

Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 26-043**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY OPPOSING SB 238.

WHEREAS, different levels of government provide different services to residents of the State of Alaska; and

WHEREAS, local governments in Alaska can often provide similar services, but have those services tailored to meet local conditions, desires, and demands; and

WHEREAS, in a representative democracy, it is often bad public policy for dictates to be handed down by higher levels of government who are not in touch with local concerns; and

WHEREAS, this issue is particularly acute in Alaska where many federal mandates ignore Alaska's unique geographic and logistical issues; and

WHEREAS, from time to time, the Alaska Legislature is presented with proposals which, in the same manner, would apply to the entire state, but be ignorant of local concerns; and

WHEREAS, SB 238 is one of those proposals; and

WHEREAS, in the State of Alaska, local community libraries are operated and funded by local municipalities; and

WHEREAS, SB 238 removes the power of local governments to manage and operate local libraries to address local concerns; and

WHEREAS, local libraries make daily decisions on what materials to have, and not have, on their shelves every time materials are ordered and this necessarily includes a decision as to the content of those materials; and

WHEREAS, under SB 238, a super employee carrying the title of librarian would be the sole and absolute arbiter of library content; and

WHEREAS, granting authors, booksellers, and publishers a cause of action to sue local government for failing to include their materials is horrible public policy; and

WHEREAS, there are already constitutional and statutory safeguards in place for issues of wrongful discipline or termination of an employee; and

WHEREAS, allowing punitive damages against a government entity in Alaska is unheard of in Alaska and is horrible public policy which, in the end, will penalize voters in this state; and

WHEREAS, there is not a single known instance in the entire United States of America of a prosecution of a library employee for violating a law similar to AS 11.61.128 for merely making a book available at a library.

NOW, THEREFORE, BE IT RESOLVED, the Matanuska-Susitna Borough opposes SB 238

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2026.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)