

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 705

H.P. 521

House of Representatives, February 25, 1993

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**An Act to Repeal the Sterilization Procedures Review Committee.**

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Submitted by the Department of Mental Health and Mental Retardation pursuant to Joint Rule 24.

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PENDLETON of Scarborough.

Cosponsored by Representatives: CARROLL of Gray, RYDELL of Brunswick.

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

2                   **Sec. 1. 5 MRSA §12004-I, sub-§67,** as enacted by PL 1987, c.  
4 786, §5, is repealed.

6                   **Sec. 2. 34-B MRSA §7014, sub-§1,** as enacted by PL 1983, c.  
8 459, §7, is amended to read:

10                   **1. Confidentiality of proceedings and records.** All court  
12 proceedings occurring under this chapter ~~shall---be~~ are  
14 confidential and closed to the public, unless the person seeking  
16 sterilization or being considered for sterilization, personally  
18 or through ~~his~~ an attorney, requests that the proceedings be open  
to the public. Records of the court proceedings ~~shall~~ are not be  
open to inspection by the public, ~~---except---under---section---7017,~~  
without the consent, personally or through ~~his~~ an attorney, of  
the person seeking sterilization or for whom sterilization is  
being considered.

20                   **Sec. 3. 34-B MRSA §7017,** as amended by PL 1985, c. 295, §50,  
22 is repealed.

24  
26                   **STATEMENT OF FACT**

28                   This bill repeals the Sterilization Procedures Review  
30 Committee. The need for the committee has ceased to exist along  
32 with the cases it was established to review. The very active  
role of probate courts through guardianship in ensuring the  
rights of persons with mental illness or mental retardation has  
clearly played a role in the lack of need for the committee.