

Introduced by: Mayor  
Date: 10/12/21  
Action: Adopted  
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH  
RESOLUTION 2021-074**

**A RESOLUTION AUTHORIZING THE MAYOR TO PARTICIPATE  
IN THE OPIOID SETTLEMENT**

**WHEREAS,** according to the Centers for Disease Control and Prevention (CDC), there were over 70,000 overdose deaths reported in the U.S. in 2019, with two-thirds of these deaths involving an opioid; and

**WHEREAS,** the opioid overdose epidemic has devastated the lives of individuals and families throughout Alaska; and

**WHEREAS,** beyond the tragic and heartbreaking impact on Alaskan families, opioid impacts have ravaged communities and stretched-thin available government services; and

**WHEREAS,** local governments are on the front lines of the opioid epidemic which has imposed significant continuing costs for healthcare, criminal justice, social services, emergency medical response providers, and the education system in Alaska; and

**WHEREAS,** the CDC estimates that the total “economic burden” of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, addiction treatment, lost productive, and criminal justice involvement; and

**WHEREAS,** in response to the opioid epidemic thousands of state and local governments across the country joined together to file lawsuits against opioid manufactures and pharmaceutical distribution companies to hold those companies accountable for their misconduct; and

**WHEREAS,** as a result of the lawsuits, including numerous class action lawsuits, many of the opioid manufacturers have filed for bankruptcy protections; and

**WHEREAS,** the Kenai Peninsula Borough has participated in every class action suit to which it has been eligible; and

**WHEREAS,** municipalities in Alaska are uniquely suited to help utilize or distribute opioid settlement funds because of the array of services they provide which are provided within their community; and

**WHEREAS,** and litigation settlement funds need the flexibility to abate current and future opioid impacts; and

**WHEREAS,** opioid settlement funds should be available to reimburse existing municipal services and to assist in creating new opioid related services as required by the terms of the settlements; and

**WHEREAS,** the Alaska Legislature has a constitutional duty to promote and protect public health and welfare; and

**WHEREAS,** the Alaska Legislature has a constitutional duty to maintain a public school system open to all children, including children that have been significantly impacted by opioids; and

**WHEREAS,** it is in the best interests of all Alaskans to maximize the amount of settlement funding that will come to the state and municipalities; and

**WHEREAS,** the municipalities in Alaska encourage the State of Alaska to create an opioid settlement distribution that provides stable short and long-term funding to abate the opioid impacts in Alaska's municipalities; and

**WHEREAS,** as one of the nine original municipalities in Alaska to join the class action lawsuits, a borough representative should be appointed to the State of Alaska committee that will decide how the settlement funds will be distributed;

**NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That the Kenai Peninsula Borough agrees to the terms of the opioid settlements as proposed and authorizes the mayor to enter into such settlements, and any other future settlements, and to forego future litigation and use the settlement funds for opioid abatement.

**SECTION 2.** That the Kenai Peninsula Borough Assembly urges a settlement structure to be developed in collaboration with the State of Alaska that addresses local needs and the needs of those other local governments in a similar position to support their residents and service providers, and that any such structure should be protected from legislative action beyond the terms agreed to by parties to the settlement.


**SECTION 3.** That this resolution shall become effective immediately upon its adoption.

**ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 12TH DAY OF OCTOBER, 2021.**

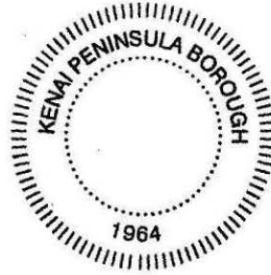


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Brent Hibbert, Assembly President

ATTEST:



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Jonni Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Carpenter, Chesley, Cox, Derkevorkian, Dunne, Elam, Johnson, Hibbert  
No: None  
Absent: None