

1-1 By: Phillips (Senate Sponsor - Estes) H.B. No. 3212  
1-2 (In the Senate - Received from the House May 3, 2013;  
1-3 May 6, 2013, read first time and referred to Committee on Natural  
1-4 Resources; May 15, 2013, reported favorably by the following vote:  
1-5 Yeas 11, Nays 0; May 15, 2013, sent to printer.)

1-6 COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Fraser	X			
1-9	Estes	X			
1-10	Deuell	X			
1-11	Duncan	X			
1-12	Ellis	X			
1-13	Eltife	X			
1-14	Hegar	X			
1-15	Hinojosa	X			
1-16	Nichols	X			
1-17	Seliger	X			
1-18	Uresti	X			

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to the Red River Boundary Compact and the creation of the  
1-22 Red River Boundary Commission.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. The heading to Chapter 12, Natural Resources  
1-25 Code, is amended to read as follows:

1-26 CHAPTER 12. RED RIVER BOUNDARY COMPACT; RED RIVER BOUNDARY  
1-27 COMMISSION

1-28 SECTION 2. Chapter 12, Natural Resources Code, is amended  
1-29 by designating Sections 12.001 through 12.005 as Subchapter A and  
1-30 adding a heading to that subchapter to read as follows:

1-31 SUBCHAPTER A. RED RIVER BOUNDARY COMPACT

1-32 SECTION 3. Section 12.003, Natural Resources Code, is  
1-33 amended by adding Subsection (c) to read as follows:

1-34 (c) Notwithstanding any other provision of this subchapter,  
1-35 if the boundary in the Texoma area, as described by Article  
1-36 II(b)(1), Red River Boundary Compact, Section 12.002, is not marked  
1-37 in accordance with Article II of the compact, the Red River Boundary  
1-38 Commission shall confer and act jointly with representatives  
1-39 appointed on behalf of the State of Oklahoma to redraw the boundary  
1-40 in the Texoma area in accordance with the provisions of this  
1-41 chapter.

1-42 SECTION 4. Chapter 12, Natural Resources Code, is amended  
1-43 by adding Subchapter B to read as follows:

1-44 SUBCHAPTER B. RED RIVER BOUNDARY COMMISSION

1-45 Sec. 12.051. DEFINITIONS. In this subchapter:

1-46 (1) "Commission" means the Red River Boundary  
1-47 Commission.

1-48 (2) "Texoma area" means the area defined by the Texoma  
1-49 Area Boundary Agreement.

1-50 Sec. 12.052. CREATION OF COMMISSION. The Red River  
1-51 Boundary Commission is established to oversee the redrawing of the  
1-52 boundary between this state and the State of Oklahoma in the Texoma  
1-53 area.

1-54 Sec. 12.053. MEMBERSHIP. (a) The commission is composed of  
1-55 five members appointed by the governor to represent:

1-56 (1) private property owners;

1-57 (2) local governments;

1-58 (3) state elected officials; and

1-59 (4) the general public.

1-60 (b) The governor shall designate one member as the presiding  
1-61 officer of the commission.

2-1 Sec. 12.054. COMPENSATION. A commission member is not  
 2-2 entitled to receive compensation for service on the commission but  
 2-3 may receive reimbursement for travel expenses incurred while  
 2-4 conducting commission business.

2-5 Sec. 12.055. STAFF SUPPORT. The General Land Office, the  
 2-6 office of the attorney general, and the Texas Commission on  
 2-7 Environmental Quality shall provide necessary staff support to the  
 2-8 commission.

2-9 Sec. 12.056. POWERS AND DUTIES. The commission shall  
 2-10 confer and act jointly with representatives appointed on behalf of  
 2-11 the State of Oklahoma to:

2-12 (1) evaluate the methods, surveys, historical maps,  
 2-13 and other information used to establish the boundary line between  
 2-14 this state and the State of Oklahoma in the Texoma area;

2-15 (2) determine the location of the south bank of the Red  
 2-16 River as the bank was located and marked by the United States Army  
 2-17 Corps of Engineers before the beginning of construction of Lake  
 2-18 Texoma, in accordance with Article II(c), Red River Boundary  
 2-19 Compact, Section 12.002;

2-20 (3) redraw the boundary line between this state and  
 2-21 the State of Oklahoma in the Texoma area in order to negate any  
 2-22 effects the boundary as it is currently drawn has on property  
 2-23 interests in the Texoma area, in accordance with:

2-24 (A) the Lake Texoma preconstruction survey of the  
 2-25 south bank of the Red River prepared by the United States Army Corps  
 2-26 of Engineers; or

2-27 (B) other historical records or documentation of  
 2-28 the United States Army Corps of Engineers identifying the location  
 2-29 of the south bank of the Red River, if the survey described by  
 2-30 Subdivision (3)(A) is unavailable;

2-31 (4) hold hearings and conferences in this state and in  
 2-32 the State of Oklahoma as necessary to accomplish the purposes of  
 2-33 this section; and

2-34 (5) take other action, alone or in cooperation with  
 2-35 the State of Oklahoma or the United States, necessary to accomplish  
 2-36 the purposes of this section.

2-37 Sec. 12.057. REPORTS. (a) Not later than January 15, 2015,  
 2-38 the commission shall report to the governor, lieutenant governor,  
 2-39 speaker of the house of representatives, and appropriate committees  
 2-40 of the legislature the commission's findings and recommendations  
 2-41 concerning joint action by this state and the State of Oklahoma  
 2-42 regarding amendment of the Texoma Area Boundary Agreement to  
 2-43 incorporate the boundary between this state and the State of  
 2-44 Oklahoma in the Texoma area as redrawn.

2-45 (b) Not later than July 30, 2015, the commission shall issue  
 2-46 a final report to the governor, lieutenant governor, speaker of the  
 2-47 house of representatives, and appropriate committees of the  
 2-48 legislature.

2-49 Sec. 12.058. EXPIRATION OF SUBCHAPTER. This subchapter  
 2-50 expires December 31, 2015.

2-51 SECTION 5. (a) As soon as practicable after the effective  
 2-52 date of this Act, but not later than December 1, 2013, the governor  
 2-53 shall appoint the members of the Red River Boundary Commission as  
 2-54 established by Subchapter B, Chapter 12, Natural Resources Code, as  
 2-55 added by this Act.

2-56 (b) As soon as practicable after the members of the Red  
 2-57 River Boundary Commission are appointed, but not later than January  
 2-58 30, 2014, the members shall conduct the first meeting of the Red  
 2-59 River Boundary Commission.

2-60 SECTION 6. This Act takes effect immediately if it receives  
 2-61 a vote of two-thirds of all the members elected to each house, as  
 2-62 provided by Section 39, Article III, Texas Constitution. If this  
 2-63 Act does not receive the vote necessary for immediate effect, this  
 2-64 Act takes effect September 1, 2013.

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