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2004 Regular Session 4lr0163

By: Chairman, Ways and Means Committee (By Request - Departmental -

Education)

Introduced and read first time: January 21, 2004

Assigned to: Ways and Means

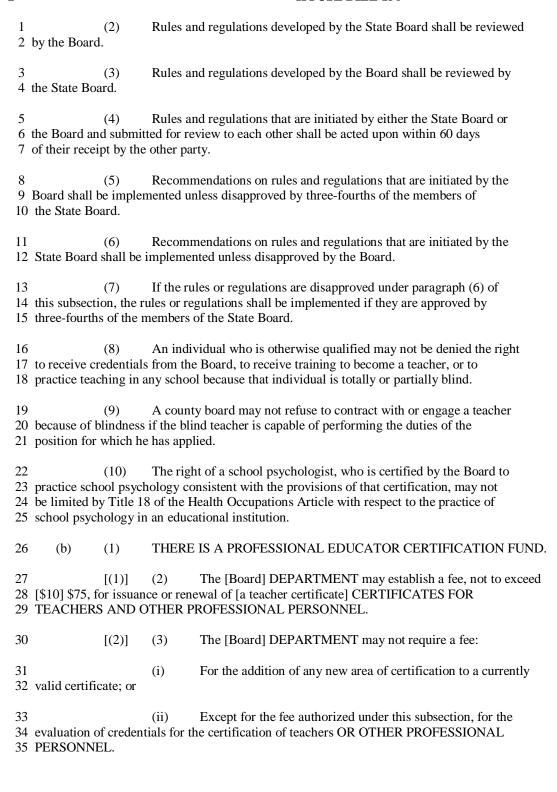
A BILL ENTITLED

1 AN ACT concerning

2 Education - Professional Educator Certification Fund

- 3 FOR the purpose of establishing the Professional Educator Certification Fund;
- 4 authorizing the State Department of Education to set certain fees; requiring the
- 5 Department to pay certain fees to the Comptroller; requiring the Comptroller to
- 6 distribute certain fees to the Fund; describing certain purposes of the Fund;
- 7 making the Fund continuing and nonlapsing; providing that unspent portions of
- 8 the Fund may not be transferred or reverted to the General Fund of the State;
- 9 providing that the Fund is subject to audit by the legislative auditor; and
- 10 generally relating to public education and the Professional Educator
- 11 Certification Fund.
- 12 BY repealing and reenacting, with amendments,
- 13 Article Education
- 14 Section 6-704
- 15 Annotated Code of Maryland
- 16 (2001 Replacement Volume and 2003 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 18 MARYLAND, That the Laws of Maryland read as follows:
- 19 Article Education
- 20 6-704.
- 21 (a) (1) In accordance with Title 10, Subtitle 1 of the State Government
- 22 Article, both the State Board and the Board shall develop for consideration rules and
- 23 regulations for:
- 24 (i) The certification of teachers and other professional personnel in
- 25 accordance with this article; and
- 26 (ii) Requirements for preparation of teachers and other education
- 27 personnel.

HOUSE BILL 156



HOUSE BILL 156

- 1 (4) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
- 2 APPROXIMATE THE COST OF MAINTAINING THE FUNCTIONS NECESSARY TO ISSUE
- 3 AND RENEW CERTIFICATES FOR TEACHERS AND OTHER PROFESSIONAL EDUCATOR
- 4 PERSONNEL.
- 5 (5) THE DEPARTMENT SHALL PAY ALL FEES COLLECTED UNDER THIS
- 6 SECTION TO THE COMPTROLLER OF THE STATE.
- 7 (6) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE 8 PROFESSIONAL EDUCATOR CERTIFICATION FUND.
- 9 (C) (1) THE PROFESSIONAL EDUCATOR CERTIFICATION FUND SHALL BE
- 10 USED TO COVER THE ACTUAL DOCUMENTED DIRECT AND INDIRECT COSTS OF
- 11 FULFILLING THE STATUTORY AND REGULATORY DUTIES OF THE DEPARTMENT WITH
- 12 RESPECT TO THE ISSUANCE AND RENEWAL OF CERTIFICATES FOR TEACHERS AND
- 13 OTHER PROFESSIONAL EDUCATORS.
- 14 (2) THE FUND IS A CONTINUING, NONLAPSING FUND, NOT SUBJECT TO § 15 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.
- 16 (3) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE TRANSFERRED
- 17 OR REVERTED TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE
- 18 FUND TO BE USED FOR THE PURPOSES SPECIFIED IN THIS SECTION.
- 19 (D) THE PROFESSIONAL EDUCATOR CERTIFICATION FUND IS SUBJECT TO
- 20 AUDIT BY THE LEGISLATIVE AUDITOR AS PROVIDED UNDER § 2-1220 OF THE STATE
- 21 GOVERNMENT ARTICLE.
- 22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
- 23 effect July 1, 2004.