

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

EIGHTY-SECOND LEGISLATURE

S. P. No. 295

S. D. No. 113

In Senate, Feb. 19, 1925.

Referred to Committee on Public Utilities and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Cram of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-FIVE

AN ACT to Amend Section 37 of Chapter 55 of the Revised Statutes, as Amended by Chapter 128 of the Public Laws of 1919, Relating to the Approval of Stocks, Bonds and Notes.

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

Section 37 of Chapter 55 of the Revised Statutes, as
2 amended by Chapter 128 of the Public Laws of 1919, is
3 hereby further amended by adding after the word "facili-
4 ties" in the twelfth line of said section, as amended, the
5 words 'or for the discharge or lawful refunding of its obli-
6 gations,' so that said section, as amended, shall read as
7 follows:

'Sect. 37. Any public utility now organized and existing,

2 and doing business in the state or hereafter incorporated
3 under and by virtue of the laws of the State of Maine, may
4 issue stocks, bonds, which may be secured by mortgages of
5 its property, franchises or otherwise, notes or other evi-
6 dences of indebtedness payable at periods of more than
7 twelve months after the date thereof, when necessary for
8 the acquisition of property to be used for the purpose of
9 carrying out its corporate powers, the construction, comple-
10 tion, extension or improvement of its facilities, or for the
11 improvement or maintenance of its service, or for the dis-
12 charge or lawful refunding of its obligations, or to reim-
13 burse its treasury for moneys used for the acquisition of
14 property, the construction, completion, extension or im-
15 provement of its facilities, or for the discharge or lawful
16 refunding of its obligations, and which actually were ex-
17 pended from income or from other moneys in the treasury
18 of the corporation not secured by or obtained from the
19 issue of stocks, bonds, notes or other evidences of indebted-
20 ness of such corporation, or for such other purposes as
21 may be authorized by law; provided and not otherwise, that
22 upon written application, setting forth such information as
23 the commission may require, there shall have been secured
24 from the commission an order authorizing such issue and
25 the amount thereof and stating that in the opinion of the
26 commission the sum of the capital to be secured by the
27 issue of said stocks, bonds, notes or other evidences of in-
28 debtedness is required in good faith for purposes enumer-

29 ated in this section; but the provisions of this chapter shall
30 not apply to any stocks or bonds or other evidences of
31 indebtedness heretofore lawfully authorized and issued;
32 provided, however, that the commission may at the request
33 of any public utility approve the issue of any stocks or bonds
34 heretofore authorized but not issued. For the purpose of
35 enabling the commission to determine whether it shall issue
36 such an order, the commission shall make such inquiries
37 for investigation, hold such hearings and examine such
38 witnesses, books, papers, documents or contracts as it may
39 deem of importance in enabling it to reach a determination.
40 No order of the commission authorizing the issue of any
41 stocks, bonds, notes, or other evidences of indebtedness
42 shall limit or restrict the powers of the commission in de-
43 termining and fixing any rate, fare, toll, charge, classifica-
44 tion, schedule, or joint rate as provided in this chapter;
45 provided, however, that no public utility shall be required
46 to apply to the commission for authority to issue stocks,
47 bonds, notes or other evidences of indebtedness for the
48 acquisition of property, for the purposes of carrying out
49 its corporate powers, the construction, completion, exten-
50 sion or improvement of its facilities, or the improvement or
51 maintenance of its service outside the state, and this pro-
52 viso shall apply also to the following section.'