

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3587

By: Roberts (Dustin)

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8 COMMITTEE SUBSTITUTE

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

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

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

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

1 2. The Lieutenant Governor or his or her designee;

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

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

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

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

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

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

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

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

1 after the effective date of this act. The first meeting of the Red
2 River Boundary Commission, as re-created in Section 1 of this act,
3 shall be held at the call of the chairperson but no later than
4 December 31, 2020.

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

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

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

15 2. To determine the location of the south bank of the Red River
16 as the bank was located and marked by the United States Army Corps
17 of Engineers before the beginning of construction of Lake Texoma, in
18 accordance with subsection C of Article II of Section 6106 of Title
19 74 of the Oklahoma Statutes;

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

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

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

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

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

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

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

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

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

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

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

23 The Governor of the State of Oklahoma is empowered and requested
24 to forward a copy of this act to the Governor of the State of Texas

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

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

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11 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
12 dated 02/18/2020 - DO PASS, As Amended.

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