

Excerpt\* from Page 69:

# *A History of the Unification of the City of Anchorage and the Greater Anchorage Area Borough*

Prepared by

Paul H. Wangness  
Principal Researcher

Final Research Report  
Anchorage Urban Observatory  
November 1977

Dr. Richard L. Ender  
Director

## The Rural Areas

The possibility of removing the anti-unification votes of the rural area became a distinct reality as the residents of the Eagle River and Chugiak area launched an intensive lobbying campaign before the State Legislature for special legislation permitting that area to withdraw from GAAB and incorporate as a borough. The legislation was passed without the signature of the governor and, after public hearings by the Local Boundary Commission, an election was held. On August 27, 1974, the voters of the area approved incorporation by a vote of 1,233 to 979.

Following required setting of boundaries by the Local Boundary Commission and the promulgation of a plan of apportionment, the Lieutenant Governor conducted an election for municipal officers on December 3, 1974. In the meantime, dissidents in the area sued in Superior Court to invalidate the incorporation and the court allowed the election to continue on a temporary restraining order. On December 20, 1974, the Superior Court entered a declaratory judgment against the wishes of the dissidents.

Thus, the Eagle River-Chugiak voters were not residents of the GAAB in February 1975 when GAAB voters approved the concept of unification and elected members to the Charter Commission. In April 1975, the Alaska Supreme Court overturned the lower court decision declaring that the enabling legislation was in conflict with the constitution, which states that "The Legislature shall pass no local or special act if a general act can be made applicable" (Alaska Constitution, Art. II, Sec. 19.) This decision, in effect, disincorporated the new borough and the residents were thus eligible to vote on the adoption of the Charter in September 1975.

- After the Supreme Court ruled that Eagle River was, in effect, still a part of the borough, the Charter Commission held a public hearing in Eagle River, as it was doing in other sections, to ascertain what residents wanted in a new government that should be reflected in the Charter being written. At the meeting, Charter Commission members were handed legal papers which declared that the Charter Commission was not a legally constituted body because Eagle River residents had not voted in the Charter Commission election. In the ensuing case, the judge ruled in favor of the Charter Commission members.

\* Rewritten from the scanned source document, with apparent scanning irregularities corrected for readability while preserving the original substance.