

D.C. Council.
Licensing
authority.
48 Stat. 322.

SEC. 403. The first sentence of the second paragraph of section 7 of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25-107) is amended to read as follows: "The District of Columbia Council shall have authority to make rules and regulations for the issuance, transfer, and revocation of licenses; to facilitate and insure the collection of taxes; to govern the operation of the business of licensees, with full power and authority to prescribe the terms and conditions under which alcoholic beverages may be sold by each class of licensees; to forbid the issuance of licenses for manufacture, sale, or storage of alcoholic beverages in such localities in, and such sections and portions of, the District of Columbia as the Council may deem proper in the public interest; to limit the number of licenses of each class to be issued in the District of Columbia and to limit the number of licenses of each class in any locality in, or sections or portions of, the District of Columbia as the Council may deem proper in the public interest; to forbid the issuance of licenses for businesses conducted on such premises as the Council, in the public interest, may deem inappropriate; to forbid the issuance of any class or classes of licenses for businesses established subsequent to the date of enactment of this Act near or around schools, colleges, universities, churches, or public institutions; to prescribe the hours during which alcoholic beverages may be sold; and to prohibit the sale of any or all alcoholic beverages on such days as the Council determines necessary in the public interest."

License appli-
cants, citizen-
ship.
48 Stat. 328.

SEC. 404. Section 14(a) of the District of Columbia Alcoholic Beverage Control Act (D.C. Code, sec. 25-115(a)) is amended—

(1) by striking out in paragraph 2 "a citizen of the United States,";

(2) by adding immediately after paragraph 2 the following new paragraph:

"3. That (A) each individual, each member of a partnership, and each principal officer of a corporation (other than a club) is a citizen of the United States, and (B) a majority of the principal officers of a club are citizens of the United States."; and

(3) by redesignating paragraphs 3, 4, and 5 and all references thereto, as paragraphs 4, 5, and 6, respectively.

Approved August 2, 1968.

Public Law 90-451

AN ACT

August 3, 1968
[S. 2445]

To amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised.

Federal Power
Commission.
Licensing
authority.
49 Stat. 842.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Federal Power Act, as amended (16 U.S.C. 800), is amended by adding thereto the following new subsection:

"(c) Whenever, after notice and opportunity for hearing, the Commission determines that the United States should exercise its right upon or after the expiration of any license to take over any project or projects for public purposes, the Commission shall not issue a new license to the original licensee or to a new licensee but shall submit its recommendation to Congress together with such information as it may consider appropriate."

SEC. 2. Section 14 of the Federal Power Act, as amended (16 U.S.C. 807), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

"(b) No earlier than five years before the expiration of any license, the Commission shall entertain applications for a new license and decide them in a relicensing proceeding pursuant to the provisions of section 15. In any relicensing proceeding before the Commission any Federal department or agency may timely recommend, pursuant to such rules as the Commission shall prescribe, that the United States exercise its right to take over any project or projects. Thereafter, the Commission, if it does not itself recommend such action pursuant to the provisions of section 7(c) of this part, shall upon motion of such department or agency stay the effective date of any order issuing a license, except an order issuing an annual license in accordance with the proviso of section 15(a), for two years after the date of issuance of such order, after which period the stay shall terminate, unless terminated earlier upon motion of the department or agency requesting the stay or by action of Congress. The Commission shall notify the Congress of any stay granted pursuant to this subsection."

Government
take-over right.

Notice to
Congress.

SEC. 3. Section 15 of the Federal Power Act, as amended (16 U.S.C. 808), is amended by inserting "(a)" immediately preceding the first sentence thereof and by adding thereto the following new subsection:

41 Stat. 1072.

"(b) In issuing any licenses under this section except an annual license, the Commission, on its own motion or upon application of any licensee, person, State, municipality, or State commission, after notice to each State commission and licensee affected, and after opportunity for hearing, whenever it finds that in conformity with a comprehensive plan for improving or developing a waterway or waterways for beneficial public uses all or part of any licensed project should no longer be used or adapted for use for power purposes, may license all or part of the project works for nonpower use. A license for nonpower use shall be issued to a new licensee only on the condition that the new licensee shall, before taking possession of the facilities encompassed thereunder, pay such amount and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof. Any license for nonpower use shall be a temporary license. Whenever, in the judgment of the Commission, a State, municipality, interstate agency, or another Federal agency is authorized and willing to assume regulatory supervision of the lands and facilities included under the nonpower license and does so, the Commission shall thereupon terminate the license. Consistent with the provisions of the Act of August 15, 1953 (67 Stat. 587), every licensee for nonpower use shall keep such accounts and file such annual and other periodic or special reports concerning the removal, alteration, nonpower use, or other disposition of any project works or parts thereof covered by the nonpower use license as the Commission may by rules and regulations or order prescribe as necessary or appropriate."

Nonpower use
licenses.

Recordkeeping
and reports.
16 USC 828-
828c.

SEC. 4. Section 10(d) of the Federal Power Act, as amended (16 U.S.C. 803), is amended by adding at the end thereof the following: "For any new license issued under section 15, the amortization reserves under this subsection shall be maintained on and after the effective date of such new license."

Amortization
reserves.

16 USC 808.

Approved August 3, 1968.