

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

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**Legislative Document**

**No. 895**

H. P. 639

House of Representatives, February 15, 1967

Referred to Committee on Public Utilities. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Hewes of Cape Elizabeth.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SIXTY-SEVEN

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**AN ACT Relating to Northern Utilities, Inc.**

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**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment of the Legislature except in case of emergencies; and

Whereas, Lewiston Gas Light Company and 3 other corporations were duly merged with and into Portland Gas Light Company pursuant to an Agreement of Merger dated as of June 22, 1966 and in accordance with the laws of this State, and the name of the surviving corporation was duly changed by the merger to Northern Utilities, Inc., and the merger became effective July 31, 1966; and

Whereas, Lewiston Gas Light Company was, and Northern Utilities, Inc., formerly Portland Gas Light Company, is chartered by private and special laws of this State; and

Whereas, Northern Utilities, Inc. is desirous of bringing the benefits of natural gas to its Lewiston-Auburn distribution system as soon as feasible; and

Whereas, the following legislation may be necessary to allow Northern Utilities, Inc. to introduce natural gas into the Lewiston-Auburn area during 1967; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

**Sec. 1. Corporate name; powers and privileges.** Northern Utilities, Inc., a corporation duly organized and existing under the laws of this State, is authorized and empowered to borrow money, and issue its bonds, notes or other evidences of indebtedness, secured or unsecured, without limit as to amount or otherwise, in accordance with the public laws of this State relating to corporations as amended from time to time, and subject to the public laws of this State relating to public utilities as amended from time to time, anything in the private and special laws of this State heretofore enacted to the contrary notwithstanding.

**Sec. 2. Authorized capital.** The authorized capital of Northern Utilities, Inc., and the division of the same into shares, with par value, and the classification thereof established in the Agreement of Merger dated as of June 22, 1966 is declared to be the legal capital of Northern Utilities, Inc., and Northern Utilities, Inc. is authorized and empowered to increase or decrease its authorized capital stock, change the number or par value of its shares or their classifications, change shares with par value into an equal or different number of shares without par value or shares without par value into an equal or different number of shares either with or without par value, and otherwise change its authorized capital stock and its division into shares in accordance with the public laws of this State relating to corporations as amended from time to time and subject to the public laws of this State relating to public utilities as amended from time to time, anything in the private and special laws of this State heretofore enacted to the contrary notwithstanding.

**Sec. 3. Bylaws: P. & S. L., 1849, c. 288, § 7, repealed.** The management of the affairs of Northern Utilities, Inc. shall be in accordance with its bylaws and the public laws of this State relating to corporations as amended from time to time, and section 7 of chapter 288 of the private and special laws of 1849 is repealed.

**Sec. 4. Eminent domain.** Northern Utilities, Inc. is authorized and empowered to take and hold lands or rights therein by right of eminent domain for the same purposes, to the same extent, in the same manner and under the same conditions as intrastate natural gas pipeline companies under the Revised Statutes of 1964, Title 35 chapter 181, and acts amendatory thereof and additional thereto, without further authorization.

**Sec. 5. P. & S. L., 1849, c. 288, § 12, repealed.** Section 12 of chapter 288 of the private and special laws of 1849 is repealed.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.