Department of Finance

Since data is not kept by county, a per person average is the best comparison we can make. It is reasonable to assume that alcohol consumption is about the same in Southern California and the 51st State. Figure for 51st State includes the recent alcohol tax increase and all data excludes liquor licensing revenues and fines.

TOBACCO TAX (Per Capita Revenue In Millions)

51st State	$26.56	$63
Kansas	$21.94	$54
Arkansas	$26.13	$61

Source: California Board of Equalization
Kansas Department of Revenue
Arkansas Department of Finance

Again, if cigarette and tobacco use are evenly distributed across the state, a per person average should be quite accurate in projecting revenue.

REGISTERED VEHICLES (Number of Vehicles Revenue In Millions)

51st State	2.3	$192
Kansas	2.4	$ 88
Arkansas	1.9	$ 87

Source: California Department of Motor Vehicles
Kansas Department of Revenue
Arkansas Department of Finance

The 51st State will generate more than twice the revenue of either Kansas or Arkansas from vehicle fees.

TOTAL GALLONS (Fuel In Billions of Gallons Revenues In Millions)

51st State	?	$.14 per gallon	$225
Kansas	1.5	$.15 per gallon	$232
Arkansas	1.6	$.13 per gallon	$218

Source: Kansas Department of Revenue
Arkansas Bureau of Legislative Research

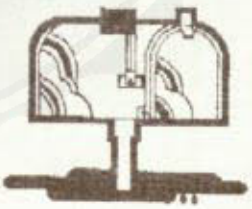
Gas taxes typically go to build and maintain public roads. California does not collect data on gas tax revenue by county. However, given that the 27 counties of the 51st State have more vehicles and higher gas taxes than Arkansas, and just slightly less than Kansas; it is safe to assume we will at least be in the middle. After all, which state gets more tourism, especially from gas guzzling motor homes? Remember we also have much less roadway to service than either of the other states. Who says Southern California pays our highway bills?

TOTAL REVENUE COMPARISON

(Major Tax and Fee Revenues In Billions)

51st State	$3.730
Kansas	$3.722
Arkansas	$1.901

This analysis has included all major tax revenue sources. Unemployment insurance was excluded because it is an employer-funded benefit program. Other types of taxes exist such as timber yield, state disability, private railroad car, emergency telephone users, estate, and insurance gross premiums. However, there is no reason to assume that the 51st State will collect any less than Kansas or Arkansas from these minor revenues.



District Office
410 Hemsted, Suite 210
Redding, CA. 96001

Capitol Office
State Capitol, Rm. 4098
Sacramento, CA. 95814

Assemblyman Stan Statham - 445-7266
Mark Powers - Chief of Staff - 324-4445
Ray Narbaitz- 51st State Consultant - 223-6300
Susan Cusack - 51st State Consultant - 445-9994
Mardi Cornelius - District Office Manager - 223-6300
L.G. Statham - Press & Scheduling - 445-9999

Press Release • Press Release • Press Release

Dividing California

What's Wrong With This Picture?

On January 6, 1992, Assemblyman Stan Statham introduced AJR 51 (Assembly Joint Resolution 51) the bill necessary to divide California into two or more states.

Conspicuous by its absence were any boundary lines setting forth where the division would occur.

Statham has repeatedly stated that before he moves the bill he wants input from all of the people of California.

"I want the people of California to tell me if THEY want to divide - then, where do THEY want the line to be," said Statham. *"This can be done by way of an 'advisory' question on the June ballot. I have asked the Supervisors in all 58 counties to put this non-binding, advisory question on the ballot to get public input. To date, 21 counties have said they definitely will, and another 9 look good. It's a shame, but 28 counties may be leaving the decision in the hands of the Legislature, by not giving the people the opportunity to speak!"*.

Assemblyman Stan Statham
(916)445-7266
State Capitol•Sacramento, CA 95814

Assembly Joint Resolution No. 51

Introduced by Assembly Member Statham

January 6, 1992

Assembly Joint Resolution No. 51—Relative to division of the state.

LEGISLATIVE COUNSEL'S DIGEST

AJR 51, as introduced, Statham. Division of the state.

This measure would memorialize the Congress of the United States to enact legislation consenting to the division of the State of California into two states as proposed in AB _____.

Fiscal committee: no.

1 *Resolved by the Assembly and Senate of the State of*
2 *California, jointly,* That the Legislature of the State of
3 California respectfully memorializes the Congress of the
4 United States to enact legislation consenting to the
5 division of the State of California into two states, as
6 proposed in Assembly Bill _____ of the 1991-92
7 Regular Session, and be it further
8 *Resolved,* That the Chief Clerk of the Assembly
9 transmit copies of this resolution to the President and
10 Vice President of the United States and to each Senator
11 and Representative from California in the Congress of
12 the United States.

O

Introduced by Assembly Member Statham

January 22, 1992

House Resolution No. 31—Relative to voting on the division of California into more than one state.

WHEREAS, The people of California are at a critical decision point regarding the future of the state; and

WHEREAS, One of the cornerstones of representative government is the people's right to express their views; and

WHEREAS, The Declaration of Independence states, in part, that it is the right of the people to institute a new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness; and

WHEREAS, Assembly Member Stan Statham has asked each county board of supervisors to inquire of the electorate whether they feel that dividing the State of California would be a viable way to assist their leaders in addressing the complex social and economic problems facing the state today; and

WHEREAS, The board of supervisors of Alpine, Del Norte, El Dorado, Lake, Mendocino, Nevada, Sierra, Trinity, Amador, Calaveras, Glenn, Lassen, Modoc, Placer, Plumas, Siskiyou, Tuolumne, Colusa, Inyo, Mariposa, Mono, Shasta, Tehama, and Yuba Counties have already approved the placing of this nonbinding, advisory question on their ballots; and

WHEREAS, The Assembly of the State of California believes that the more citizens are allowed to express their opinion on this issue, the better idea the Legislature of the State of California and the Congress of the United States will have on what direction they should take; now,

therefore, be it

Resolved by the Assembly of the State of California, That it requests all county boards of supervisors to agree to place an advisory measure on their June ballots asking their voters whether they approve of the concept of a new state.

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51st State Media update...

Radio stations listed with "call in talk show" are those in which Assemblyman Stan Statham has appeared as a guest. TV stations listed have done feature stories. Print media are those in the process of doing a feature story or have already completed a story. Media requests continue to come in daily from all parts of the world. Listings do not include press conference stories, update stories, or editorials. (1/15/92 partial list)

Appeal Democrat	Yuba City	Feature story
Arizona Republic	Arizona	Feature story w/pics
British Broadcasting Corp	London	On air interview
Channel 9 TV	Los Angeles	On air interview
Chicago Tribune	Chicago	Front page story
Christian Science Monitor	Nationwide	Feature story
City and State Magazine	Chicago	Feature story
CNN News	Los Angeles	On air interview
CNN News	New York	Headline story
Daily Bulletin	San Bernardino	Feature story
Daily Press	Paso Robles	Feature story
Dispatch Paper	Marysville	Feature story/7 part
Enterprise Record	Chico	Feature story
Farm Bureau Radio	Statewide	Special Report
FRISKO Magazine	San Francisco	Feature Story
Governing Magazine	San Francisco	Feature story
KABC, Michael Jackson	Los Angeles	Call in talk show
KBLA Radio	Los Angeles	Call in talk show
KCAL TV	Los Angeles	On air interview
KCIN Radio	Victorville	Call in talk show
KEZR Radio	San Jose	Call in talk show
KFMB Radio	San Diego	Call in talk show
KFMR Radio	Stockton	Call in talk show
KGIL Radio	Los Angeles	Call in talk show
KGO Radio	San Francisco	Call in talk show
KHJ Radio	Lancaster	Call in talk show
KHSL TV	Chico	In depth interview
KHSU Radio	Arcata	Call in talk show
KING Radio	Seattle, Washington	Call in talk show
KIRO TV	Seattle, Washington	Call in talk show
KJQY Radio	San Diego	Call in talk show
KMUD Radio	Garberville	Call in talk show
KMJ Radio	Fresno	Call in talk show
KNCO Radio	Grass Valley	Call in talk show
KNDO Radio	Delano	Call in talk show
KNZR Radio	Bakersfield	Call in talk show
KORV Radio	Oroville	On air interview
KPAY Radio	Chico	Call in talk show
KPCO Radio	Quincy	Call in talk show
KPSI Radio	Palm Springs	Call in talk show
KQMS Radio	Redding	Call in talk show
KRCR TV	Redding	Debate
KRCR TV	Redding	Feature stories
KSCO Radio	Santa Cruz	Public Affairs Show
KSDO Radio	San Diego	Call in talk show
KSYC Radio	Yreka	Call in talk show
KTMS Radio	Santa Barbara	Call in talk show
KVEN Radio	Ventura	Call in talk show
KVIC Radio	Vacaville	Live newscast
KVMR Radio	Nevada City	Call in talk show
KVON Radio	Napa	Call in talk show
KWNK Radio	Los Angeles	Call in talk show
KXBX Radio	Lakeport	Call in talk show
KXTV TV	Sacramento	Feature stories
KYNO Radio	Fresno	Call in talk show
KYOS Radio	Merced	Call in talk show
KZRX Radio	Mendocino	Call in talk show
LA Daily News	Los Angeles	Feature story
London Sunday Times	London, England	Feature story
Mono Newspaper	Mono County	Feature story
New York Times	New York	Feature story w/pics
News and Review	Chico	Feature story
Orion Newspaper	Chico	Feature story
Oregonian	Oregon	Feature story w/pics
Paul Harvey Synd News	Nationwide	Headline story
Peninsula Times	Palo Alta	Feature story
Philadelphia Inquirer	Philadelphia, PA	Feature Story
Radio Free Europe	New York	Interview
Rural Electrification Mag	Washington D.C.	Feature Story
San Jose Mercury News	San Jose	Feature story
SF Chronicle	San Francisco	Feature story
SF Examiner	Washington DC	Feature story
Time Magazine	Nationwide	Feature story
Times Standard Newspaper	Eureka	Feature Story
US News World Report	Nationwide	Feature story/2
Wall Street Journal	Nationwide	Feature story
Washington Post	Nationwide	Feature story
WBEZ Radio	Chicago	Call in talk show
WNPR Radio	Wisconsin	Call in talk show

FACTS

Who: Assemblyman Stan Statham (1st Assembly District)

What: AJR 51 - Relative to the division of the state. This Joint Resolution was introduced on January 6th, 1992. This is a skeleton resolution that will be urging Congress to enact legislation consenting to the division of the State of California into two states. The final draft will contain all of the necessary details regarding boundaries, administration, corrections, healthcare, welfare, courts, jails, water, interstate commerce, geographical considerations, economic factors, bonded indebtedness, tourism, education, etc.

Why: For a more responsive, accountable government and greater strength in Washington.

How: 1) Request County Supervisors across the state to place a non-binding advisory question before the voters of California on local county ballots. A house resolution has been introduced HR 31 (Statham) 24 counties have approved.
2) If the people express their will in favor of pursuing the concept then we will introduce a measure outlining the extensive details of the proposed new state.
3) The details (which would be hammered out at constitutional revision conventions, compact commissions and by treaty) can be agreed upon in California statute and then placed into Federal statute. The new state would probably model their constitution after the current one and both states would become involved in negotiations that would set the guidelines for all significant issues that would be left to resolve. ***First the split occurs and then the two new states enter into agreements with eachother. We can only express our intent of these agreements in a resolution or bill and Congress would adopt them in their statute.***

When: The advisory vote will take place on June 2nd, 1992 in the counties that have agreed to place this measure before their

Advisory Election Deadline Dates

Voter Registration; Marion Carlson (916) 366-2051

March 6th, 1991 is the "Drop dead date" which is 88 days prior to the election. Board action must be taken to formally agree to place an advisory measure on the June ballot.

March 19th, 1991 - Deadline for arguments (anyone can turn one in)

March 26th, 1991 - Deadline for rebuttals

See election code sections: 5353 and 3786.

Selection of arguments Sect. 3786 - County clerk shall select one of the arguments in favor and one of the arguments against the measure for printing and distribution to the voters.

In selecting the argument the county clerk shall giver preference and priority in the order named to the arguments of the following:

(a) The board of supervisors or member or members of the board authorized by the board.

(b) The individual voter or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.

(c) Bona fide associations of citizens.

(d) Individual voters.

To: County Clerks, County Administrators, County Supervisors
Fr: Assemblyman Stan Statham, California State Legislature, 1st District

Re: Official Advisory Measure ballot questions

The following are the official ballot questions for the proposed advisory measure on your June, 1991 countywide ballot.

1. Should California Be Divided Into Two States?

2. If a 51st State is Created, Would You Like Your County to be Part of It?

It is important to inform you that we did a considerable amount of research to come up with the most direct and appropriate questions. We involved numerous County Supervisors, pollsters, analysts, and attorneys in order to come up with a fair approach. The above questions we selected were determined to be the most effective way to communicate without leading people into a suggested response.

FYI

This is a listing of 24 counties that have already approved putting the advisory question on the ballot (as of 1/15/92)

Counties - Approved Ballot Question

Alpine	Amador	Colusa
Del Norte	El Dorado	Glenn
Inyo	Lake	Lassen
Mariposa	Mendocino	Modoc
Mono	Nevada	Placer
Plumas	Shasta	Sierra
Siskiyou	Tehama	Trinity
Tuolumne	Yuba	Calaveras