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Terry L. Maple, State Fire Marshal

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**Summary of Written Testimony
Senate Bill 387
To
The Senate Committee on Federal and State Affairs
By
Terry L. Maple, Acting Fire Marshal
On
February 14, 2012**

Good morning Mr Chairman and members of the Committee. My Name is Terry Maple and I am the Acting State Fire Marshal. I appreciate the opportunity to comment on 2012 Senate Bill 387 which amends the qualifications of the State Fire Marshal.

During the 2011 Interim, the Joint Committee on Legislative Budget was charged with studying and making recommendations on the Office of the State Fire Marshal. The Committee heard testimony from me and members of the Kansas fire service community regarding the operation of the OSFM. In their report to the 2012 Legislature, the Committee recommended that the OSFM be kept as a standalone agency, the qualifications for the fire marshal be reviewed and the use of an advisory committee as authorized by K.S.A. 31-135.

K.S.A. 2011 Supp. 75-1510 currently requires all candidates for State Fire Marshal to possess "not less than five years' experience in fire safety inspection and investigation." As introduced, SB 387 would amend the qualification to permit the consideration of candidates with "not less than five years' experience in safety inspection and investigation." I respectfully request that the committee also consider removing language requiring knowledge of building construction from the statute and that the "five years' experience" requirement be amended allow "inspection and/or investigation" experience. These amendments would permit the consideration of candidates who possess a broader variety of skill sets potentially vital to the operation of the Office of State Fire Marshal to include career investigators and inspectors in the pool of potential candidates.

Examples of critical skills beneficial to the State Fire Marshal candidates could include supervisory experience in the fields of fire safety inspection and investigation, industrial fire protection, public safety management, emergency services and national, state, county, municipal or military public safety management. Management experience with investigative agencies, including law enforcement and public safety administration agencies are also examples of critical skills needed in the position.

The language in the current law limits access to potentially qualified applicants. SB 387, as introduced, permits consideration of most of these skill sets, including a broader range of public safety administrators. The proposed amendments would broaden the pool of candidates and include those who have spent their careers in fire investigation or fire safety inspection, but not both, to also be considered as well. Thanks for the opportunity to comment and any consideration given this matter.

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Attachment 2
2-14-12