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WEEK IN REVIEW:

Mon (Nov. 17)	Tues (Nov. 18)	Wed (Nov. 19)	Thur (Nov. 20)	Fri (Nov. 21)	Sat (Nov. 22)
5:00 PM Council Zoning Meeting, Room CH-14	6:30 PM District 6 Town Hall Meeting, Morrison Library	National League of Cities Congress of Cities Austin, Texas			

CALENDAR DETAILS:

Monday, November 17

5:00 PM Zoning Meeting, Room CH-14

Tuesday, November 18

6:30 PM District 6 Town Hall Meeting, Morrison Regional Library 7015 Morrison Blvd.

Wednesday, November 19 – Saturday, November 22

National League of Cities Congress of Cities and Exposition, Austin Texas

November and December calendars are attached.



Nov-Dec 2014
(2).pdf

INFORMATION:

November 17 – Blue Line Capacity Expansion Project Public Meeting

Staff Resource: Andy Mock, CATS, 704-432-0478, amock@charlottenc.gov

Charlotte Area Transit System will hold a public meeting on November 17 in room 267 of the Charlotte Mecklenburg Government Center from 4:30 p.m. to 6:30 p.m. regarding the Blue Line Capacity Expansion Project. The project will incrementally provide the ability to operate three-car trains at increased frequencies. These improvements will lengthen four existing light rail station platforms to accept three-car trains, and add power supply substations to operate longer, more frequent trains. The four stations that will be lengthened are 7th Street Station, Stonewall Station, Woodlawn Station and I-485/South Boulevard Station.

Public Meeting details:

Monday, November 17, 2014

4:30 p.m. – 6:30 p.m.

Charlotte Mecklenburg Government Center, Room 267

600 E. Fourth Street

Charlotte, NC 28202

Solid Waste “Pay-As-You-Throw” Update

Staff Resource: Victoria Johnson, SWS, 704-336-3410, vojohnson@charlottenc.gov

Over the next several months, the staff of Solid Waste Services will be leading an effort to evaluate pay-as-you-throw programs and their possible application here in Charlotte. A pay-as-you-throw program, also referred to as a variable-rate or a unit-pricing program, is similar to other public utility type services, such as water and electricity, in that residents pay only for

what they use. Pay-as-you-throw systems have variable rates or charges based on the waste generated. This system encourages residents to recycle more.

For solid waste operations, the main characteristics of pay-as-you-throw are:

- Residents pay for waste pick-up based on the amount generated;
- Local governments or waste haulers receive a dedicated stream of revenue for covering waste management costs;
- A resulting reduction in waste and increase in the recycling rate;
- Payment for the program can be based upon either a fixed amount for specific type waste container (e.g. bag, variety of container sizes) or actual weight of the waste;
- Specialized equipment is required.

Over the next several months, staff will carefully evaluate pay-as-you-throw systems and how such systems could be implemented in Charlotte. This evaluation process will have several decision points. First, the study will investigate pay-as-you-throw systems and their successes and challenges in other communities to determine if this method will work in Charlotte. This initial review and recommendations should be completed by May 2015. Pending the outcome of this work, the team may then study the variety of technology or systems that provide pay-as-you-throw service. These may include bags, cart programs with a variety of sized carts, and weighing of carts. As a part of this analysis, the team will engage the public to solicit input on such systems. Final recommendations will be completed in the fall 2015.

Charlotte Visitor's Info Center Relocating

Staff Resource: Ron Kimble, City Manager's Office, 704-336-4169, rkimble@charlottenc.gov

The Charlotte Visitor's Info Center, currently located at 330 S. Tryon St., will soon be relocating to the Martin Luther King Blvd. entrance of the Charlotte Convention Center. The change is necessitated by the Charlotte Chamber's planned renovation of their space at 330 S. Tryon St., but allows the Visitor Info Services team to connect directly to events at the Convention Center and NASCAR Hall of Fame.

The new Visitor's Info Center, currently under construction, will also enable the CRVA to consider a larger model for the Visitor's Info Center, and develop it into a presence that best represents Charlotte as a destination.

The transition to the new location should be completed by the beginning of December.

Latest Mecklenburg Livable Communities Plan Draft Now Available

Staff Resources: Rob Phocas, NBS, 704-336-7558, rphocas@charlottenc.gov

Heidi Pruess, Mecklenburg County, 704-336-5597, Heidi.Pruess@mecklenburgcountync.gov

The Mecklenburg Livable Communities Plan is a joint initiative between Mecklenburg County, the City of Charlotte, surrounding towns, the Foundation For The Carolinas, and community

partners. The goal of the initiative is to develop a vision from the community that is implementable through collaboration with community partners centered on how Mecklenburg's residents live, work, and play today and into the future.

An updated draft of the plan has recently been posted on the initiative's website, a link for which is included below. The initial plan will come before Council in January.

<http://charmeck.org/mecklenburg/county/livablecommunities>

2014 Election Results

Staff Resources: Dana Fenton, City Manager's Office, 704-336-2009, dfenton@charlottenc.gov

Attached is a presentation prepared by the City's federal lobbyists, Holland & Knight, detailing the results of the November 4, 2014 federal elections and its projected impacts. The presentation discusses the major issues that could be taken up in the "lame duck" session of the 113th US Congress, and possible issues when the new 114th US Congress convenes in early 2015.

Since Holland & Knight prepared the presentation, more definitive results of Congressional races have become available. When the 114th US Congress convenes in January, the composition of the US House of Representatives will stand at 244 Republicans and 186 Democrats, with five seats still to be decided. Two of the undecided seats are subject to a December 6 runoff election (Louisiana) and the remaining three races (two in California and one in Arizona) are still too close to call. The composition of the next US Senate stands at 53 Republicans, 44 Democrats, and 2 Independents, with one seat (Louisiana) to be decided in a runoff scheduled for December 6.

In the 2015 Regular Session of the North Carolina General Assembly, the Republican Party will maintain its veto-proof majority status in both the House of Representatives and Senate. According to unofficial results from the State Board of Elections, the composition of the House of Representatives stands at 74 Republicans and 46 Democrats. The composition of the Senate is 33 Republicans and 16 Democrats, with one seat that is still too close to call (District 15 – Wake). According to the State Board of Elections, the Republican candidate in District 15 is ahead by 717 votes or 0.88% of all votes cast.



2014+ Election+ Outcomes+ and+ Impacts.p

November

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>	
						1	
2	3 2:00p Council Retreat Planning Committee Meeting CMGC – LCR -15 th Fl. 5:00p Council Workshop/ Citizens' Forum	4	5	6 10:00a Economic Development Committee Tour of Amateur Sports Initiatives, Meet in Circle on 4 th St.	7	8	
9	10 12:00p Intergovernmental Relations Committee Meeting, Room 280 2:00p City Manager Quarterly Briefing Room CH-14 3:30p Transportation & Planning Committee Meeting Room 280 5:00p Council Business Meeting	11 12:00p Community Safety Committee Meeting, Rm. 280	12 12:00p Housing & Neighborhood Development Committee, Room 280 2:00p Environment Committee, Room 280	13	14	15	
16	17 5:00p Council Zoning Meeting	18 6:30 - 8:00p District 6 Town Hall Meeting @ Morrison Regional Library, 7015 Morrison Blvd. (28211)	19	20	21	22	
			NLC CONGRESS OF CITIES AND EXPOSITION Austin, Texas				
23	24 12:00p Governance & Accountability Committee Mtg., Room 280 5:00p Citizens' Forum/ Council Business Meeting	25	26 5:30p Metropolitan Transit Commission, Room 267	27 THANKSGIVING DAY HOLIDAY	28 THANKSGIVING HOLIDAY	29	
----- 30					2014		

December

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1 3:00p Intergovernmental Relations Committee Meeting, Room 280 5:00p Council Workshop/ Citizens' Forum	2	3	4 12:00p Economic Development Committee, Room CH-14	5	6
7	8 8:00a Chamber's Quarterly Elected Officials Breakfast Meeting @ UNC Charlotte Center City – Room 1104 3:30p Transportation & Planning Committee Meeting Room 280 5:00p Council Business Meeting	9	10 12:00p Housing & Neighborhood Development Committee, Room 280 2:00p Environment Committee, Room 280	11 12:00p Community Safety Committee Meeting, Rm. 280	12	13
14	15 8:15am Joint Council-Mecklenburg State Delegation Meeting, Room 267 5:00p Council Zoning Meeting	16	17	18 12:00p Economic Development Committee, Room CH-14	19	20
21	22 12:00p Governance & Accountability Committee Mtg., Room 280	23	24 5:30p Metropolitan Transit Commission, Room 267	25 CHRISTMAS DAY HOLIDAY	26 CHRISTMAS HOLIDAY	27
28	29	30	31			
					2014	

Election Outcomes and Impacts

November 5, 2014

Disclaimer: Current as of 12 p.m., November 4, 2014. This presentation may contain information or data that has since become outdated.

Panelists



Rich Gold, Partner

- Leader of Holland & Knight's Public Policy & Regulation Practice Group, which has been ranked among the top 10 law and lobby firms in Washington, D.C., by *Influence* magazine for the past several years
- Practices in the areas of legislative and environmental law, emphasizing strategy development, lobbying, legislative and regulatory counseling, and creative solutions to corporate, nonprofit, and governmental issues at the federal level
- Recognized as a top lobbyist by *The Hill* and *the National Journal*



Kathryn Lehman, Partner

- Practices in the area of Public Policy & Regulation
- A 15-year veteran of Capitol Hill with significant and wide-ranging experience; she worked closely with the White House, administrative agencies, House and Senate leadership and committees, political committees and other key members of government
- Prior to entering private practice, served as chief of staff for the House Republican Conference



Paul Bock, Partner

- More than 20 years of experience working with key decision-makers in the U.S. Senate and House of Representatives, including lawmakers, senior staff members and interest groups involved in public policy.
- Has an extensive government relations background and has developed and executed legislative strategies on a broad range of judiciary issues, including gun control, immigration, data security and data privacy, and tax reform.
- Experience and knowledge in healthcare, antitrust, financial services, agriculture, transportation and energy.
- Prior to joining Holland & Knight, Mr. Bock's background includes acting as legal counsel and being a political consultant to a wide range of business interests

Panelists



Kerry Feehery, Senior Policy Advisor

- Over 15 years experience in government and public relations in both the public and private sectors
- Prior to joining Holland & Knight, Ms. Feehery served as chief of staff to Florida Senator George LeMieux (R-FL), where she was responsible for developing and implementing Senator LeMieux's legislative and political priorities
- Previously, Ms. Feehery served as director of the state of Florida's Federal Relations Office, communications director to Senator Mel Martinez (R-FL), and policy analyst at the Senate Budget Committee. Ms. Feehery began her Senate career with U.S. Senator Connie Mack, serving in several communications capacities



Karl Koch, Senior Policy Advisor

- Significant experience in both federal and state governments, including the executive and legislative branches, as well as the private sector
- Prior to joining Holland & Knight, Mr. Koch served over four years as chief of staff to Congressman Jim Davis.
- Served as the Florida State Director for the Clinton/Gore reelection campaign and the Senior Advisor for Florida for the Gore/Lieberman campaign in 2000
- Career in public service began in 1988 with his work for former U.S. Representative Buddy MacKay
- In the 1990s, he worked on both campaigns for the late Gov. Lawton Chiles, serving as the director of the reelection campaign in 1994. He went on to serve as chief of staff to then Lt. Gov. Buddy MacKay



Election Results

Snapshot of Last Night's Results

2014 Senate Election Results



*Alaska, Louisiana, and Virginia still undecided

2014 House Results

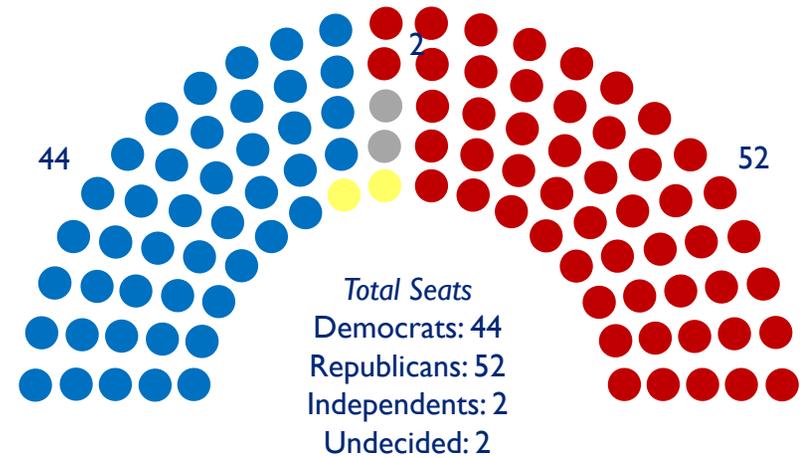
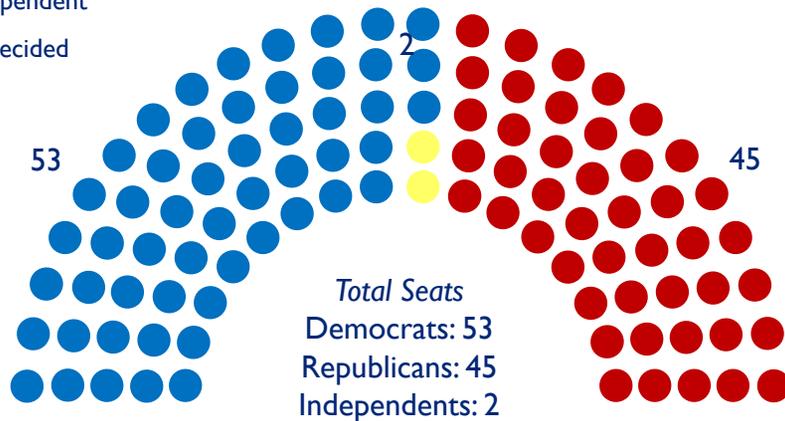
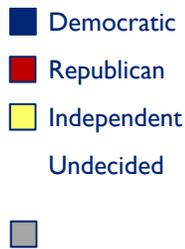


Senate Composition

Republicans Win Solid Majority in Senate

Control of the 113th Senate (2012-2014)

Control of the 114th Senate (2014-2016)



Analysis

- Having won most of this year's competitive races, Republicans secured at least 52 Senate seats on election night, flipping the Senate from blue to red
- Additional GOP wins in Louisiana and Alaska are still possible
- If Republicans eventually expand their majority to 54 seats, they will have an easier time passing legislation in the Senate because they will need fewer Democratic defections to overcome filibusters (which require a 60 vote supermajority)

Source: National Journal Research; CNN Election Center; Associated Press; NBC News.

Snapshot of Last Night's Results

*Democratic Incumbent Seats (Incumbents in **BOLD**, Winner in Red)*

- »Alaska – **Mark Begich (D)** v. Dan Sullivan (R)—Undecided
- »Arkansas – **Mark Pryor (D)** v. **Tom Cotton (R)**
- »Colorado – **Mark Udall (D)** v. **Corey Gardner (R)**
- »Iowa – Bruce Braley (D) v. **Joni Ernst (R)**
- »Louisiana – **Mary Landrieu (D)** v. Bill Cassidy (R)—December Runoff
- »Montana – Amanda Curtis (D) v. **Steve Daines (R)**
- »North Carolina – **Kay Hagan (D)** v. **Thom Tillis (R)**
- »North Hampshire – **Jeanne Shaheen (D)** v. Scott Brown (R)
- »South Dakota – Rick Weiland (D) v. **Mike Rounds (R)**
- »Virginia – **Mark Warner (D)** v. Ed Gillespie (R)
- »West Virginia – Natalie Tennant (D) v. **Shelley Moore Capito (R)**

*Republican Incumbent Seats (Incumbents in **Bold**, Winner in Red)*

- »Georgia – **David Perdue (R)** v. Michelle Nunn (D)
- »Kansas – **Pat Roberts (R)** v. Greg Orman (I)
- »Kentucky – **Mitch McConnell (R)** v. Alison Grimes (D)

Senate Composition—Then and Now

113th Congress

Democrats: 53
Independents: 2
Total: 55

Republicans: 45

Total: 45

114th Congress

Democrats: 43
Independents: 2
Total: 45

Republicans: 52

Total: 52

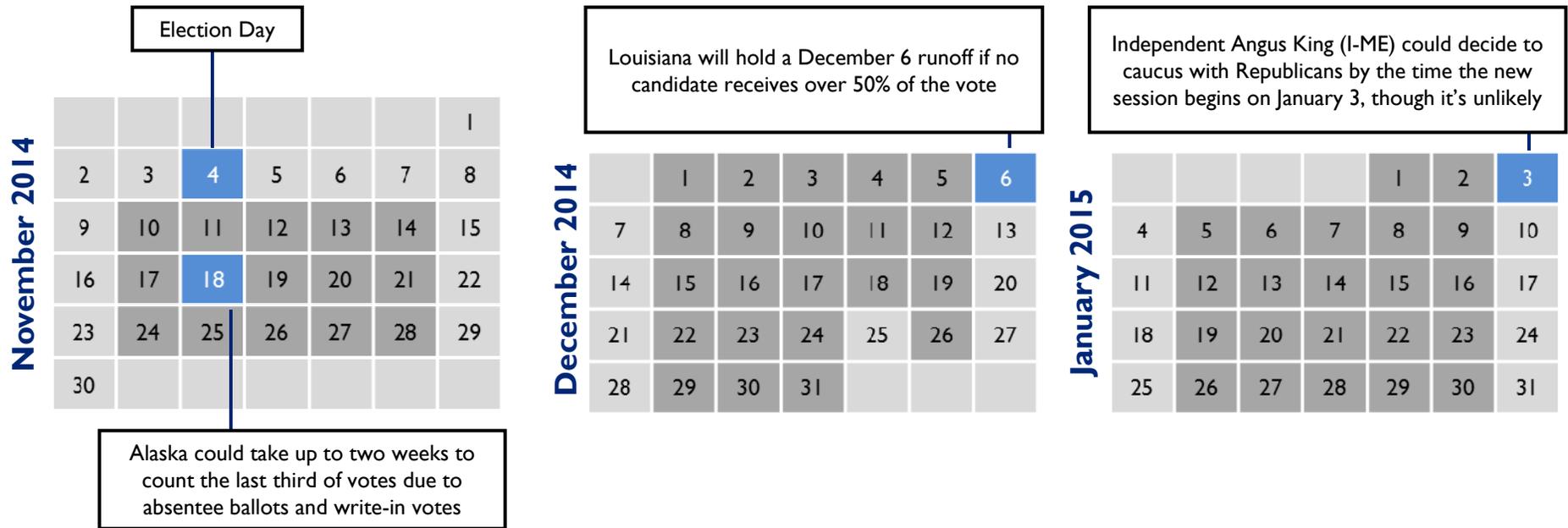
Outstanding Races

- » Alaska: Need to count absentee and write-in votes
- » Louisiana: Runoff—Mary Landrieu (D) v. Bill Cassidy (R)
- » Virginia—Undecided between Mark Warner (D) v. Ed Gillespie (R)

Margin of GOP Control Not Final Until December 6th

Key Dates for 2014 Midterm Elections

■ Projected Date ■ Congress in Session



Analysis

While the GOP took control of the Senate on election night, their final margin of control will likely not be known until Jan. 6th, when Sen. Mary Landrieu (D-LA) faces Bill Cassidy (R) in a runoff election

Sources: National Journal Research 2014; Kyle Trygstad and Humberto Sanchez, "Why Vote Counting in Alaska Takes a Long Time," Roll Call, October 2, 2014; "The Upshot Senate Forecasts," The New York Times, October 21, 2014.

House Results

- House Republicans increased their majority
- Republicans picked up 14 Democratic seats
- Democrats picked up 1 Republican seats
- Republican net gain of 13
- Chamber majority = 218 seats

With 17 races outstanding:
Republicans = 243 seats
Democrats = 175 seats
Republicans lead in 10 races
Democrats lead in 7 races



Closely Watched House Races

Democratic Incumbent Seats (Incumbents in **Bold**, Winner in Red)

- »Arizona—01: **Ann Kirkpatrick (D)** v. Andy Tobin (R)—Undecided
- »Arizona—02: **Ron Barber (D)** v. Martha McSally (R)—Undecided
- »California—07: **Ami Bera (D)** v. Doug Ose (R)—Undecided
- »California—52: **Scott Peters (D)** v. **Carl DeMaio (R)**
- »Florida—26: **Joe Garcia (D)** v. **Carlos Curbelo (R)**
- »Georgia—12: **John Barrow (D)** v. **Rick Allen (R)**
- »Illinois—10: **Brad Schneider (D)** v. **Bob Dold (R)**
- »Iowa—02: **Dave Loebsack (D)** v. Marianne Miller-Meeks (R)
- »Massachusetts—06: **Seth Moulton (D)** v. Richard Tisei (R)- OPEN Seat Previously held by a D
- »Minnesota—08: **Rick Nolan (D)** v. Stuart Mills (R)
- »New Hampshire—01: **Carol Shea-Porter (D)** v. **Frank Guinta (R)**
- »New York—21: Aaron Wolf (D) v. **Elise Stefanik (R)**- OPEN Seat Previously held by a D
- »West Virginia—03: Nick Rahall (D) v. **Evan Jenkins (R)**

Closely Watched House Races

Republican Incumbent Seats (Incumbents in **Bold**, Winner in Red)

- »Arkansas—02: **French Hill (R)** v. Patrick Henry Hays (D)—OPEN seat previously held by an R
- »California—31: Paul Chabot (R) v. **Pete Aguilar (D)**—OPEN seat previously held by an R
- »Florida—02: **Steve Southerland (R)** v. **Gwen Graham (D)**
- »Iowa—03: **David Young (R)** v. Staci Appel (D)—OPEN seat previously held by an R
- »Nebraska—02: **Lee Terry (R)** v. Brad Ashford (D)—Undecided
- »New York—11: **Michael Grimm (R)** v. Domenic Recchia (D)
- »Virginia—10: **Barbara Comstock (R)** v. John Foust (D)—OPEN seat previously held by an R
- »West Virginia—02: **Alex Mooney (R)** v. Nick Casey (D)—OPEN seat previously held by an R

House Composition—Then and Now

113th Congress

Republicans: 233

Vacant: 1

Total: 234

Democrats: 199

Vacant: 2

Total: 201

114th Congress

Republicans: 243

Democrats: 175

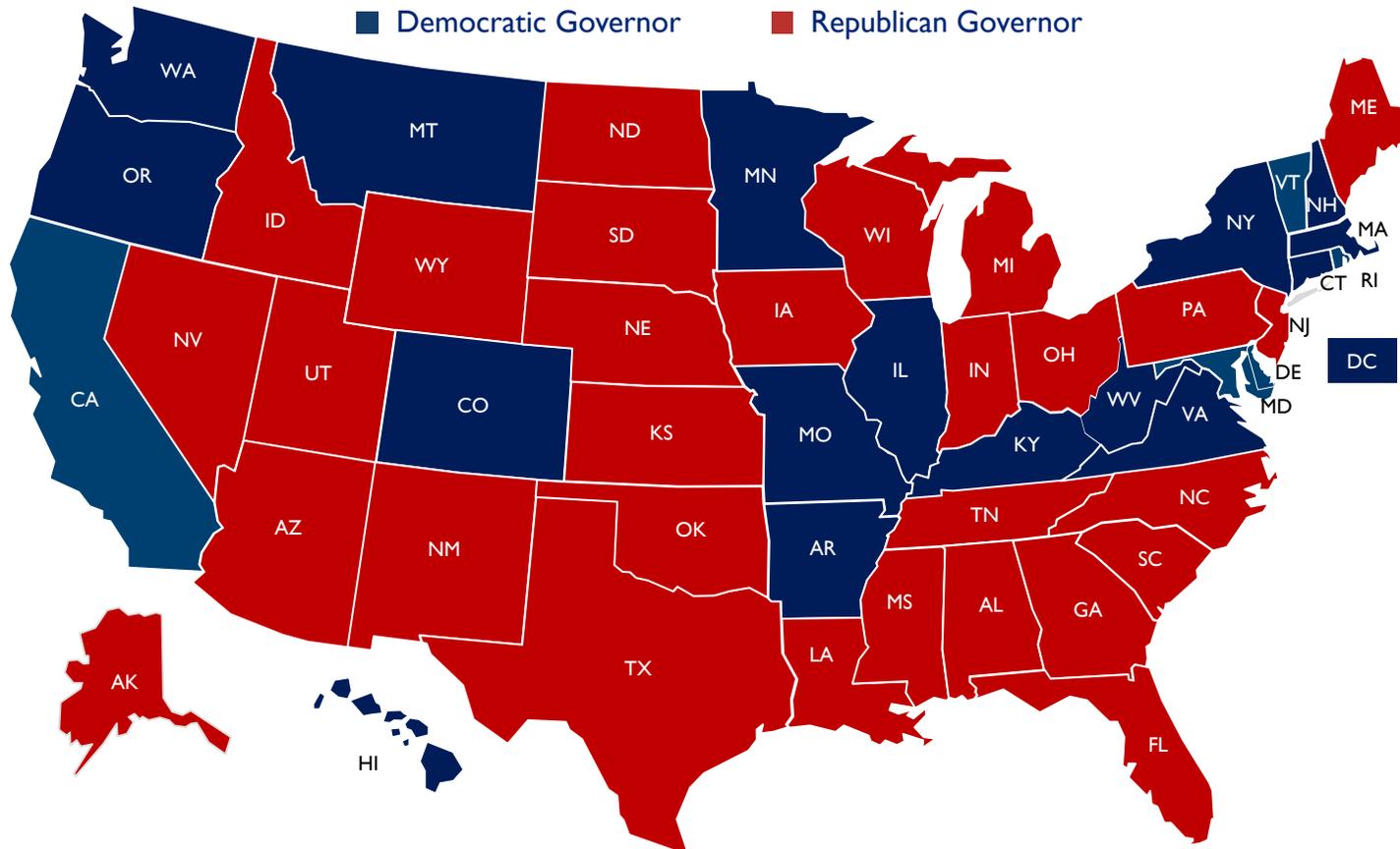
Outstanding Races

» As of this morning, 17 races remain undecided

Governors Map—2012

Republican Governors Lead Majority of States

Map of State Governors by Party



Totals

Democratic Governor: 22 states (43%)
Republican Governor: 29 states (57%)

* Including 1 Democratic mayor of Washington D.C.
Source: National Journal Research, 2013.

Holland & Knight

Closely Watched Governors Races

Democratic Incumbent Seats (Incumbents in **Bold**, Winner in Red)

- »Colorado: **John Hickenlooper (D)** v. Bob Beauprez (R)
- »Connecticut: **Dan Malloy (D)** v. Tom Foley (R)
- »Massachusetts: Martha Coakley (D) v. **Charle Baker (R)**—OPEN Seat Previously held by a D
- »Illinois: **Pat Quinn (D)** v. **Bruce Rauner (R)**
- »Rhode Island: **Gina Raimondo (D)** v. Allen Fung (R)—OPEN Seat Previously held by a D

Republican Incumbent Seats (Incumbents in **Bold**, Winner in Red)

- »Wisconsin: **Scott Walker (R)** v. Mary Burke (D)
- »Alaska: **Sean Parnell (R)** v. Bill Walker (I)—Undecided
- »Florida: **Rick Scott (R)** v. Charlie Crist (D)
- »Georgia: **Nathan Deal (R)** v. Jason Carter
- »Kansas: **Sam Brownback (R)** v. Paul Davis (D)
- »Maine: **Paul LePage (R)** v. Mike Mchaud (D)
- »Michigan: **Rick Synder (R)** v. Mark Schauer (D)



Lame Duck



Key Dates for November and December

- »11/10: Senate Returns from Recess
- »11/12: House Returns from Recess
- »Week of 11/10: House Democrats to hold leadership elections
- »11/13: House/Senate Republicans to hold leadership elections
- »11/14: House Republicans to elect a new Steering Committee and adopt Rules for the 114th Congress
- »11/12-20: House of Representatives to hold new Member orientation
- »11/12-14: Senate to hold new Member orientation
- »Week of 11/17: The House Congressional calendar will be published for 2015
- »Week of 11/17: House Democrats to assign Ranking Members slots
- »11/19: House Steering Committee to announce new Chairs for Committees
- »11/20: Steering Committee to assign slots for Appropriations, Energy and Commerce, Financial Services, and Ways and Means
- »12/12: Last day of session for the House of Representatives

Lame Duck Scenario #1

- » **Budget:** Congress passes an Omnibus Appropriations bill on the 7 appropriations bill the House passed, and a Continuing Resolution for the remaining programs
- » **Tax Extenders:** Congress passes a one year extension or two year extension with several extenders made permanent
- » **Terrorism Risk Insurance Act:** Congress passes a 1 year extension OR shorter extension than the Senate proposal for 7 years
- » **National Defense Reauthorization Act:** Congress passes a reauthorization bill
- » **Syria Resolution:** Congress passes a resolution on the conflict regarding military intervention, and the training and funding of Syrian rebels
- » **Internet Tax Freedom Extension/Online Sales Tax:** Senate passes House Internet Tax Freedom Extension bill together with Market Place Fairness Act

Lame Duck Scenario #2

- » **Budget:** Congress passes a Continuing Resolution until mid-2015
- » **Tax Extenders:** Congress fails to reach agreement and waits until 2015
- » **Terrorism Risk Insurance Act:** Congress passes a 1 year extension
- » **National Defense Reauthorization Act:** Congress does not move forward with reauthorization; first time in 80 years
- » **Syria Resolution:** Congress passes a Continuing Resolution to fund Syrian Rebels
- » **Internet Tax Freedom Extension/Online Sales Tax:** Congress waits until 2015

Notable Expiration Dates

- »12/11: The Continuing Resolution
- »12/11: The Internet Tax Freedom Act
- »12/31: The Terrorism Risk Insurance Act
- »12/31: Tax Extenders

Big Picture Outlook: Lame Duck and 114th Congress

Lame Duck	January	February	March	April	May	June
<ul style="list-style-type: none"> ● Tax Extenders: Congress will likely renew tax extenders before they expire ● Terrorism Risk Insurance Act: A long-term compromise bill is possible, but a short term extension could push the issue into next year ● Foreign Policy: Congress will likely renew the Syrian arming/training resolution; action on Ukraine is also possible ● Appropriations: An omnibus is possible, but a short-term CR is more likely 			<ul style="list-style-type: none"> ● Debt Ceiling: Watch for confrontation over spending levels and issues Republicans could attach to a debt ceiling deal 	<ul style="list-style-type: none"> ● Doc Fix: Expect another short-term fix or a long-term plan paid for primarily through deficit reduction by the current fix's expiration date in April 	<ul style="list-style-type: none"> ● Highway Trust Fund: Republicans will likely change spending levels and attempt to eliminate the gas tax in a Highway Trust Fund renewal 	<ul style="list-style-type: none"> ● Export-Import Bank: Republicans are split on whether the bank should expire; it may or may not be reauthorized
114th Congress, Timing Unknown						
<ul style="list-style-type: none"> ● Immigration: Certain policies could pass with Democratic support, but reform is unlikely ● Fossil Fuel: GOP may push to approve Keystone XL legislatively or reduce regulation on energy exploration ● Online Sales Tax: Not a high priority, but lobbying efforts from states and small businesses may push GOP to allow for an online sales tax ● Affordable Care Act: A deal on repealing the medical device tax is likely to pass; regulatory changes to coverage requirements are possible ● Terrorism Risk Insurance Act: If the lame duck results in a short-term extension, expect a compromise closer to House GOP priorities ● EPA Regulations: GOP may try repealing EPA regulations on carbon emissions through a budget/debt ceiling vote ● Foreign Policy: Congress may make Syrian reauthorization contingent on a new AUMF; Republicans may push more confrontation with Iran ● International Trade: A Republican Senate would likely grant Obama Trade Promotion Authority to sign the TPP and TIPP trade agreements ● Appropriations: A regular-order budget is possible, but another CR is a strong possibility; some GOP members have hinted at reconciliation ● FCC/Net Neutrality: Republicans may restrict the FCC's authority or withhold its funding if it implements more expansive regulations ● Tax Reform: Movement on comprehensive tax reform remains unlikely in a Republican Congress 						

Source: National Journal Research 2014.



Lame Duck Issue Areas

Lame Duck—Budget

»Outlook:

- Continuing Resolution expires on 12/11/14
 - House: Passed 7 Appropriation bills before adjourning for recess:
 1. Commerce, Justice, Science, and Related Agencies Appropriations Bill
 2. Department of Defense Appropriations Bill
 3. Energy and Water Development Appropriations Bill
 4. Financial Services and General Government Appropriations Bill
 5. Legislative Branch Appropriations Bill
 6. Military Construction, Veterans Affairs and Related Agencies Appropriations Bill
 7. Transportations, Housing and Urban Development and Related Agencies Appropriations Bill
 - Senate: Passed 0 Appropriation bills

»Options:

1. Congress passes an Omnibus for the 7 appropriations bills passed by the House, and a Continuing Resolution for the remaining programs
2. A Continuing Resolution for 6 months for all programs

Lame Duck—Tax Extenders

»Outlook:

- 60 tax provisions are set to expire on 12/31/14
 - Includes the Production Tax Credit, the Research and Development Tax Credit, the New Markets Tax Credit, etc.
- House:
 - Passed the Jobs for America Act (H.R. 4). Bill would make permanent the following tax credits: the Research Credit, the Expansion of Depreciation for Small Business Depreciable Assets Credit, the Reduced Recognition period for Built-in gains S Corporations Credit, the Basis Adjustment to Stock of S Corporations making Charitable Contributions Credit, the Bonus Depreciation Credit
- Senate:
 - Passed the EXPIRE Act (S. 2260). Bill would extend certain tax breaks for one to two years

»Options:

1. Congress passes a 1 year of all tax credits
2. Congress passes a 2 year extension with some provisions permanent

Lame Duck—Internet Tax Freedom Act

»Outlook:

- Expires on 12/11/14
- Bans State and Local taxes on internet access
- House:
 - Passed the Permanent Internet Tax Freedom Act (H.R. 3086) on July 15, 2014
- Senate:
 - Awaiting Senate Finance Committee Action

»Options:

1. Congress passes H.R. 3086 freestanding
2. H.R. 3086 is paired with the Market Place Fairness Act (S. 743)
 - S. 743 provides states opportunity to impose sales tax on internet sales where the business does not have a physical presence

Lame Duck—The Terrorism Risk Insurance Act (TRIA)

»Outlook:

- TRIA is a federal financial backstop for insurance against terrorist attacks
- Passed after 9/11
- House:
 - Financial Services Committee passed the Terrorism Risk Insurance Act of 2002 (TRIA) Reauthorization Act of 2013 (H.R. 508)
 - 5 year extension with an adjustment to the amount of damages
- Senate:
 - Passed the Terrorism Risk Insurance Program Reauthorization Act (S. 2244) by a 93-4 vote
 - 7 year extension

»Options:

1. Congress passes a one year extension
2. Congress passes a multi-year extension with support of insurance industry and business community

Lame Duck—Foreign Policy/National Defense

»Outlook (Foreign Policy):

- Congress must renew Syrian Army and Training Resolution
- Ukraine: Push President to take Further Steps to Help Ukraine

»Outlook (National Defense):

- House:
 - Passed the Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (H.R. 4435) by a vote of 325-98
- Senate:
 - Senate Armed Services Committee Passed National Defense Authorization Act for Fiscal Year 2015 (S. 2410) by a vote of 25-1
 - Awaiting Senate Floor Action

Lame Duck—Other Legislative Business

»Presidential Nominations:

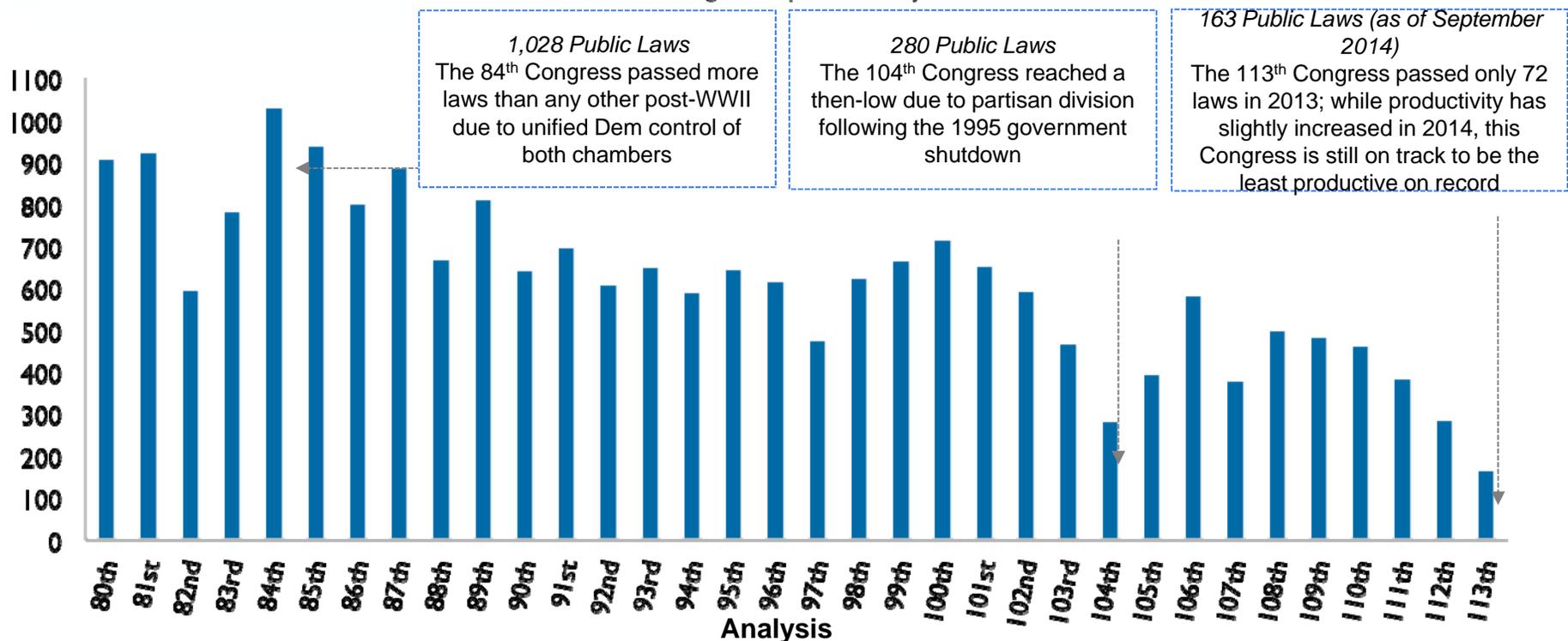
- Secretary for the Department of Justice
 - Secretary Eric Holder announced his resignation

»Bipartisan legislation:

- The Sunscreen Innovation Act

113th Congress Productivity

Number of Public Bills Enacted into Law by Congress
80th-113th Congresses (1947-2014)



- By historical standards, the past two Congresses have been incredibly unproductive; they enacted just over half as many laws in the past four years (446 as of 9/8/14) as their predecessors averaged in two (637)
- Budget fights have exacerbated unproductivity, as the time spent on resolving impasses detracted from other priorities
- Even with budget struggles temporarily resolved, the number of bills enacted may remain below historic norms, as Congress now passes more legislation in omnibus form; many bills in the 84th Congress might be included in one today, for example



The 114th Congress

Holland & Knight

114th Potential Agenda Items Scenario #1

Must Dos for the 114th Congress

- »Budget Resolution—Continuing Resolution expires on December 11, 2015
- »Debt Ceiling—Expires March 15, 2015
- »Sustain Growth Rate (SGR) Doc Fix—Expires April 1, 2015
- »Highway Trust Fund—Expires May 15, 2015
- »Export-Import Bank—Expires June 30, 2015

Areas for Bipartisan Consensus

- »Repeal of the Medical Device Tax
- »Keystone Pipeline
- »Tax Reform
- »Trade Promotion
 - Trade Promotion Authority (TPA) for the President for the Trans Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (TTIP)

114th Potential Agenda Items Scenario #2

»President Obama issues an Executive Order on immigration to slow down or halt deportation policies of undocumented individuals. Provides “amnesty” for the 11 million undocumented individuals

- Bipartisan consensus becomes much more difficult

»Further divides the Executive and Legislative Branches

- Must dos potentially become “showdowns”
- Congress operates in crisis to crisis mentality

Potential Chairmanships in the Senate

Committee	113 th Chair	113 th Ranking Member	Potential 114 th Chair	Potential 114 th Ranking Member
Aging	Bill Nelson (FL)	Susan Collins (ME)	Susan Collins (ME)	Bob Casey (PA)
Agriculture	Debbie Stabenow (MI)	Thad Cochran (MS)	Pat Roberts (KS)	Sherrod Brown (OH)/ Amy Klobuchar (MN)
Appropriations	Barbara Mikulski (MD)	Richard Shelby (AL)	Thad Cochran (MS)*/Lamar Alexander (TN)	Barbara Mikulski (MD)
Armed Services	Carl Levin (MI)	Jim Inhofe (OK)	John McCain (AZ)	Jack Reed (RI)
Banking	Tim Johnson (SD)	Michael Crapo (ID)	Richard Shelby (AL)	Charles Schumer (NY)/ Sherrod Brown (OH)
Budget	Patty Murray (WA)	Jeff Sessions (AL)	Jeff Sessions (AL)	Debbie Stabenow (MI)
Commerce	John Rockefeller (WV)	John Thune (SD)	John Thune (SD)	Bill Nelson(FL)
Energy	Mary Landrieu (LA)	Lisa Murkowski (AK)	Lisa Murkowski (AK)	Mary Landrieu (LA)*/Maria Cantwell (WA)
Environment	Barbara Boxer (CA)	David Vitter (LA)	Jim Inhofe (OK)	Barbara Boxer (CA)
Finance	Ron Wyden (OR)	Orrin Hatch (UT)	Orrin Hatch (UT)	Ron Wyden (OR)
Foreign Relations	Bob Menendez (NJ)	Bob Corker (TN)	Bob Corker (TN)	Bob Menendez (NJ)
HELP	Tom Harkin (IA)	Lamar Alexander (TN)	Mike Enzi (WY)	Patty Murray (WA)
Homeland Security	Tom Carper (DE)	Tom Coburn (OK)	Ron Johnson (WI)	Tom Carper(DE)
Indian Affairs	Jon Tester (MT)	John Barrasso (WY)	John Barrasso (WY)	Jon Tester (MT)
Intelligence	Diane Feinstein (CA)	Saxby Chambliss (GA)	Richard Burr (NC)/ James Risch (ID)/ Dan Coats (IN)	Diane Feinstein (CA)
Joint Economic	Amy Klobuchar (MN)	N/A	Dan Coats (IN)/ Mike Lee (UT)	---
Judiciary	Patrick Leahy (VT)	Chuck Grassley (IA)	Chuck Grassley (IA)	Patrick Leahy (VT)
Rules & Administration	Charlie Schumer (NY)	Pat Roberts (KS)	Lamar Alexander (TN)	Dick Durbin (IL)
Select Ethics	Barbara Boxer (CA)	Johnny Isakson (GA)	---	---
Small Business	Maria Cantwell (WA)	James Risch (ID)	David Vitter (LA)/ James Risch (ID)/ Marco Rubio (FL)	Maria Cantwell (WA)**/ Mark Pryor (AR)*
Veterans	Bernie Sanders (VT)	Richard Burr (NC)	Richard Burr (NC)/ Johnny Isakson(GA)	Bernie Sanders (VT)

Potential Chairmanships in the House

Committee	113 th Chair	113 th Ranking Member	Potential 114 th Chair	Potential 114 th Ranking Member
Agriculture	Frank Lucas (OK)	Collin Peterson (MN)	Michael Conaway (TX)	Collin Peterson (MN)
Armed Services	Howard McKeon (CA)	Adam Smith (WA)	Mac Thornberry (TX) / J. Randy Forbes (TX)	Adam Smith (WA)
Budget	Paul Ryan (WI)	Chris Van Hollen (MD)	Tom Price (GA)	Chris Van Hollen (MD)
Energy and Commerce	Fred Upton (MI)	Henry Waxman (CA)	Fred Upton (MI)	*Frank Pallone (NJ) / Anna Eshoo (CA)
Intelligence	Mike Rogers (MI)	A. Dutch Ruppersberger (MD)	Devin Nunes (CA) / Peter King (NY)	A. Dutch Ruppersberger (MD)
Natural Resources	Doc Hastings (WA)	Peter Defazio (OR)	Rob Bishop (UT)	Peter Defazio (OR)
Oversight and Government Reform	Darrell Issa (CA)	Elijah Cummings (MD)	Michael Turner (OH) / Jason Chaffetz (UT) / Jim Jordan (OH) / John Mica (FL)	Elijah Cummings (MD)
Small Business	Sam Graves (MI)	Nydia Velazquez (NY)	Steve Chabot (OH)	Nydia Velazquez (NY)
Ways and Means	Dave Camp (MI)	Sander Levin (MI)	Paul Ryan (WI)	Sander Levin (MI)



114th Congress Issue Areas

114th Congress—Patent Reform

»Current Status

- House 113th Congress:
 - Passed the Innovation Act (H.R. 3309)
 - Received by the Senate Judiciary Committee
- Senate 113th Congress:
 - Senate Judiciary Committee Introduced the Patent Transparency and Improvements Act of 2013
 - Senators Patrick Leahy (D-VT), John Cornyn (R-TX), and Charles Schumer (D-NY) held negotiations
- Bipartisan sentiment surrounding the issue
- Potential chance for compromise between both parties and new bill in 114th Congress

114th Congress—Energy and Natural Resources

»Priorities: Keystone XL Pipeline, regulations on oil drilling and natural gas, carbon emissions, and the renewable fuel standard

- Keystone: GOP House and Senate may attach approval of the pipeline on debt ceiling or budget bill
- Oil and Natural Gas Regulations: GOP House and Senate may support reduction in regulation on energy exploration
- Carbon Emissions: GOP House and Senate will likely limit EPA's regulation of CO2 from coal fire plans
- Renewable Fuel Standard: GOP House and Senate may seek to repeal or raise it

114th Congress—Cyber and Data Security

»Two main areas for potential action:

- Information sharing related to cybersecurity
 - Concerns regarding NSA's role
 - Rep. Mike Rogers's bill to serve as baseline for 114th Congressional action
 - The Cyber Intelligence and Sharing Protection Act (H.R. 624)
- Federal data breach notification standard
 - Business community proponent of setting a standard
 - Senators Diane Feinstein (D-CA) and Saxby Chambliss (R-GA) introduced the Cybersecurity Information Share Act of 2014 (S. 2588)
 - Sen. Chambliss is retiring, legislation will need new Republican ally for 114th Congress
 - 47 states, DC, Guam, Puerto Rico and the Virgin Islands have data breach notification laws
 - Could serve as baseline for Congressional action

114th Congress—Immigration

»In 113th Congress, the Senate passed immigration reform legislation, but it stalled in the House

- House passed four discreet immigration bills
- Senate passed comprehensive immigration reform on June 27, 2013

»GOP House and Senate will look to pass certain policies

- Border security measures
- Deportations
- Repeal of the Deferred Action for Childhood Arrivals (DACA) executive order

»Things could become complicated if the President issues an Executive Order regarding the status of undocumented individuals, and provides “amnesty”

114th Congress—Trade

»Two main trade agreements will need to be considered:

- The Trans-Pacific Partnership (TPP)
 - Involves the United States, Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam
- The Transatlantic Trade and Investment Partnership (TTIP)
 - Involves the United States and the European Union
 - Both require Congressional authorization

»The White House is seeking Trade Promotion Authority (TPA) to negotiate and sign trade agreements

- Allows Congress only to approve or disapprove of an agreement
- Congress cannot amend or filibuster an agreement
- Republicans are amenable to granting TPA
- Former Majority Leader Senator Harry Reid (D-NV) was reluctant to bring TPA to the floor

114th Congress—Transportation/Infrastructure

»Highway Trust Fund set to expire on May 31, 2015

- Congress will have to reauthorize MAP-21
- Senate Environment and Public Works Committee passed unanimously the MAP-21 Reauthorization Act on May 15, 2014
- Tax reform discussion could lead to additional funding streams for transportation projects
 - Tax credits such as the commuter tax benefit, CNG credit, and the alternative fuels tax credit are set to expire

»FAA Reauthorization expires on September 1, 2015

- Authorizes airport and aviation system financing, and addresses issues such as timelines for certification of aircraft manufacturers products, and issues with NextGen air traffic control
- Priority of the House Transportation and Infrastructure Committee and the Senate Commerce, Science and Transportation Committee

»TIGER Grants

- Enters its 7th cycle
- Funds state and local transportation projects
- During 113th Congress, Senate appropriated \$550 million to the program, House appropriated \$100 million
 - Compromise will be reached during either a CR or an Omnibus

114th Congress—Health Care

»Affordable Care Act Outlook:

- House Majority leader Kevin McCarthy (R-CA) outlined several conservative legislative ideas for ACA reform in a memo in August 2014
 - Changing the definition of full time worker
 - Giving insurance policy holders more options to ‘keep the plan they have
 - Symbolic full repeal bill is possible
 - Sen. Rob Portman (R-OH) has suggested a separate repeal of the medical device tax, a proposal with bipartisan support

»Doc Fix

- Expires on **April 1, 2015**
- Permanent fix almost passed in the 113th Congress
- A permanent doc fix would be funded through mostly deficit reduction rather than revenue increases

114th Congress—Financial Services

»Dodd Frank Regulations

- Republicans voted in near unanimity against the legislation in 2010
- Regulators have not proposed 95 of the 398 requirements for financial services firms including:
 - Transparency regulations for derivatives and asset-backed securities markets, regulations for credit-rating firms, and regulations for compensation disclosures for public company CEOs, etc.

»Fannie and Freddie

- Government Sponsored Enterprises—center of the 2008 financial meltdown
 - Congressional support for new governing rules
 - Conservative Republicans seek to disband Fannie and Freddie
 - Others seek reform

»Tax Inversion

- Potential driver for tax reform legislation
- The Department of the Treasury recently released new rules to combat tax inversion
- Potent political issue as companies attempt inversion and reach national attention

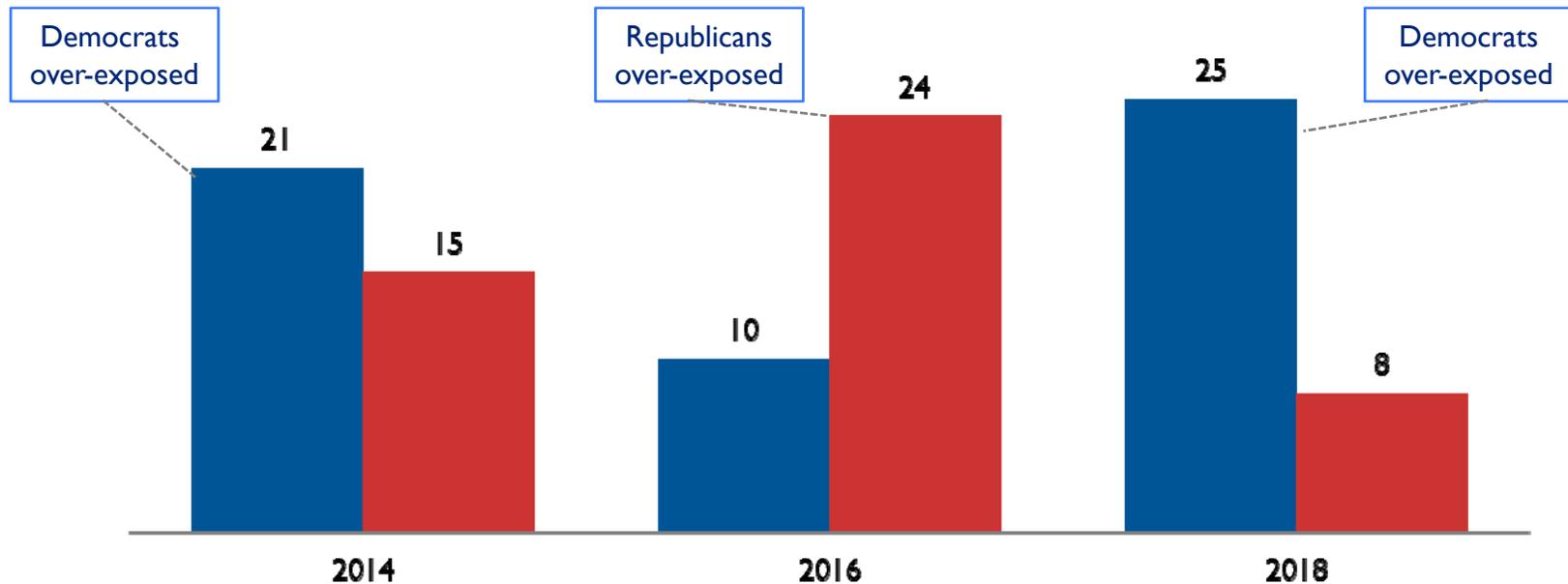
A Look Ahead to 2016 and Beyond

Dems, Republicans Will Take Turns Playing Defense in Presidential and Midterm Elections Ahead

Senate seats in play, by election year

■ Democratic seats

■ Republican seats



Presidential 2016 Dates

»Monday, January 18, 2016—Iowa Caucus

»Tuesday, January 26, 2016—New Hampshire Primary



Questions?