

1 **SENATE FLOOR VERSION**

2 February 19, 2020

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1270

By: Bullard

6
7 [Red River Boundary Commission - Sunset Law -
8 commission from the State of Texas - codification -
9 ~~emergency~~]

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

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

15 A. A Red River Boundary Commission is hereby re-created. The
16 Commission shall consist of the Governor of Oklahoma or a designee,
17 the Lieutenant Governor of Oklahoma or a designee, the Attorney
18 General of Oklahoma or a designee, the President Pro Tempore of the
19 Oklahoma State Senate or a designee and the Speaker of the Oklahoma
20 House of Representatives or a designee.

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

7 C. Staffing for the Commission shall be provided by the
8 Legislative Service Bureau.

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

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

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

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

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

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

13 3. To redraw the boundary line between this state and the State
14 of Texas on any real property for which the U.S. Army Corps of
15 Engineers granted an easement, prior to August 31, 2000, to at least
16 two districts or authorities created under Section 59 of Article XVI
17 of the Texas Constitution for the construction, operation and
18 maintenance of a water pipeline and related facilities in the Texoma
19 Area in order to negate any effects the boundary as it is currently
20 drawn has on property interests associated with such easements in
21 the Texoma Area, and to redraw the boundary on such real property so
22 that there is no net loss of property between either state so as to
23 ensure that the redrawn boundary does not increase the political
24 power or influence of either state, in accordance with:

1 a. the Lake Texoma preconstruction survey of the south
2 bank of the Red River prepared by the United States
3 Army Corps of Engineers, or

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

9 4. To hold hearings and conferences in this state and in the
10 State of Texas as necessary to accomplish the purposes of this act;
11 and

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

15 B. No later than January 15, 2022, the Commission shall report
16 to the Governor, the Lieutenant Governor, the President Pro Tempore
17 of the Senate, the Speaker of the House of Representatives and
18 appropriate committees of the Legislature the Commission's findings
19 and recommendations concerning joint action by this state and the
20 State of Texas regarding the amendment of the Texoma Area Boundary
21 Agreement to incorporate the boundary between this state and the
22 State of Texas in the Texoma Area as redrawn. No later than July
23 30, 2025, the Commission shall issue a final report to the Governor,
24 the Lieutenant Governor, the President Pro Tempore of the Senate,

1 the Speaker of the House of Representatives and appropriate
2 committees of the Legislature.

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

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

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

16 The Governor of the State of Oklahoma is empowered and requested
17 to forward a copy of this act to the Governor of the State of Texas
18 and to request that the Governor or legislature of that state
19 appoint representatives of the State of Texas to confer and act in
20 conjunction with the Red River Boundary Commission for the purposes
21 specified in this act, with the understanding that each state will
22 pay all expenses of its respective representatives.

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

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
February 19, 2020 - DO PASS