

105TH CONGRESS
2D SESSION

S. 2243

To authorize repayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 1998

Mrs. HUTCHISON introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize repayment of amounts due under a water reclamation project contract for the Canadian River Project, Texas.

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 “Canadian River Project
5 Prepayment Act”.

6 **SEC. 2. DEFINITIONS.**

7 For the purposes of this Act:

8 (1) The term “Authority” means the Canadian
9 River Municipal Water Authority, a conservation
10 and reclamation district of the State of Texas.

1 (2) The term “Canadian River Project Author-
2 ization Act” means the Act entitled “An Act to au-
3 thorize the construction, operation, and maintenance
4 by the Secretary of the Interior of the Canadian
5 River reclamation project, Texas”, approved Decem-
6 ber 29, 1950 (chapter 1183; 64 Stat. 1124).

7 (3) The term “Project” means all of the right,
8 title and interest in and to all land and improve-
9 ments comprising the pipeline and related facilities
10 of the Canadian River Project authorized by the Ca-
11 nadian River Project Authorization Act.

12 (4) The term “Secretary” means the Secretary
13 of the Interior.

14 **SEC. 3. PREPAYMENT AND CONVEYANCE OF PROJECT.**

15 (a) IN GENERAL.—(1) In consideration of the Au-
16 thority accepting the obligation of the Federal Govern-
17 ment for the Project and subject to the payment by the
18 Authority of the applicable amount under paragraph (2)
19 within the 360-day period beginning on the date of the
20 enactment of this Act, the Secretary shall convey the
21 Project of the Authority, as provided in section 2(c)(3)
22 of the Canadian River Project Authorization Act (64 Stat.
23 1124).

24 (2) For purposes of paragraph (1), the applicable
25 amount shall be—

1 (A) \$33,600,000 if payment is made by the Au-
2 thority within the 270-day period beginning on the
3 date of enactment of this Act; or

4 (B) the amount specified in subparagraph (A)
5 adjusted to include interest on that amount since the
6 date of the enactment of this Act at the appropriate
7 Treasury bill rate for an equivalent term, if payment
8 is made by the Authority after the period referred
9 to in subparagraph (A).

10 (3) If payment under paragraph (1) is not made by
11 the Authority within the period specified in paragraph (1),
12 this Act shall have no force or effect.

13 (b) FINANCING.—Nothing in this Act shall be con-
14 strued to affect the right of the Authority to use a particu-
15 lar type of financing.

16 **SEC. 4. RELATIONSHIP TO EXISTING OPERATIONS.**

17 (a) IN GENERAL.—Nothing in this Act shall be con-
18 strued as significantly expanding or otherwise changing
19 the use or operation of the Project from its current use
20 and operation.

21 (b) FUTURE ALTERATIONS.—If the Authority alters
22 the operations or uses of the Project it shall comply with
23 all applicable laws or regulations governing such alteration
24 at that time.

1 (c) RECREATION.—The Secretary of the Interior, act-
2 ing through the National Park Service, shall continue to
3 operate the Lake Meredith National Recreation Area at
4 Lake Meredith.

5 (d) FLOOD CONTROL.—The Secretary of the Army,
6 acting through the Corps of Engineers, shall continue to
7 prescribe regulations for the use of storage allocated to
8 flood control at Lake Meredith as prescribed in the Letter
9 of Understanding entered into between the Corps, the Bu-
10 reau of Reclamation, and the Authority in March and May
11 1980.

12 (e) SANFORD DAM PROPERTY.—The Authority shall
13 have an unrestricted right to occupy and use without cost
14 the property retained by the Bureau of Reclamation at
15 Sanford Dam and all buildings constructed by the United
16 States thereon for use as the Authority's headquarters and
17 maintenance facility. Buildings constructed by the Author-
18 ity on such property, or past or future additions to Gov-
19 ernment-constructed buildings, shall be allowed to remain
20 on the property without restriction.

21 **SEC. 5. RELATIONSHIP TO CERTAIN CONTRACT OBLIGA-**
22 **TIONS.**

23 (a) PAYMENT OBLIGATIONS EXTINGUISHED.—Provi-
24 sion of consideration by the Authority in accordance with
25 section 3(b) shall extinguish all payment obligations under

1 contract numbered 14–06–500–485 between the Authority
2 and the Secretary.

3 (b) OPERATION AND MAINTENANCE COSTS.—After
4 completion of the conveyance provided for in section 3, the
5 Authority shall have full responsibility for the cost of oper-
6 ation and maintenance of Sanford Dam, and shall con-
7 tinue to have full responsibility for operation and mainte-
8 nance of the Project pipeline and related facilities.

9 (c) GENERAL.—Rights and obligations under the ex-
10 isting contract No. 14–06–500–485 between the Authority
11 and the United States, other than provisions regarding re-
12 payment of construction charge obligation by the Author-
13 ity and provisions relating to the Project aqueduct, shall
14 remain in full force and effect for the remaining term of
15 the contract.

16 **SEC. 6. RELATIONSHIP TO OTHER LAWS.**

17 (a) RECLAMATION LAWS.—Upon conveyance of the
18 Project under this Act, the Reclamation Act of 1902 (82
19 Stat. 388) and all Acts amendatory thereof or supple-
20 mental thereto shall not apply to the Project.

21 **SEC. 7. LIABILITY.**

22 Except as otherwise provided by law, effective on the
23 date of conveyance of the Project under this Act, the
24 United States shall not be liable under any law for dam-

- 1 ages of any kind arising out of any act, omission, or occur-
- 2 rence relating to the conveyed property.

