

WISCONSIN COUNTY HIGHWAY ASSOCIATION

THE WCHA INFORMER

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Senate Working to Move Six-Month Extension of Highway and Transit Programs

Senate Environment and Public Works Committee leaders are pushing for enactment of a six-month extension that would not require any additional revenue transfers to the Highway Trust Fund.

The EPW Committee is working to "hotline" a six-month extension bill, which would be substituted for the three-month extension sent over from the House in late September as the authorization was expiring.

The House bill was not considered on the Senate floor, and the highway and transit programs were extended under a one-month appropriations continuing resolution. Hotlining is an inquiry to all Senate members to determine if a bill can be enacted by unanimous consent.

The Senate bill would provide \$24.6 billion in contract authority for the highway program. The bill would also apparently restore the \$8.7 billion in contract authority that was rescinded when the 2005 transportation law known as "SAFETEA-LU" expired Sept. 30. Because the bill does not increase obligation authority, it should not require any waiver of budget requirements or offsets.

The Senate has yet to consider on the floor an 18-month extension bill approved by three committees that would extend highway and transit programs at Fiscal Year 2009 levels through March 2011. That approach has been resisted by House transportation leaders, who want to continue to press for action on a multiyear authorization. The six-month extension is seen as a compromise between the two chambers.

While it looks like another appropriations continuing resolution is likely, indications are that appropriators prefer to see a separate bill to extend surface transportation programs.

What remains unclear, however, is whether the House would be willing to agree to anything beyond an extension until year's end. House Transportation and Infrastructure Committee leaders have said a shorter extension would allow Congress to complete a six-year bill before the new year. With a funding source not yet identified for the \$500 billion legislation being proposed, financing remains a major stumbling block to enactment of a six-year bill.

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U.S. DOT Appropriations Measure Remains Stalled; Second CR & Then Omnibus Likely

Current temporary funding for U.S. DOT and most other federal agencies expires Oct. 31 under the terms of a continuing resolution enacted in late September. Congress has finished only four of the 12 annual appropriations bills. With floor action slow in the Senate, that chamber's chief appropriator is now beginning to discuss the need for an "omnibus" bill soon that would bundle the remaining spending bills into one package. The next continuing resolution is expected to fund the government until Dec. 15, Congress Daily reported Thursday. An omnibus measure would likely then follow to fund agencies until Sept. 30, 2010, the end of the fiscal year.

Senate Appropriations Committee Chairman Daniel Inouye, D-HI, said Tuesday he expects an omnibus will be necessary. With the Senate expected to take up a massive healthcare reform package soon, the chamber will not have time to finish separate consideration of all appropriations bills by year's end. Inouye said his goal is to complete an omnibus package by Dec. 1.

The appropriations bill funding U.S. DOT and the U.S. Department of Housing and Urban Development has been passed in different form by both chambers. The Senate requested a conference committee Sept. 17, but the House has so far not appointed its conferees. The reason for the delay is uncertain as the DOT/HUD bill does not contain some of the politically controversial items that have slowed progress on other appropriations legislation this fall.

NACE UPDATE

Congressional Leaders Meet with Obama to Discuss Potential Recovery Extensions

President Barack Obama hosted congressional leaders at the White House in early October to talk about the growing unemployment rate, which reached 9.8 percent in September -- a 26-year-high. Leaders have made it clear there will not be a second major stimulus bill this year. Instead, they are looking at what aspects of the existing \$787 billion American Recovery and Reinvestment Act, adopted in February, could be extended or beefed up with additional dollars to further try to revive the sluggish economy. Sources told Congressional Quarterly Today that major talks about which programs to extend or add funding to are not expected to gear up for another week or two since legislation to overhaul the healthcare system is presently dominating the congressional agenda.

The discussions have included boosting transportation spending, [Bloomberg News reported](#). Administration officials have told allies in Congress that a broader transportation bill is on the table along with extensions of a homebuyer tax credit and unemployment benefits.

"If there was to be another round of stimulus, additional infrastructure would be at the top of the list," said Rep. Chris Van Hollen, D-MD.

House Transportation and Infrastructure Committee Chairman James Oberstar, D-MN, continues to push for adoption of a full six-year transportation bill. His spokesman, Jim Berard, noted a six-year bill would be "a better stimulus than a temporary, one-time infusion of cash."

House Democratic Caucus Chairman John Larson of Connecticut agrees, telling Roll Call this week that Oberstar's \$500 billion legislation would be a great way to jump-start job creation.

"What we really need to focus on is putting people back to work, and I think Oberstar's got the right plan," Larson said.

House Rules Committee Chairwoman Louise Slaughter, D-NY, said she likes the idea of passing Oberstar's legislation, which would put people to work "building things we need anyway."

Rescission of Highway Funds Goes Into Effect Starting with the new fiscal year on October 1, 2009, U.S.-DOT sent out rescission notices to state DOTs noting that there would be an approximate \$8.7 billion rescission in contract authority. As September came to a close, Congress was unable to arrive at a consensus on how to amend or eliminate this impending rescission of funds. Therefore, just as many regions of the country began witnessing spurred highway funding; U.S.-DOT will be collecting funds back from the states. Congress has stated that they will continue to look for a solution to this problem in the interim before a new full authorization is passed. For more information on rescission, please [click here](#).

USA Today Highlights Rural Road Safety in Article

I wanted to call your attention to an article appearing in USA Today recently on the high percentage of fatalities which occur on the nation's rural roads. It features initiatives in several states to combat this problem, as well as a state-by-state map of the number of rural and overall fatalities, based on information from the National Highway Traffic Safety Administration for 2008. To view the article click on the following link.

http://www.usatoday.com/news/nation/2009-10-06-more-die-on-rural-roads_N.htm

HAVE YOU VISITED the NACE Local Roads Matter website!

Dan Fedderly, Executive Director Wisconsin County Highway Association, Dunn County Supervisor and former Wisconsin County Highway Commissioner presented the “rural county” view in a briefing to Congressional Staffers for the National Association of Counties. To view his presentation visit the NACE Local Roads Matter Campaign site <http://countyengineers...org/LRM/index.html> or click on the Local Roads Matter button on the left side of this page. Then click on the Social Media Center.

Nominating Committee Interested in New Officers for 2010--2011

The NACE Nominating Committee is accepting nominations for 2010-2011 NACE officers. The positions of President-elect, Secretary-Treasurer, and Regional Vice Presidents for the Northeast and South Central regions will be on the ballot this year. Nominations should be sent to the Nominations Committee Chair, Sue Miller by November 30, 2009 so that they can be reviewed, assembled and printed for distribution to the membership. A biography and photograph should be included.

Nominations and or questions should be directed to Sue Miller at (507) 377-5188 or email:

sue.miller@co.freeborn.mn.us

NACE Awards Program: It's Time to Nominate Deserving NACE Members as “Engineer of the Year” or “Program/Project Manager of the Year”

Each year the NACE Awards Committee reviews nominated individuals for the “Urban Engineer of the Year”, “Rural Engineer of the Year” and “Program/Project Manager of the Year” awards. The rules and criterion can be found by visiting the NACE website www.countyengineers.org Click on Programs and Committee and you will find the appropriate file. In addition, each NACE Board member has copies of the forms. We encourage each NACE state affiliate organization to submit their nominations (5 copies) by December 31, 2009 to Ken Stone, Director of Asset Management and Sustainability, 207 4th Avenue, N., Kelso, WA 98626-4189. For more information contact Ken at (360) 577-3030; email:

stonek@co.cowlitz.wa.us

FHWA Consolidates Administration of Work Zone Safety Grants

Following a recent assessment of the Work Zone Program, the Federal Highway Administration has determined that the Office of Operations should assume the lead role for some activities which were being handled by the Office of Safety, including the administration of the FHWA Work Zone Safety Grants and the National Work Zone Safety Information Clearinghouse. While the effective date of the change is October 21, program staff for both the Office of Operations and the Office of Safety will be working closely together to facilitate a smooth transition of tasks and responsibilities over the next several weeks. ATSSA President and CEO Roger Wentz said, "ATSSA is grateful that the Federal Highway Administration is committed to maintaining a steady focus on work zone safety. ATSSA has a long-standing relationship with the Operations staff, and we are consistently impressed with the staff's personal dedication to work zone safety and training. We applaud this consolidation and look forward to continuing our partnership in safety with the Federal Highway Administration."

Six-Month Highway Bill Hits Senate Snag: Lawmakers May Use Another CR Stopgap

Key senators continued to round up support Oct. 27 for swift passage of a six-month extension of highway and transit policy and funding levels, but several senators could delay the process and force leaders to once again resort to a shorter time frame in a government funding measure.

The top Democrat and Republican on the Senate Environment and Public Works Committee are trying to win over all 100 senators in their push for a six-month extension that would run through April 30, 2010, but at least two Republican senators have objected.

“We’re all doing all we can to try to get something done to avoid a CR [continuing resolution], and I will do all I can,” EPW ranking member James Inhofe (R-Okla.) told reporters Oct. 27 after the Senate’s weekly party caucuses, saying he knew of two Republicans who have objected.

With House and Senate lawmakers deadlocked on how long to extend transportation programs amid a busy schedule and a tough political environment for raising additional revenue, Congress last month included a month-long funding extension in a continuing resolution set to expire Oct. 31.

Asked about a potential second CR, Inhofe said “I don’t want to say that but that’s what it looks like right now.”

The newest CR, which will last through Dec. 18, will come before both chambers this week and it could include another transportation extension if senators are unable to pass a stand-alone bill. The chamber only recently turned to the six-month option as a compromise to the Senate’s 18-month proposal and the House-passed three-month delay (2687 Transportation Watch, 10/26/09). Transportation programs are currently funded through the CR that ends Oct. 31 after the Senate refused to consider a House-passed three-month extension (H.R. 3617).

Republican Senators Object

Several Republican senators have objected to unanimous passage of the six-month extension, and Inhofe said he is talking with them to resolve their concerns.

Sen. Jim DeMint (R-S.C.) has a “hold” on the six-month stopgap, according to a top Senate aide involved in the process. A hold blocks passage through unanimous consent, and if DeMint continues his objection there is not enough time before Oct. 31 to file and vote on the several cloture motions required before the bill would be eligible for a final vote.

Sen. John McCain (R-Ariz.) told reporters Oct. 27 “I certainly wouldn’t pass a bill like that through UC [unanimous consent].”

Also Oct. 27, Sen. Tom Coburn (R-Okla.) said he has not looked at the measure, but an industry stakeholder said he was leaning against objecting.

House GOP Could Support Timeframe

Rep. John Mica (R-Fla.), ranking member of the House Transportation and Infrastructure Committee, said he and his fellow Republicans may support the six-month extension.

“Six months is fine with us,” he told reporters after a floor vote Oct. 27. Mica said the top Republicans

on the Transportation subcommittees signed off on the extension's length at a meeting earlier in the day.

Mica has typically supported Rep. James Oberstar, the committee's chairman, as he battles the Senate's longer extensions. He was an early critic of the administration's proposed 18-month delay and appeared numerous times with Oberstar to rally for quick work on a long-term bill (2600 Transportation Watch, 6/19/09).

But Oberstar still is adamant about the House-passed extension that runs through the end of December.

"Our position is to move the six-year bill now, without a long extension," an Oberstar spokesman told BNA. "We have not had any official communications from the Senate and will not comment on their bill until we have all of the details," the spokesman said.

Voinovich Approves of Compromise

In addition to Mica, another key Republican ally might be diverging from Oberstar's stance. Retiring Sen. George Voinovich (R-Ohio), who had placed a hold on the Senate's 18-month extension, has said he supports the six-month alternative.

"I think it's a good compromise. It's enough time, and the deal is we need to keep pressure on this so we get it done," he told reporters Oct. 27.

While Oberstar is publicly against the six-month extension, Voinovich felt that he would eventually support it. "My gut is that he would be willing to go for six months," Voinovich said, especially in light of the massive stakeholder support for the six-month plan.

Voinovich has been in Oberstar's corner ever since the administration first proposed the 18-month delay in June. He appeared with Oberstar the day before the Senate Environment Committee approved its part of the 18-month extension (2617 Transportation Watch, 7/15/09). At that meeting, he unsuccessfully fought to reduce the extension to a 12-month stopgap (2618 Transportation Watch, 7/16/09).

Stakeholders Join in Support

As Voinovich referenced, some of the largest transportation stakeholder groups have come out in support of the six-month extension.

Americans for Transportation Mobility, a coalition including major transportation stakeholders, sent a letter Oct. 26 urging support for the six-month extension. Members of the diverse group include the U.S. Chamber of Commerce, the American Road and Transportation Builders Association, the American Public Transportation Association, and the Associated General Contractors of America.

"Six months is a reasonable timeframe to advance a long-term reauthorization package while addressing other legislative priorities," the letter said.

Separately, the American Automobile Association also sent a letter in support of the Senate proposal.

AAA's Jill Ingrassia, managing director of government relations and traffic safety advocacy, wrote that the six-month delay would achieve two key goals: providing states and localities enough funding certainty to continue project work while also giving the 111th Congress one more chance to complete action on a long-term bill in 2010. "It is imperative Congress use the next six months to move an authorization bill that focuses on national priorities, such as improving safety, reducing congestion, and providing greater transparency and accountability," Ingrassia wrote.

At a recent gathering of railroad, trucking company, port, state departments of transportation, and business representatives, a general consensus emerged that a compromise extension somewhere between three and 12 months would be best. At that event, a major transportation lobbyist speculated that an extension lasting six to eight months would be “realistic” in light of the “significant progress” Senate staff has made on a long-term measure (2659 Transportation Watch, 9/15/09).

Tentative Support From House Leaders

The two top House Democrats last week offered vague support for the long-term authorization, framing it as a job creation measure.

At his weekly press briefing Oct. 20, House Majority Leader Steny Hoyer (D-Md.) said a long-term reauthorization is “very attractive” but would not discuss the vital component holding the bill up—how to fund it. Oberstar's \$500 billion reauthorization still needs about \$140 billion in additional revenue, and the Ways and Means Committee with jurisdiction over revenue has not made any formal proposals.

“Jobs are critically important. Mr. Oberstar argues, I think persuasively, and I believe that investment in infrastructure is a job creator, both in the short term, medium term and in the long term. To that extent, the reauthorization is a very attractive piece of legislation,” Hoyer said.

The day before, House Speaker Nancy Pelosi (D-Calif.) said every measure considered in the coming months must have a major employment impact. “Every vehicle at our disposal has to have at its core—how it does the job it sets out to do, accomplishes its mission, and creates jobs at the same time,” she said Oct. 20

This Just In!!!!

Highway and Transit Programs to Continue for 7 Weeks

Congress acted on October 29, 2009 to send President Barack Obama a second continuing resolution keeping federal highway and transit programs in operation for the next seven weeks. The House of Representatives approved the seven-week extension last week as part of the conference report for the Fiscal Year 2010 Interior/Environment appropriations bill. The Senate followed with its approval. President Obama signed the measure, highway and transit grants to states will be funded through Dec. 18.

The legislation also provides authority for federal agencies lacking an appropriations law this fiscal year, including the U.S. Department of Transportation, to continue spending money until Dec. 18. Because of an \$8.7 billion rescission of states' highway contract authority, which took effect Sept. 30, the seven-week extension will be at a level \$1.5 billion lower in contract authority than for the similar period last year.

The last federal transportation authorization law known as "SAFETEA-LU" lapsed Sept. 30. In late September, Congress enacted a one-month continuing resolution after neither chamber was able to move a full six-year reauthorization bill.

MARK YOUR CALENDARS!!!

**WCHA Winter Road School
2010 January 11, 12, 13
Kalahari Resort, Wisconsin Dells**

**WCHA Summer Road School
2010 June 7, 8, 9
Kalahari Resort, Wisconsin Dells**

WCHA on the National Level

**NACo Legislative Conference: Washington DC
2010 March 6-10**

**TDA Fly-in Washington DC
2010 March 10-11
Contact Craig Thompson, TDA Executive Director**

**NACE: Fort Worth, Texas
2010 April 25-29**

**NACo Annual Conference
2010 July**

*******SPECIAL MEETING*******

**The WCHA Board OF Directors Invites!!!!
All Highway Commissioners**

**November 16th 2009
9:30 AM Chula Vista Resort
Wisconsin Dells**

Agenda

Closed Session of the WCHA Board of Directors

- * Update WCHA WTBA Bidding Summit Discussions**
- * Site Tour of the “new” Chula Vista**

UPDATE

Grant Wheeler, WCHA 100 year Anniversary book author is approximately 1/2 done with the interviews with all Counties he will be contacting individual Counties that have not been interviewed yet and scheduling the best time to meet in addition for those Counties that were not able to make the scheduled interviews the first go around Grant will be making another sweep around the State after the last half is finished Stay tuned as we near completion of this all important Stage in the development of the WCHA 100 year anniversary Book