

MAINE STATE LEGISLATURE

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Feb. 2, 1943

Alfred W. Perkins, Comm'r

Insurance

Frank A. Farrington, Deputy

Attorney General

Power of Attorney

In accordance with your memo of January 28th, we have been over the letter and proposed form for power of attorney attached to said memo.

It is suggested that the letter to the companies make it plain that this step is permissive only and that whether it shall be adopted is entirely up to the insurance companies involved in the first instance, and the agent thereafter.

As regards the form of the power, it seems to this department that the paragraph beginning: "To perform for me/us all and every act and deed" is too broad, and it is suggested that this paragraph, or section, be omitted and that the paragraph reading: "in the State of Maine, my/our true and lawful attorney in fact for me/us and in my/our name to make, execute, sign and deliver all policies of insurance, endorsements, certificates and binders, which may be issued by me/us as agents of the said _____ company", be changed to read as follows:

"in the State of Maine, my/our true and lawful Attorney-in-Fact for me/us, and in my/our name, to make, execute, sign and deliver all policies of insurance, endorsements, certificates and binders, including the countersignature of fidelity or surety bonds which may be issued by me/us as agents of the said _____ company, but nothing contained herein shall be construed as including the right to execute any fidelity or surety bond or to perform any other function other than clerical functions."

We find nothing in the statutes which would prohibit your department from taking the stand indicated in your proposed letter.

Frank A. Farrington
Deputy Attorney General

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