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Governor Mike Dunleavy

STATE OF ALASKA

February 11, 2021

The Honorable Louise Stutes
Speaker of the House
Alaska State Legislature
State Capitol, Room 208
Juneau, AK 99801-1182

Dear Speaker Stutes:

Under the authority of Article III, Section 18, of the Alaska Constitution, I am transmitting a bill authorizing the Attorney General to investigate potential violations of election laws or regulations.

This legislation would permit the Attorney General to investigate alleged election violations identified by the director of the Division of Elections, a member of the public, or by the Attorney General. A member of the public may submit a complaint alleging a violation to the Division of Elections within 30 days of the election or the violation, whichever is later. If the complaint alleges a violation of AS 15.13, the Division will forward the complaint to the Alaska Public Offices Commission for further review. For other election related allegations, the Division of Elections does a preliminary review for completeness, requests missing information as necessary, and may also dismiss complaints that are determined to be frivolous. Otherwise, complaints are forwarded to the Attorney General for action.

In investigating an allegation, the Attorney General has the authority to compel witness testimony, issue subpoenas, and to produce documents or other evidence. The Attorney General also has the authority to hold hearings, administer oaths, make interrogatories, require written affidavits, and examine documentary evidence. Upon concluding an investigation, the Attorney General will share the results with the Division of Elections. If the Attorney General determines a violation of an election law or regulation has occurred, the Attorney General may bring a civil action to compel compliance with the law. The information collected over the course of the investigation will remain confidential unless it is used as the basis for a decision by the Division of Elections or is used in the civil action.

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If the Attorney General brings a civil action in court, the Attorney General may petition for, and the court may award the state, a civil penalty of up to \$25,000 per violation. The court may also award the state reasonable attorney's fees and investigation costs.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Dunleavy", with a long horizontal flourish extending to the right.

Mike Dunleavy
Governor

Enclosure