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LEGISLATIVE Alert

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION



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Elections Bring Status Quo Regarding Control of Federal Government – President Obama Wins Reelection; Democrats Retain Majority in Senate; Republicans Retain Majority in House

President Barack Obama was reelected on Tuesday with at least 303 electoral votes (Florida's 29 electoral votes remain outstanding but the state is leaning towards Obama). Despite a narrow margin in the popular vote and several very tight races in battleground states, election night brought quick clarity as returns in those key states were called rather quickly and Republican nominee Mitt Romney conceded the race early Wednesday morning.

Questions now turn to specifics of those in leadership positions within the Executive Branch. It remains unclear whether Secretary of Transportation Ray LaHood will continue serving the Obama Administration, or who would replace him if he steps down. While other cabinet officials have made decisive comments regarding their future with the Administration, Secretary LaHood has recently remained silent on the issue.

In the Senate, Democrats were expected to maintain, at a minimum, their current majority, with the likely addition of two new seats resulting in an expected 55-45 majority (including two Independents) – a solid margin, but one that still falls short of the 60 votes necessary to overcome the Senate filibuster.

In the House, Republicans retained control, but will likely see a slightly contracted majority. Several House races remain in question, but Republicans are expected to have a minimum of 238 seats, sufficiently above the 218 majority threshold.

Limited Changes Projected for Key Congressional Committees

In the coming weeks, party organizations in the House and Senate are expected to make decisions on leadership, including decisions on who will serve as chairman or ranking member of various committees. In many cases, the current congressional committee leadership will remain the same. However, some current committee leaders will not be returning to those roles due to retirements or party imposed term limits. In these instances, each caucus or conference has rules and procedures for selecting Members to fill the vacancies. Finalized committee assignments are expected to emerge over the next several weeks.

House of Representatives Transportation and Infrastructure Committee Chairman Representative John Mica (R-FL) is term limited from continuing to serve as chairman. Chairman Mica has indicated he may seek a waiver from the Republican caucus in order to remain at the post. However, Representative Bill Shuster (R-PA) announced that he is pursuing the chairmanship. Transportation and Infrastructure Ranking Member Nick Joe Rahall (D-WV) won his reelection bid, but is not term limited and will likely retain his Ranking Member post.

On the House Appropriations Committee, Representative Tom Latham (R-IA) was reelected and is likely to remain as Chairman of the Subcommittee on Transportation, HUD and Related Agencies. The Ranking Member on that subcommittee, Representative John Olver (D-MA), did not seek reelection, thereby creating an opening for House Democrats to fill.

On the Senate side, Senate Banking, Housing and Urban Affairs Committee Chairman Tim Johnson (D-SD) is expected to retain his position, but Senate Banking Ranking Member Richard Shelby (R-AL) will be replaced due to the term limitation. And on the Senate Appropriations Committee, Senator Thad Cochran (R-MS) is term limited, with several analysts projecting Senator Shelby as the next Ranking Member of the Committee.

Senate Environment and Public Works (EPW) Chairman Barbara Boxer (D-CA) will remain chair of the EPW Committee, but Ranking Member James Inhofe (R-OK) is term limited. Senator David Vitter (R-LA), who is the second ranking Republican by seniority on the EPW Committee, has expressed interest in being named Ranking

Member.

Also of note, Senator Kay Bailey Hutchison (R-TX) did not seek reelection and will have to be replaced both on the Senate Appropriations Committee, as well as the Ranking Member of the Committee on Commerce, Science, and Transportation.

Small Number of Changes in State Government Makeup

Going into the election, the Republicans held 29 governorships and increased that to 30 with a win in the North Carolina race. Democrats now hold 19 seats and 1 seat continues to be held by an Independent. Of the 11 gubernatorial races, only North Carolina switched parties; the remaining 10 gubernatorial races ended with the incumbent party retaining office. In the state legislatures, Democrats took back the Minnesota House and Senate, Colorado House, Oregon House, New York Senate, Maine House and Senate and New Hampshire House.

Republicans took control of the Arkansas House and Senate, as well as the Wisconsin Senate, in the wake of the recall efforts, and drew a tie in the Alaska Senate.

State Ballot Initiatives Continue Successful Run

Nearly 70 percent of pro-transit ballot initiatives, 13 of 19, were approved in Tuesday's voting. Adding these results to transit measures voted on earlier this year and 46 out of 58 pro-transit measures have passed in 2012, a rate of 79.3 percent. These numbers reflect a long-term trend -- since the year 2000, more than 70 percent of public transit ballot measures passed.

Included in the approved initiatives was a half-cent sales tax increase for local and regional public transit in Orange County, NC. This follows last year's successful half-cent sales tax measure for improved public transportation in Durham County, NC. This area of North Carolina, known as the Research Triangle -- made up of the cities: Raleigh, Durham, Chapel Hill, and the surrounding areas -- is working towards creating a larger, regional public transportation network.

Voters in Arlington County, VA overwhelmingly voted to pass a nearly \$32 million bond that will support a number of public transit projects, including capital projects for the Washington Metropolitan Area Transit Authority.

Not all successful transit-related initiatives involved raising new funds. There were three ballot initiatives to eliminate service and all three were turned down. By a rate of 70 percent, voters in Falmouth, ME voted against ending METRO services after December 31, 2013. Fifty-nine percent of voters in Spencer Township, OH voted against withdrawing from the Toledo Area Regional Transit Authority. Additionally, 73 percent of voters in Walker, MI voted against a measure to end service by the Interurban Transit Partnership.

Two transit-related initiatives in Alameda County, CA and Los Angeles, CA had a majority vote with 65 percent, but were just shy of the required two-thirds margin needed to approve the measures.

Information and results on all of the transit related ballot initiatives can be found on the [Center for Transportation Excellence's website](#).



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