

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

HOUSE BILL 2296

By: Roberts (Dustin)

AS INTRODUCED

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

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

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

- A. A Red River Boundary Commission is hereby re-created.
- B. The Commission shall consist of the following persons:
 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;

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

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

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

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

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

19 The chairperson of the Commission shall be jointly appointed by
20 the Governor, the President Pro Tempore of the Senate and the
21 Speaker of the House of Representatives from the Commission members
22 identified in Section 1 of this act no later than thirty (30) days
23 after the effective date of this act. The first meeting of the Red
24 River Boundary Commission, as re-created in Section 1 of this act,

1 shall be held at the call of the chairperson but no later than
2 December 31, 2020.

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

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

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

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

18 3. To redraw the boundary line between this state and the State
19 of Texas on any real property for which the United States Army Corps
20 of Engineers granted an easement, prior to August 31, 2000, to at
21 least two districts or authorities created under Section 59 of
22 Article XVI of the Texas Constitution for the construction,
23 operation, and maintenance of a water pipeline and related
24 facilities in the Texoma Area in order to negate any effects the

1 boundary as it is currently drawn has on property interests
2 associated with such easements in the Texoma Area, and to redraw the
3 boundary on such real property so that there is no net loss of
4 property between either state so as to ensure that the redrawn
5 boundary does not increase the political power or influence of
6 either state, in accordance with:

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

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

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

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

21 B. No later than January 15, 2022, the Commission shall report
22 to the Governor, the Lieutenant Governor, the President Pro Tempore
23 of the Senate, the Speaker of the House of Representatives, and
24 appropriate committees of the Legislature the Commission's findings

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

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

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

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

22 The Governor of the State of Oklahoma is empowered and requested
23 to forward a copy of this act to the Governor of the State of Texas
24 and to request that the Governor or legislature of that state

1 appoint representatives of the State of Texas to confer and act in
2 conjunction with the Commission for the purposes specified in this
3 act, with the understanding that each state will pay all expenses of
4 its respective representatives.

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

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