



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>
COMMITTEE: <b>Agriculture</b>		
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>WITNESS NAME</b>		
<b>REGISTERED LOBBYIST:</b>		
WITNESS NAME: <b>BRIAN GRACE</b>		PHONE NUMBER:
REPRESENTING: <b>MISSOURI ECONOMIC DEVELOPMENT COUNCIL</b>		TITLE:
ADDRESS: <b>117 MADISON ST.</b>		
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>
		ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/3/2026 12:00 AM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>		



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>	
COMMITTEE: <b>Agriculture</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>JANA ROSIER</b>		PHONE NUMBER: <b>660-200-5118</b>	
BUSINESS/ORGANIZATION NAME: <b>OSAGE VALLEY ELECTRIC COOPERATIVE</b>		TITLE: <b>DIRECTOR OF ECONOMIC DEVELOPMENT</b>	
ADDRESS: <b>PO BOX 470 1321 N. ORANGE ST.</b>			
CITY: <b>BUTLER</b>		STATE: <b>MO</b>	ZIP: <b>64730</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/3/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>	
COMMITTEE: <b>Agriculture</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>JEFF VAN SCHINICK</b>		PHONE NUMBER: <b>202-600-1612</b>	
BUSINESS/ORGANIZATION NAME: <b>JAGUAR TRANSPORT</b>		TITLE:	
ADDRESS: <b>1027 S. MAIN STREET</b>			
CITY: <b>JOPLIN</b>		STATE: <b>MO</b>	ZIP: <b>64801</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/3/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>	
COMMITTEE: <b>Agriculture</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>KATIE GAMBLE</b>		PHONE NUMBER: <b>573-301-3935</b>	
REPRESENTING: <b>MISSOURI RAILROAD ASSOCIATION</b>		TITLE:	
ADDRESS: <b>PO BOX 186S</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65102</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/3/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>	
COMMITTEE: <b>Agriculture</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>MATTHEW J SMITH</b>		PHONE NUMBER: <b>573-634-2246</b>	
REPRESENTING: <b>ASSOCIATED INDUSTRIES OF MISSOURI</b>		TITLE: <b>VICE PRESIDENT OF GOVERNMENT AFFAIRS</b>	
ADDRESS: <b>3234 W TRUMAN BLVD</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65109</b>
EMAIL: <b>msmith@aimo.com</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/2/2026 6:32 PM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>
COMMITTEE: <b>Agriculture</b>		
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>ARNIE C. DIENOFF-STATE PUBLIC ADVOCATE</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/3/2026 12:38 AM</b>
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>		

I am highly Opposed to these Costly State Tax-Credits that are sold to the highest-bidder as a commodity.



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>	
COMMITTEE: <b>Agriculture</b>			
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input checked="" type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/1/2026 6:59 PM</b>	

**THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.**

HB 2716 is not a “railroad infrastructure” bill. It is a carbon-copy tax credit scheme layered on top of an already bloated, fragmented, and constitutionally fragile tax-credit system — and it does so while knowingly repeating the same Chapter 536 nonseverability trap that has already triggered separation-of-powers litigation in Missouri.

Let’s be clear: this bill already exists elsewhere in statute.

Substantively similar railroad tax credits were just bundled and expanded in HB 2713, using nearly identical definitions, caps, transfer mechanisms, and administrative structure.

Advancing HB 2716 separately is not policymaking — it is legislative duplication bordering on procedural abuse.

**1. Deliberate Duplication Is Not Harmless**  
 HB 2716 duplicates:

Eligible taxpayers (Class II & III railroads, spurs, sidings, port authorities)

Qualified railroad expenditures

Qualified new rail infrastructure expenditures

Credit caps

Transferability provisions

Carryforward rules

Reporting language

Duplicative bills create conflicting statutory paths, increase litigation risk, and guarantee confusion for agencies tasked with administration.

Missouri taxpayers pay for that confusion — in lost revenue, legal defense costs, and enforcement failures.

If the policy is sound, it should be consolidated into one bill, debated once, and subjected to a single fiscal and constitutional analysis.

## **2. Chapter 536 Nonseverability = Judicial Encroachment by Threat**

HB 2716 again embeds the now-routine clause stating that if courts invalidate legislative oversight powers under Chapter 536, the entire rulemaking authority — and thus the program — collapses.

This is not neutral drafting.

This is an attempt to coerce the judiciary by saying:  
“If you enforce separation of powers, we will sabotage the statute ourselves.”

That is not legislative accountability — it is legislative brinkmanship that weaponizes instability. Courts are not leverage tools.

Agencies are not hostages. Taxpayers are not collateral.

## **3. Transferable Tax Credits = Secondary Market Subsidies**

HB 2716 allows credits to be sold, transferred, and monetized, meaning:

The recipient of the tax benefit may have no relationship to rail investment

The credit becomes a financial instrument, not an infrastructure incentive

Oversight shifts from public benefit to private arbitrage

If the state wants to invest in rail infrastructure, it should do so transparently — not through tradable tax credits that obscure who actually benefits.

## **4. No Demonstrated Public ROI**

HB 2716 contains:

No enforceable job benchmarks

No freight or safety performance metrics

No rural access guarantees

No clawback tied to public benefit failure

It authorizes up to \$14.5 million per year in credits with no requirement that the public ever sees proportional value.

That is not economic development — it is blind subsidization.

## **5. This Legislature Is Manufacturing Its Own Legal Risk**

By duplicating programs across bills and re-using constitutionally suspect clauses, the General Assembly is:

Increasing the likelihood of conflicting statutory interpretation

Inviting avoidable constitutional challenges

Undermining agency rulemaking

Forcing courts to clean up legislative messes

Missourians did not ask for this.  
And they certainly did not consent to funding it.

HB 2716 should be rejected outright or, at minimum:

**Consolidated with overlapping legislation,  
Stripped of Chapter 536 nonseverability language,  
Converted into a transparent, appropriated program with measurable public return.**

**Until then, this bill represents duplicative drafting, constitutional overreach, and fiscal irresponsibility  
— all wrapped in the false language of infrastructure investment.**



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2716</b>		DATE: <b>2/3/2026</b>	
COMMITTEE: <b>Agriculture</b>			
<b>TESTIFYING:</b> <input type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input checked="" type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>JASON HAYDEN</b>		PHONE NUMBER: <b>573-634-3303</b>	
REPRESENTING: <b>SMART TRANSPORTATION DIVISION</b>		TITLE: <b>GOVERNMENT AFFAIRS DIRECTOR</b>	
ADDRESS: <b>131 E. HIGH ST.</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL: <b>smartmoslb@gmail.com</b>	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>2/2/2026 9:20 PM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			

Dear Representatives,

I have worked in the railroad industry for over 31 years now. As a conductor, engineer, long time member of the St. Louis Terminal safety committee with Norfolk Southern and now with 10 years as the MO State Safety and Legislative Director for SMART Transportation Division. A railroad union that represents conductors and engineers on all of the Class 1 railroads as well as maintenance workers on a short line railroad, the Missouri and Northern Arkansas Railroad (M&NA).

As a railroader, I fully understand the need for short lines and the assistance that they may sometimes need. (i.e. tax credits)

These small "mom and pop" railroads are essential to economy and the movement of goods and services throughout Missouri and the US.

As long as we can keep these tax credits going to the intended short line operations that this legislation seems to address, I agree with the necessity of it.

Although, reading through the legislation we are discussing, I see a number of ways that the intent of this tax credit will get twisted and end up in the hands of the huge railroad corporations that all rake in Billions of dollars a year in Net Profits.

That is where my concern comes in. For example, the M&NA RR, which operates in northern Arkansas and south western Missouri, they are owned by and part of a larger corporation called Genesee and Wyoming Inc.(G&W). Even though M&NA is considered a "short line" railroad, their owner, G&W is an American short line holding company that consists of over 120 short lines throughout the US, Canada, Belgium and the Netherlands. In North America alone, they own approx. 113 short lines that operate on over 13,000 track miles, serve 42 US States and 4 Canadian provinces.

This is very comparable to the size of the Class 1 railroads that operate in North America. With BNSF & Union Pacific both having around 32,000 track miles, Norfolk Southern, CSX, Canadian National holding around 20,000 each, and now since the merger just a couple years ago, KCS and Canadian Pacific make up about 20,000 track miles as well. But prior to the (KCS & CP) merger, G&W had more North American track miles than these two smaller Class 1s.

So yes, G&W, due to their business structure is made up of a bunch of short lines. But in reality, they are a operating a Class 1 railroad with far fewer Federal and State regulations. Their yearly income is

**also the size of the Class 1 roads. In 2024 their estimated net revenue was 2.8 Billion dollars. That same year, Norfolk Southern, the third largest Class 1, had a net revenue of 2.6 Billion. I only use 2024 numbers because 2025 numbers have not been released yet.**

**I hope this information is helpful with your decisions about this legislation as it is currently written. Are we giving tax credits to assist the Mom and Pops of Missouri or the Huge, Billion dollar corporations of the US?**