

103D CONGRESS
1ST SESSION

H. R. 231

To amend the Federal Power Act.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mrr. LARocco introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend the Federal Power Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENT OF SECTION 9.**

4 Section 9(a) of the Federal Power Act is amended
5 by adding a new paragraph (3) at the end thereof as fol-
6 lows:

7 “(3) No license may be granted for any project
8 subject to the provisions of this part unless the ap-
9 plicant complies with all procedural and substantive
10 requirements of the laws of the State or States in
11 which the project is located with respect to the ac-
12 quisition of water rights and administration of the

1 use of water. Any such license shall be subject to the
2 applicant obtaining any water rights needed for such
3 project in accordance with such requirements.”.

4 **SEC. 2. AMENDMENT OF SECTION 27.**

5 Section 27 of the Federal Power Act is amended—

6 (1) by deleting “used in irrigation or for munic-
7 ipal or other uses”; and

8 (2) by deleting “therein.” and inserting in lieu
9 thereof “therein; and no license granted pursuant to
10 this Act shall relieve any licensee or applicant for a
11 license from complying with all procedural and sub-
12 stantive requirements of the laws of the State in
13 which the project is located with respect to any
14 water rights needed for such project, including any
15 terms, conditions, limitations, or other restrictions
16 attached to such rights. Nothing in this Act nor in
17 any other Act may be construed to constitute a pre-
18 emption or intent to preempt the procedural and
19 substantive requirements of State law with respect
20 to the acquisition of water rights and administration
21 of the use of water or with respect to any terms,
22 conditions, limitations, or other restrictions which a
23 State may attach to any such water rights for such
24 project.”.

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