

SENATE BILL NO. 78

INTRODUCED BY HAFHEY

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE SENATE

JANUARY 9, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON BUSINESS & INDUSTRY.

JANUARY 14, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS. REPORT ADOPTED.

JANUARY 15, 1987                   PRINTING REPORT.

JANUARY 17, 1987                   SECOND READING, DO PASS.

JANUARY 19, 1987                   ENGROSSING REPORT.

JANUARY 20, 1987                   THIRD READING, PASSED.  
TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 4, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON BUSINESS & LABOR.

MARCH 3, 1987                   COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

MARCH 4, 1987                   SECOND READING, CONCURRED IN.

MARCH 5, 1987                   THIRD READING, CONCURRED IN.  
AYES, 96; NOES, 1.  
RETURNED TO SENATE.

IN THE SENATE

MARCH 6, 1987                   RECEIVED FROM HOUSE.  
SENT TO ENROLLING.

1 *Senate* BILL NO. *78*  
 2 INTRODUCED BY *4/2/01*  
 3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO TRANSFER REGULATION  
 6 OF PASSENGER TRAMWAYS FROM THE DEPARTMENT OF ADMINISTRATION  
 7 TO THE DEPARTMENT OF COMMERCE; AMENDING SECTIONS 23-2-702,  
 8 23-2-715, AND 23-2-734, MCA; AND PROVIDING AN EFFECTIVE  
 9 DATE."

10  
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 23-2-702, MCA, is amended to read:  
 13 "23-2-702. Definitions. As used in this part, the  
 14 following definitions apply:

15 (1) "Area" means the area, terrain, or ski slopes  
 16 served by a passenger tramway.

17 (2) "Department" means the department of  
 18 ~~administration~~ commerce provided for in ~~title 27, chapter 15,~~  
 19 ~~part 10~~ 2-15-1801.

20 (3) "Industry" means the passenger tramway business  
 21 activities of all those persons in the state who own,  
 22 manage, or direct the operation of passenger tramways.

23 (4) "Operator" means a person, including any political  
 24 subdivision or instrumentality thereof, who owns, manages,  
 25 or directs the operation of a passenger tramway.



1 (5) "Passenger tramway" means a device used to  
 2 transport passengers by means of any of the following:

3 (a) two-car aerial passenger tramway, a device used to  
 4 transport passengers in two open or enclosed cars attached  
 5 to and suspended from a moving wire rope or attached to a  
 6 moving wire rope and supported on a standing wire rope or  
 7 similar devices;

8 (b) multicar aerial passenger tramway, a device used  
 9 to transport passengers in several open or enclosed cars or  
 10 carrying device attached to and suspended from a moving wire  
 11 rope or attached to a moving wire rope and supported on a  
 12 standing wire rope or similar devices;

13 (c) skimobile, a device in which a passenger car  
 14 running on steel or wooden tracks is attached to and pulled  
 15 by a steel cable or similar devices;

16 (d) chair lift, a type of transportation on which  
 17 passengers are carried on chairs suspended in the air and  
 18 attached to a moving cable, chain, or link belt supported by  
 19 trestles or towers with one or more spans or similar  
 20 devices;

21 (e) a J-bar, T-bar, or platterpull, so-called, and  
 22 similar types of devices or means of transportation which  
 23 pull skiers riding on skis by means of an attachment to a  
 24 main overhead cable supported by trestles or towers with one  
 25 or more spans;

INTRODUCED BILL  
**SB-78**

1 (f) rope tow, a type of transportation which pulls the  
2 skier, riding on skis as the skier grasps the rope or wire  
3 rope manually, or similar devices."

4 Section 2. Section 23-2-715, MCA, is amended to read:

5 "23-2-715. Assessment on passenger tramway receipts.

6 (1) The department of ~~administration~~ is hereby authorized to  
7 impose an assessment of 1/4 of 1% on the gross receipts of  
8 all passenger tramways operated in the state of Montana. A  
9 minimum of \$100 shall be collected annually from the owner  
10 of a passenger tramway facility. The assessment shall be  
11 calculated upon gross receipts received during the period  
12 July 1 of any year to July 1 of the following year. The  
13 assessments shall be collected by the department of revenue  
14 and remitted to the state special revenue fund by December  
15 31 of each year.

16 (2) All proceeds of the gross receipts assessment and  
17 the fees collected under 23-2-714 shall be used only to  
18 support the duties of the department set forth in this  
19 part."

20 Section 3. Section 23-2-734, MCA, is amended to read:

21 "23-2-734. Duties of operator with respect to  
22 passenger tramways. A ski area operator shall construct,  
23 operate, maintain, and repair any passenger tramway in  
24 accordance with the rules of the department of  
25 administration. However, nothing in this section relieves

1 an operator from the duty of taking whatever other actions  
2 are necessary to properly construct, operate, maintain, and  
3 repair a passenger tramway."

4 NEW SECTION. Section 4. Extension of authority. Any  
5 existing authority of the department of commerce to make  
6 rules on the subject of the provisions of this act is  
7 extended to the provisions of this act.

8 NEW SECTION. Section 5. Effective date. This act is  
9 effective July 1, 1987.

-End-

APPROVED BY COMM. ON  
BUSINESS & INDUSTRY

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23 (4) "Operator" means a person, including any political  
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1 (5) "Passenger tramway" means a device used to  
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17 passengers are carried on chairs suspended in the air and  
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19 trestles or towers with one or more spans or similar  
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21 (e) a J-bar, T-bar, or platterpull, so-called, and  
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23 pull skiers riding on skis by means of an attachment to a  
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