

1 IN THE SENATE BY THE STATE AFFAIRS COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 6
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 SECOND LEGISLATURE - SECOND SESSION
5 A BILL

6 For an Act entitled: "An Act relating to elections."
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 Section 1. Sec. 1.01, Art. I, Ch. 83, SLA 1960 is repealed
9 and re-enacted to read:

10 ARTICLE I
11 QUALIFICATION AND REGISTRATION OF VOTERS

12 Part 1. Qualification of Voters

13 Sec. 1.01. VOTER QUALIFICATION. Any person may vote
14 at any election who

- 15 (1) is a citizen of the United States,
16 (2) is at least 19 years of age,
17 (3) has been a resident of the state for at least
18 one year immediately preceding the election,
19 (4) has been a resident of the election district
20 in which he seeks to vote for at least 30 days immediately
21 preceding the election,
22 (5) is able to speak or read the English language,
23 unless prevented by physical disability, or who voted in the
24 general election of November 4, 1924, and
25 (6) has registered as required by this code.

26 Sec. 2. Art. I, Ch. 83, SLA 1960 is amended to add the
27 following part and the following sections:

28 Sec. 1.51. REQUIREMENT OF REGISTRATION. No person
29 may vote in any election district in which more than 3000

1 N votes, including absentee ballots, were cast at the last
2 preceding election unless he has registered in the manner
3 E provided in this part, except that precincts within election
4 districts in which less than 300 votes were cast at the
5 last preceding general election shall be exempt from the
6 W requirement of registration.

7 Sec. 1.52. GENERAL DUTY OF SECRETARY OF STATE. The
8 secretary of state shall provide general administrative
9 M supervision over the conduct of registration and may issue
10 any rules or instructions necessary to the administration of
11 A registration to assure efficiency, prevent voting fraud and
12 encourage the full exercise of the voting privilege.

13 T Sec. 1.53. INITIAL PERMANENT REGISTRATION. The secre-
14 tary of state shall compile the initial permanent registra-
15 tion lists for each precinct in which registration is
16 required from the list of voters who cast their ballots by
17 absentee vote or in person at the polls in the general elec-
18 T tion of November 8, 1960. Any qualified voter who voted at
19 the general election is registered in the precinct of his
20 residence for the purposes of this code.

21 Sec. 1.54. PREPARATION AND DISTRIBUTION OF REGISTRATION
22 MATERIAL. The secretary of state shall provide the registra-
23 E tion forms, registration certificates, and other registration
24 material to be used in the registration of voters. The sec-
25 retary of state shall distribute to election supervisors, and
26 other election officials in the election districts in which
27 registration is required, the necessary registration material
28 for the period during which a person may register. The
29 R voter's registration certificate shall include an oath, for

1 N use when required, that the voter is a qualified voter in all
2 respects, a blank for the voter's name, address, and signa-
3 ture, blanks for the attesting witnesses and notary, and
4 E other information as required by the secretary of state.

5 Sec. 1.55. REQUIREMENT OF FULL PUBLIC NOTICE. The
6 secretary of state shall give full public notice of the elec-
7 W tion districts in which registration is required, the dates
8 and manner of registration, and may select any means of com-
9 munication permitted to be used in giving notice of the date
10 and time of the general election. The full public notice
11 required shall be given by the secretary of state in the
12 election districts in which registration is required at
13 least 45 days before the date of the next election or party
14 M primary, and at other times at the discretion of the secretary
15 of state.

16 Sec. 1.56. REGISTRATION. Any qualified voter who is
17 A required to register may register by securing the registration
18 materials by mail or in person from the secretary of state,
19 an election supervisor or any election official designated by
20 T the secretary of state. The qualified voter may execute the
21 required forms and certificate in the presence of two attest-
22 ing witnesses, both of whom are qualified voters, or before
23 T any election supervisor, election official designated by the
24 secretary of state, notary public, commissioned officer of
25 the armed forces, including the National Guard, any district
26 E or deputy magistrate, United States postmaster, United States
27 assistant postmaster, or other person qualified to administer
28 oaths. The voter shall then return the registration material
29 R in person or by mail at any time more than 15 days before any

1 N election or party nomination to an election supervisor, the
2 secretary of state, or any election official designated by
3 the secretary of state. Upon receipt of the properly exe-
4 E cuted registration material returned in person or by mail
5 postmarked more than 15 days before any election or party
6 nomination, the secretary of state or election supervisors
7 W shall register the voter for the election or party nomination
8 and so notify the voter. The notification of the registra-
9 tion shall be accepted by the election board in the precinct
10 in which the voter is registered as evidence of registration.
11 If registration materials properly executed are received 15
12 days or less before any election or party nomination, the
13 secretary of state or election supervisor shall hold the
14 M registration material for the voter, notify the voter that
15 his registration was not filed within the time limits pre-
16 scribed for the forthcoming election or party nomination, and
17 A that he will be registered immediately after the forthcoming
18 election.

19 Sec. 1.57. CHANGE OF REGISTRATION. Any registered
20 T voter may change his registration from one precinct in which
21 registration is required to another by informing the secre-
22 tary of state or election supervisor of the voter's present
23 T registered address and new address at any time except within
24 15 days before the date of the election. Upon receipt of the
25 information, the secretary of state or election supervisor
26 E shall change the appropriate records to reflect the indicated
27 change of address and so notify the voter. The notification
28 of the change of address shall be accepted by the election
29 R board in the precinct to which the voter has moved as

1 N evidence of registration.

2 Sec. 1.58. CORRECTION AND DISTRIBUTION OF LIST. The
3 secretary of state shall furnish election supervisors with
4 E the list of registered voters for election districts which
5 require registration within their respective districts at
6 least 90 days before any election or party nomination. The
7 W election supervisor shall proceed to correct the list of each
8 precinct to assure that the list will contain only the names
9 of qualified voters residing in each precinct. In correcting
10 the lists, the election supervisors shall delete from the
11 lists the names of voters who have subsequently died, been
12 disqualified as voters, moved from the precinct, or who have
13 not voted in any state election or party nomination during
14 M the preceding 49 months, and shall add to the list the names
15 of registered voters who have moved into the precinct, and
16 new registered voters. In correcting the list, the secretary
17 A of state may contract with any city, borough or other politi-
18 cal subdivision for assistance or information in determining
19 a correct list of qualified voters for registration. Thirty
20 T days before the election the supervisors shall have available
21 for the secretary of state the list of voters who are regis-
22 tered at that time in each precinct requiring registration.
23 T Additional corrections and changes may be made at any time
24 more than 15 days before the date of the party nomination or
25 election. The election supervisors shall furnish a list of
26 E the registered voters for each precinct requiring registra-
27 tion to each election board in sufficient time for use at
28 the election or party nomination.

29 R Sec. 1.59. CHANGE OF ADDRESS BEFORE ELECTION. No

1 N registered voter may vote in any precinct requiring registra-
2 tion other than the precinct indicated on the precinct regis-
3 tration voter lists unless the election supervisor or his
4 E designee certifies that the voter is properly registered in
5 the election district but has changed his address and has had
6 no opportunity to file a change of address declaration as
7 W required. If any registered voter changes his address from
8 one precinct requiring registration to another in the elec-
9 tion district within 15 days of the election or party nomina-
10 tion, the voter may obtain a certificate from the election
11 supervisor or his designee in the district that the person is
12 registered and has moved within the election district and is
13 qualified to vote in the precinct of his new residence. Upon
14 M such certification, the registration lists shall be corrected
15 and the registered voter permitted to vote in the precinct of
16 his new residence.

17 A Sec. 1.60. ABSENTEE BALLOTS. Any registered voter may
18 vote by absentee ballot in the manner provided by this code.
19 Any qualified voter who is required to register and is not
20 T registered may apply for registration and register at the
21 time application is made and the absentee vote is cast. If
22 the absentee vote is cast before the close of the registra-
23 T tion books, 15 days before the date of the election or party
24 nomination, the registration list available 15 days before
25 the election or party nomination shall govern registration
26 E until corrected. If the absentee vote is cast after the
27 registration books are closed, 15 days before the election
28 or party nomination, the most current registration lists for
29 R each precinct shall govern registration. In the canvass of

1 absentee ballots, the canvassing board shall review each
2 ballot to determine if each voter so required is registered,
3 and no ballot shall be counted for any person who is not
4 registered if so required by this code.

5 Sec. 3. Sec. 1.02 (5), Ch. 83, SLA 1960 is amended to read:

6 (5) No member of the armed forces of the United
7 States, or his spouse or dependents, is a resident of this
8 state solely by reason of being stationed within the state.

9 Sec. 4. Sec. 2.08, Ch. 83, SLA 1960 is amended to read:

10 Sec. 2.08. DATES FOR DESIGNATING PRECINCT BOUNDARY.
11 The secretary of state shall designate [THE] boundaries of
12 any election precinct which has been established or modified,
13 not later than 40 days prior to any election [ALL PRECINCTS
14 FOR THE PRIMARY NOMINATION AND GENERAL ELECTION BETWEEN APRIL
15 1 AND MAY 1 OF EACH GENERAL ELECTION YEAR, AND FOR EVERY
16 SPECIAL ELECTION HELD AT A TIME OTHER THAN WITH A PRIMARY.
17 NOMINATION OR GENERAL ELECTION, ON A DATE NOT MORE THAN 40
18 DAYS PRIOR TO THE DATE OF THE SPECIAL ELECTION].

19 Sec. 5. Sec. 2.11, Ch. 83, SLA 1960 is amended to read:

20 Sec. 2.11. APPOINTMENT OF ELECTION SUPERVISORS. The
21 secretary of state shall appoint an election supervisor for
22 each of the four major senate districts, described in Sec. 2,
23 Article XIV of the state constitution to assist in the
24 administration of elections within their respective senate
25 districts. The secretary of state may appoint as an election
26 supervisor any person who is a qualified voter of the respec-
27 tive senate district and who does not hold an office in a
28 political party. Election supervisors shall be appointed to
29 serve for a term to begin not more than 90 days prior to the

1 date of the primary nomination or special election and to
2 end not more than 30 days [10 DAYS] after the date of the
3 general or special election. Election supervisors shall
4 receive compensation in an amount that is comparable to that
5 received for similar type state employment as determined by
6 the secretary of state. Executive department employees
7 shall be appointed election supervisors whenever feasible
8 and shall serve without additional compensation.

9 Sec. 6. Sec. 3.03 (2), Ch. 83, SLA 1960 is amended to read:

10 (2) The secretary of state shall number [DETERMINE
11 THE MANNER OF NUMBERING] ballots in series to assure
12 simplicity and secrecy and to prevent fraud.

13 Sec. 7. Sec. 3.03 (5), Ch. 83, SLA 1960 is repealed and
14 re-enacted to read:

15 (5) The general election ballot shall be printed
16 on white paper with the names of each candidate and their
17 party designations placed in separate sections under the
18 office designation to which they were nominated. The party
19 affiliation, if any, shall be designated after the name of
20 the candidate. The secretary of state and governor shall be
21 included under the same section. Provision shall be made for
22 voting for write-in and no-party candidates within each
23 section.

24 Sec. 8. Sec. 3.03, Ch. 83, SLA 1960 is amended by adding a
25 new paragraph (12) to read:

26 (12) All propositions and questions, other than
27 whether a judge or justice shall be accepted or rejected
28 shall be placed on a ballot other than the ballot containing
29 the names of candidates.

1 Sec. 9. Sec. 3.07, Ch. 83, SLA 1960 is repealed and re-
2 enacted to read:

3 Sec. 3.07. PUBLIC NOTICE OF ELECTION REQUIRED. The
4 secretary of state shall give, and is authorized to contract
5 to give, full public notice of the election and may select
6 any manner reasonably calculated to give actual knowledge of
7 the election to the voters. Such notice shall be given by
8 publication thereof at least twice in some newspaper or news-
9 papers of general circulation in each of the four major
10 election districts. Such printed notice shall specifically
11 include, but is not limited to, the date of election, the
12 hours between which the polling places will be open, the
13 offices to which candidates are to be nominated or elected
14 and the subject of the propositions and of questions which
15 are to be voted upon. Public notice shall also be given by
16 posting notices in two or more conspicuous places in each
17 election precinct; said posted notice shall specifically
18 include, but is not limited to, the date of election, the
19 boundary of the precinct, the location of the polling place,
20 the hours between which the polling places will be open, the
21 offices to which candidates are to be nominated or elected,
22 and the subject of the propositions and of questions which
23 are to be voted upon. Said first publication or posting is
24 to be made not less than 10 days prior to such election. The
25 secretary of state may have published in a newspaper of
26 general circulation a precinct map of densely populated pre-
27 cincts where need for such maps is established. It shall not
28 be necessary for the secretary of state to post or publish
29 any notice other than as hereinbefore provided. Additional

1 notice may be given by use of newspapers, television, radio,
2 printed posters, maps, and any similar means of communication
3 deemed necessary. The state, through the office of the
4 secretary of state, shall pay the cost of any election
5 expenses incurred in giving notice of any election.

6 Sec. 10. Sec. 3.24, Ch. 83, SLA 1960 is amended to read:

7 Sec. 3.24. ASSISTING VOTER BY JUDGE. Any qualified
8 voter who is incapable of reading, of marking the ballot or
9 of signing his name may request any judge or any one, or not
10 more than two, other persons of his choice to assist him
11 [, AND THE JUDGE SHALL ASSIST THE VOTER AS REQUESTED]. If
12 the judge is requested, he shall assist the voter. If any
13 other person is requested, the person shall state, upon oath
14 before the election judge, that he will not divulge the vote
15 cast by the person whom he assists.

16 Sec. 11. Sec. 3.36 (1), Ch. 83, SLA 1960 is repealed and re-
17 enacted to read:

18 (1) A voter may mark his ballot only by the use of
19 cross marks, "X" marks, or plus signs that are clearly placed
20 in the square opposite the name of the candidate the voter
21 desires to designate. The intent of this section is to
22 guarantee and enforce secrecy of the ballot by eliminating
23 distinguishing marks that can be identified.

24 Sec. 12. Sec. 3.36 (6) and (7), Ch. 83, SLA 1960 are repealed
25 and re-enacted to read (6) and renumber following subsections:

26 (6) No other mark except cross marks, "X" marks,
27 or plus signs in the ballot square shall be allowed on the
28 ballot and other improper marks shall invalidate the ballot.
29 Erasures and corrections shall invalidate the ballot. The

1 intent of this section is to guarantee and enforce secrecy
2 of the ballot by eliminating distinguishing marks that can
3 be identified.

4 Sec. 13. Sec. 3.36 (10), Ch. 83, SLA 1960 is repealed.

5 Sec. 14. Sec. 3.44, Ch. 83, SLA 1960 is amended to read:

6 Sec. 3.44. DATES FOR OPENING AND CLOSING STATE CANVASS.

7 The state canvass shall begin six days after the election
8 and be continued daily [, EXCEPT SUNDAYS,] until completed.
9 The secretary of state shall close the canvass when he is
10 satisfied that no missing precinct certificate of election
11 would, if received, change the result of the election. If
12 no election certificate has been received from any precinct,
13 the secretary of state may secure from the election super-
14 visors and may count a certified copy of the duplicate
15 election certificate of the precinct. If no election poll
16 books have been received but an authorized election certifi-
17 cate has been received by telegram or radio, the secretary
18 of state shall count the election certificate so received.
19 If the secretary has reason to believe that a missing pre-
20 cinct certificate, if received, would affect the result of
21 the election, the secretary of state shall await the receipt
22 of the certificate until four o'clock in the afternoon on
23 the 15th day after the date of election. Any certificate
24 not actually delivered to the secretary of state by four
25 o'clock on the 15th day after the election shall not be
26 counted at the canvass.

27 Sec. 15. Sec. 3.47, Ch. 83, SLA 1960 is amended to read:

28 Sec. 3.47. PRESERVATION OF ELECTION BALLOTS, PAPERS
29 AND MATERIALS. The secretary of state shall preserve all

1 precinct election certificates, tallies and registers [BALLOTS
2 AND OTHER ELECTION PAPERS AND MATERIALS] for four years
3 after the election. All ballots and stubs may be destroyed
4 30 days after the certification of state canvass, unless an
5 application for recount has been filed and not completed, or
6 unless their destruction is stayed by an order of the court.
7 The secretary of state may permit the inspection of election
8 materials upon call by Congress, the state legislature, or a
9 court of competent jurisdiction.

10 Sec. 16. Sec. 4.08, Ch. 83, SLA 1960 is amended to read:

11 Sec. 4.08. DATE FOR APPLICATION IN PERSON. Any quali-
12 fied voter may make application for an absentee ballot in
13 person on any day not more than 30 [40] days, nor less than
14 one day before the date of any election, but not more than
15 20 days nor less than one day before the date of any special
16 election held to recall an elected official or to fill a
17 vacancy in the office of United States representative or
18 governor and secretary of state.

19 Sec. 17. Sec. 4.73, Ch. 83, SLA 1960 is amended to read:

20 Sec. 4.73. REQUIREMENT OF DEPOSIT. The application
21 shall include a deposit in cash, by certified check or by
22 bond with a surety approved by the secretary of state. The
23 amount of the deposit is \$50 for each precinct, [;] \$250 for
24 each election district, \$500 for each major senate district,
25 and \$2,000 for the entire state [OR IF MORE THAN 10 PRECINCTS
26 IN ANY ELECTION DISTRICT ARE INCLUDED IN THE RECOUNT, THE
27 AMOUNT OF DEPOSIT IS \$500.00 FOR EACH ELECTION DISTRICT].
28 However, if the recount includes an office for which candi-
29 dates received a tie vote, or the difference between the

1 number of votes cast for the two candidates receiving the
2 largest number of votes was 10 or less or was less than .5
3 per cent of the total number of votes cast for the two
4 candidates for the contested office, or a question or propo-
5 sition for which there was a tie vote on the issue, the
6 application need not include any deposit. If on the recount
7 a candidate other than the candidate who had received the
8 original election certificate is declared elected, or if the
9 vote on recount is determined to be four per cent or more in
10 excess of the vote reported by the state canvass for the
11 candidate applying for the recount, or in favor or opposed to
12 the question or proposition as stated in the application, the
13 entire deposit shall be refunded. If the entire deposit is
14 not refunded, the secretary of state shall refund any monies
15 remaining after the cost of the recount has been paid from
16 the deposit.

17 Sec. 18. Sec. 5.03, Ch. 83, SLA 1960 is amended to read:

18 Sec. 5.03. REQUIREMENTS OF DECLARATION OF PARTY CANDI-
19 DACY. Any member of a political party who seeks to become a
20 candidate of the party in the primary nomination shall execute
21 and file a declaration of candidacy. The declaration shall
22 be executed under oath before an officer authorized to take
23 acknowledgments and shall state in substance: (1) the full
24 name of the candidate, and the manner in which he wishes his
25 name to appear on the ballot, (2) the full resident address
26 of the candidate, (3) the full mailing address of the candi-
27 date, (4) if the candidacy is for the office of state senator
28 or state representative, the election or senate district of
29 which the candidate is a resident, (5) the office for which

1 the candidate seeks nomination, (6) the name of the political
2 party of which he is a candidate for nomination, (7) the date
3 of the primary nomination at which the candidate declares
4 himself to be a candidate, (8) that the candidate meets the
5 specific residency requirements of the office for which he is
6 a candidate, (9) that the candidate will meet the specific
7 citizenship requirements of the office for which he is a
8 candidate, (10) that the candidate is [IF THE CANDIDACY IS
9 FOR THE OFFICE OF GOVERNOR, SECRETARY OF STATE, STATE SENATOR
10 OR STATE REPRESENTATIVE, THAT THE CANDIDATE WILL BE] a quali-
11 fied voter as required by law, (11) that the candidate will
12 meet the specific age requirements of the office for which he
13 is a candidate, (12) that the candidate if nominated and
14 elected will support the principles of the party he seeks to
15 represent, (13) that the candidate requests that his name be
16 placed on the party primary nomination ballot, and (14) that
17 the required fee accompanies the declaration.

18 Sec. 19. Sec. 5.11, Ch. 83, SLA 1960 is amended to read:

19 Sec. 5.11. FILLING VACANCIES BY PARTY PETITION. If any
20 candidate nominated at the party primary nomination dies,
21 withdraws, resigns, [OR] becomes disqualified from holding
22 office for which he is nominated or is certified as being
23 incapacitated in the manner prescribed by this section, after
24 the primary nomination and 10 days or more before the general
25 election, the vacancy may be filled by party petition. The
26 central committee of any political party or any party district
27 committee may certify as being incapacitated any candidate
28 nominated by their respective party by presenting to the
29 secretary of state a sworn statement made by a panel of three

1 licensed physicians, not more than two of whom shall be of
2 the same political party, that the candidate is physically or
3 mentally incapacitated to an extent that would in his judg-
4 ment prevent the candidate from active service during the
5 term of office if elected. The secretary of state shall
6 place the name of the person nominated by party petition on
7 the general election ballot or if the general election ballot
8 has been prepared, the secretary of state, or the election
9 officials directed by the secretary of state, shall prepare,
10 print, and distribute a sufficient number of gummed labels or
11 stickers bearing the name of the candidate to fill the vacancy
12 to each voting precinct with instructions that the election
13 judges shall place one of the stickers or labels on the appro-
14 priate place on each ballot before the ballot is handed to
15 the voter. The name of any candidate disqualified under the
16 provisions of this section shall not appear on the general
17 election ballot.

18 Sec. 20. Sec. 8.25, Ch. 83, SLA 1960 is amended to read:

19 Sec. 8.25. DATE OF NOMINATIONS. Candidates for the
20 special election shall be nominated by petition transmitted
21 by either (1) the actual physical delivery of the petition
22 in person, (2) by mail postmarked not later than midnight
23 of the filing date, or (3) by telegram of a copy in substance
24 of the statements made in the petition [ACTUAL DELIVERY] to
25 the secretary of state on or before the 20th day after the
26 vacancy occurs.

27 Sec. 21. Sec. 8.35, Ch. 83, SLA 1960 is amended to read:

28 Sec. 8.35. DATE OF NOMINATIONS. Candidates for the
29 special election shall be nominated by petition transmitted

1 by either (1) actual physical delivery of the petition in
2 person, (2) by mail postmarked not later than midnight of the
3 filing date, or (3) by telegram of a copy in substance of the
4 statements made in the petition [ACTUAL DELIVERY] to the
5 secretary of state on or before the 20th day after the
6 vacancy occurs.

7 Sec. 22. Sec. 8.62, Ch. 83, SLA 1960 is amended to read:

8 Sec. 8.62. DESIGNATION OF NOMINEES BY PETITION. If the
9 vacancy occurs less than one calendar month before the filing
10 date and more than three calendar months before the next
11 general election, candidates shall be nominated by petition
12 transmitted by either (1) the actual physical delivery of the
13 petition in person, (2) by mail postmarked not later than
14 midnight of the filing date, or (3) by telegram of a copy in
15 substance of the statements made in the petition [ACTUAL
16 DELIVERY] to the secretary of state on or before the first of
17 September immediately preceding the special election.

18 Sec. 23. Sec. 9.02, Ch. 83, SLA 1960 is amended to read:

19 Sec. 9.02. FILING APPLICATION. An initiative is pro-
20 posed by filing an application with the secretary of state.
21 A deposit of \$100 shall accompany the application. This
22 deposit will be retained if a petition is not properly filed.
23 If a petition is properly filed the deposit shall be refunded.

24 Sec. 24. Sec. 9.32, Ch. 83, SLA 1960 is amended to read:

25 Sec. 9.32. FILING APPLICATION. A referendum is pro-
26 posed by filing an application with the secretary of state.
27 A deposit of \$100 shall accompany the application. This
28 deposit will be retained if a petition is not properly filed.
29 If a petition is properly filed the deposit shall be refunded.

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Sec. 25. Sec. 9.72, Ch. 83, SLA 1960 is amended to read:

Sec. 9.72. FILING APPLICATION. The recall of the governor, or a member of the state legislature is proposed by filing an application with the secretary of state. The recall of the secretary of state is proposed by filing an application with the attorney general who shall perform the duties imposed on the secretary of state in the recall of other elected state officials. A deposit of \$100 shall accompany the application. This deposit will be retained if a petition is not properly filed. If a petition is properly filed the deposit shall be refunded.

Sec. 26. Art. XI, Ch. 83, SLA 1960 is amended by adding a new Sec. 11.26 to read:

Sec. 11.26. VOTING AFTER DISQUALIFICATION. Any voter disqualified under Sec. 1.03 who votes or attempts to vote in any election shall be guilty of a misdemeanor.

Sec. 27. Sec. 3.36 (10), Ch. 83, SLA 1960 is repealed.