
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 315

Session of
1977

INTRODUCED BY A. K. HUTCHINSON, FEBRUARY 14, 1977

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 14, 1977

AN ACT

1 Providing for the creation and appointment of a Fire Safety
2 Board and the appointment of a Fire Safety Commissioner.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. A State Fire Safety board is hereby created as an
6 independent agency in the State. Except in cities of the first
7 and second class, it shall have sole jurisdiction over all fire
8 and safety codes, storage and handling of all explosives, toxic
9 or hazardous chemicals, and rules and regulations that are at
10 this date in force in the several departments of the State
11 Government, with the exception of the arson investigations of
12 the Fire Marshal Division of the Pennsylvania State Police. Such
13 board shall consist of five members who shall be appointed by
14 the Governor by and with the advice and consent of the Senate
15 and three ex officio members, namely, the Deputy Secretary for
16 Safety Administration Department of Transportation, the Fire
17 Marshal, Pennsylvania State Police and the chairman of the
18 Industrial Board, Department of Labor and Industry. Appointment

1 of each board member shall be as follows: one registered
2 architect appointed for one year, thereafter the appointment
3 shall be for a term of five years; one building construction
4 engineer appointed for two years, thereafter the appointment
5 shall be for a term of five years; one chemical engineer
6 appointed for three years, thereafter the appointment shall be
7 for a term of five years; one fire safety engineer appointed for
8 four years, thereafter the appointment shall be for a term of
9 five years; one representative of the fire services in the State
10 for a term of five years, thereafter each term of office shall
11 be for five years. Such board members shall receive no salary
12 but shall be reimbursed for expenses incurred in the performance
13 of their official duties. The members of the board shall be
14 recognized leaders in their respective professions with at least
15 ten years' experience therein. The board shall submit a list of
16 five qualified applicants for the office of Fire Safety
17 Commissioner to the Governor for appointment, said appointment
18 to be made by and with the advice and consent of the Senate for
19 a term of five years. The Fire Safety Commissioner shall have at
20 least ten years' experience as a fire safety engineer or its
21 equivalent. The Fire Safety Commissioner shall preside at all
22 the meetings of the board after his appointment.

23 Section 2. The board shall appoint such deputies,
24 secretaries, officers, representatives and counsel as it may
25 deem necessary, who shall serve during its pleasure, and shall
26 also appoint such employees it may deem necessary and whose
27 duties shall be prescribed by the board and whose compensation
28 shall be fixed by the board within the appropriations available
29 therefor. The board shall establish a program of civil service
30 for the board employees as soon as practical. It shall be the

1 duty of the board through the Fire Safety Commissioner to keep a
2 full and faithful record of the proceedings of such board,
3 preserve at the general of the board all books, maps, documents
4 and papers entrusted to its care, and prepare for service such
5 papers and notices as may be required by the board. The board or
6 such officers, employees or agents of the board as may be
7 designated by the board for such purpose, shall have the power
8 to administer oaths and examine witnesses, and may issue
9 subpoenas to compel attendance of witnesses and the production
10 of all relevant and material reports, books, papers, documents,
11 correspondence and other evidence.

12 Section 3. The board shall have the sole power to adopt and
13 enforce rules and regulations pursuant to duly adopted acts of
14 the Legislature providing for the safety of persons employed,
15 housed or assembled in certain buildings and structures,
16 requiring certain construction and ways of ingress and egress,
17 equipment and maintenance, providing for the requiring of
18 submission of plans for examination and approval, and providing
19 for the promulgation of rules and regulations for the
20 enforcement of such acts.

21 Section 4. The State Fire Safety Board as an independent
22 agency shall be subject to the provisions of the act of April 9,
23 1929 (P.L.177, No.175), known as "The Administrative Code of
24 1929."

25 Section 5. This act shall take effect in 60 days.