

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
BILL NO. 2142

By: Sneed of the House

and

David of the Senate

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6  
7 An Act relating to a Tri-State Commission on the  
8 McClellan-Kerr Arkansas River Navigation System;  
9 providing for membership from Oklahoma; imposing  
duties and responsibilities; providing for  
codification; and declaring an emergency.

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12 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and  
entire bill and insert

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"An Act relating to a Tri-State Commission on the  
McClellan-Kerr Arkansas River Navigation System;  
providing for membership from Oklahoma; imposing  
duties and responsibilities; 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 1142 of Title 82, unless there  
21 is created a duplication in numbering, reads as follows:

22 A. There is hereby created the Tri-State Commission on the  
23 McClellan-Kerr Arkansas River Navigation System (MKARNS). It is  
24 anticipated that the State of Arkansas and the State of Kansas will

1 enact legislation in order to complete the formation of the  
2 Commission.

3 B. The Oklahoma membership of the Tri-State Commission shall be  
4 as follows:

5 1. One member appointed by the Governor who shall be a member  
6 of the Water Advisory Board of the Department of Transportation;

7 2. Three members of the House of Representatives whose  
8 legislative districts encompass some part of the territory in which  
9 the MKARNS is located, to be formally selected by the Speaker of the  
10 House of Representatives; provided, whenever possible, no more than  
11 two members shall be appointed from the same political party;

12 3. Three members of the Senate whose legislative districts  
13 encompass some part of the territory in which the MKARNS is located  
14 to be formally selected by the President Pro Tempore of the Senate;  
15 provided, whenever possible, no more than two members shall be  
16 appointed from the same political party;

17 4. One member from each of the three (3) Native American tribes  
18 that has ownership interest in the Arkansas Riverbed;

19 5. One member appointed by the Speaker of the House of  
20 Representatives who shall represent a statewide business  
21 organization;

22 6. One member appointed by the President Pro Tempore of the  
23 Senate who shall represent a statewide agricultural organization;  
24 and

1       7. One member appointed by the Governor who shall represent a  
2 public port along the MKARNS.

3       C. The Tri-State Commission shall have the following duties:

4       1. To identify the resources available at the federal and state  
5 levels for the proper maintenance of the physical assets which allow  
6 the MKARNS to fulfill its duties and responsibilities;

7       2. To identify methods for the repair, replacement or  
8 maintenance of the infrastructure assets which are essential to the  
9 operation of the MKARNS;

10       3. To prioritize the funding, whether from the federal  
11 government, state government, tribal governments, private resources  
12 or other financial resources, in order to adequately maintain the  
13 MKARNS;

14       4. To take such actions as may be necessary to promote the  
15 MKARNS and its continued role in the economies of the states of  
16 Oklahoma, Arkansas and Kansas;

17       5. To take such actions as are conducive to the continued use  
18 and enhanced use of the MKARNS by for-profit business enterprises in  
19 order to reduce transportation costs, improve profit margins,  
20 increase efficiency and related economic benefits;

21       6. To take such actions as are conducive to the continued vital  
22 role of the MKARNS with respect to flood control in the three  
23 affected states;

1 7. To take such actions as are conducive to the promotion of  
2 the MKARNS for purposes of tourism and cultural preservation; and

3 8. To take such other actions as may be necessary which in the  
4 judgment of the Tri-State Commission would be beneficial for the  
5 three affected states and for the MKARNS.

6 SECTION 2. It being immediately necessary for the preservation  
7 of the public peace, health or safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval."

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11 Passed the Senate the 24th day of April, 2019.

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Presiding Officer of the Senate

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15 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
16 2019.

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Presiding Officer of the House  
of Representatives

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2 BILL NO. 2142

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10 duties and responsibilities; providing for  
11 codification; and declaring an emergency.

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

13 SECTION 3. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1142 of Title 82, unless there  
15 is created a duplication in numbering, reads as follows:

16 A. There is hereby created the Tri-State Commission on the  
17 McClellan-Kerr Arkansas River Navigation System (MKARNS). It is  
18 anticipated that the State of Arkansas and the State of Kansas will  
19 enact legislation in order to complete the formation of the  
20 Commission.

21 B. The Oklahoma membership of the Tri-State Commission shall be  
22 as follows:  
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24

1           1. One member appointed by the Governor who shall be a member  
2 of the Water Advisory Board of the Oklahoma Department of  
3 Transportation;

4           2. Three members of the Oklahoma House of Representatives whose  
5 legislative districts encompass some part of the territory in which  
6 the MKARNS is located to be formally selected by the Speaker of the  
7 Oklahoma House of Representatives; and

8           3. Three members of the Oklahoma State Senate whose legislative  
9 districts encompass some part of the territory in which the MKARNS  
10 is located to be formally selected by the President Pro Tempore of  
11 the Oklahoma State Senate.

12           C. The Tri-State Commission shall have the following duties:

13           1. To identify the resources available at the federal and state  
14 levels for the proper maintenance of the physical assets which allow  
15 the MKARNS to fulfill its duties and responsibilities;

16           2. To identify methods for the repair, replacement or  
17 maintenance of the infrastructure assets which are essential to the  
18 operation of the MKARNS;

19           3. To prioritize the funding, whether from the federal  
20 government, state government, tribal governments, private resources  
21 or other financial resources, in order to adequately maintain the  
22 MKARNS;

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1           4. To take such actions as may be necessary to promote the  
2 MKARNS and its continued role in the economies of the states of  
3 Oklahoma, Arkansas and Kansas;

4           5. To take such actions as are conducive to the continued use  
5 and enhanced use of the MKARNS by for-profit business enterprises in  
6 order to reduce transportation costs, improve profit margins,  
7 increase efficiency and related economic benefits;

8           6. To take such actions as are conducive to the continued vital  
9 role of the MKARNS with respect to flood control in the three  
10 affected states;

11           7. To take such actions as are conducive to the promotion of  
12 the MKARNS for purposes of tourism and cultural preservation; and

13           8. To take such other actions as may be necessary which in the  
14 judgment of the Tri-State Commission would be beneficial for the  
15 three affected states and for the MKARNS.

16           SECTION 4. It being immediately necessary for the preservation  
17 of the public peace, health or safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

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1 Passed the House of Representatives the 12th day of March, 2019.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2019.

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9 Presiding Officer of the Senate