



GOV. MSG. NO. 744

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

April 13, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

I am transmitting herewith SB776, without my approval, and with the statement of objections relating to the measure.

SB776

A BILL FOR AN ACT RELATING TO FIRE
PROTECTION.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

EXECUTIVE CHAMBERS

HONOLULU

April 13, 2007

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 776

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 776, entitled "A Bill for an Act Relating to Fire Protection."

The purpose of this bill is to clarify that the State, and not the individual county fire departments, is responsible for the fire inspection of State-owned airport facilities required by law.

A substantially identical bill, House Bill No. 1138, was also passed by the Legislature. Because I approved House Bill No. 1138, as Act 10 of 2007, which accomplished the same purpose as this bill, there is no necessity to also approve this bill.

For the foregoing reason, I am returning Senate Bill No. 776 without my approval.

Respectfully,



LINDA LINGLE
Governor of Hawaii

JAN 19 2007

A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The purpose of this Act is to clarify the fire
2 inspection responsibilities of the State and the various
3 counties as it relates to state-owned airport facilities.

4 SECTION 2. Section 132-5, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "§132-5 Right of entry for inspection; unlawful to
7 obstruct. The county fire chief or the chief's designees may at
8 all reasonable hours enter any buildings, structures, or
9 premises within the fire chief's jurisdiction, except the
10 interior of private dwellings, to make any inspection,
11 investigation, or examination [~~which~~] that is authorized to be
12 made under this chapter. The county fire chief or the chief's
13 designees may enter any private dwelling whenever the fire chief
14 or the chief's designees have reason to believe that dangerous
15 conditions creating a fire hazard exist in the dwelling. The
16 county fire chief or the chief's designees may enter any private
17 dwelling when a fire has occurred in the dwelling. It shall be



1 unlawful to obstruct, hinder, or delay any person having the
2 right to make the inspection, investigation, or examination in
3 the performance of duty.

4 The county fire chief or the chief's designees shall make
5 an inspection of all state-owned or county-owned buildings and
6 facilities, except state-owned airport facilities, the frequency
7 of which shall be made in accordance with section 132-6, and
8 shall make a report to the authorities responsible for the
9 maintenance of any state-owned or county-owned building or
10 facility when it is found that a building or facility does not
11 meet minimum standards of fire and safety protection."

12 SECTION 3. Section 132-6, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) Each county fire chief shall, in person or by
15 officers or members of the fire chief's fire department
16 designated by the fire chief for that purpose, inspect all
17 buildings, premises, and public thoroughfares, except the
18 interiors of private dwellings, and state-owned airport
19 facilities, for the purpose of ascertaining and causing to be
20 corrected any conditions liable to cause fire, or any violation
21 of any law, ordinance, rule, or order relating to fire hazard or
22 to the prevention of fires."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.
4

INTRODUCED BY: Marianne R. Proulx
Fred Hummer
For more
Carol Fulemaga
Anil Jha

