

CS FOR SENATE BILL NO. 68(HES) am

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Amended: 2/22/95

Offered: 2/16/95

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

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."

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

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

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

12 * **Sec. 2.** AS 17.20.347 is amended to read:

13 Sec. 17.20.347. "DONOR" AND "FOOD BANK" DEFINED. In
14 AS 17.20.345 and 17.20.346

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(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.**