

MAINE STATE LEGISLATURE

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No. 769

H.P. 587

House of Representatives, February 13, 2007

An Act To Establish the Missing Senior Citizen Alert Program

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative CAMPBELL of Newfield.
Cosponsored by Senator BRANNIGAN of Cumberland and
Representatives: CONNOR of Kennebunk, FINLEY of Skowhegan, GROSE of Woolwich,
LEWIN of Eliot, PERRY of Calais, WALKER of Lincolnville, Senators: NASS of York,
RAYE of Washington.

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

2 **Sec. 1. 25 MRSA c. 259** is enacted to read:

3 **CHAPTER 259**

4 **MISSING SENIOR CITIZEN ALERT PROGRAM**

5 **§2201. Short title**

6 This chapter may be known and cited as "the Missing Senior Citizen Alert Program."

7 **§2202. Definitions**

8 As used in this chapter, unless the context otherwise indicates, the following terms
9 have the following meanings.

10 **1. Clearinghouse.** "Clearinghouse" means the Missing Senior Citizen Clearinghouse
11 as established under section 2204.

12 **2. Commissioner.** "Commissioner" means the Commissioner of Public Safety.

13 **3. Department.** "Department" means the Department of Public Safety.

14 **4. Director.** "Director" means the director of clearinghouse.

15 **5. Missing senior citizen.** "Missing senior citizen" means a person:

16 A. Who is 60 years of age or older and who has a verified impaired mental
17 condition;

18 B. Whose temporary or permanent residence is in or is believed to be in this State;

19 C. Whose location is not determined; and

20 D. Whose disappearance poses a credible threat to the safety and health of the person
21 as determined by a local law enforcement agency.

22 **§2203. Missing senior citizen report**

23 **1. Report.** A family member or legal guardian of a missing senior citizen shall
24 submit a missing senior citizen report together with documentation of the missing senior
25 citizen's impaired mental condition to the local law enforcement agency.

26 **2. Filing of report.** On the filing of a missing senior citizen report under subsection
27 1 by the senior citizen's family member or legal guardian, the law enforcement agency
28 receiving written notification shall immediately:

29 A. Notify the department;

30 B. Inform all on-duty law enforcement officers in the county where the senior citizen
31 was reported missing of the missing senior citizen;

1 C. Communicate the report to every other law enforcement agency having
2 jurisdiction in the county in which the report was filed;

3 D. Enter the report under subsection 1 for inclusion in the computer files on missing
4 senior citizens of the department and the National Crime Information Center or its
5 successor; and

6 E. Submit information in the missing senior citizen report to the clearinghouse.

7 **3. Alert.** When the local law enforcement agency has verified that a senior citizen is
8 missing and has an impaired mental condition, the agency shall issue an alert.

9 A. The alert must be sent to designated media outlets in the State, participating radio
10 stations and television stations who shall issue the alert at designated intervals as
11 determined by rule.

12 B. The alert must include all appropriate information from the local law enforcement
13 agency that may assist in the safe recovery of a missing senior citizen. The alert must
14 include a statement instructing anyone with information related to the missing senior
15 citizen to contact that person's local law enforcement agency.

16 C. The alert is cancelled when the local law enforcement agency has found the
17 missing senior citizen or the department has been notified that the missing senior
18 citizen has been found.

19 D. A law enforcement agency that locates a missing senior citizen who is the subject
20 of an alert shall notify the local law enforcement agency and the department as soon
21 as possible that the missing senior citizen has been found.

22 **§2204. Missing Senior Citizen Clearinghouse**

23 **1. Establishment; purpose.** The Missing Senior Citizen Clearinghouse is
24 established within the department as a central repository of information regarding missing
25 senior citizens. That information must be collected and disseminated.

26 **2. Commissioner; duties.** The commissioner shall appoint a director who shall
27 supervise the clearinghouse. The commissioner shall establish services determined
28 appropriate to aid in the location of missing senior citizens.

29 **3. Director; duties.** The director shall:

30 A. Establish a system of intrastate communication of information related to missing
31 senior citizens who are determined missing by their families or legal guardians or by
32 a law enforcement agency;

33 B. Provide a centralized file for the exchange of information on missing senior
34 citizens in the State;

35 C. Interface with the National Crime Information Center, or its successor, for the
36 exchange of information; and

37 D. Collect, process, maintain and disseminate information on missing senior citizens
38 and strive to maintain or disseminate accurate and complete information.

