

BILL ANALYSIS

Senate Research Center
84R4477 SLB-F

H.B. 908
By: Phillips (Estes)
Natural Resources & Economic Development
5/1/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 1999, Texas and Oklahoma entered into the Red River Boundary Compact to definitively locate the jurisdictional boundary between the two states. Determination of the boundary was completed by the Texoma Area Boundary Agreement in 2000. A recent comparison of the boundary established by the Texoma Area Boundary Agreement and the boundary established by the United States (U.S.) Army Corps of Engineers' historical records appears to indicate that the Texas-Oklahoma boundary in Lake Texoma established in 2000 was not drawn in accordance with the U.S. Army Corps of Engineers' preconstruction survey as required. Legislation enacted by the 83rd Texas Legislature set temporary provisions providing for the Red River Boundary Commission (commission) to work with representatives appointed by Oklahoma to redraw the boundary in the Texoma area in accordance with certain documents and issue a final report to specified government officials not later than July 30, 2015. The commission will not meet this deadline.

H.B. 908 amends Section 12.056, Natural Resources Code, to extend the deadline for the redrawing of the Texas-Oklahoma boundary by the commission by another two years and requires the boundary be redrawn on any real property for which the U.S. Army Corps of Engineers granted an easement before August 31, 2000, in such a way that there is no net property loss for either state and without increasing political power or influence for either state.

H.B. 908 amends current law relating to the continuation and duties of the Red River Boundary Commission.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 12.056, Natural Resources Code, as follows:

Sec. 12.056. POWERS AND DUTIES. Requires the Red River Boundary Commission (commission) to confer and act jointly with representatives appointed on behalf of the State of Oklahoma to:

(1) and (2) Makes no change to these subdivisions;

(3) redraw the boundary line between this state and the State of Oklahoma on any real property for which the United States Army Corps of Engineers granted an easement before August 31, 2000, to at least two districts or authorities created under Section 59 (Conservation and Development of Natural Resources and Parks and Recreational Facilities; Conservation and Reclamation Districts), Article XVI, Texas Constitution, for the construction, operation, and maintenance of a water pipeline and related facilities in the Texoma area in order to negate any effects the boundary as it is currently drawn has on property interests associated with those easements in the Texoma area, in such a way that there is no net loss of

property between either state so as to ensure that the redrawn boundary does not increase the political power or influence of either state, and in accordance with:

(A) and (B) Makes no change to these paragraphs.

(4) and (5) Makes no change to these subdivisions.

SECTION 2. Amends Section 12.057(b), Natural Resources Code, to require 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, 2017, rather than July 30, 2015.

SECTION 3. Amends Section 12.058, Natural Resources Code, as follows:

Sec. 12.058. EXPIRATION OF SUBCHAPTER. Provides that this subchapter expires December 31, 2017, rather than December 31, 2015.

SECTION 4. Effective date: upon passage or September 1, 2015.