

State of South Dakota

SEVENTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2002

400H0718

HOUSE BILL NO. 1301

Introduced by: The Committee on Transportation at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to authorize the railroad authority to acquire certain
2 facilities owned by other railroads and to declare an emergency.

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

4 Section 1. It being declared in the public interest, the South Dakota Railroad Authority,
5 pursuant to chapter 49-16B, may acquire, by any of the means permitted in chapter 49-16B,
6 property, real, personal, and mixed from the Rutland Line, Incorporated (doing business as the
7 Red River Valley and Western Railroad), consisting of easements, rights-of-way, trackage,
8 bridges, rail lines, and spurs, located between mileposts 42.67 at Genesco Junction, North
9 Dakota, and milepost 65.60 at the North Dakota/South Dakota border. Such property acquired
10 by the authority, and any improvements thereto undertaken as provided in this Act, are declared
11 to be projects within the meaning of § 49-16B-10. Any property acquired by the authority
12 pursuant to this Act may be acquired subject to existing mortgages on or security interests in
13 such property.

14 Section 2. The authority may undertake, either directly or through a lessee or sublessee, such
15 improvements to the portion of the property described in section 1 of this Act as the authority



1 may deem to be necessary to cause the property to be suitable for the uses to be made of it.

2 Section 3. Whereas, this Act is necessary for the immediate preservation of the public peace,

3 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and

4 effect from and after its passage and approval.