

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-eighth and Eighty-ninth  
Legislatures

OF THE

STATE OF MAINE

From April 24, 1937 to April 21, 1939

AND

MISCELLANEOUS STATE PAPERS

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Published by the Secretary of State, in conjunction  
with the Revisor of Statutes in accordance with the  
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PUBLIC LAWS

OF THE

STATE OF MAINE

As Passed by the Eighty-ninth Legislature

1939

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## Chapter 166

### AN ACT Providing for the Disposition of Moneys from the Tax on Gasoline Purchased for Use in Internal Combustion Engines.

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

R. S., c. 12, additional. Chapter 12 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered sections 89-A and 89-C and to read as follows:

'Sec. 89-A. Aeronautical fund. Every distributor of internal combustion fuels shall keep a record of sales of such fuels as are to be used for aeronautical purposes and shall render a report thereof as provided in section 84. In the event that the consumer fails to request a refund of  $\frac{3}{4}$  of the tax authorized by section 89 within 9 months from the date of purchase, then the said  $\frac{3}{4}$  of the tax shall be added to a fund to be known as the aeronautical fund. All fees from the registration of aircraft and pilots as provided for in chapter 265 of the public laws of 1933 and all fines as imposed under the provisions of said chapter shall accrue to the aeronautical fund. Any unexpended balance from the above apportionments shall not lapse but shall be carried forward to the same fund for the next fiscal year and be available for such uses as indicated in this section. This fund may be expended, upon approval by the governor and council, by any legislative commission or committee set up by an act of the legislature, in such ways as may be deemed expedient for the promotion of aeronautics within the state. If such commission or committee be not established, then the appropriate state officer for aeronautics may carry out the requirements of this section in the manner hereinbefore provided.'

'Sec. 89-C. Tax allocation.  $\frac{1}{8}$  of the tax on fuels used for aeronautical purposes shall be allocated to the aeronautical fund as established by section 89-A.'

Approved April 6, 1939.

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## Chapter 167

### AN ACT Relating to Incorporation of Cemeteries and the Operation of Burying Grounds, Burial Structures, and Disposal of Dead Human Bodies.

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

R. S., c. 24, § 21-B, amended. Section 21-B of chapter 24 of the revised statutes, as created by section 5 of chapter 99 of the public laws of 1937, is hereby amended to read as follows:

**Sec. 21-B. Sales for speculative or investment purposes prohibited.** The sale of cemetery lots and plots, or the sale of crypts in a community mausoleum or niches in a columbarium, for speculative or financial investment purposes, or the conveyance of any portion of a cemetery already dedicated to burial purposes as security for debt, is hereby prohibited, and every such conveyance, whether made by a person, or by a cemetery association, or company or association owning and operating a community mausoleum, crematory or columbarium, or by any holding, development or subsidiary company, shall be void and of no effect. Whoever makes or attempts to make a sale or conveyance contrary to the provisions of this section shall be guilty of a misdemeanor and punishable as provided in section ~~20~~ 24 of this ~~act~~ chapter. ~~The provisions of this section shall not apply to any cemetery now organized and operating.~~

Approved April 6, 1939.

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## Chapter 168

### AN ACT Relating to the Licensing of Aircraft.

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

**Sec. 1. P. L., 1933, c. 265, amended.** Chapter 265 of the public laws of 1933 is hereby amended by adding at the end thereof the following:

**'Whoever violates any of the provisions of this act shall be punished by a fine of not more than \$100, or by imprisonment for not more than 3 months.'**

**Sec. 2. Sovereignty in space, defined.** Sovereignty in the space above the lands and waters of the state is declared to rest in the state, except where granted to and assumed by the United States pursuant to a constitutional grant from the people of this state.

Approved April 6, 1939.

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## Chapter 169

### AN ACT Relating to Inspection of Motor Vehicles.

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

**Sec. 1. Inspection of motor vehicles, regulated.** Every person who is the owner or in control of a motor vehicle registered and operated upon the highways of the state shall submit such vehicles for semiannual in-