

An Act

ENROLLED SENATE
BILL NO. 1006

By: David of the Senate

and

Sims of the House

An Act relating to waters and water rights; amending Section 1, Chapter 366, O.S.L. 2019 (82 O.S. Supp. 2020, Section 1142), which relates to the McClellan-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.

SUBJECT: Water rights

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Passed the Senate the 9th day of March, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 13th day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____