

RNPA-PAC Report

REGISTERED NURSES PROFESSIONAL ASSOCIATION

JANUARY 2008

What's on the February 5th Ballot?

On February 5th, all registered voters in California are invited to help select candidates for President from each political party plus vote on state ballot measures. In this publication, the RNPA-PAC has outlined the current state ballot propositions along with information on the top three presidential candidates in the two major parties' positions on healthcare.

RNPA is not endorsing in the primary elections, but will endorse candidates in the general election in November.

Below is a list of state ballot measures.

Proposition 91 - Transportation Funds.

Note: The proponents of Proposition 91 have stated that the passage of Proposition 1A in November 2006 satisfied the goals of Proposition 91 and that Proposition 91 is no longer needed.

Summary

- Prohibits certain motor vehicle fuel sales and use taxes that are earmarked for the Transportation Investment Fund, from being retained in the General Fund. Currently such taxes may be retained if Governor issues a proclamation, a special statute is enacted by a 2/3 vote of the Legislature, repayment occurs within three years, and certain other conditions are met.
- Requires repayment by 6/30/17 of such vehicle fuel taxes retained in General Fund from 7/1/03 to 6/30/08. Currently repayment is generally required by 6/30/16.
- Changes how and when General Fund borrowing of certain transportation funds is allowed.

- Fiscal Impact: Increases stability of state funding for highways, streets, and roads and may decrease stability of state funding for public transit. May reduce stability of certain local funds for public transit.

What a Yes or No Vote Means

YES: A "YES" vote on this measure means: The state would no longer be able to suspend the transfer of gasoline sales tax revenue from the General Fund to transportation. In addition, the state would be able to loan specified transportation funds, potentially including certain local transportation funds, to the General Fund for essentially short-term cash flow purposes only. The state, however, may be able to loan to the General Fund, without express time limitation for repayment, certain state funds for public transit.

NO: A "NO" vote on this measure means: The state would still be able to suspend, under certain conditions, the transfer of gasoline sales tax revenue from the General Fund to transportation. Additionally, the state would continue to be able, under certain conditions, to loan specified transportation funds to the General Fund for up to three fiscal years.

Proposition 92 - Community Colleges. Funding. Governance. Fees.

Summary

- Establishes in state constitution a system of independent public community college districts and Board of Governors.
- Generally, requires minimum levels of state funding for school districts and community college districts to be calculated

separately, using different criteria and separately appropriated.

- Allocates 10.46 percent of current Proposition 98 school funding maintenance factor to community colleges.
- Sets community college fees at \$15/unit per semester; limits future fee increases
- Provides formula for allocation by Legislature to community college districts that would not otherwise receive general fund revenues through community college apportionment.
- Fiscal Impact: Increase in state spending on K-14 education from 2007-08 through 2009-10-averaging about \$300 million per year; with unknown impacts annually thereafter.
- Fiscal Impact: Loss of students fee revenues to community colleges-potentially about \$70 million annually.

YES: A "YES" vote on this measure means: The existing formula that establishes a minimum funding level for K-12 schools and community colleges would be replaced with separate formulas for each system. Community college fees would be reduced from \$20 per unit to \$15 per unit, and various changes would be made to the state-level community college governing board.

NO: A "NO" vote on this measure means: Existing laws regarding community college funding, fees, and governance would be unchanged.

Ballot Measures

Proposition 93 – Limits on Legislators’ Terms in Office.

Summary

- Reduces the total amount of time a person may serve in the state legislature from 14 years to 12 years.
- Allows a person to serve a total of 12 years either in the Assembly, the Senate, or a combination of both.
- Provides a transition period to allow current members to serve a total of 12 consecutive years in the house in which they are currently serving, regardless of any prior service in another house.
- Fiscal Impact: This measure would have no direct fiscal effect on state or local governments.

What a Yes or No Vote Means:

YES: A “YES” vote on this measure means: Members of the State Legislature could serve a maximum total of 12 years in office—without regard to whether the years were served in the Assembly or Senate. Some current Members could serve more than the 14 total years now allowed.

NO: A “No” on this measure means: Members of the State Legislature could continue to serve a maximum total of 14 years in office—up to 6 years in the Assembly and up to 8 years in the Senate.

Proposition 94—Gaming Compact Between the State and the Pechanga Tribe.

Definition: Referendum: A referendum is the power of the people to approve or reject statutes adopted by the Legislature.

Summary

A “Yes” vote approves, and a “No” vote rejects, a law that:

- Ratifies amendment to existing gaming compact between the state and

Pechanga Band of Luiseño Indians; amendment would permit tribe to operate 5,500 additional slot machines;

- Omits certain projects from scope of California Environmental Quality Act; amendment provides for Tribal Environmental Impact Report and inter-governmental procedure to address environmental impact;
- Revenue paid by tribe to be deposited into General Fund; tribe would make \$42,500,000 annual payment and pay percentage of revenue generated from the additional slot machines to the state.
- Fiscal Impact: Net increase in annual state government revenues probably in the tens of millions of dollars, growing over time through 2030.
- Fiscal Impact: For local governments in Riverside County, potential net increase of revenues due to economic growth and potential increased payments from the tribe to offset higher costs.

What a Yes or No Vote Means

YES: A “YES” vote on this measure means: The Pechanga Band of Luiseño Indians – a tribe that owns a casino in Riverside County with about 2,000 slot machines – could operate up to 7,500 slot machines. The tribe would make increased payments to the state annually through 2030.

NO: A “NO” vote on this measure means: The Pechanga tribe would be able to continue operating its existing casino, but would not be able to significantly expand its casino operations. The tribe’s current payments to the state would not be affected.

Proposition 95—Gaming Compact Between the State and the Morongo Tribe.

- **Definition: Referendum:** A referendum is the power of the people to

approve or reject statutes adopted by the Legislature.

Summary

A “Yes” vote approves, and a “No” vote rejects, a law that:

- Ratifies amendment to existing gaming compact between the state and The Morongo Band of Mission Indians; amendment would permit tribe to operate 5,500 additional slot machines;
- Omits certain projects from scope of California Environmental Quality Act; amendment provides for Tribal Environmental Impact Report and inter-governmental procedure to address environmental impact;
- Revenue paid by tribe to be deposited into General Fund; tribe would make \$36,700,000 annual payment and pay percentage of revenue generated from the additional slot machines to the state.
- Fiscal Impact: Net increase in annual state government revenues probably in the tens of millions of dollars, growing over time through 2030.
- Fiscal Impact: For local governments in Riverside County, potential net increase of revenues due to economic growth and potential increased payments from the tribe to offset higher costs.

What a Yes or No Vote Means

YES: A “YES” vote on this measure means: The Morongo Band of Mission Indians – a tribe that owns a casino in Riverside County with about 2,000 slot machines – could operate up to 7,500 slot machines. The tribe would make increased payments to the state annually through 2030.

NO: A “NO” vote on this measure means:

Continue Proposition 95 –

the Morongo tribe would be able to continue operating its existing casino, but would not be able to significantly expand its casino operations. The tribe's current payments to the state would not be affected.

Proposition 96—Gaming Compact Between the State and the Sycuan Caliente Tribe.

Definition: Referendum: A referendum is the power of the people to approve or reject statutes adopted by the Legislature.

A "Yes" vote approves, and a "No" vote rejects, a law that:

- Ratifies amendment to existing gaming compact between the state and Sycuan Band of the Kumeyaay Nation; amendment would permit tribe to operate 3,000 additional slot machines;
- Omits certain projects from scope of California Environmental Quality Act; amendment provides for Tribal Environmental Impact Report and intergovernmental procedure to address environmental impact;
- Revenue paid by tribe to be deposited into General Fund; tribe would make \$20,000,000 annual payment and pay percentage of revenue generated from the additional slot machines to the state.
- Fiscal Impact: Net increase in annual state government revenues probably in the tens of millions of dollars, growing over time through 2030.
- Fiscal Impact: For local governments in San Diego County, potential net increase of revenues due to economic growth and potential increased payments from the tribe to offset higher costs.

What a Yes or No Vote Means

YES: A "YES" vote on this measure means: The Sycuan Band of the Kumeyaay Nation – a tribe that owns a casino in San Diego County with about 2,000 slot machines – could operate up to 5,000 slot machines. The tribe would make increased payments to the state annually through 2030.

NO: A "NO" vote on this measure means: The Sycuan tribe would be able to continue operating its existing casino, but would not be able to significantly expand its casino operations. The tribe's current payments to the state would not be affected.

Proposition 97—Gaming Compact Between the State and the Agua Caliente Tribe.

Definition: Referendum: A referendum is the power of the people to approve or reject statutes adopted by the Legislature.

Summary

A "Yes" vote approves, and a "No" vote rejects, a law that:

- Ratifies amendment to existing gaming compact between the state and Agua Caliente Band of Cahuilla Indians; amendment would permit tribe to operate 3,000 additional slot machines;
- Omits certain projects from scope of California Environmental Quality Act; amendment provides for Tribal Environmental Impact Report and intergovernmental procedure to address environmental impact;
- Revenue paid by tribe to be deposited into General Fund; tribe would make \$23,400,000 annual payment and pay percentage of revenue generated from the additional slot machines to the state.
- Fiscal Impact: Net increase in annual state government revenues probably

in the tens of millions of dollars, growing over time through 2030.

- Fiscal Impact: For local governments in Riverside County, potential net increase of revenues due to economic growth and potential increased payments from the tribe to offset higher costs.

What a Yes or No Vote Means

YES: A "YES" vote on this measure means: The Agua Caliente Band of Cahuilla Indians – a tribe that owns a casino in Riverside County with about 2,000 slot machines – could operate up to 5,000 slot machines. The tribe would make increased payments to the state annually through 2030.

NO A "NO" vote on this measure means: The Agua Caliente tribe would be able to continue operating its existing casino, but would not be able to significantly expand its casino operations. The tribe's current payments to the state would not be affected.

The above information was obtained from the California Voter Foundation website: www.calvoter.org



Presidential Primary-Top Republicans

Mike Huckabee

In St. George, Utah, Huckabee discussed health care and his own fight against obesity. According to the *Deseret Morning News*: "There is no other issue in America that is more ominous than the health crisis," he said. 'The focus is on spending money on people who are sick and probably wouldn't need to be if they chose to live healthy lives. We have built an entire system on treating snake bites when we ought to be killing some snakes.'" "Four years ago, Huckabee said, he weighed 110 pounds more than he does

now and could barely climb a short flight of stairs without running out of breath. 'Then my doctor sat me down, said I had Type 2 diabetes and if I didn't change my lifestyle, I would enter my last decade of life,' he said. 'I decided I had to take personal responsibility for my health. I didn't want to check out early because of my own foolishness.'" (*Deseret Morning News*, 4/13/07) In an article in the *Examiner*, a District of Columbia paper, Huckabee said we should focus more on health itself than on health care. The article said: "Huckabee has made obesity a major public policy issue because he believes the attendant health care costs are unsustainable. 'Too many politicians are talking about health care, not enough are

talking about health,' he says. 'The focus needs to be on health, not health care.' Huckabee devotes so much energy to the health issue that he sometimes sounds like he's running for surgeon general, not president. This has caused some critics to write him off as a sort of political novelty act. 'They want to ghettoize me as a single-issue candidate, but I'm not,' he says. 'I would describe myself as a conservative who got there out of conviction, not out of birth, nor out of convenience.'" (*The Examiner*, 9/13/06)

Mitt Romney

Impacting our nation's health care system." Romney says that the health care crisis is the fault of the uninsured. The reason health care isn't working like a market right now is you have 47 million people that are saying, "I'm not going to play. I'm just going to get free care paid for by everybody else." That doesn't work. (*Republican debate*, 1/6/08) Romney announced before the Florida Medical Association that his health care plan would be based on individuals buying their own plans in the private insurance market. There are no guarantees of universal coverage in Romney's plan. (*The New York Times*, 8/24/2007) Romney's plan would change the relationship between the federal government and states. Instead of open-ended funding, the states would be given fixed block grants. Instead of paying for medical care directly for low-income people, state and federal funds would be used to help them buy insurance from

private corporations. (*St. Paul Pioneer Press*, 8/23/2007) As governor, Romney signed into law the Massachusetts health care system that among other things requires individuals to have health coverage. In announcing his plan to cover all state residents, he said: "We can't have as a nation 40 million people—or, in my state, half a million—saying, 'I don't have insurance, and if I get sick, I want someone else to pay...'" (*USA Today*, 7/4/05) In an opinion piece he wrote last year, Romney said higher deductibles and co-payments lower insurance costs under the Massachusetts program: "The solution we came up with was to make private health insurance much more affordable. Insurance reforms now permit policies with higher deductibles, higher co-payments, coinsurance, provider networks and fewer mandated benefits like in vitro fertilization—and our insurers have committed to offer products nearly 50 percent less expensive." (*The Wall Street Journal*, 4/11/06) During the presidential campaign, reporters have noted, he has not been saying much about the Massachusetts health

care system. (*Boston Globe*, 8/23/2007) "Mitt Romney, who a year ago was heralding Massachusetts' health insurance law, sometimes fails to mention the far-reaching program when addressing conservative audiences today." (*Associated Press*, 4/12/07) "As Mitt Romney aggressively courts conservatives in his bid for the Republican presidential nomination, landmark health-care legislation that the former Massachusetts governor signed into law about a year ago has been largely left out of his pitch." (*The Washington Post*, 4/13/07) Market reforms are the key to expanded health coverage, he says: "The health of our nation can be improved by extending health insurance to all Americans, not through a government program or new taxes, but through market reforms." (*Campaign website*) At the May 3 Republican candidate debate, Romney echoed that theme: "The market can work to solve our health care needs, and that's the great, exciting news." (*Republican candidate debate*, 4/3/07)



Presidential Primary-Continue Top Republicans

John McCain

McCain has advocated shifting health care responsibility to individuals. "In a WMUR New Hampshire town hall meeting, McCain said the biggest problem with health care is inflation and that responsibilities must be shifted from the employer

to the individual. He also noted the importance of allowing small businesses to create health care pools and emphasized medical malpractice reform. McCain said, 'you've got to make portable health insurance more affordable' and that to make health care portable, premiums would probably have to go up." ([WMUR New Hampshire](#), 3/30/07) In the past year, McCain has posted two health care-related press releases on his

Senate website, both supporting stem cell research. Prior to that, most of his [public statements](#) advocated legislation he co-sponsored to make generic drugs more accessible. In a [2003 statement](#), he labeled "medical malpractice reform...one of the most critical factors negatively impacting our nation's health care system."

Presidential Primary-Top Democrats

John Edwards

According to his website: "John Edwards has a bold plan to transform America's health care system and provide universal health care for every man, woman and child in America. Under the Edwards Plan: Families without insurance will get coverage at an affordable price; Families with insurance will pay less and get more security and choices; Businesses and other employers will find it cheaper and easier to insure their workers." ([Campaign website](#)) In April, he spent a day as a health care worker. "Elaine Ellis, a nursing assistant, had some

unusual help yesterday morning as she tended to residents at the Sarah Neuman Center for Healthcare and Rehabilitation. Tagging along was Democratic presidential candidate John Edwards, who not only observed Ellis at work but also helped dress and, in one instance, shave residents at the Palmer Avenue nursing facility....'It's important for the president of the United States to understand how difficult these jobs are, and how important they are, and to see what actually happens in the real world,' Edwards said....Edwards largely avoided any overt campaigning during his visit to the center, but did tell reporters afterward that he was proud to be the 'only presidential candidate with a specific, truly universal health care plan' and that his plan would cover the types

of long-term care given at Sarah Neuman." ([The Journal News](#), 4/12/07) Edwards' plan would require businesses to either cover their employees or help finance their health insurance, create new tax credits, expand Medicaid and State Children's Health Insurance Program and create regional purchasing pools. Edwards also has proposed measures to require insurance companies to put 85 percent of premiums into patient care and to reform long-term drug patents to allow greater access to prescription medicine. ([The New York Times](#), 6/15/07)

Barack Obama

Obama says universal health care is coming. "'The time has come for universal health care in America,' Obama said at a conference of Families USA, a health care advocacy group. 'I am absolutely determined that by the end of the first term of the next president, we should have universal health care in this country,'" the Illinois senator said. ([Associated Press](#), 1/25/07) In May, Obama announced a plan to provide health care for all by 2012. Obama's plan, according to [Newsday](#), would work within the existing private insurance system

but would provide subsidies to help insurance purchasers on a sliding scale. Nearly all employers would be required to share the cost of coverage. Obama would prevent insurers from withholding coverage because of pre-existing conditions; he also would focus on lowering costs by emphasizing preventative coverage and better management of chronic diseases. "The time has come for universal, affordable health care in America....My plan begins by covering every American. If you already have health insurance, the only thing that will change for you under this plan is that the amount of money you will spend on premiums will be less....If you

are one of 45 million Americans who don't have health insurance, you will after this plan becomes law." ([Newsday](#), 5/29/07) Obama's website describes his principles for improving health care quality and reducing costs: "These include tackling medical inflation and spiraling health care costs, developing new mechanisms to extend portable, affordable coverage, and reforming health care delivery so that it emphasizes prevention and efficiency." ([Campaign website](#))



Presidential Primary-Continue Top Democrats

Hillary Clinton

In August, Clinton announced the second phase of her health care plan, an initiative to improve quality of care. She proposed new certification programs for doctors, funding and disseminating state-of-the-art research and training and retaining more nursing staff. ([The Washington Post](#), 8/23/2007)

Clinton says our current health care system is not just broken—it's immoral:

"Our health care system is immoral because it doesn't provide health care to everybody," said Clinton, the keynote speaker at KCBS Health Etc., a daylong symposium at the Bill Graham Civic Auditorium. "It's wildly uneconomical. We pay more than everybody else in the world for less.

"It is sowing the seeds of its own destruction," said Clinton, who said health care is one of the top three problems the country faces, along with economic inequality and

energy dependence." ([San Francisco Chronicle](#), 4/14/07)

The solution, Clinton says, is universal health coverage.

"We're going to have universal health care when I'm president—there's no doubt about that. We're going to get it done," the New York senator and front-runner for the 2008 nomination said." ([Associated Press](#), 3/26/07)

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Time Off to Vote...

On Feb. 5, California will hold its Presidential Primary Election. Accordingly, employers need to be aware of their obligations concerning employee voting. California Elections Code requires employers to post a sign, at least 10 days before every statewide election, which advises employees of their rights. The signs must be posted conspicuously at the place of work or elsewhere where they can be seen as employees come or go to their place of work.

The Elections Code states if "a voter does not have sufficient time outside of working hours to vote at a statewide election, the voter may, without loss of pay, take off enough working time that, when added to the voting time available outside of working hours, will enable the voter to vote."

What this means is that employers under certain circumstances will have to give employees paid time off to vote. Employees are eligible for paid time off for the purpose of voting only if they do not have sufficient time outside of working hours to vote. With voting hours from 7 a.m. to 8 p.m., employees will usually have sufficient time to vote outside of work hours.

Additionally, while employees can be given as much time as they need in order to vote, only a maximum of two hours is paid time off. Employers also may require employees to take off the time to vote at the beginning or end of the employee's shift.

Finally, if an employee knows or has reason to believe that he or she will need time off on Election Day, the employee is required to give his or her employer at least two working days' notice.