

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

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

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

CHAPTER 259

SILVER ALERT PROGRAM

§ 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.
- 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 developed and implemented under this chapter.

§ 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. The program must include standards of procedure for local law enforcement agencies to determine that a missing person is a missing senior citizen and 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.'

SUMMARY

This amendment, which is the majority report, replaces the bill. It requires the Department of Public Safety to develop a Silver Alert Program for missing senior citizens in cooperation with the Department of Transportation, the Maine Turnpike Authority, the Office of the Governor, a statewide organization representing broadcast groups in the State and appropriate law enforcement agencies. The Silver Alert Program must include standards of procedure for receiving reports of a missing person with an irreversible deterioration of intellectual faculties such as dementia and activating a Silver Alert at the appropriate local or statewide level and a plan for alerting the public through the media and highway message signs. The Silver Alert Program must also include appropriate training for all law enforcement officers. The program and training must be developed and implemented within existing resources. The amendment removes the requirement for Board of Trustees of the Maine Criminal Justice Academy to establish mandatory minimum standards by January 1, 2011 and for law enforcement agencies to certify that their policies are consistent with those standards.