

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 ENGROSSED SENATE
5 BILL NO. 1006

By: David of the Senate

and

Sims of the House

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9 An Act relating to waters and water rights; amending
10 Section 1, Chapter 366, O.S.L. 2019 (82 O.S. Supp.
11 2020, Section 1142), which relates to the McClellan-
12 Kerr Arkansas River Navigation System; adding duty to
13 the Tri-State Commission on the McClellan-Kerr
14 Arkansas River Navigation System; and providing an
15 effective date.

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

17 SECTION 1. AMENDATORY Section 1, Chapter 366, O.S.L.
18 2019 (82 O.S. Supp. 2020, Section 1142), is amended to read as
19 follows:

20 Section 1142. A. There is hereby created the Tri-State
21 Commission on the McClellan-Kerr Arkansas River Navigation System
22 (MKARNS). It is anticipated that the State of Arkansas and the
23 State of Kansas will enact legislation in order to complete the
24 formation of the Commission.

1 B. The Oklahoma membership of the Tri-State Commission shall be
2 as follows:

3 1. One member appointed by the Governor who shall be a member
4 of the Water Advisory Board of the Department of Transportation;

5 2. Three members of the House of Representatives whose
6 legislative districts encompass some part of the territory in which
7 the MKARNS is located to be formally selected by the Speaker of the
8 House of Representatives; provided, whenever possible, no more than
9 two members shall be appointed from the same political party;

10 3. Three members of the Senate whose legislative districts
11 encompass some part of the territory in which the MKARNS is located
12 to be formally selected by the President Pro Tempore of the Senate;
13 provided, whenever possible, no more than two members shall be
14 appointed from the same political party;

15 4. One member from each of the three Native American tribes
16 that has ownership interest in the Arkansas riverbed;

17 5. One member appointed by the Speaker of the House of
18 Representatives who shall represent a statewide business
19 organization;

20 6. One member appointed by the President Pro Tempore of the
21 Senate who shall represent a statewide agricultural organization;
22 and

23 7. One member appointed by the Governor who shall represent a
24 public port along the MKARNS.

1 C. The Tri-State Commission shall have the following duties:

2 1. To identify the resources available at the federal and state
3 levels for the proper maintenance of the physical assets which allow
4 the MKARNS to fulfill its duties and responsibilities;

5 2. To identify methods for the repair, replacement or
6 maintenance of the infrastructure assets which are essential to the
7 operation of the MKARNS;

8 3. To prioritize the funding, whether from the federal
9 government, state government, tribal governments, private resources
10 or other financial resources, in order to adequately maintain the
11 MKARNS;

12 4. To take such actions as may be necessary to promote the
13 MKARNS and its continued role in the economies of the states of
14 Oklahoma, Arkansas and Kansas;

15 5. To take such actions as are conducive to the continued use
16 and enhanced use of the MKARNS by for-profit business enterprises in
17 order to reduce transportation costs, improve profit margins,
18 increase efficiency and related economic benefits;

19 6. To take such actions as are conducive to the continued vital
20 role of the MKARNS with respect to flood control in the three
21 affected states;

22 7. To take such actions as are conducive to the promotion of
23 the MKARNS for purposes of tourism and cultural preservation; and
24

1 8. To take such other actions as may be necessary which in the
2 judgment of the Tri-State Commission would be beneficial for the
3 three affected states and for the MKARNS; and

4 9. To coordinate with any relevant federal or state agency or
5 any other entity to identify ways to improve the navigability of the
6 MKARNS.

7 SECTION 2. This act shall become effective November 1, 2021.

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9 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES,
10 dated 04/01/2021 - DO PASS.
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