

MINUTES

LEGISLATIVE TASK FORCE ON INTERMODAL TRANSPORTATION AND COMMERCE

January 13, 2016

The Legislative Task Force on Intermodal Transportation and Commerce met Wednesday, January 13, 2016, in Room B-MAC, Little Rock, Arkansas.

Task Force members in attendance: Senators Eddie Joe Williams, Senate Chair; and Greg Standridge; Representatives Mike Holcomb, House Chair; Mathew Pitsch, Marcus Richmond. Non-legislative members: Kenneth Burleson, Jerry Chism, Craig Christiansen, Bryan Day, Bob Freeman, Jeff Hawkins, Gene Higginbotham, John Lipton, Butch Rice, and Kevin Sexton.

Other legislators in attendance: Representative Karilyn Brown, Kenneth Ferguson, Mary P. “Prissy” Hickerson, Sheilla Lampkin, and Brandt Smith.

Senator Williams called the meeting to order.

Comments from Co-Chairs

Senator Williams and Representative Holcomb welcomed members and guests in their opening comments. Task Force members introduced themselves and the entity they represent.

Discussion of Act 166 of 2015 Re-establishing and Expanding the Task Force [Exhibit C]

Ms. Marty Garrity, Director, Bureau of Legislative Research, briefed members on the power of the legislature as it relates to the Arkansas Highway and Transportation Department (AHTD). She spoke on the difference between the agencies mentioned in the Arkansas Constitution, specifically, the AHTD and the Arkansas Game and Fish Commission (AGFC) and the different authority the legislature has in establishing duties and responsibilities. Ms. Garrity stated the AGFC was created by Amendment 35 and the language provides that the control, management, restoration, conservation and regulation of bird, fish, game and wildlife resources of the state shall be vested in the Commission, and as such, does not give the legislature those powers and authority.

Review of Arkansas Constitutional Amendment 42 (Handout 1)

Ms. Diane Torres-Porter, Legislative Attorney, Bureau of Legislative Research, provided a summary of Arkansas Constitutional Amendment 42 which created the AHTD. Ms. Garrity noted that Amendment 42 allows the legislature to prescribe the exact duties of the AHTD, including creating a new agency and moving duties if it determines a need to do so as the agency is under the purview of the legislature.

Mr. Day asked if there is a time frame for identifying potential legislation. Senator Williams replied there is no time frame but, if members have an idea, they should submit the information to staff. The Task Force will have the ability to draft legislation immediately but circumstances may change if the Governor calls a special session.

Mr. Lipton requested an update from the AHTD regarding the closing of shortline railroads. Senator Williams advised that, while the legislature does have some input, the Arkansas Highway Commission is the legal, binding body over railroads.

Randy Ort, Assistant Chief for Administration, AHTD, said the agency has extremely limited responsibility and authority over rail, but noted it does have limited authority over some planning exercises.

Representative Mathew Pitsch questioned whether the Task Force could use the best practices study to determine where rail is needed, where better organization is needed, etc. He added the Task Force needs to focus on determining future needs of the transportation infrastructure.

Consideration to Approve Minutes of the December 3, 2014, Meeting [Exhibit E]

Upon motion by Senator Standridge, and second by Representative Pitsch, the Minutes from the December 13, 2014, meeting were approved.

Consideration of a Motion to Authorize Chairs to Approve Special Expenses Incurred by the Task Force [Exhibit F]

Upon motion by Mr. Day, and second by Mr. Higginbotham, the co-chairs are authorized to approve special expenses incurred by the Task Force.

Adoption of Rules of Procedures for the Task Force [Exhibit G]

Upon motion by Representative Pitsch, and second by Senator Standridge, the Rules of Procedure for the Task Force were adopted.

Review of Previous Work by the Task Force [Exhibit H]

Senator Williams advised members to review the previous report by the Task Force which indicated further study was needed. He said the Task Force will meet monthly in hopes of making substantive changes in a positive way for the state.

Representative Holcomb questioned Mr. Rice on what the trucking industry foresees in the future. Mr. Rice stated that interstate hauls are getting shorter due to hours of service rules, electronic logs, and a shortage of drivers, but that the industry is doing everything they can to make it easier for drivers. He said that rail is a sector of their business but he does not see any changes to the trucking industry as rail runs mostly east to west.

Representative Holcomb spoke on the expansion of the Panama Canal and said the Task Force has a major chore ahead of them. He said if the state wants to be involved in transportation and competitive with other states, the Task Force has a major duty to perform for the state of Arkansas.

Senator Williams spoke on the changes in shipping by rail and noted that the state does not really have an intermodal facility.

Mr. Ort stated that the Task Force needs to work on connectivity and communication and should focus on moving the state from multi-modal to intermodal.

Mr. Lipton said the Task Force should look at pipeline and transmission lines as a means of transportation. Senator Williams replied that these issues will be reviewed collectively by the governing bodies.

Representative Holcomb questioned if levee boards will affect waterways and said there are many levee districts that are not being maintained. He suggested Mr. Higginbotham provide input when this issue is discussed at future meetings.

Senator Williams requested that staff look at the makeup of surrounding states -- what is working, organizational structure, etc. Staff is to provide the information at the next meeting.

Establish Future Monthly Meeting Dates

Senator Williams stated that he and Representative Holcomb will finalize a schedule for future meetings and staff will forward to members.

Without no further business, the meeting adjourned at 9:57 a.m.