

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 38A, § 7(a)(1).

This section is revised in standard language used for the creation of a unit of State government.

Defined term: "Department" § 6-101

6-302. STATE FIRE MARSHAL.

(A) APPOINTMENT.

THE SECRETARY SHALL APPOINT A STATE FIRE MARSHAL FROM A LIST OF THREE NAMES SUBMITTED BY THE COMMISSION.

(B) QUALIFICATIONS.

THE STATE FIRE MARSHAL SHALL:

(1) BE A GRADUATE OF AN ACCREDITED COLLEGE OR UNIVERSITY; AND

(2) HAVE 5 YEARS OF RECENT PROGRESSIVELY RESPONSIBLE EXPERIENCE, AT LEAST 3 YEARS OF WHICH SHALL HAVE BEEN AT THE ADMINISTRATIVE LEVEL, IN FIRE PREVENTION INSPECTION, FIRE INVESTIGATION, FIRE SAFETY PROMOTION, FIRE PROTECTION ENGINEERING, FIRE FIGHTING, OR TEACHING FIRE SAFETY ENGINEERING.

(C) TERM.

THE STATE FIRE MARSHAL SERVES FOR A TERM OF 6 YEARS.

(D) EXECUTIVE SERVICE.

THE STATE FIRE MARSHAL IS IN THE EXECUTIVE SERVICE OF THE STATE PERSONNEL MANAGEMENT SYSTEM.

(E) REMOVAL.

(1) AT ANY TIME, THE SECRETARY MAY REMOVE THE STATE FIRE MARSHAL FOR NEGLECT OF DUTY OR OTHER CONDUCT UNBECOMING THE OFFICE.

(2) THE COMMISSION MAY RECOMMEND TO THE SECRETARY THAT THE STATE FIRE MARSHAL BE REMOVED FOR CAUSE.

(3) (I) BEFORE REMOVING THE STATE FIRE MARSHAL, THE SECRETARY SHALL GIVE THE STATE FIRE MARSHAL:

1. TIMELY NOTICE WITH A STATEMENT OF THE CHARGES;
- AND
2. AN OPPORTUNITY FOR A PUBLIC HEARING ON THE CHARGES.

(II) THE STATE FIRE MARSHAL MAY BE REPRESENTED AT THE HEARING BY COUNSEL.