

## **San Ramon Valley Democratic Club**

**([www.srvdems.org](http://www.srvdems.org))**

### **Newsletter: April 2012**

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**April Meeting: Thursday, April 26, 2012, 6:15 pm at Crow Canyon Country Club**

***Main Speaker: State Senator Mark DeSaulnier***

***Senator DeSaulnier will be giving us an update on the budget process for this year and discussing the term limits proposition appearing on the June ballot..***

***Secondary Speaker: Tomi Van de Brooke- Tomi is running for County Supervisor in District 2 and will be discussing her reasons for running and the campaign. She will be arriving just after 8 PM following a Candidates forum being presented by local newspapers in San Ramon***

***Dinner is \$25 per person for members and their invited guests, \$30 for others. A limited number of seats are available for those just wishing to hear the presentations- Suggested donation is \$5***

***RSVP: Mail checks, made out to Jim Donnelly, to 373 Century Circle, Danville, CA 94526 Or call him at (925) 570-9289***

***Please RSVP no later than Monday, April 23, 2012.***

***Note: Remember if you RSVP and no-show, you may be billed for the meal.***

***We hope for a good turnout to show our support for our local congressman.***

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## **Presidents Corner**

Spring is in the air and we finally know who is likely to be the Republican Presidential Candidate running against President Obama. It was a hard fought battle and we got to learn more about the candidates than the Republican Party would like us to know. Now Mr. Romney, if he wants to have a chance to get elected, has to convince the American people that he is not the far right candidate that he has been portraying himself to be. Here is a man who was pro-choice, pro-health care and who took many moderate positions in the past. Now he is anti-choice, anti-health care and for cutting taxes to provide his very rich friends and colleagues with a large tax cut while cutting just about very social safety network that we have remaining.

If you want to see a clear distinction between President Obama and Mr. Romney just look at the tax returns. That is if Mr. Romney decides to fully release his. President Obama has an adjusted gross income of \$789,674 and paid just over 20 percent in federal income taxes. The Obama's donated \$172,130 or about 22 percent of their income to 39 charities. That is one reason their tax rate was so low.

It has been reported that Mr. Romney made about \$22 million in 2010 and paid about 13.9 percent in Federal income taxes. Most of his income comes from investments and from off-shore tax shelters. He does not see anything wrong with his low tax rate and, in fact, has proposed lowering the marginal tax rate from 35 percent to 25 percent. My question is, doesn't he make enough money now and is he so self-centered and greedy that he thinks it is right for people in his financial condition to pay even lower taxes?

How many of us have tax rates so low? This year my wife and I's effective tax rate was about 25 percent on an income way less than either of these two. Now I don't begrudge paying that much in taxes. In fact, I believe that my taxes should be even higher. What I do begrudge is the fact that so many millionaires and billionaires pay taxes at a lower rate than people in my financial position do while the country's infrastructure is crumbling, people are going hungry, education is declining and health care costs are the biggest driven for personal bankruptcies in the country. Will they not be happy until they control even more of the total wealth in these United States. We need to return to the tax structure of the 1950's and 1960's, where the wealthy carried more of the tax burden and we, as a society, were willing to fund for the future wellbeing of our children, our country and our planet.

On another note, next Sunday, April 22 is Earth Day. Thinking about it takes me back to the first earth day in 1970 when I was a student at Cal-state Long Beach. I grew up in a fishing family and we spent most of our vacations in the mountains of the western U.S and Canada. From that I developed a love and respect for wilderness. So when the planning started of Cal-state's Earth Day events I jumped right in to help. We had a great time setting up exhibits to try to educate the invited public about the environmental challenges facing the country. We even had a poster exhibit about global warming. It was going great until some of the more radical students decided to display the flag upside-down as a sign of distress for the planet. What it accomplished was to turn-off the very public we were trying to educate. Once they saw, what they perceived as. Disrespect for the flag, they saw nothing else. After a while and much argument I (a former Marine) went over and ran the flag up the flag pole right-side up. People once again began to look at the exhibits and to ask questions.

The message I got was that if you turn the people off before they hear your message you will not accomplish anything. So throughout my professional life, as an Environmental engineer and Health/Safety consultant, I have tried to ensure that I present my message in such a way that reasonable people might listen and maybe even agree with me to some extent. I think that for the most part it has worked.

In closing please think about Earth Day and what it means. I have included a couple of events in the calendar at the end of this newsletter. If you find time you might enjoy one or both of them. After all it is the only planet we have and it is our legacy to our future generations of family

For now go out and enjoy the rest of spring with our green hills and blossoms everywhere. Soon enough we will be in the hot dry summer.

Jim Donnelly- President SRVDC

***“Values are like fingerprints. Nobody's are the same, but you leave 'em all over everything you do.” -Elvis Presley***

## **SRVDC Website**

Just a reminder that our website <http://srvdems.org/> is up and running. Visit it to see upcoming events and to learn more about the activities of the club. Your comments on our web site, both positive and constructive, are appreciated. Let us know what additional information you would like to see included on the site.

## **Congressional District 15, Endorsement Vote**

Over the past two months we had had the two democratic candidates; Congressman Pete Stark and Dublin City Councilman Eric Swalwell speak to our club and provide with information about their campaign. At the beginning of this month we send out an email ballot for endorsement of either candidate. In order to endorse either candidate we required that at least 50 percent of our current members vote and that a candidate must receive at least 60 percent of the votes cast. The balloting was open for ten days.

We achieved the 50 percent vote requirement (but just barely); however, neither candidate received 60 percent of the votes cast. Therefore the San Ramon Valley Democratic Club will not make an endorsement for this race. Individual members may endorse either of the candidates and we encourage you to do so as well as to actively support your choice up through the June primary.

## **Danville 4<sup>th</sup> of July Parade**

Save the date and get out your walking shoes. Once again we will be marching in the Danville parade. This year we will be joined by Congressman George Miller, State Senator Mark, DeSaulnier, Assemblywoman Joan Buchanan and members of our Democratic clubs in the area. We will also be entering a number of cars in the parade some that some may ride the route. Come on out and show our local representatives how much we support them and show the people that there are Democrats in the San Ramon Valley. The parade starts at about 9:00

Am and we should be finished around 11:00 AM. More details will follow over the next two months.

## **Member Editorials**

Each month we invite you to present your views on about any subject you wish to discuss. This is an important way to understand what are major concerns for our members. Surely there are things going on that make your blood boil. Let it out, express your opinions here.

## **Reports from our Elected Officials**

### **Congressman Jerry McNerney**

#### **McNerney Statement on César Chávez Day**

*Presents Congressional Record Statement to Latino Community*

*Stockton, Calif.* – Tomorrow, Congressman Jerry McNerney (CA-11) will present a copy of the following Congressional Record Statement at the Bracero plaque dedication ceremony in honor of César Chávez's 85th birthday and his fight against the use of the short-handled hoe. Arturo Ocampo, Assistant Provost for Diversity at University of Pacific, will accept the statement on behalf of the community.

In Honor of César Chávez

Mr. Speaker, today I rise to ask my colleagues to join me in honoring the memory of César Chávez on the occasion of what would have been his 85th birthday.

César Chávez was born on March 31, 1927 near Yuma, Arizona. After losing their family farm, the members of the Chávez family became migrant workers, moving to California and following seasonal harvests around the state. Upon experiencing the exploitation of migrant workers and injustices committed against them, Mr. Chávez became a champion of workers' rights.

In 1962, Mr. Chávez and Dolores Huerta co-founded National Farm Workers Association, later known as the United Farm Workers (UFW). Mr. Chávez was inspired by leaders such as Mahatma Gandhi and Dr. Martin Luther King Jr. and understood the power of non-violence as a tool for change. As a leader of UFW, he used non-violent tactics and strong organizing methods to protest poor working conditions. Mr. Chávez fought for basic improvements for farm workers such as access to drinking water, shade, and restrooms. He was also a tireless advocate for fair wages and decent living conditions.

César Chávez led the fight for the passage of the landmark California Agricultural Labor Relations Act in 1975. This law was the first in the nation to guarantee farm workers the right to organize and bargain collectively. Additionally, his understanding of human suffering led him to fight against the use of the short-handled hoe, which caused personal injury and pain to farm laborers. A California Supreme Court ruling in 1975 banned the use of this tool.

Mr. Chávez was known for his spirit as much as his accomplishments. Mr. Chávez and the UFW

embraced an empowering and enduring rallying cry that exemplifies his optimism of the human spirit: “Sí se puede,” or “Yes we can.”

César Chávez is an inspirational figure in California and throughout our nation. I have no doubt that his efforts have made a positive impact on the lives of countless workers. It is for these reasons that I ask my colleagues to join me in honoring César Chávez on the occasion of the 85th anniversary of his birth.

## **Congressman George Miller**

### **What’s Next? Palin’s Helicopter in Yosemite?**

**April 17, 2012 12:47 PM**

Today, House Republicans are bringing a bill to the House floor (H.R. 4089 – the so-called [Sportsmen’s Heritage Act](#)) for a vote that would for the first time lead to widespread vehicle use and commercial activities in wilderness areas across the country.

The Republican bill rewrites decades of conservation law by prioritizing motorized (think: vehicles, trucks, rigs) access into protected areas. What does this mean? It could mean building permanent roads in protected areas and allowing new permits for drilling, mining, and other uses in areas that are currently off-limits.

What’s next? Allowing helicopter access for Sarah Palin’s [wolf-hunting trips](#)?

Republicans claim that these new rules are necessary to promote hunting and fishing, but that’s just a smokescreen. Americans already enjoy hunting, fishing, and recreational shooting on millions of acres of public lands and forests across the nation. In fact, 375 out of 553 wildlife refuges have hunting programs, roughly 70 percent of national park lands are available for hunting, and 95% percent of BLM lands are open to hunting and 98% are open for recreational shooting. Overall, more than 75 percent of federal lands are currently open to hunting and fishing. Our public lands support millions of dollars of economic activity from these and other uses.

This bill is not necessary for hunters or anglers. If House Republicans want to help America’s sportsmen and women, they should work with us to expand the Land and Water Conservation Fund and protect access to public lands. Instead, this bill would make harmful changes to conservation laws and tie the hands of the local land managers – the very people who know the land – by centralizing decisions about our national parks and lands in Washington, D.C., for example, and exempting some decisions from the National Environmental Policy Act. As if that weren’t enough, H.R. 4089 would also allow certain trophy hunters to import dead polar bear trophies from Canada despite the polar bear’s protected status under the Endangered Species Act and the Marine Mammal Protection Act.

By destroying the very lands that Americans currently have access to and by degrading natural habitats that are currently thriving, Republicans are undermining key land and water protections, not protecting a “sportsmen’s heritage.”

## **Congressman John Garamendi**

## **Congressman Garamendi Among Top 10% Most Frugal Members of Congress**

**April 9, 2012 6:23 PM**

FAIRFIELD, CA – Congressman John Garamendi (D-Fairfield, CA), a public servant for more than four decades, spent less of his office budget than more than 90% of his House colleagues, according to data released by Congress. In 2011, the Office of Congressman Garamendi spent 77.8% of its available budget, making the office more frugal than 395 of 436 offices in the House. This demonstrated fiscal restraint comes despite the need for three district offices to serve the sprawling 10th Congressional District and higher than national average costs in Northern California.

"I want to see less money spent on Congress and more resources paying down our deficit and investing in our schools, roads, health coverage, and veteran's services," Congressman Garamendi said. "I've balanced the checkbook for the family ranch. I know how to make more with less. I'm proud that we managed to stay so under budget while still maintaining robust communications with and support for 10th Congressional District residents."

In 2011 and early 2012, Garamendi hosted more than a dozen in person and telephone town halls, in addition to a resource fairs for job seekers, veterans, seniors, social services, and small businesses, and a Post-Traumatic Stress Disorder (PTSD) Workshop for counselors and mentors. In addition, Garamendi has hosted at least one town hall in 11 cities in the 10th Congressional District since entering Congress.

### **Congressman Pete Stark**

## **GAO Finds Improvements Needed to More Effectively Implement Medicare Secondary Payer Process**

*CMS has authority to make these changes*

WASHINGTON -- Today, Rep. Pete Stark (D-CA), Ranking Member of the Ways and Means Health Subcommittee, released a new Government Accountability Office report, [Medicare Secondary Payer: Additional Steps are Needed to Improve Program Effectiveness for Non-Group Health Plans](#). Medicare Secondary Payer (MSP) program rules govern when there is an insurer other than Medicare that should be the primary payer for medical claims for particular patients -- typically involving worker compensation and liability cases.

The MSP program has long been fraught with complexities that hamper its ability to effectively protect Medicare from paying for care when other insurers should be the primary payers. Rep. Stark requested this report to determine the effect of initial mandatory reporting and to determine what other steps might be appropriate to further improve the operation of the MSP program.

**Rep. Stark:** "First, I thank GAO for tackling this project, which is the first thorough examination of the Medicare Secondary Payer program I've seen. As you'll see in the report, the MSP process is exceedingly complex. While the report shows significant need for improvement, my takeaway is that considerable improvements have been made since Congress enacted legislation in 2007: CMS is now collecting more than it did in the past, and the agency has the authority to make recommended improvements without further Congressional intervention."



"I urge CMS to heed GAO's advice and take steps to ensure the MSP program is operating in a cost effective manner. CMS can accomplish this by quickly reviewing the 2012 data and implementing new recovery thresholds so the agency don't spend more money collecting a payment than the value of that payment. It is also apparent that CMS must improve communications about the MSP process and better coordinate its operation. GAO has laid out sensible, straight forward steps that should be taken immediately by CMS in this regard."

Rep. Stark has written a letter to the acting administrator of CMS, Marilyn Tavenner, urging her to swiftly implement GAO's recommendations.

**Background:**

Outside parties -- insurers, attorneys, and beneficiaries -- have long complained of the difficulties in reaching resolution in cases with the Centers for Medicare and Medicaid Services on MSP cases. In response to these complaints, Congress enacted reporting requirements for outside parties with respect to MSP situations as part of the Medicare, Medicaid and SCHIP Extension Act of 2007. This addition was made so that CMS could better identify which payments made by Medicare should be recovered because another payer had primary payment responsibility and to clarify when CMS should not make payments because another payer is primary.

**State Senator Mark DeSaulnier**

***Senator Urges Support for California Trust Fund  
April 13, 2012***

*By Donna Kimura, HousingFinance.com*

It will be a fight to pass legislation aimed at creating a permanent funding source for affordable housing in California, said state Sen. Mark DeSaulnier.

DeSaulnier said he expects the bill he authored, SB 1220, to make it through the Senate transportation and housing committee, where the legislation will have its first hearing later this month.

The tougher battle will come before the entire floor, he told affordable housing developers and advocates at the Housing California conference in Sacramento.

"The challenge will be to get two Republican votes," said the Democrat from Concord.

DeSaulnier said it is important that more business groups get behind SB 1220, also known as the Housing Opportunity Market Stabilization (HOMeS) Act. The bill would impose a \$75 fee on the recording of real estate documents to provide an ongoing source of funding for the development, acquisition, rehabilitation, and preservation of affordable housing. An average of \$700 million per year would be generated.

The affordable housing industry has been exploring a permanent funding source for years. The creation of a trust fund took on added urgency this year when local redevelopment agencies, a key source of affordable housing financing, were eliminated in an effort to reduce a massive state budget deficit.

Coming in the wake of the housing crash, SB 1220 supporters will have to fight a perception that affordable housing isn't needed, said DeSaulnier.

Although the credit and foreclosure crisis reduced home prices in some areas, it increased pressure on the rental housing market and slowed the production of new housing of all types, according to the bill.

SB 1220 notes that California has 12 percent of the nation's overall population but more than 21 percent of its homeless. Seniors, veterans, people with mental, physical and developmental disabilities, agricultural workers, and others are all affected by the housing shortage.

DeSaulnier urged the Housing California crowd to return to their communities re-energized in their efforts. Advocates will also be building support in Sacramento, with a lobby day scheduled for April 24.

"Don't despair," he said. "We are on the cusp of doing magical things."

### **Assembly Woman Joan Buchanan**

#### **DeSaulnier and Buchanan Commend State Parks Repair of Mt. Diablo Scenic Blvd.**

**April 10, 2012**

*The road is now ready for the Amgen Tour of California through Mt. Diablo State Park*

SACRAMENTO— Today, Senator Mark DeSaulnier (D-Concord) and Assemblymember Joan Buchanan (D-Alamo) commended the California Department of Parks and Recreation's recent repairs on upper Mt. Diablo Scenic Blvd. The repairs were done within two weeks of an announcement by State Parks to fund the immediate short-term costs associated with the road repair. The road is now ready for the Amgen Tour of California bicycle race through Mt. Diablo State Park.

"I thank State Parks Superintendent Roland Gaebert and his team at Mount Diablo for acting so quickly to get the repairs done," said DeSaulnier. "Secretary John Laird and State Parks Director Ruth Coleman are also to be commended for their willingness to address this issue head-on. This shows what can happen when people come together in a cooperative spirit to solve difficult problems. Indeed we look forward to taking the next steps together with all parties to help forge a long-term shared maintenance agreement. "

"I want to thank Ron Brown, Executive Director of Save Mount Diablo for bringing this to our attention and helping to bring the stakeholders together," said Buchanan. "The road repairs are an important first step. I join Senator DeSaulnier in commending State Parks on their quick action. The next step is for the stakeholders to agree on a long-term maintenance plan so the road is maintained in a safe manner for all who use it."

In order to have the repaving completed before the Tour and in good weather, State Parks decided to get the work done immediately. The job was completed yesterday and the road only needed to be closed for one day. The work was performed by G.N. Henley, Inc., a local general engineering firm in Clayton.



Mt. Diablo Scenic Blvd. is a private road jointly owned by individual landowners in the community of Diablo which is located at the base of the Mt. Diablo State Park. The State has a long-standing road easement with the property owners for access to the Park, with significant visitor and bicycle use of the road.

The last one-mile stretch of Mt. Diablo Scenic Blvd. leading directly into the State Park was in serious disrepair due to the inability of the State and local residents to come to an agreement over who is responsible for maintaining the roadway.

Given the protracted stalemate and the upcoming Amgen Tour, Senator DeSaulnier and Assemblymember Buchanan convened a community meeting on March 27<sup>th</sup> to address both the short term and long term needs of the road. Included in the meeting were several stakeholders including the Diablo Community Services District, State Park Officials, Save Mount Diablo, Contra Costa County, Athenian School, local area homeowners associations and individual property owners.

At that meeting State Parks announced that it would commit funds from a special fund set aside specifically for State Park road repairs. Discussions continue between all the various parties towards crafting a long-term shared maintenance agreement.

The following people have played a key role in working on the short-term solution to the road repair and continue to work on the issue of long-term road maintenance:

- Richard J. Breitwieser, General Manager, Diablo Community Services District
- Ron Brown, Executive Director, Save Mount Diablo
- Julie Bueren, Public Works Director, Contra Costa County
- Bill Herms, Deputy Director of Legislation, California Department of Parks and Recreation
- Danita Rodriguez, Acting Diablo Vista Superintendent, California Department of Parks and Recreation
- Bob Oxenburgh, Director of Finance and Facilities, The Athenian School
- Lou Ann Texeira, Executive Officer, Contra Costa LAFCO

*Senator Mark DeSaulnier (D-Concord) represents the Seventh Senate District, which includes most of Contra Costa County.*

*Assemblymember Joan Buchanan (D-Alamo) represents the Fifteenth Assembly District, which includes communities of Walnut Creek, the San Ramon Valley, and East Contra Costa County.*