

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 3587

6 By: Roberts (Dustin)

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Red River Boundary Commission;
9 re-creating Commission; providing for membership of
10 Commission; specifying members will serve without
11 compensation; authorizing members to designate a
12 representative; specifying reimbursement methods;
13 providing for selection of chairperson; requiring
14 meeting; prescribing scope of Commission; requiring
15 report; specifying deadline for report; providing for
16 termination of Commission; providing certain
17 exemption from Oklahoma Sunset Law; authorizing
18 Governor to request commission from the State of
19 Texas; providing for codification; and declaring an
20 emergency.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 6110 of Title 74, unless there
24 is created a duplication in numbering, reads as follows:

- 25 A. A Red River Boundary Commission is hereby re-created.
- 26 B. The Commission shall consist of the following persons:
- 27 1. The Governor or his or her designee;
 - 28 2. The Lieutenant Governor or his or her designee;

1 3. The Attorney General or his or her designee;

2 4. The President Pro Tempore of the Oklahoma State Senate or
3 his or her designee; and

4 5. The Speaker of the Oklahoma House of Representatives or his
5 or her designee.

6 C. Members of the Commission shall serve without additional
7 compensation each of whom may from time to time serve by and through
8 a person designated by the member in writing for that purpose.

9 Legislative members shall receive reimbursement from the house in
10 which they serve pursuant to the provisions of Section 456 of Title
11 74 of the Oklahoma Statutes. Other members of the Commission who
12 are state employees shall receive reimbursement pursuant to the
13 State Travel Reimbursement Act from the funds of their employing
14 agency.

15 D. Staffing for the Commission shall be provided by the
16 Legislative Service Bureau.

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 6111 of Title 74, unless there
19 is created a duplication in numbering, reads as follows:

20 The chairperson of the Commission shall be jointly appointed by
21 the Governor, the President Pro Tempore of the Senate and the
22 Speaker of the House of Representatives from the Commission members
23 identified in Section 1 of this act no later than thirty (30) days
24 after the effective date of this act. The first meeting of the Red

1 River Boundary Commission, as re-created in Section 1 of this act,
2 shall be held at the call of the chairperson but no later than
3 December 31, 2020.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 6112 of Title 74, unless there
6 is created a duplication in numbering, reads as follows:

7 A. The Commission shall confer and act in conjunction with the
8 representatives to be appointed on behalf of the State of Texas for
9 the following purposes:

10 1. To evaluate the methods, surveys, historical maps, and other
11 information used to establish the boundary line between this state
12 and the State of Texas in the Texoma Area, as such area is defined
13 in the Texoma Area Boundary Agreement;

14 2. To determine the location of the south bank of the Red River
15 as the bank was located and marked by the United States Army Corps
16 of Engineers before the beginning of construction of Lake Texoma, in
17 accordance with subsection C of Article II of Section 6106 of Title
18 74 of the Oklahoma Statutes;

19 3. To redraw the boundary line between this state and the State
20 of Texas on any real property for which the U.S. Army Corps of
21 Engineers granted an easement, prior to August 31, 2000, to at least
22 two districts or authorities created under Section 59 of Article XVI
23 of the Texas Constitution for the construction, operation, and
24 maintenance of a water pipeline and related facilities in the Texoma

1 Area in order to negate any effects the boundary as it is currently
2 drawn has on property interests associated with such easements in
3 the Texoma Area, and to redraw the boundary on such real property so
4 that there is no net loss of property between either state so as to
5 ensure that the redrawn boundary does not increase the political
6 power or influence of either state, in accordance with:

7 a. the Lake Texoma preconstruction survey of the south
8 bank of the Red River prepared by the United States
9 Army Corps of Engineers, or

10 b. other historical records or documentation of the
11 United States Army Corps of Engineers identifying the
12 location of the south bank of the Red River, if the
13 survey described by subparagraph a of this paragraph
14 is unavailable;

15 4. To hold hearings and conferences in this state and in the
16 State of Texas as necessary to accomplish the purposes of this act;
17 and

18 5. To take other action, alone or in cooperation with the State
19 of Texas or the United States, necessary to accomplish the purposes
20 of this act.

21 B. No later than January 15, 2022, the Commission shall report
22 to the Governor, the Lieutenant Governor, the President Pro Tempore
23 of the Senate, the Speaker of the House of Representatives, and
24 appropriate committees of the Legislature the Commission's findings

1 and recommendations concerning joint action by this state and the
2 State of Texas regarding the amendment of the Texoma Area Boundary
3 Agreement to incorporate the boundary between this state and the
4 State of Texas in the Texoma Area as redrawn. No later than July
5 30, 2025, the Commission shall issue a final report to the Governor,
6 the Lieutenant Governor, the President Pro Tempore of the Senate,
7 the Speaker of the House of Representatives, and appropriate
8 committees of the Legislature.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 6113 of Title 74, unless there
11 is created a duplication in numbering, reads as follows:

12 The Red River Boundary Commission shall terminate upon the date
13 mutually agreed upon by a majority of the members of the Commission
14 pursuant to a formal motion for dissolution of the Commission after
15 its business has concluded. The provisions of Section 3921 of Title
16 74 of the Oklahoma Statutes shall not apply to the Red River
17 Boundary Commission and the Commission may be dissolved only as
18 provided by this section.

19 SECTION 5. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 6114 of Title 74, unless there
21 is created a duplication in numbering, reads as follows:

22 The Governor of the State of Oklahoma is empowered and requested
23 to forward a copy of this act to the Governor of the State of Texas
24 and to request that the Governor or legislature of that state

1 appoint representatives of the State of Texas to confer and act in
2 conjunction with the Commission for the purposes specified in this
3 act, with the understanding that each state will pay all expenses of
4 its respective representatives.

5 SECTION 6. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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