

**MINUTES**  
**LEGISLATIVE TASK FORCE ON INTERMODAL**  
**TRANSPORTATION AND COMMERCE**  
**Thursday, November 13, 2014**

The Legislative Task Force on Intermodal Transportation and Commerce met on Thursday, November 13, 2014, at 3:00 p.m., in Room 130 of the State Capitol, in Little Rock, Arkansas.

**Task Force members in attendance:** Senator Bruce Holland, Senate Chair; Representatives Jonathan Barnett, House Chair; Dan M. Douglas and John Payton; Scott Bennett, Gene Higginbotham, John Lipton, Mathew Pitsch and Bill Vickery.

**Other legislators in attendance:** Senator Jason Rapert.

The meeting was called to order by Representative Jonathan Barnett, Co-Chair. Representative Barnett introduced Representative-Elect Karilyn Brown and Task Force member Mathew Pitsch, who is also a member-elect.

**Consideration to Approve Minutes of the June 24, 2014, Meeting [Exhibit C]**

Mr. Gene Higginbotham made a motion to approve the June 24, 2014, meeting minutes and Representative Douglas seconded the motion. The motion passed without objection.

**Attorney General Opinion 2014-067 concerning Tax Exemptions under the Regional Intermodal Facilities Act [Exhibit D]**

The Task Force was provided a copy of the Attorney General's Opinion addressing questions of tax exemptions for private entities that enter into a lease under the Regional Intermodal Facilities Act.

**Discussion of Findings and Recommendations for Inclusion in the Task Force Report to the House Public Transportation and Senate Public Transportation, Technology, and Legislative Affairs Committees [Exhibit E]**

**Representative Barnett noted that the task force is to submit a report to the Transportation Committees by December 15, 2014. Mr. Scott Bennett, Director, Arkansas State Highway Transportation Department (AHTD),** stated that a large part of the preliminary hearings are completed and that information will be used to write the report on the state rail plan. The report should be completed by mid-2015. Representative Barnett stated the report will include information on rail, aviation and waterways.

Mr. Bennett emphasized the importance of all transportation entities under one umbrella; however, the problem would be how to fund them. **Mr. John Lipton, Chairman, Southeast Arkansas Regional Intermodal Transportation (SEARIT),** asked if we have arrived at a point of establishing a Department of Transportation (DOT). Representative Barnett stated establishing a DOT will be part of the recommendation.

**Mr. Gene Higginbotham, Executive Director, Arkansas Waterways Commission (AWC),** also stressed the importance of all transportation entities under one umbrella properly structured so we do not lose advantages we already have. He discussed his views from the Waterways Commission prospective and a matter that occurred in 2013 with the congressional delegation regarding making Three Rivers a priority. On February 7, 2013, AWC sent a letter to the congressional delegation. AWC also emailed its counterparts in the Oklahoma Department of Transportation (ODOT) for support. On March 21, 2013, ODOT mailed letters to the congressional delegation to support AWC's Three River priority request. Prior to the congressional delegation receiving those letters from ODOT, a decision was made that left AWC without the priority they were seeking.

Mr. Bennett stated no one has any responsibility for rail, except AHTD. He added that some DOTs have bureaus. In other states they have bureaus for highways, rail, waterways and aeronautics; bureau chiefs report directly to the DOT director. Representative Douglas stated one of the main concerns is the different segments working independently and the desired need for communications. The structure should be one in which they complement each other.

Senator Holland addressed the needs of the trucking association, and what their needs are within the state for accessibility to intermodal ramps. **Mr. Bill Vickery, Arkansas Trucking Association (ATA)**, mentioned there was once competition between transportation and trucking; however, they now work hand-in-hand. He discussed the necessity of the transportation industry combining itself. Senator Holland mentioned a study he read on several hundred trucks a day coming from the Marion Intermodal Facility crossing into Arkansas from the west coast through Kansas City, then back across the state due to no ramp in that part of the state. Mr. Vickery stated any planning the state can contribute to enhance rail, water, and road working together would be a benefit to all of the transportation industry.

**Senator Holland asked that the trucking association submit its greatest need to the Task Force. Mr. Vickery agreed ATA should have input.**

Senator Rapert asked for feedback on whether or not the Task Force needs to continue its efforts. He stated there is greater desire and interest in intermodal than ever. He mentioned the positive impact on PECO Foods in Northeast Arkansas. He reported that Faulkner County, Conway County and Perry County are moving forward with a Regional Intermodal Transportation Authority (RITA).

Mr. Pitsch pointed out that some communities have chosen to take on air, rail, and highway issues. They are building highways rather than just boots on the ground. Mr. Lipton added that there are those at the grassroots level that deal with short line rail and all aspects of transportation and its effect on economic development. He added that their input is essential. Senator Holland stated they are usually interested only in their area.

Mr. Bennett asked how RITAs already developed fits in under an umbrella of DOT. Mr. Lipton stated the legislature could establish an advisory council. Mr. Pitsch added they have very different objectives and goals. As a transportation authority, RITA's have the ability to bring in legislators at the federal level.

**Representative Barnett informed Senator Rapert the committee will forward him a draft copy of the report for his review and comment.**

**Representative Barnett requested that Mr. Bennett provide a copy of the draft report to the Task Force prior to the December 3, 2014, meeting to review for any questions or concerns.**

Mr. Higginbotham discussed the issue of abandoned rail and stated no one in the state has authority to purchase abandoned rail. This places the state at a disadvantage if the rail is converted into a trail. Mr. Bennett mentioned the issue of Southeast Arkansas purchasing abandoned rail under the enhancement program to convert into a trail, which is totally different than what is being discussed today. Mr. Higginbotham recommended that the AHTD be given authority to create a rail bank and come up with a way to fund it.

**Next meeting scheduled for Wednesday, December 3, 2014, at 3:00 p.m.**

Without any further business, the meeting adjourned at 4:00 p.m.