

1 **SENATE FLOOR VERSION**

2 March 25, 2021

3 ENGROSSED HOUSE
4 BILL NO. 2296

By: Roberts (Dustin) of the
House

5 and

6 Bullard of the Senate

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

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

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

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

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

24 1. The Governor or his or her designee;

2. The Lieutenant Governor or his or her designee;

3. The Attorney General or his or her designee;

4. The President Pro Tempore of the Senate or his or her designee; and

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

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

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

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

The chairperson of the Red River Boundary Commission shall be jointly appointed by the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives from the Commission members identified in Section 1 of this act no later than

1 thirty (30) days after the effective date of this act. The first
2 meeting of the Red River Boundary Commission, as re-created in
3 Section 1 of this act, shall be held at the call of the chairperson
4 but no later than December 31, 2021.

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

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

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

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

20 3. To redraw the boundary line between this state and the State
21 of Texas on any real property for which the United States Army Corps
22 of Engineers granted an easement, prior to August 31, 2000, to at
23 least two districts or authorities created under Section 59 of
24 Article XVI of the Texas Constitution for the construction,

1 operation, and maintenance of a water pipeline and related
2 facilities in the Texoma Area in order to negate any effects the
3 boundary as it is currently drawn has on property interests
4 associated with such easements in the Texoma Area, and to redraw the
5 boundary on such real property so that there is no net loss of
6 property between either state so as to ensure that the redrawn
7 boundary does not increase the political power or influence of
8 either state, in accordance with:

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

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

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

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

23 B. No later than January 15, 2022, the Commission shall report
24 to the Governor, the Lieutenant Governor, the President Pro Tempore

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

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

14 The Red River Boundary Commission shall terminate upon the date
15 mutually agreed upon by a majority of the members of the Commission
16 pursuant to a formal motion for dissolution of the Commission after
17 its business has concluded. The provisions of Section 3921 of Title
18 74 of the Oklahoma Statutes shall not apply to the Red River
19 Boundary Commission and the Commission may be dissolved only as
20 provided by this section.

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

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON ENERGY
13 March 25, 2021 - DO PASS
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