

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 557

S.P. 215

In Senate, February 14, 1995

**An Act to Require the Escrowing of the Salary of a School Administrator
or Employee Arrested for Certain Crimes.**

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator LORD of York.
Cosponsored by Senators: CAREY of Kennebec, LONGLEY of Waldo, Representatives:
McALEVEY of Waterboro, WATERHOUSE of Bridgton.

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 20-A MRSA §13803** is enacted to read:

6 **§13803. School employees; salary escrow for certain crimes**

8 Notwithstanding any other provision of law, a school board shall escrow in an interest-bearing account the salary of a school employee who is arrested and charged with a violation of a provision of Title 17-A, chapter 11 or 45, subject to the following disposition.

12 **1. Payment to employee.** The school administrative unit shall pay the escrowed salary and accrued interest to the employee in the following cases:

14 **A. The charges are dropped;**

16 **B. The employee is found not guilty;**

18 **C. The employee pleads to a lesser offense; or**

20 **D. The employee is convicted of a lesser offense.**

22 **2. Reversion to school administrative unit.** The escrowed salary and accrued interest revert to the school administrative unit if the employee pleads guilty to or is found guilty of the violation charged.

24 For purposes of this section, the term "school employee" or "employee" means a person employed under a contract to the school administrative unit and includes, without limitation, administrators, teachers, other professional staff and nonprofessional staff.

26 **STATEMENT OF FACT**

28 **40** This bill escrows the salary of a school employee charged with sexual abuse or with drug-related crimes. If the employee is convicted of or pleads guilty to the crime charged, the escrowed funds revert to the school administrative unit; otherwise the employee receives the funds.