

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 1270

By: Bullard

COMMITTEE SUBSTITUTE

An Act relating to the Red River Boundary Commission; re-creating Commission; stating members of Commission; specifying members will serve without compensation; authorizing members to designate a representative; specifying reimbursement methods; providing for selection of chairperson; requiring meeting; prescribing scope of Commission; requiring report; specifying deadline for report; providing for termination of Commission; providing certain exemption from Oklahoma Sunset Law; authorizing Governor to request commission from the State of Texas; providing for codification; and declaring an emergency.

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. The Commission shall consist of the Governor of Oklahoma or a designee, the Lieutenant Governor of Oklahoma or a designee, the Attorney General of Oklahoma or a designee, the President Pro Tempore of the

1 Oklahoma State Senate or a designee and the Speaker of the Oklahoma
2 House of Representatives or a designee.

3 B. Members of the Commission shall serve without additional
4 compensation each of whom may from time to time serve by and through
5 a person designated by the member in writing for that purpose.
6 Legislative members shall receive reimbursement from the house in
7 which they serve pursuant to the provisions of Section 456 of Title
8 74 of the Oklahoma Statutes. Other members of the Commission who
9 are state employees shall receive reimbursement pursuant to the
10 State Travel Reimbursement Act from the funds of their employing
11 agency.

12 C. Staffing for the Commission shall be provided by the
13 Legislative Service Bureau.

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

17 The chairperson of the Red River Boundary Commission shall be
18 jointly appointed by the Governor, the President Pro Tempore of the
19 Senate and the Speaker of the House of Representatives from the
20 Commission members identified in Section 1 of this act no later than
21 thirty (30) days after the effective date of this act. The first
22 meeting of the Red River Boundary Commission, as re-created in
23 Section 1 of this act, shall be held at the call of the chairperson
24 but no later than December 31, 2020.

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

4 A. The Red River Boundary Commission shall confer and act in
5 conjunction with the representatives to be appointed on behalf of
6 the State of Texas for the following purposes:

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

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

16 3. To redraw the boundary line between this state and the State
17 of Texas on any real property for which the U.S. Army Corps of
18 Engineers granted an easement, prior to August 31, 2000, to at least
19 two districts or authorities created under Section 59 of Article XVI
20 of the Texas Constitution for the construction, operation and
21 maintenance of a water pipeline and related facilities in the Texoma
22 Area in order to negate any effects the boundary as it is currently
23 drawn has on property interests associated with such easements in
24 the Texoma Area, and to redraw the boundary on such real property so

1 that there is no net loss of property between either state so as to
2 ensure that the redrawn boundary does not increase the political
3 power or influence of either state, in accordance with:

4 a. the Lake Texoma preconstruction survey of the south
5 bank of the Red River prepared by the United States
6 Army Corps of Engineers, or

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

12 4. To hold hearings and conferences in this state and in the
13 State of Texas as necessary to accomplish the purposes of this act;
14 and

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

18 B. No later than January 15, 2022, the Commission shall report
19 to the Governor, the Lieutenant Governor, the President Pro Tempore
20 of the Senate, the Speaker of the House of Representatives and
21 appropriate committees of the Legislature the Commission's findings
22 and recommendations concerning joint action by this state and the
23 State of Texas regarding the amendment of the Texoma Area Boundary
24 Agreement to incorporate the boundary between this state and the

1 State of Texas in the Texoma Area as redrawn. No later than July
2 30, 2025, the Commission shall issue a final report to the Governor,
3 the Lieutenant Governor, the President Pro Tempore of the Senate,
4 the Speaker of the House of Representatives and appropriate
5 committees of the Legislature.

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

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

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

19 The Governor of the State of Oklahoma is empowered and requested
20 to forward a copy of this act to the Governor of the State of Texas
21 and to request that the Governor or legislature of that state
22 appoint representatives of the State of Texas to confer and act in
23 conjunction with the Red River Boundary Commission for the purposes
24

1 specified in this act, with the understanding that each state will
2 pay all expenses of its respective representatives.

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

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