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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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January 20, 1999

MEMORANDUM

SUBJECT: Proposed Legislation

TO: All House Members

FROM: Representative Larry O. Sather *LOS*

In the near future, I will be reintroducing legislation (previously HB1835 of last session) concerning provisions of the Decedents, Estates and Fiduciaries Code regulating the discovery of information and records regarding actions of an attorney-in-fact. Generally, this legislation permits the Department of Aging, pursuant to its regulatory and investigative duties, when interested in the welfare of a person for whom an attorney-in-fact has been appointed to petition the court for information concerning the power of attorney. This legislation provides for notice and a hearing before the release of any information. To further protect the attorney-in-fact this legislation provides for sanctions if the discovery request is used for harassment purposes.

Currently, there is no statute which directly addresses the situation involved within this legislation. Adoption of this legislation provides for a procedure for a further independent "check and balance" on the action of an attorney-in-fact. Also, adoption of this legislation would permit many potential conflicts between the Department of Aging and an attorney-in-fact to be resolved amicably and informally without the need for litigation.

This legislation is supported by the Department of Aging and has been previously reported unanimously by the Judiciary Committee in two prior sessions.

If you wish to cosponsor this legislation, please contact Nancy Paone at 7-3335, via GroupWise or at npaone@pahousegop.com.

LOS/nlp

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April 12, 1999

MEMORANDUM

SUBJECT: HB227

TO: Jane Mendlow

FROM: Representative Larry O. Sather

A handwritten signature in cursive script that reads "Larry O. Sather".

In response to your call regarding information on HB227, I can tell you that this legislation was considered last session as HB1835 and was reported out of Judiciary Committee on 11/25/97. It was re-referred to Appropriations Committee on 1/27/98. The legislation was originally introduced in the 1995-96 session by Rep. Elaine Farmer and passed by the Judiciary Committee, but never found its way to the House floor.

I am sending along a copy of the Bill Summary that I was provided and an article which addresses this issue also.

We believe that since there is no current statute on this situation that it needs to be addressed.

Bob Klugiewicz, Department of Aging, is very familiar with this legislation and the Dept. supports it. Perhaps he could be of help to you.

Please contact Nancy in my Harrisburg office if there is something further you may need.

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June 10, 1999

The Honorable Robert C. Jubelirer
President Pro Tempore
Senate of Pennsylvania
Room 292 - Main Capitol
Harrisburg, PA 17120

Dear Bob:

On June 7th, House Bill 227, which I sponsored, was passed unanimously in the House and is on its way to the Senate. I am enclosing copies of the legislation for your perusal.

I would appreciate any effort to see that this legislation moves expeditiously through the Senate process. Should you have any questions, please do not hesitate to call me.

I thank you in advance for your consideration of this request.

Regards,



Larry O. Sather

LOS/nlp

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House of Representatives

COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

September 28, 1999

COMMITTEES

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The Honorable Timothy F. Murphy
Chairman
Aging & Youth Committee
Senate of Pennsylvania
Room 459 - Main Capitol
Harrisburg, PA 17120

Dear Tim:

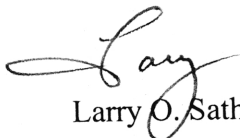
House Bill 227, of which I am the prime sponsor, passed the House unanimously in June and is currently in the Senate Aging & Youth Committee.

I would respectfully request that House Bill 227 be given every consideration for placement on the agenda of the Committee in this Fall session.

The Department of Aging and AARP have given their support to this much needed legislation which will aid our seniors and help prevent their exploitation.

Your assistance and kind consideration of this request would be greatly appreciated. I am available at any time for further discussion of this proposal.

Sincerely,


Larry O. Sather

LOS/nlp