

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

SAK
ROES

L.D. 28

2 Date: 4/16/21

(Filing No. S-43)

3 **CRIMINAL JUSTICE AND PUBLIC SAFETY**

4 Reproduced and distributed under the direction of the Secretary of the Senate.

5 **STATE OF MAINE**

6 **SENATE**

7 **130TH LEGISLATURE**

8 **FIRST SPECIAL SESSION**

9 COMMITTEE AMENDMENT "A" to S.P. 36, L.D. 28, "An Act To Create an Alert
10 System To Notify the Public When a Person with an Intellectual or Developmental
11 Disability Is Missing"

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

13 **'An Act To Update the Silver Alert Program To Include Missing Endangered Persons'**

14 Amend the bill by striking out everything after the enacting clause and inserting the
15 following:

16 **'Sec. 1. 25 MRSA §2201**, as enacted by PL 2009, c. 583, §1, is amended to read:

17 **§2201. Definitions**

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

20 **1. Department.** "Department" means the Department of Public Safety.

21 **2. ~~Missing senior citizen.~~** "Missing senior citizen" means a person:

22 ~~A. Who at the time the person is first reported missing is 60 years of age or older or,~~
23 ~~under extraordinary circumstances, a person 18 to 59 years of age who also meets the~~
24 ~~criteria in paragraphs B and C;~~

25 ~~B. With respect to whom there is a clear indication that the person has an irreversible~~
26 ~~deterioration of intellectual faculties such as dementia, as determined by a local law~~
27 ~~enforcement agency; and~~

28 ~~C. Whose disappearance poses a credible threat to the safety and health of the person~~
29 ~~as determined by a local law enforcement agency.~~

30 **3. Media.** "Media" means print, radio, Internet-based communication systems or other
31 methods of communicating information to the public.

32 **3-A. Missing endangered person.** "Missing endangered person" means a person who
33 is believed to be in danger because of the person's age, mental or physical health or

R.O.F.S

intellectual or developmental disability, because of environmental or weather conditions or because the person is missing in dangerous, unexplained, involuntary or suspicious circumstances as determined by a local law enforcement agency.

4. **Silver Alert.** "Silver Alert" means a notice provided under this chapter to the public through law enforcement agencies and the media.

5. **Silver Alert Program.** "Silver Alert Program" means the statewide alert program for missing ~~senior citizens~~ endangered persons developed and implemented under this chapter.

Sec. 2. 25 MRSA §2202, as enacted by PL 2009, c. 583, §1, is amended to read:

§2202. Silver Alert Program

In accordance with this chapter and with the cooperation of the Department of Transportation, the Maine Turnpike Authority, a statewide organization representing broadcast groups in the State, the Office of the Governor and appropriate law enforcement agencies, the department shall develop and implement the Silver Alert Program to be activated on behalf of missing ~~senior citizens~~ endangered persons. The program must include standards of procedure for local law enforcement agencies to determine that a missing person is a missing ~~senior citizen~~ endangered person, to determine information to be released regarding the missing endangered person or the circumstances of the person's disappearance and to appropriately activate a Silver Alert to local or statewide law enforcement agencies and to the media, a plan for providing relevant information to the public through an existing system of dynamic message signs located across the State when necessary and training for all law enforcement officers. The Silver Alert Program must be developed and implemented using existing resources.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This committee amendment replaces the bill and changes its title. It updates the existing Silver Alert Program within the Department of Public Safety to include missing endangered persons. "Missing endangered person" is defined as a person who is believed to be in danger because of the person's age, mental or physical health or intellectual or developmental disability, because of environmental or weather conditions or because the person is missing in dangerous, unexplained, involuntary or suspicious circumstances as determined by a local law enforcement agency.

FISCAL NOTE REQUIRED
(See attached)

COMMITTEE AMENDMENT



130th MAINE LEGISLATURE

LD 28

LR 353(02)

An Act To Create an Alert System To Notify the Public When a Person with an Intellectual or Developmental Disability Is Missing

Fiscal Note for Bill as Amended by Committee Amendment "A" (S-43)

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the Department of Public Safety associated with training can be absorbed within existing budgeted resources.