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Date: (Filing No. S-)

CRIMINAL JUSTICE AND PUBLIC SAFETY

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**STATE OF MAINE
SENATE
130TH LEGISLATURE
FIRST SPECIAL 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

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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.