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# Alaska State Legislature

*Interim: (May - Dec.)*  
716 W. 4<sup>th</sup> Ave  
Anchorage, AK 99501  
Phone: (907) 269-0144  
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*Session: (Jan. - May)*  
State Capitol, Suite 7  
Juneau, AK 99801-1182  
Phone: (907) 465-3822  
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[Senator\\_Bettye\\_Davis@legis.state.ak.us](mailto:Senator_Bettye_Davis@legis.state.ak.us)  
<http://www.akdemocrats.org>

## Senator Bettye Davis

Date: 3/23/2009

To: Sen. Menard, Chair  
State Affairs Committee

From: Senator Bettye Davis

A handwritten signature in black ink, appearing to be "BD".

Re: SB 68 "An act relating to the voting rights of felons."

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This is a request that you schedule a hearing on SB 68 at the earliest possible date.

Please find attached a copy of the bill, a sponsor statement and a sectional analysis. Your attention to this request would be appreciated.  
Thank you.

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## Senator Bettye Davis

### Sponsor Statement

#### SB 68 "An Act relating to the voting rights of felons"

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Across the country states handle the right to vote for returning felons differently. Two (2) states, Maine and Vermont do not take away a felons right to vote. Thirteen states (13) allow felons to vote upon release from incarceration. Twenty one (21) including Alaska allow felons to vote after they complete all parole/probation requirements while fourteen (14) states permanently disenfranchise certain felons. If our belief is that felons once released have paid their debt to society then returning their right to vote upon release from incarceration would be a positive step.

SB 68 allows felons upon release from incarceration to register to vote. This bill starts the process which allows felons to start assuming responsibility for their reintegration in their communities. We are each responsible for how our government works and we do that through voting. In Alaska, 6081\* Alaskans have lost their right to vote because of felony convictions. Currently, Alaska law bars the vote to persons convicted of felonies of moral turpitude until the expiration of a post-incarceration period of parole or probation, which is often years after they have reentered society to become productive citizens and tax payers.

Harsh sentencing laws over the past 30 years have allowed the prison population to balloon, while reducing the rehabilitative model to almost non existent. Over 4.7 million Americans or 1 in 43 adults cannot vote due to felony convictions, with 1/3 or more of them were incarcerated due to alcohol and drug offenses. In Alaska we have gone from slightly over 800 prisoners in 1984 to 5344 in 2008, an increase of 149%. Of those incarcerated in Alaska 48% are Caucasian, 36% are Alaska Native, 10% are African American, 3% are Hispanic, and 3% are Asian/Pacific Islanders.\* Nationally minority felons are disproportionately disenfranchised under current law and the harm of this continued disenfranchisement after release is exacerbated by stigma and other forms of discrimination as they try to reenter society. In Alaska 52% of our incarcerated offenders are minorities.

In Alaska, we do not have a problem taking a person off the voting roles if convicted of a felony but we do not have a system that will automatically allow them to return to the voting roles upon termination of supervision. Voting is just one of many steps a returning felon must make to become a productive member of the community. This Bill will help provide a clear time for returning voting rights and provide an important right/responsibility to felons returning to their communities.

- \* Alaska Div. of Elections
- \* Alaska Dept. of Corrections "2008 Offender Profile"

# LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES  
LEGISLATIVE AFFAIRS AGENCY  
STATE OF ALASKA

(907) 465-3867 or 465-2450  
FAX (907) 465-2029  
Mail Stop 3101

State Capitol  
Juneau, Alaska 99801-1182  
Deliveries to: 129 6th St., Rm. 329

## MEMORANDUM

February 2, 2009

**SUBJECT:** Sectional Summary of SB 68 (Work Order No. 26-LS0324\A)

**TO:** Senator Bettye Davis  
Attn: Thomas Obermeyer

**FROM:** Alpheus Bullard *TLAB*  
Legislative Counsel

You have requested a sectional analysis of the above referenced bill. As a preliminary matter, please note that a sectional analysis should not be considered an authoritative interpretation of the bill, and the bill itself is the best statement of its contents.

**Section 1.** Establishes that a person convicted of a crime that constitutes a felony involving moral turpitude under state or federal law may not vote while incarcerated for that crime, and that the person upon release will be advised of voter registration requirements and procedures.

**Section 2.** Establishes that the voter registration of a person convicted of a crime that constitutes a felony involving moral turpitude will be cancelled while that person is incarcerated.

**Section 3.** Establishes that a person convicted of a crime that constitutes a felony involving moral turpitude under state or federal law is disqualified from voting while incarcerated for that crime.

**Section 4.** Repeals AS 15.60.010(39), a definition of "unconditional discharge."

TLAB:ljw  
09-053.ljw

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: SB68-DOC-OC-3-27-09  
 Bill Version: \_\_\_\_\_  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB68-DOC-OC-3-27-09  
 Title: "An Act Relating to the Voting Rights of Felons"

Dept. Affected: DOC  
 RDU: Administration & Support  
 Component: Office of the Commissioner

Sponsor: Senator Davis  
 Requester: Governor

Component Number: 694

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: 0.0

**POSITIONS**

	FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)

Passage of this legislation should not have a significant impact on the Department of Corrections.

Prepared by: Leslie Houston, Director  
 Division: Administrative Services Division  
 Approved by: Dwayne Peeples, Deputy Commissioner  
Office of the Commissioner

Phone: 465-3339  
 Date/Time: 3/27/09 0740  
 Date: 3/27/2009

# FISCAL NOTE

STATE OF ALASKA  
2009 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: SB68  
( ) Publish Date: \_\_\_\_\_

Identifier (file name): SB068-OOG-DOE-3-27-09  
Title An Act relating to voting rights of felons  
Sponsor Senator Davis  
Requester Senate State Affairs Committee

Dept. Affected: OOG  
RDU Elections  
Component Elections  
Component Number 21

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2010	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
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<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2009) cost: \_\_\_\_\_

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)

This legislation will have no fiscal impact on the division of elections.

Prepared by: Gail Fenumiai, Director  
Division Division of Elections  
Approved by: Linda Perez, Director  
Administrative Services

Phone 465-4611  
Date/Time 3/27/09, 8:41pm  
Date 3/27/2009

# SENATE COMMITTEE REPORT

## First Committee of Referral

DATE: 1/21/09

FURTHER: Judiciary  
Finance

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 3/31/09

State Affairs Committee considered SENATE BILL NO. 68

SB 68 FELONS' RIGHT TO VOTE

"An Act relating to the voting rights of felons."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous  SCS or  CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
<b>HOUSE BILL:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____





**NEW FISCAL NOTE(S):**

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
DGC	3/27/09			✓	
DGC	3/27/09			✓	

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC.	AMEND
	French			X	
	Maye	X			
	PASKUTIN	X			
CHAIR: 	MENARD	X			