

August 15, 1988

SUBJECT: INSURANCE

WITHDRAWN

Circular Letter No. 19 (1988)

TO: ALL PURCHASING GROUPS DOING BUSINESS IN THIS STATE AND ALL INSURERS LICENSED TO WRITE PROPERTY/CASUALTY' INSURANCE IN THIS STATE

SUBJECT: REGISTRATION OF PURCHASING GROUPS - FORMS

.A. purchasing group doing business in New York is. required by the federal Liability Risk Retention Act of 1986 ("LRRRA") and, on and after December 10, 1988, by Section 5908(d) of the Insurance Law to register with and designate the Superintendent As its agent for the purpose of receiving service of legal documents or process. Insurance Department Regulation No. 134 entitled "Purchasing Groups" contains rules regarding the proper method by which purchasing groups are to register. The purpose of this circular letter is to provide sample forms which contain the provisions required by the Regulation.

Section 301.8(b) of the Regulation contains the registration requirements applicable to purchasing groups which are currently doing business in this state or which intend to do so prior to December 10, 1988. Section 301.9(b) of the Regulation contains the registration requirements applicable to purchasing groups which intend to do, business in this State on or after December 10, 1988. There are no substantive differences in the registration requirements applicable prior to or after December 10, 1988. Sample forms meeting these requirements are attached hereto. If a purchasing group chooses not to use the sample forms, the documents submitted must be fully executed and certified and contain the provisions. required by the Regulation.

Pursuant to Sections 301.8(f) and 301.9(d) of the Regulation, the registration shall be accompanied by a registration fee of one hundred (\$ 100) dollars.

[SIGNATURE]

JAMES P. CORCORAN

Superintendent of Insurance

APPOINTMENT OF SUPERINTENDENT OF INSURANCE AS ATTORNEY FOR PURCHASING GROUP

The a purchasing group organized under and by virtue of the laws of the State of , having notified the Superintendent of Insurance of the State of New York of its intention to do business in this State as a purchasing group pursuant to the federal Liability Risk Retention Act of 1986 and Article 59 of the Insurance Law, hereby appoints the Superintendent of Insurance of the State of New York, any successor in office, and any authorized deputy its true and lawful attorney, in and for the State of New York, upon whom all legal documents or process in any proceeding against it may be served. This power of attorney is made pursuant to a resolution by the purchasing group's governing body or empowered person authorizing it, and a certified copy of the resolution is attached hereto. This appointment shall be binding upon any person or corporation which as successor acquires the purchasing group's assets and assumes its

liabilities by merger, consolidation or otherwise, and shall not be terminated by the purchasing group or such successor so long as any contracts or liabilities or duties arising out of contracts entered into by the purchasing group while it was doing business in New York are in effect.

IN WITNESS WHEREOF, the said in accordance with the resolution of its governing body or empowered person duly passed on the , 19 \$ has affixed its corporate seal, and caused the same to be subscribed and attested in its name by its President and Secretary at the City Of in the State of on 19 .

, President

, Secretary

State of

County of

On this day of , 19 , before me, the subscriber, a , duly appointed to take the proof and acknowledgment of deeds and other instruments, came , President, and , Secretary of the to me personally known to be the individuals described in and who executed the preceding instrument; and they each duly acknowledged With execution of the same and being by me each duly sworn, severally and each for her/himself, deposed and said, that they were the said officers of aforesaid.

IN TESTIMONY WHEREOF, I have signed and affixed my' official seal at the City of , State of on , 19 .

(Seal with expiration date and signature)

CERTIFICATE OF DESIGNATION BY PURCHASING GROUP

This to certify that the a purchasing group duly organized under and by virtue of the laws of the State of , hereby designates:

(Name)

(Address)

(City, town or village)

(State and Zip Code)

as its officer, agent or other person to whom shall be forwarded all legal documents or process served upon the Superintendent of Insurance of the State of New York, any successors in office, or any authorized deputy pursuant to the power of attorney filed by the foregoing purchasing group. This designation shall continue in full force and effect until, superseded by a new designation.

(Name of purchasing group)

By:

President (date)

and

Secretary (date)

State of

County of

On this    day of    , 19, before me, the subscriber, a    , duly appointed to take the proof and acknowledgment of deeds and other instruments, came    , President, and    , Secretary of the    to me personally known to be the individuals described in and who executed the preceding instrument and they each duly acknowledged with execution of the same and being by me each duly sworn severally and each for her/himself, deposed and said, that they were the said officers of    aforesaid.

IN. TESTIMONY WHEREOF, I have signed and affixed my official seal at the City of    State of    , on    , 19

(Seal with expiration date and signature)