

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1380
Judiciary

(Delegate Beitzel, *et al.*)

Public Safety - State Fire Marshal - Appointment and Term

This bill repeals the requirement for the Secretary of State Police to appoint the State Fire Marshal; instead, the Governor must make the appointment with the advice and consent of the Senate. The Governor, instead of the Secretary, is authorized to remove the State Fire Marshal, as specified.

The bill also reduces the term for the State Fire Marshal, from six years to four years, corresponding with the term of the Office of the Governor. The term of the State Fire Marshal who is in office on October 1, 2017, terminates January 15, 2019.

Fiscal Summary

State Effect: None. The change is procedural and does not directly affect governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Office of the State Fire Marshal within the Department of State Police is responsible for statewide fire, arson, and explosive investigations, enforcement of the State Fire Prevention Code, coordination of fire prevention efforts, and the collection of fire incident data.

The Secretary of State Police must appoint a State Fire Marshal from a list of three names submitted by the State Fire Prevention Commission (SFPC). At any time, the Secretary may remove the State Fire Marshal for neglect of duty or other conduct unbecoming the office.

SFPC may recommend to the Secretary that the State Fire Marshal be removed for cause. However, before removing the State Fire Marshal, the Secretary must give the State Fire Marshal timely notice with a statement of the charges and an opportunity for a public hearing on the charges. The State Fire Marshal may be represented at the hearing by counsel.

The State Fire Marshal serves for a term of six years, is in the executive service of the State Personnel Management System, and is entitled to the salary provided in the State budget. The State Fire Marshal must be a graduate of an accredited college or university and have five years of recent progressively responsible experience, at least three years of which must have been at the administrative level, in fire prevention inspection, fire investigation, fire safety promotion, fire protection engineering, firefighting, or teaching fire safety engineering.

Additional Information

Prior Introductions: None.

Cross File: SB 978 (Senator Edwards) - Education, Health, and Environmental Affairs.

Information Source(s): Governor's Office; Department of State Police; Department of Legislative Services

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md/lgc

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