

March 24, 2011

The Honorable Mike Milburn
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Milburn:

In accordance with the powers vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 307, "AN ACT PROHIBITING STATE BUILDING CODES FROM REQUIRING MANDATORY INSTALLATION OF FIRE SPRINKLER SYSTEMS IN CERTAIN RESIDENTIAL BUILDINGS; AMENDING SECTION 50-60-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

House Bill 307 prohibits the Department of Labor and Industry, state building codes, from adopting a requirement that sprinklers be installed in certain residential buildings. Requiring sprinkler systems in large, new, rural residential subdivisions has been a controversial issue in recent years. However, new residential housing projects that have limited water supply and/or are remotely located and dependent on volunteer fire departments present serious public safety concerns.

The bill with my amendments still prohibits state building codes from adopting a state wide requirement on fire sprinklers. However, my amendments to House Bill 307 permit our state building codes to adopt a rule that would allow local jurisdictions to adopt and enforce building standards to decide how and when additional requirements for fire suppression should be required in new construction. I believe it is important to provide flexibility to local jurisdictions. Local public meetings where citizens, professional firefighters, builders and local officials debate and hopefully come to consensus on the standards will produce better results.

I respectfully request that the legislature agree to these proposed amendments.

Sincerely,

BRIAN SCHWEITZER
Governor

c Legislative Services Division

Amendments to House Bill No. 307
Reference Copy

Requested by the Governor

For the House Committee of the Whole

Prepared by Susan Byorth Fox
March 24, 2011 (4:30PM)

1. Title, line 6.

Following: line 5

Insert: "PERMITTING THE DEPARTMENT OF LABOR AND INDUSTRY TO
ADOPT RULES THAT ALLOW LOCAL JURISDICTIONS TO ADOPT AND
ENFORCE CERTAIN BUILDING STANDARDS FOR FIRE SPRINKLER
SYSTEMS;"

2. Page 1, line 24.

Following: "(5)"

Insert: "(a)"

3. Page 1, line 27.

Following: line 26

Insert: "(b) The department may adopt rules that permit a local code
enforcement program certified by the department to adopt and enforce
building standards for installation of a fire sprinkler system in a single-
family dwelling or a residential building that contains no more than two
dwelling units or for installation of other less costly, alternative methods of
fire suppression in new construction."

- END