

# State of South Dakota

EIGHTY-FIRST SESSION  
LEGISLATIVE ASSEMBLY, 2006

787M0125

## SENATE BILL NO. 153

Introduced by: Senators Earley, Apa, Gant, Greenfield, and Napoli and Representatives Klautt, Haverly, Hunhoff, Peters, Putnam, and Rausch

1 FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the South Dakota  
2 Railroad Authority and the railroad trust fund and declare an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 49-16B-13.1 be amended to read as follows:

5 49-16B-13.1. The South Dakota Railroad Authority must receive approval for all proposed  
6 expenditures from the South Dakota State Railroad Board and the ~~Governor~~ Legislature.

7 Section 2. That § 49-16C-1 be amended to read as follows:

8 49-16C-1. For the purposes of planning, enlarging, maintaining, equipping, and protecting  
9 railroads and railroad facilities, there is hereby created a special fund within the state treasury  
10 known as the railroad trust fund. The railroad trust fund may be used to match money made  
11 available by the federal government for railroad rehabilitation. All moneys in the fund, ~~except~~  
12 ~~as otherwise provided in this chapter,~~ shall be expended in accordance with the provisions of  
13 chapter 4-7, chapter 4-8, chapter 4-8A, and chapter 4-8B.

14 Section 3. That § 49-16C-2 be repealed.

15 ~~49-16C-2. Upon approval of a proposed expenditure as provided for in § 49-16B-13.1, the~~



1 ~~Governor shall order the approved amount of money transferred from the railroad trust fund to~~  
2 ~~the railroad authority fund.~~

3 Section 4. That § 49-16C-4 be amended to read as follows:

4 49-16C-4. The South Dakota State Railroad Board may set from time to time the interest  
5 rates at which it the board shall make the loans provided for in § 49-16C-3. In addition to such  
6 interest charges, the board may make and collect such costs, fees, and other charges as the board  
7 may deem necessary. Revenue collected under this section shall be deposited in the railroad trust  
8 fund.

9 Section 5. That § 49-16C-5 be repealed.

10 ~~49-16C-5. The South Dakota State Railroad Board may, with the approval of the Governor,~~  
11 ~~expend funds from the railroad trust fund to match federal railroad rehabilitation funds.~~

12 Section 6. That § 49-16C-6 be repealed.

13 ~~49-16C-6. The South Dakota State Railroad Board may, upon approval of the Governor,~~  
14 ~~expend from the railroad trust fund an amount not to exceed one million dollars to join with~~  
15 ~~other states to preserve the railroad line extending from Jonathan, Minnesota, in a westerly~~  
16 ~~direction through South Dakota to Miles City, Montana.~~

17 Section 7. That § 49-16C-7 be repealed.

18 ~~49-16C-7. Any funds in the railroad trust fund designated for expenditure by any of the~~  
19 ~~provisions of § 49-16B-13.1, 49-16C-2, 49-16C-3, 49-16C-5, or 49-16C-6 are hereby~~  
20 ~~continuously appropriated for such purposes.~~

21 Section 8. Whereas, this Act is necessary for the support of the state government and its  
22 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
23 full force and effect from and after its passage and approval.