

104TH CONGRESS
1ST SESSION

S. 1467

To authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 1995

Mr. BURNS (for himself and Mr. BAUCUS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize the construction of the Fort Peck Rural County Water Supply System, to authorize assistance to the Fort Peck Rural County Water District, Inc., a nonprofit corporation, for the planning, design, and construction of the water supply system, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Fort Peck Rural Coun-
5 ty Water Supply System Act of 1995”.

6 **SEC. 2. DEFINITIONS.**

7 For the purposes of this Act:

1 (1) CONSTRUCTION.—The term “construction”
2 means such activities associated with the actual de-
3 velopment or construction of facilities as are initi-
4 ated on execution of contracts for construction.

5 (2) DISTRICT.—The term “District” means the
6 Fort Peck Rural County Water District, Inc., a non-
7 profit corporation in Montana.

8 (3) FEASIBILITY STUDY.—The term “feasibility
9 study” means the study entitled “Final Engineering
10 Report and Alternative Evaluation for the Fort Peck
11 Rural County Water District”, dated September
12 1994.

13 (4) PLANNING.—The term “planning” means
14 activities such as data collection, evaluation, design,
15 and other associated preconstruction activities re-
16 quired prior to the execution of contracts for con-
17 struction.

18 (5) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior.

20 (6) WATER SUPPLY SYSTEM.—The term “water
21 supply system” means the Fort Peck Rural County
22 Water Supply System, to be established and oper-
23 ated substantially in accordance with the feasibility
24 study.

1 **SEC. 3. FEDERAL ASSISTANCE FOR WATER SUPPLY SYS-**
2 **TEM.**

3 (a) IN GENERAL.—Upon request of the District, the
4 Secretary shall enter into a cooperative agreement with
5 the District for the planning, design, and construction by
6 the District of the water supply system.

7 (b) SERVICE AREA.—The water supply system shall
8 provide for safe and adequate rural water supplies under
9 the jurisdiction of the District in Valley County, north-
10 eastern Montana (as described in the feasibility study).

11 (c) AMOUNT OF FEDERAL CONTRIBUTION.—

12 (1) IN GENERAL.—Subject to paragraph (3),
13 under the cooperative agreement, the Secretary shall
14 pay the Federal share of—

15 (A) costs associated with the planning, de-
16 sign, and construction of the water supply sys-
17 tem (as identified in the feasibility study); and

18 (B) such sums as are necessary to defray
19 increases in the budget.

20 (2) FEDERAL SHARE.—The Federal share re-
21 ferred to in paragraph (1) shall be 80 percent and
22 shall not be reimbursable.

23 (3) TOTAL.—The amount of Federal funds
24 made available under the cooperative agreement
25 shall not exceed the amount of funds authorized to
26 be appropriated under section 4.

1 (4) LIMITATIONS.—Not more than 5 percent of
2 the amount of Federal funds made available to the
3 Secretary under section 4 may be used by the Sec-
4 retary for activities associated with—

5 (A) compliance with the National Environ-
6 mental Policy Act of 1969 (42 U.S.C. 4321 et
7 seq.); and

8 (B) oversight of the planning, design, and
9 construction by the District of the water supply
10 system.

11 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to carry out
13 this Act \$5,800,000, to remain available until expended.
14 The funds authorized to be appropriated may be increased
15 or decreased by such amounts as are justified by reason
16 of ordinary fluctuations in development costs incurred
17 after October 1, 1994, as indicated by engineering cost
18 indices applicable to the type of construction project au-
19 thorized under this Act.

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