

BILL ANALYSIS

H.B. 3212
By: Phillips
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Toward the close of the last century, Texas and Oklahoma entered into the Red River Boundary Compact to definitively locate the jurisdictional boundary between the two states, a task that was completed as prescribed by the compact. According to interested parties, a comparison of the location of the resulting Texas-Oklahoma boundary and the U.S. Army Corps of Engineers' historical records and other documentation appears to indicate that the boundary in the Texoma area is not located in accordance with the U.S. Army Corps of Engineers' preconstruction survey. H.B. 3212 seeks to re-create the Red River Boundary Commission to work with the representatives appointed on behalf of Oklahoma to determine how the current Texas-Oklahoma boundary was located and to redraw the boundary in the Texoma area in accordance with the compact and the U.S. Army Corps of Engineers' Lake Texoma preconstruction survey or any historical records of the U.S. Army Corps of Engineers identifying the location of the south bank of the Red River, with the intention of negating any effect the currently drawn boundary has on Texas real property interests in the Texoma area.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3212 amends the Natural Resources Code to add temporary provisions, set to expire December 31, 2015, to create the Red River Boundary Commission to oversee the redrawing of the boundary between Texas and the State of Oklahoma in the Texoma area. The bill establishes that the commission is composed of five members appointed by the governor and requires the governor to designate one member as the presiding officer of the commission. The bill establishes that a commission member is not entitled to receive compensation for service on the commission but may receive reimbursement for travel expenses incurred while conducting commission business. The bill requires the governor to appoint the members of the commission as soon as practicable after the bill's effective date but not later than December 1, 2013, and requires the members to conduct the first meeting of the commission as soon as practicable after the members are appointed but not later than January 30, 2014.

H.B. 3212 requires the commission to confer and act jointly with representatives appointed on behalf of the State of Oklahoma and sets out specified actions necessary to accomplish the bill's purposes relating to redrawing the boundary in the Texoma area.

H.B. 3212 requires the commission, not later than January 15, 2015, to report to the governor, lieutenant governor, speaker of the house of representatives, and appropriate committees of the legislature the commission's findings and recommendations concerning joint action by Texas and the State of Oklahoma regarding amendment of the Texoma Area Boundary Agreement to incorporate the boundary as redrawn. The bill requires the commission to issue a final report to the governor, lieutenant governor, speaker of the house of representatives, and appropriate

committees of the legislature not later than July 30, 2015.

H.B. 3212 requires the General Land Office, the office of the attorney general, and the Texas Commission on Environmental Quality to provide necessary staff support to the Red River Boundary Commission.

H.B. 3212, if the boundary in the Texoma area is not marked in accordance with certain provisions of the Red River Boundary Compact, requires the commission to confer and act jointly with representatives appointed on behalf of the State of Oklahoma to redraw the boundary in the Texoma area in accordance with provisions relating to the compact and the commission.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.