Public Law 543 CHAPTER 588

AN ACT

Granting the consent of Congress to the Breaks Interstate Park Compact.

July 27, 1954
[H. R. 8549]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress is hereby given to the Breaks Interstate Park Compact between the Commonwealth of Kentucky and the Commonwealth of Virginia. Such compact reads as follows:

Breaks Interstate Park Compact, Ky. and Va. Consent of Congress.

"BREAKS INTERSTATE PARK COMPACT

"Pursuant to authority granted by an Act of the 83rd Congress of the United States, being Public Law 275, approved August 14, 1953, the Commonwealth of Kentucky and the Commonwealth of Virginia do hereby covenant and agree as follows:

67 Stat. 584.

"ARTICLE I.

"The Commonwealth of Kentucky and the Commonwealth of Virginia agree to create, develop and operate an interstate park to be known as the Breaks Interstate Park, which shall be located along the Russell Fork of the Levisa Fork of the Big Sandy River and on adjacent areas in Pike County, Kentucky, and Dickenson and Buchanan Counties, Virginia. Said park shall be of such area and of such character as may be determined by the commission created by this Compact.

"ARTICLE II.

"There is hereby created the Breaks Interstate Park Commission, which shall be a body corporate with the powers and duties set forth herein and such additional powers as may be conferred upon it by subsequent action of the appropriate authorities of Kentucky and Virginia. The commission shall consist of three commissioners from each of the two states, each of whom shall be a citizen of the state he shall represent. Members of the commission shall be appointed by the Governor. Vacancies shall be filled by the Governor for the unexpired term. The term of one of the first commissioners appointed shall be for two years, the term of another for three years, and the term of the third for four years. Their successors shall be appointed for terms of four years each. Each commissioner shall hold office until his successor is appointed and qualified. An officer or employee of the state, a political subdivision or the United States government may be appointed a commissioner under this Act.

"ARTICLE III.

"The commission created herein shall be a joint corporate instrumentality of both the Commonwealth of Kentucky and the Commonwealth of Virginia for the purpose of effecting the objects of this compact, and shall be deemed to be performing governmental functions of the two states in the performance of its duties hereunder. The commission shall have power to sue and be sued, to contract and be contracted with, to use a common seal and to make and adopt suitable by-laws, rules and regulations. The commission shall have the authority to acquire by gift, purchase or otherwise real estate and other property, and to dispose of such real estate and other property. Each Commonwealth agrees that it will exercise the right of eminent domain to acquire property located within each Common-

wealth required by the Commission to effectuate the purposes of this Compact.

"ARTICLE IV.

"The commission shall select from among its members a chairman and a vice-chairman, and may select from among its members a secretary and treasurer or may designate other persons to fill these positions. It may appoint, and at its pleasure remove or discharge, such officers and legal, clerical, expert and other assistants and employees as may be required to carry the provisions of this compact into effect, and shall fix and determine their duties, qualifications and compensation. It may establish and maintain one or more offices for the transaction of its business, and may meet at any time or place. A majority of the commissioners present shall constitute a quorum for the transaction of business. The commissioners shall serve without compensation, but shall be paid their expenses incurred in and incident to the performance of their duties. They shall take the oath of office required of officers of their respective states.

"ARTICLE V.

"Each Commonwealth agrees that the officers and departments of each will be authorized to do all things falling within their respective jurisdictions necessary or incidental to the carrying out of the compact in every particular. The Commission shall be entitled to the services of any state officer or agency in the same manner as any other department or agency of this state. The Commission shall keep accurate records, showing in full its receipts and disbursements, and said records shall be open at any reasonable time to the inspection of such representatives of the two Commonwealths as may be duly constituted for that purpose. The Commission shall submit annually and at other times as required such reports as may be required by the laws of each Commonwealth or by the Governor thereof.

"ARTICLE VI.

"The cost of acquiring land and other property required in the development and operation of the Breaks Interstate Park and constructing, maintaining and operating improvements and facilities therein and equipping same may be defrayed by funds received from appropriations, gifts, the use of money received as fees or charges for the use of said park and facilities, or by the issuance of revenue bonds, or by a combination of such sources of funds. The commission may charge for admission to said park, or make other charges deemed appropriate by it and shall have the use of funds so received for park purposes. The commission is authorized to issue revenue bonds, which shall not be obligations of either state, pursuant to procedures which shall be in substantial compliance with the provisions of laws of either or both states governing the issuance of revenue bonds by governmental agencies.

"ARTICLE VII.

"All money, securities and other property, real and personal, received by way of gift or otherwise or revenue received from its operations may be retained by the commission and used for the development, maintenance and operation of the Park or for other Park purposes.

"The commission shall not pledge the credit of either Commonwealth except by and with the authority of the General Assembly thereof.

"ARTICLE VIII.

"This compact may be amended from time to time by the concurrent action of the two Commonwealths parties hereto."

SEC. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Approved July 27, 1954.

Public Law 544 CHAPTER 589

AN ACT

July 27, 1954
[H. R. 7664]

To provide for the development of the Priest Rapids site on the Columbia River, Washington, under a license issued pursuant to the Federal Power Act.

Priest Rapids Dam, Wash.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Flood Control Act of 1950 (64 Stat. 170, 179), insofar as it adopted and authorized to be prosecuted the Priest Rapids Dam on the Columbia River, Washington, substantially in accordance with the plans recommended in the report of the Chief of Engineers dated June 28, 1949, contained in House Document Numbered 531, Eighty-first Congress, second session, is hereby modified to permit the development of the Priest Rapids site by Public Utility District Number 2, of Grant County, Washington, or such district or its successor in combination with such other utilities as it may legally affiliate with or by any division, subdivision, agency, or commission of the State of Washington under and in accordance with the terms and conditions of a license duly issued pursuant to the Federal Power Act and in accordance with this Act.

41 Stat. 1063; 49 Stat. 863. 16 USC 791a.

FPC license application.

SEC. 2. The Priest Rapids Reservoir site shall be developed to utilize the optimum capabilities of the site as a part of the comprehensive plan for economically feasible control and utilization of the water resources for flood control, navigation, power, and other beneficial purposes. Before a license is issued, an applicant for a license shall submit a report on the details of its plans for development to the Federal Power Commission with particular reference to the integration of the proposed Priest Rapids development as a part of the comprehensive plan.

Review of plans.

SEC. 3. The Department of the Army shall review any plans submitted to the Federal Power Commission for the purpose of acquiring a license to develop the Priest Rapids site or any other site in connection therewith and shall make recommendations with respect to such plans to the Commission with particular regard to flood control and navigation.

Navigation and flood control facilities.

SEC. 4. The license may provide for the addition of navigation locks and flood-control features by the Department of the Army at Federal expense, either as a part of the initial construction or at a later date. In the event that nonpower features are to be provided as part of the initial construction, an allocation of costs to such features shall be approved by the Federal Power Commission taking into consideration recommendations by the Department of the Army and licensee, and funds to cover such costs may be appropriated and may be transferred by the Chief of Engineers to the licensee. If such navigation and flood-control facilities are not provided initially the licensee shall provide at its own expense the basic features for future installation of navigation and flood-control facilities.

Constructing agency, etc.

SEC. 5. Upon request by the licensee the Corps of Engineers under direction of the Secretary of the Army shall be authorized to receive contributed funds and act as constructing agency for part or all of the