

1 ENGROSSED SENATE  
2 BILL NO. 1270

By: Bullard of the Senate

3 and

4 Roberts (Dustin) of the  
5 House

6  
7 An Act relating to the Red River Boundary Commission;  
8 re-creating Commission; stating members of  
9 Commission; specifying members will serve without  
10 compensation; authorizing members to designate a  
11 representative; specifying reimbursement methods;  
12 providing for selection of chairperson; requiring  
13 meeting; prescribing scope of Commission; requiring  
14 report; specifying deadline for report; providing for  
15 termination of Commission; providing certain  
16 exemption from Oklahoma Sunset Law; authorizing  
17 Governor to request commission from the State of  
18 Texas; providing for codification; and declaring an  
19 emergency.

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

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

24 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  
Oklahoma State Senate or a designee and the Speaker of the Oklahoma  
House of Representatives or a designee.

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

10 C. Staffing for the Commission shall be provided by the  
11 Legislative Service Bureau.

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

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

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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  
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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.

7 Passed the Senate the 2nd day of March, 2020.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
12 2020.

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Presiding Officer of the House  
of Representatives

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