

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out the title and substituting the following:

**'An Act Regarding Certification and
Authorization Fees for School Personnel'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 20-A MRSA §13007, sub-§3 is enacted to read:

3. Repeal. This section is repealed July 1, 2008.

Sec. 2. 20-A MRSA §13023, sub-§6, as enacted by PL 2005, c. 457, Pt. FF, §2, is amended to read:

6. Fees. The commissioner shall assess fees for authorization under this section. ~~The fee for each initial educational technician authorization and for renewal of an educational technician authorization is \$25.~~

Sec. 3. 20-A MRSA §13024, sub-§3, as enacted by PL 2005, c. 457, Pt. FF, §3, is amended to read:

3. Fees. The commissioner shall assess fees for approvals under subsection 1. The fee is \$15 for the initial approval and for renewal. This subsection is repealed July 1, 2008.

Sec. 4. 20-A MRSA §13025 is enacted to read:

§ 13025. Certification, Authorization and Approval Fund; fees; dedicated revenue

1. Fund established. The Certification, Authorization and Approval Fund, referred to in this section as "the fund," is established as an Other Special Revenue Funds account within the department for the deposit of any fees collected for the certification, authorization and approval of educational personnel pursuant to this chapter. The purpose of the fund is to provide dedicated revenues to support the operating costs associated with the duties of the certification office. The commissioner may use this fund for the efficient administration of the certification, authorization and approval of educational personnel and for any other purpose determined necessary by the commissioner to carry out the purposes of this chapter.

2. Fees. The commissioner shall assess fees for the administration and evaluation activities related to certification as follows:

A. An initial fee and a renewal fee for teacher, education specialist and administrator certificates. The fees established by the commissioner apply for the initial certification process for those teachers, education specialists and administrators found eligible for certification and those found ineligible for certification;

- B. A renewal fee for each active and inactive administrator;
- C. A fee for each additional evaluation of teacher endorsements beyond the initial endorsement;
- D. A fee for duplicate certificates; and
- E. A fee for evaluation of administrative portfolios.

3. Dedicated revenues. All fees received pursuant to this chapter must be paid to the Treasurer of State to be placed in a separate, dedicated account and credited to the fund to be used solely by the department for carrying out the purposes of this chapter. The fund may not lapse, but must be carried forward to carry out the purposes of this chapter.

4. Budget development. On or before September 1st of even-numbered years, beginning September 1, 2008, the commissioner shall prepare estimates of the annual operating budget associated with the duties of the certification office for each fiscal year of the following biennium and shall establish a fee structure for the certification, authorization and approval of school personnel that is sufficient to provide an amount of dedicated revenues necessary to finance the operating budget associated with the duties of the certification office for each fiscal year of the following biennium.

Sec. 5. Adequacy of staffing; digital records. The estimated operating budget developed by the Commissioner of Education for the certification office pursuant to the Maine Revised Statutes, Title 20-A, section 13025 for the 2010-2011 biennium must also include funding for the following initiatives.

1. It must include sufficient dedicated revenues to support the hiring of 2 additional Office Associate II positions in the certification office as compared to the staffing levels of Office Associate II positions in the certification office in fiscal year 2006-07.

2. It must include sufficient dedicated revenues to support the conversion of paper records and files within the certification office to digital records.

This section takes effect July 1, 2008.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

EDUCATION, DEPARTMENT OF

Certification, Authorization and Approval Fund N022

Initiative: Allocates funds for one Education Team Coordinator position, 2 Education Specialist III positions, one Office Assistant II position, 3 Office Associate II positions and one Secretary position and related All Other, including funding for the capability of electronic scanning and digital document management for the Certification Office.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	8.000
Personal Services	\$0	\$535,109

All Other	\$0	\$109,424
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$644,533

Support Systems 0837

Initiative: Deappropriates funding for one Education Team Coordinator position, 2 Education Specialist III positions, one Office Assistant II position, one Office Associate II position and one Secretary position and related All Other to be funded with dedicated funds in the Certification, Authorization and Approval Fund collected from certification fees.

GENERAL FUND	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	(6.000)
Personal Services	\$0	(\$428,139)
All Other	\$0	(\$84,006)
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GENERAL FUND TOTAL	\$0	(\$512,145)

Support Systems 0837

Initiative: Deappropriates funds for 2 Office Associate II positions proposed in the Governor's recommended budget for the 2008-2009 biennium to provide additional support in the Certification Office.

GENERAL FUND	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
Personal Services	\$0	(\$106,970)
All Other	\$0	(\$5,418)
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GENERAL FUND TOTAL	\$0	(\$112,388)

Support Systems 0837

Initiative: Deappropriates funds proposed in the Governor's recommended budget for the 2008-2009 biennium to provide the capability of electronic scanning and digital document management for the Certification Office.

GENERAL FUND	2007-08	2008-09
All Other	\$0	(\$20,000)
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GENERAL FUND TOTAL \$0 (\$20,000)

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2007-08	2008-09
GENERAL FUND	\$0	(\$644,533)
OTHER SPECIAL REVENUE FUNDS	\$0	\$644,533
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

Sec. 7. Effective date. Those sections of this Act that amend the Maine Revised Statutes, Title 20-A, section 13023, subsection 6 and that enact Title 20-A, section 13025 take effect July 1, 2008.'

SUMMARY

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes and replaces the bill to establish an Other Special Revenue Funds account to provide dedicated revenues for the certification office within the Department of Education from the fees collected for the certification, authorization and approval of educational personnel. The purpose of the fund is to provide a sufficient amount of dedicated revenues to support the efficient administration of the certification office within the Department of Education beginning in fiscal year 2009-10. The amendment also adds an appropriations and allocations section to the bill.

FISCAL NOTE REQUIRED
 (See attached)