

1 ENGROSSED SENATE
2 BILL NO. 1006

By: David of the Senate

3 and

4 Sims of the House
5

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
23
24

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 ____ day of _____,
2021.

Presiding Officer of the House
of Representatives