

**HOUSE CS FOR CS FOR SENATE BILL NO. 68(HES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**NINETEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered: 4/5/95**

**Referred: Rules**

**Sponsor(s): SENATORS LEMAN, Ellis, Kelly, Pearce**

**REPRESENTATIVES Williams, Finkelstein**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to the donation to a food bank of hatchery salmon, to the  
2 donation of food by meat processors, seafood processors, manufacturers, packers,  
3 processors, bottlers, and similar entities, and to who qualifies as a food bank; and  
4 providing for an effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 \* **Section 1.** AS 17.20.345 is amended by adding a new subsection to read:

7 (c) A person who donates to a food bank salmon from a hatchery that operates  
8 under a permit issued under AS 16.10.400 - 16.10.470 is immune from liability as  
9 provided in this section if the salmon is apparently fit for human consumption at the  
10 time of its donation, even if the hatchery does not have a permit issued by the  
11 Department of Environmental Conservation under this chapter, AS 03.05, or other  
12 statute to process fisheries products for human consumption.

13 \* **Sec. 2.** AS 17.20.347 is amended to read:

14 Sec. 17.20.347. "DONOR" AND "FOOD BANK" DEFINED. In AS 17.20.345

and 17.20.346,

(1) "donor"

[(A)] includes a person, farmer, retailer, slaughterhouse under state supervision, freight company, distributor, wholesaler, meat processor, seafood processor, or similar entity, and [;

(B) EXCLUDES] a person who acts in a commercial capacity as a manufacturer, packer, processor, bottler, or similar entity, even if that activity is the person's primary activity;

(2) "food bank" means a nonprofit [AN] organization [RECOGNIZED BY THE STATE OR FEDERAL GOVERNMENT AS A NONPROFIT ORGANIZATION AND] that operates principally to collect, inspect, and salvage donated food for free distribution either to needy persons or to nonprofit organizations for free distribution to needy persons; in this paragraph, "nonprofit organization" means an organization recognized by the state or federal government as a nonprofit organization.

\* Sec. 3. This Act takes effect immediately under AS 01.10.070(c).