

1 **SENATE FLOOR VERSION**

2 February 23, 2021

3 SENATE BILL NO. 1006

By: David

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6 An Act relating to waters and water rights; amending  
7 Section 1, Chapter 366, O.S.L. 2019 (82 O.S. Supp.  
8 2020, Section 1142), which relates to the McClellan-  
9 Kerr Arkansas River Navigation System; adding duty to  
the Tri-State Commission on the McClellan-Kerr  
Arkansas River Navigation System; and providing an  
effective date.

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

13 SECTION 1. AMENDATORY Section 1, Chapter 366, O.S.L.  
14 2019 (82 O.S. Supp. 2020, Section 1142), is amended to read as  
15 follows:

16 Section 1142. A. There is hereby created the Tri-State  
17 Commission on the McClellan-Kerr Arkansas River Navigation System  
18 (MKARNS). It is anticipated that the State of Arkansas and the  
19 State of Kansas will enact legislation in order to complete the  
20 formation of the Commission.

21 B. The Oklahoma membership of the Tri-State Commission shall be  
22 as follows:

23 1. One member appointed by the Governor who shall be a member  
24 of the Water Advisory Board of the Department of Transportation;

1           2. Three members of the House of Representatives whose  
2 legislative districts encompass some part of the territory in which  
3 the MKARNS is located to be formally selected by the Speaker of the  
4 House of Representatives; provided, whenever possible, no more than  
5 two members shall be appointed from the same political party;

6           3. Three members of the Senate whose legislative districts  
7 encompass some part of the territory in which the MKARNS is located  
8 to be formally selected by the President Pro Tempore of the Senate;  
9 provided, whenever possible, no more than two members shall be  
10 appointed from the same political party;

11           4. One member from each of the three Native American tribes  
12 that has ownership interest in the Arkansas riverbed;

13           5. One member appointed by the Speaker of the House of  
14 Representatives who shall represent a statewide business  
15 organization;

16           6. One member appointed by the President Pro Tempore of the  
17 Senate who shall represent a statewide agricultural organization;  
18 and

19           7. One member appointed by the Governor who shall represent a  
20 public port along the MKARNS.

21           C. The Tri-State Commission shall have the following duties:

22           1. To identify the resources available at the federal and state  
23 levels for the proper maintenance of the physical assets which allow  
24 the MKARNS to fulfill its duties and responsibilities;

1           2. To identify methods for the repair, replacement or  
2 maintenance of the infrastructure assets which are essential to the  
3 operation of the MKARNS;

4           3. To prioritize the funding, whether from the federal  
5 government, state government, tribal governments, private resources  
6 or other financial resources, in order to adequately maintain the  
7 MKARNS;

8           4. To take such actions as may be necessary to promote the  
9 MKARNS and its continued role in the economies of the states of  
10 Oklahoma, Arkansas and Kansas;

11           5. To take such actions as are conducive to the continued use  
12 and enhanced use of the MKARNS by for-profit business enterprises in  
13 order to reduce transportation costs, improve profit margins,  
14 increase efficiency and related economic benefits;

15           6. To take such actions as are conducive to the continued vital  
16 role of the MKARNS with respect to flood control in the three  
17 affected states;

18           7. To take such actions as are conducive to the promotion of  
19 the MKARNS for purposes of tourism and cultural preservation; ~~and~~

20           8. To take such other actions as may be necessary which in the  
21 judgment of the Tri-State Commission would be beneficial for the  
22 three affected states and for the MKARNS; and

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1        9. To coordinate with any relevant federal or state agency or  
2 any other entity to identify ways to improve the navigability of the  
3 MKARNS.

4            SECTION 2. This act shall become effective November 1, 2021.

5 COMMITTEE REPORT BY: COMMITTEE ON TRANSPORTATION  
6 February 23, 2021 - DO PASS  
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