

Municipality of Anchorage



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FOR IMMEDIATE RELEASE

The Municipality is appealing the decision of the Superior Court in the case, Holleman v. Municipality of Anchorage, 3AN-13-06812CI, to the Alaska Supreme Court.

Because the standards for determining the legal sufficiency of future referenda or initiatives that address legislative or administrative matters is such an important principle in the administration of fair elections, the Municipal Clerk's Office is following the Municipal Attorney's advice to appeal the court's decision on the referendum.

The legal issues at stake go beyond those in the Superior Court's decision about a specific ordinance – AO 2013-037(S-2)(as amended). These include:

The people's right to municipal initiatives and referendums does not spring from the State Constitution, but is created by state statute;

The power of a home rule municipality like Anchorage to create its own laws about initiatives and referendums, as authorized by the Alaska Constitution and state laws;

The authority, adopted by Anchorage's citizens in the Charter, delegates to the Assembly the sole power over the creation and repeal of certain laws; for example, administrative codes addressing personnel policies and rules, including collective bargaining; and

The standards for determining the legal sufficiency of future referendums or initiatives that address legislative or administrative matters.

The appeal is not solely about AO 2013-037(S-2)(as amended). It is about the process and the powers of the Charter, approved by Anchorage citizens, to govern municipal initiatives and referenda. It is about obtaining clarification from the Alaska Supreme Court to consistently address initiatives and referenda that deal with personnel policies and rules, brought by unions, citizen groups that may not favor unions, or any member of the public. The results of the Court's decision on this appeal will be far-reaching and will guide future municipal officials. The Municipality and its citizens can only benefit from the clarity and guidance to be gained from the Alaska Supreme Court's decision on this appeal.

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