
Senator Tom Begich
Senate Democratic Leader
Senator Elvi Gray-Jackson
Senator Scott Kawasaki



ALASKA SENATE DEMOCRATS

Senator Jesse Kiehl
Senator Donny Olson
Senator Bill Wielechowski

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August 5, 2021

The Honorable Michael J. Dunleavy
Governor of Alaska
Alaska State Capitol, Third Floor
Juneau, AK 99801

Dear Governor Dunleavy,

Last Friday the Ninth Circuit Court of Appeals rendered its decision in *Thompson v. Hebdon* that Alaska laws placing limits on certain campaign contributions violate the First Amendment of the U.S. Constitution. The lawsuit was initiated in 2015 by three individuals and a subdivision of the Alaska Republican Party who sought to contribute funds to political candidates exceeding the donation limits established by Alaska law. The litigants argued the donation limits unconstitutionally restricted their freedom of speech.

If the court's ruling stands, there will be no limits on individual campaign contributions to candidates or political groups, and no limits on nonresidents' campaign contributions. Alaskans recognize the corrosive effects of big money in politics and understand that elections should not be decided simply by wealthy individuals capable of making unlimited campaign contributions—including Outsiders who do not live and work here, and cannot vote here, but seek influence over Alaska's elected representatives for favorable policy from which they will reap benefits. Unlimited campaign contributions are a threat to our democracy and should not be permitted to drown out the voices of average Alaskans.

You have a constitutional duty to defend the laws of the state. We therefore urge you to direct the attorney general to seek rehearing *en banc* within the timeframe required for the petition. The case was decided by a three-member panel of judges, with the court's Chief Judge dissenting in the outcome. If the petition is granted, eleven members of the court will review these issues, and the Chief Judge would serve on that bench. The Chief Judge's dissenting opinion is factually and legally sound, and the state should rely on that reasoning for our arguments.

Further, because enabling unlimited campaign contributions is a critical concern to Alaskans and would threaten the integrity of our elections, it must be blocked from becoming an allowable practice. Campaign season is already underway, and there is a danger that a gap in the law could result in wealthy donors making significant, unfettered campaign contributions. Therefore, as long as legal proceedings continue or should the petition be denied, the attorney general should seek a stay of the *Thompson* ruling until it is overturned or until Alaska enacts constitutionally permissible changes to our donation limits.

We seek your response to this letter and eagerly anticipate your leadership on these issues.

Sincerely,



Senator Bill Wielechowski



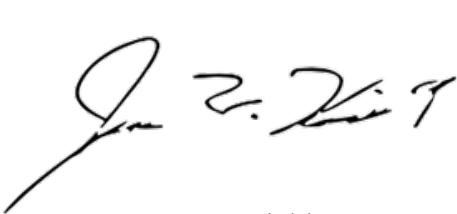
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Senator Scott Kawasaki



Senator Jesse Kiehl



Senator Donald Olson

Cc: Treg Taylor, Attorney General
Cory Mills, Deputy Attorney General
Miles Baker, Legislative Director

Via Email