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**MUNICIPAL ORDINANCE - ALASKA**

## Municipality of Anchorage v. Holleman

**Supreme Court of Alaska - March 28, 2014 - P.3d - 2014 WL 1266787**

Citizen-sponsors brought declaratory judgment action seeking to repeal municipal ordinance by referendum. The Superior Court granted summary judgment in favor of citizen-sponsors, and ordered that referendum application be accepted. Municipality appealed.

The Supreme Court of Alaska held that:

- Referendum application was not preempted by the Public Employment Relations Act (PERA);
- Referendum application was not preempted by municipal charter;
- Municipality's home-rule status to enact labor ordinances was not exclusive of the citizens' correlative right of direct legislation;
- Referendum sought by citizen-sponsors did not violate the Constitution's prohibition against application of a referendum to dedications of revenue or appropriations, or municipal charter's corresponding prohibitions against use of a referendum for establishing budgets or appropriating funds; and
- Municipal ordinance, and therefore the referendum seeking to repeal it, were legislative rather than administrative.

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