



130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 28

S.P. 36

In Senate, January 13, 2021

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

Received by the Secretary of the Senate on January 11, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant".

DAREK M. GRANT
Secretary of the Senate

Presented by Senator STEWART of Aroostook.
Cosponsored by Representative: UNDERWOOD of Presque Isle.

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

2 Sec. 1. 25 MRSA c. 261 is enacted to read:

3 **CHAPTER 261**

4 **ALERT SYSTEM TO NOTIFY THE PUBLIC OF A MISSING PERSON WITH**
5 **AN INTELLECTUAL OR DEVELOPMENTAL DISABILITY**

6 **§2231. Alert system to notify the public of a missing person with an intellectual or**
7 **developmental disability**

8 In accordance with this chapter and with the cooperation of the Department of
9 Transportation, the Maine Turnpike Authority, a statewide organization representing
10 broadcast groups in the State, the Office of the Governor and appropriate law enforcement
11 agencies, the Department of Public Safety shall develop and implement an alert system to
12 be activated on behalf of missing persons with intellectual or developmental disabilities.
13 The alert system must include standards of procedure for local law enforcement agencies
14 to determine that a missing person is a person with an intellectual or developmental
15 disability and appropriately activate an alert to local or statewide law enforcement agencies
16 and to the media, including print, radio, Internet-based communication systems and other
17 methods of communicating information to the public; a plan for providing relevant
18 information to the public through an existing system of dynamic message signs located
19 across the State when necessary; and training for all law enforcement officers. The alert
20 system must be developed and implemented using existing resources.

21 **SUMMARY**

22 This bill requires the Department of Public Safety to develop and implement an alert
23 system to be activated on behalf of missing persons with intellectual or developmental
24 disabilities.

COMMITTEE VOTING TALLY SHEET

LD # or Confirmation: LD 28

Committee: Criminal Justice and Public Safety

Date: 03/03/2021

Motion: Ought To Pass As Amended

Motion by: Rep. Pickett

Seconded by: Sen. Cyrway

Those Voting in Favor of the Motion	Recommendation of those opposed to the Motion					Absent	Abstain

Senators

Sen. Deschambault						X	
Sen. Cyrway	X						
Sen. Lawrence						X	

Representatives

Rep. C. Warren	X						
Rep. Costain	X						
Rep. Lookner	X						
Rep. Morales	X						
Rep. Newman	X						
Rep. Pickett	X						
Rep. Pluecker	X						
Rep. Reckitt	X						
Rep. Rudnicki	X						
Rep. Sharpe	X						

SENATE REPORT

THE COMMITTEE ON Criminal Justice and Public Safety

to which was referred the following:

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

S.P. 36

L.D. 28

has had the same under consideration, and asks leave to report that the same
OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT " "

	of York
(Signature) SEN. DESCHAMBAULT	For the Committee
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1

Date:

(Filing No. S-)

2

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CRIMINAL JUSTICE AND PUBLIC SAFETY

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

5

STATE OF MAINE

6

SENATE

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9

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

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11

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 following:

15

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 have the following meanings.

19

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, under extraordinary circumstances, a person 18 to 59 years of age who also meets the criteria in paragraphs B and C;~~

23

24

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

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

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

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

33

COMMITTEE AMENDMENT

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

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

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

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

10 **§2202. Silver Alert Program**

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

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

26 **SUMMARY**

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

FISCAL NOTE REQUIRED
(See attached)

Approved: 03/09/21 *MJC*



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 " "
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.

Date:

(Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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STATE OF MAINE

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FIRST REGULAR SESSION

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

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

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

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

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

§2201. Definitions

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

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

2. Missing senior citizen. "Missing senior citizen" means a person:

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

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

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

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

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

COMMITTEE AMENDMENT