

MAINE STATE LEGISLATURE

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Report C

EDUCATION AND CULTURAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "B" to H.P. 326, L.D. 410, Bill, "An Act To Repeal the Certification and Authorization Fees for School Personnel"

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 This section is repealed July 1, 2008.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 This subsection is repealed July 1, 2008.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

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1 within the department for the deposit of any fees collected for the certification,
2 authorization and approval of educational personnel pursuant to this chapter. The
3 purpose of the fund is to provide dedicated revenues to support the operating costs
4 associated with the duties of the certification office. The commissioner may use this fund
5 for the efficient administration of the certification, authorization and approval of
6 educational personnel and for any other purpose determined necessary by the
7 commissioner to carry out the purposes of this chapter.

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

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

14 **B.** A renewal fee for each active and inactive administrator;

15 **C.** A fee for each additional evaluation of teacher endorsements beyond the initial
16 endorsement;

17 **D.** A fee for duplicate certificates; and

18 **E.** A fee for evaluation of administrative portfolios.

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

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

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

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

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

40 This section takes effect July 1, 2008.

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1 **Sec. 6. Appropriations and allocations.** The following appropriations and
2 allocations are made.

3 **EDUCATION, DEPARTMENT OF**

4 **Certification, Authorization and Approval Fund N022**

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

9	OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
10	POSITIONS - LEGISLATIVE COUNT	0.000	8.000
11	Personal Services	\$0	\$535,109
12	All Other	\$0	\$109,424
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$644,533

15 **Support Systems 0837**

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

21	GENERAL FUND	2007-08	2008-09
22	POSITIONS - LEGISLATIVE COUNT	0.000	(6.000)
23	Personal Services	\$0	(\$428,139)
24	All Other	\$0	(\$84,006)
25			
26	GENERAL FUND TOTAL	\$0	(\$512,145)

27 **Support Systems 0837**

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

31	GENERAL FUND	2007-08	2008-09
32	POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
33	Personal Services	\$0	(\$106,970)
34	All Other	\$0	(\$5,418)
35			

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1 GENERAL FUND TOTAL \$0 (\$112,388)

2 Support Systems 0837

3 Initiative: Deappropriates funds proposed in the Governor's recommended budget for the
4 2008-2009 biennium to provide the capability of electronic scanning and digital
5 document management for the Certification Office.

6	GENERAL FUND	2007-08	2008-09
7	All Other	\$0	(\$20,000)
8			
9	GENERAL FUND TOTAL	<hr/>	<hr/>
		\$0	(\$20,000)

10	EDUCATION, DEPARTMENT OF		
11	DEPARTMENT TOTALS	2007-08	2008-09
12			
13	GENERAL FUND	\$0	(\$644,533)
14	OTHER SPECIAL REVENUE FUNDS	\$0	\$644,533
15			
16	DEPARTMENT TOTAL - ALL FUNDS	<hr/>	<hr/>
		\$0	\$0

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

20 **SUMMARY**

21 This amendment is the minority report of the Joint Standing Committee on Education
22 and Cultural Affairs. The amendment strikes and replaces the bill to establish an Other
23 Special Revenue Funds account to provide dedicated revenues for the certification office
24 within the Department of Education from the fees collected for the certification,
25 authorization and approval of educational personnel. The purpose of the fund is to
26 provide a sufficient amount of dedicated revenues to support the efficient administration
27 of the certification office within the Department of Education beginning in fiscal year
28 2009-10. The amendment also adds an appropriations and allocations section to the bill.

29 **FISCAL NOTE REQUIRED**
30 (See attached)

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123rd MAINE LEGISLATURE

LD 410

LR 1861(03)

An Act To Repeal the Certification and Authorization Fees for School Personnel

Fiscal Note for Bill as Amended by Committee Amendment "B"
 Committee: Education and Cultural Affairs
 Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$0	\$500,355	\$483,873	\$466,884
Appropriations/Allocations				
General Fund	\$0	(\$644,533)	(\$661,015)	(\$678,004)
Other Special Revenue Funds	\$0	\$644,533	\$661,015	\$678,004
Revenue				
General Fund	\$0	(\$1,144,888)	(\$1,144,888)	(\$1,144,888)
Other Special Revenue Funds	\$0	\$644,533	\$661,015	\$678,004

Fiscal Detail and Notes

This legislation results in a net cost to the General Fund of \$500,355 in fiscal year 2008-09.

The bill includes General Fund deappropriations totaling \$644,533 in fiscal year 2008-09 and corresponding Other Special Revenue Funds allocations to reflect the transfer of positions in the Certification Office within the Department of Education from the General Fund to the Certification, Authorization and Approval Fund established as a dedicated fund within the department. Of that amount, \$512,145 reflects the transfer of 6 existing positions including 1 Education Team Coordinator position, 2 Education Specialist III positions, 1 Office Assistant II position, 1 Office Associate II position and 1 Secretary position and related all other. The balance of \$132,388 reflects the transfer of the additional 2 Office Associate positions and related all other, including funds to provide the capability of electronic scanning and digital document management, that is included in the Governor's recommended budget for the 2008-2009 biennium to provide additional support to the Certification Office.

This bill also reflects the reduction in General Fund revenue from certification fees totaling \$1,144,888 in fiscal year 2008-09. Of this amount, \$1,032,500 reflects the amount currently included in the revenue projections developed by the Revenue Forecasting Committee. The balance of \$112,388 reflects additional revenue included in the Governor's recommended budget for the 2008-2009 biennium that is expected to be generated above what is reflected in the current revenue projections.

It is important to note that this fiscal note assumes that the proposals put forth in the Governor's recommended budget for the 2008-2009 biennium that are related to the Certification Office within the Department of Education are approved by the Legislature. If these proposals are not approved, this fiscal note will need to be amended.