

ACT 162

S. B. NO. 394

A Bill for an Act Relating to Volunteer Fire Stations.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 46 of the Hawaii Revised Statutes is hereby amended by adding a new section to be appropriately numbered and to read as follows:

“Sec. 46- Volunteer fire stations. The council of the several counties may establish and maintain one or more volunteer fire stations in any area or areas of the county as it may determine to be necessary to provide adequate fire protection. All necessary facilities and equipment for the volunteer fire stations may be furnished by the county. The officers, firemen or other personnel necessary for the operation or maintenance of these stations shall be selected and appointed by the fire chief partially or entirely on a voluntary non-compensatory basis and except as otherwise provided in this section. All volunteer personnel for any volunteer fire station shall serve at the pleasure of the fire chief.

The fire chief of the county shall have full authority and control over all volunteer fire stations, their equipment, apparatus, officers, firemen, and personnel, and he may designate a suitable person to be in charge of any volunteer fire station. Suitable instructors may be assigned from time to time by the fire chief to such fire stations for the training of volunteer firemen and personnel.

In case any person serving in the capacity of volunteer personnel for the fire station, including a volunteer officer or fireman, sustains any injury or dies as a result of any accident arising out of and in the course of training, or the performance of duty for such fire station, the person shall be entitled to the benefits provided for volunteer personnel in part V of chapter 386, and be considered to be an employee of the county for the purpose of obtaining compensation benefits under chapter 386. Compensation benefits shall be determined upon the basis of average weekly wages computed as set forth in section 386-51, and upon the basis of earnings from the usual employment of the person, or upon the basis of earnings at the rate of \$18 per week, whichever is most favorable to the claimant or claimants. The director of labor and industrial relations shall administer the provisions hereof in accordance with section 386-172.

Any provision to the contrary notwithstanding, volunteer personnel, including officers and firemen, shall be entitled to subsistence in amounts deemed proper by the council of the respective counties.”

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SECTION 2. This Act shall take effect upon its approval.
(Approved May 22, 1973.)