

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 2296

 By: Roberts (Dustin) of the
 House

5 and

6 **Bullard** of the Senate

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10 AS INTRODUCED

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

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

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

28 A. A Red River Boundary Commission is hereby re-created.

1 B. The Commission shall consist of the following persons:

2 1. The Governor or his or her designee;

3 2. The Lieutenant Governor or his or her designee;

4 3. The Attorney General or his or her designee;

5 4. The President Pro Tempore of the Oklahoma State Senate or
6 his or her designee; and

7 5. The Speaker of the Oklahoma House of Representatives or his
8 or her designee.

9 C. Members of the Commission shall serve without additional
10 compensation, each of whom may from time to time serve by and
11 through a person designated by the member in writing for that
12 purpose. Legislative members shall receive reimbursement from the
13 house in which they serve pursuant to the provisions of Section 456
14 of Title 74 of the Oklahoma Statutes. Other members of the
15 Commission who are state employees shall receive reimbursement
16 pursuant to the State Travel Reimbursement Act from the funds of
17 their employing agency.

18 D. Staffing for the Commission shall be provided by the
19 Legislative Service Bureau.

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

23 The chairperson of the Commission shall be jointly appointed by
24 the Governor, the President Pro Tempore of the Senate and the

1 Speaker of the House of Representatives from the Commission members
2 identified in Section 1 of this act no later than thirty (30) days
3 after the effective date of this act. The first meeting of the Red
4 River Boundary Commission, as re-created in Section 1 of this act,
5 shall be held at the call of the chairperson but no later than
6 December 31, 2020.

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

10 A. The Commission shall confer and act in conjunction with the
11 representatives to be appointed on behalf of the State of Texas for
12 the following purposes:

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

17 2. To determine the location of the south bank of the Red River
18 as the bank was located and marked by the United States Army Corps
19 of Engineers before the beginning of construction of Lake Texoma, in
20 accordance with subsection C of Article II of Section 6106 of Title
21 74 of the Oklahoma Statutes;

22 3. To redraw the boundary line between this state and the State
23 of Texas on any real property for which the United States Army Corps
24 of Engineers granted an easement, prior to August 31, 2000, to at

1 least two districts or authorities created under Section 59 of
2 Article XVI of the Texas Constitution for the construction,
3 operation, and maintenance of a water pipeline and related
4 facilities in the Texoma Area in order to negate any effects the
5 boundary as it is currently drawn has on property interests
6 associated with such easements in the Texoma Area, and to redraw the
7 boundary on such real property so that there is no net loss of
8 property between either state so as to ensure that the redrawn
9 boundary does not increase the political power or influence of
10 either state, in accordance with:

11 a. the Lake Texoma preconstruction survey of the south
12 bank of the Red River prepared by the United States
13 Army Corps of Engineers, or

14 b. other historical records or documentation of the
15 United States Army Corps of Engineers identifying the
16 location of the south bank of the Red River, if the
17 survey described by subparagraph a of this paragraph
18 is unavailable;

19 4. To hold hearings and conferences in this state and in the
20 State of Texas as necessary to accomplish the purposes of this act;
21 and

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

1 B. No later than January 15, 2022, the Commission shall report
2 to the Governor, the Lieutenant Governor, the President Pro Tempore
3 of the Senate, the Speaker of the House of Representatives, and
4 appropriate committees of the Legislature the Commission's findings
5 and recommendations concerning joint action by this state and the
6 State of Texas regarding the amendment of the Texoma Area Boundary
7 Agreement to incorporate the boundary between this state and the
8 State of Texas in the Texoma Area as redrawn. No later than July
9 30, 2025, the Commission shall issue a final report to the Governor,
10 the Lieutenant Governor, the President Pro Tempore of the Senate,
11 the Speaker of the House of Representatives, and appropriate
12 committees of the Legislature.

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

16 The Red River Boundary Commission shall terminate upon the date
17 mutually agreed upon by a majority of the members of the Commission
18 pursuant to a formal motion for dissolution of the Commission after
19 its business has concluded. The provisions of Section 3921 of Title
20 74 of the Oklahoma Statutes shall not apply to the Red River
21 Boundary Commission and the Commission may be dissolved only as
22 provided by this section.
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1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6114 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 The Governor of the State of Oklahoma is empowered and requested
5 to forward a copy of this act to the Governor of the State of Texas
6 and to request that the Governor or legislature of that state
7 appoint representatives of the State of Texas to confer and act in
8 conjunction with the Commission for the purposes specified in this
9 act, with the understanding that each state will pay all expenses of
10 its respective representatives.

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

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16 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
17 dated 02/10/2021 - DO PASS, As Coauthored.
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