

By: A. Strawn
Introduced: May 15, 2023
Public Hearing: June 5, 2023
Action: **Failed-June 19, 2023**

**MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 23-23**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ADOPTION OF AN ORDINANCE ADDING CHAPTER 17.11 - SEX OFFENDERS, TO PROHIBIT REGISTERED SEX OFFENDERS FROM ESTABLISHING PERMANENT RESIDENCE WITHIN 1,000 FEET OF SCHOOLS, DAYCARE FACILITIES, AND PUBLIC PARKS.

WHEREAS, the purpose of this ordinance is to impose several restrictions on where individuals registered as sex offenders in the State of Alaska may live within the Matanuska-Susitna Borough; and

WHEREAS, the State of Alaska requires sex offenders that pose a danger to society to register but does not categorically impose restrictions on where those on the registry are permitted to live; and

WHEREAS, there is substantial public and community debate regarding the risks posed by sex offenders living near where children congregate; and

WHEREAS, it is reasonable for the Assembly to find that the State registry only includes sex offenders that pose a risk to society and that this risk of harm is more substantial for the Borough's most vulnerable population, namely its children; and

WHEREAS, the adoption of this amendment to Title 17 should comply with the constitutional protections that may be afforded registered sex offenders under Alaska's extremely broad rights to privacy and equal protection; and

WHEREAS, this amendment contains provisions designed to prevent registered sex offenders from living in areas where children congregate; and

WHEREAS, these prohibitions do not apply retroactively; and

WHEREAS, individuals leasing property in a prohibited area will be able to complete their lease terms, and registered sex offenders owning property and using it as their primary residence will be able to maintain their residence.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission recommends adopting an ordinance adding Chapter 17.11 - Sex Offenders, to prohibit registered sex offenders from establishing permanent residence within 1,000 feet of schools, daycare facilities, and public parks.

ADOPTED by the Matanuska-Susitna Borough Planning Commission
this -- day of --, 2023.

CJ KOAN, Chair

ATTEST

CORINNE LINDFORS, Planning Clerk

(SEAL)

YES:

NO: