

Introduced: 3/15/85  
Referred: Health, Education &  
Social Services and Resources

BY GRUSSENDORF AND  
MARROU BY REQUEST

1 IN THE HOUSE

2

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 261

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act exempting certain food events from regu-  
7 lation."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 03.05 is amended by adding a new section to read:

10 Sec. 03.05.023. EXEMPTION FROM REGULATION. (a) The commis-  
11 sioner of environmental conservation may not regulate the preparation  
12 and service of food for a benefit meal, a memorial meal, or an organi-  
13 zation meal.

14 (b) In this section

15 (1) "benefit meal" means an event where a nonprofit orga-  
16 nization sells food for on-premise consumption to raise money for the  
17 nonprofit organization;

18 (2) "memorial meal" means the consumption of food prepared  
19 in a home or other noncommercial food service establishment, at a  
20 gathering organized to commemorate an event; a "memorial meal" may  
21 include contributions of money by the participants at the event;

22 (3) "nonprofit organization" means an association of per-  
23 sons where no part of the income or profit of the organizations is  
24 distributable to its members, except as reimbursement for expenses  
25 incurred by a member on behalf of the organization; "nonprofit organi-  
26 zation" includes a corporation organized under AS 10.20 and a corpora-  
27 tion that is exempt under 26 U.S.C. 501 from payment of federal income  
28 tax;

29 (4) "organization meal" means a meal that is provided by a

1 nonprofit organization as a social event for the members, friends, and  
2 guests of the nonprofit organization when the food is prepared and  
3 served without charge by the members of the nonprofit organization;  
4 "organization meal" does not include a meal that is part of a nutri-  
5 tion program funded entirely or partially under 42 U.S.C. 3001 - 3058d  
6 (the Older Americans Act of 1965, as amended) or AS 47.65.

7 \* Sec. 2. AS 44.46.020 is amended to read:

8 Sec. 44.46.020. DUTIES OF DEPARTMENT. The Department of Envi-  
9 ronmental Conservation shall

10 (1) have primary responsibility for coordination and devel-  
11 opment of policies, programs and planning related to the environment  
12 of the state and of the various regions of the state;

13 (2) have primary responsibility for the adoption and en-  
14 forcement of regulations setting standards for the prevention and  
15 abatement of all water, land, subsurface land and air pollution, and  
16 other sources or potential sources of pollution of the environment,  
17 including by way of example only, petroleum and natural gas pipelines;

18 (3) promote and develop programs for the protection and  
19 control of the environment of the state;

20 (4) take actions that are necessary and proper to further  
21 the policy declared in AS 46.03.010;

22 (5) except as provided in AS 03.05.023, adopt regulations  
23 for

24 (A) the prevention and control of public health nui-  
25 sances;

26 (B) the regulation of sanitation and sanitary prac-  
27 tices in the interest of public health;

28 (C) standards of cleanliness and sanitation in con-  
29 nection with the construction, operation, and maintenance of a

1 camp, cannery, food handling establishment, food manufacturing  
2 plant, mattress manufacturing establishment, industrial plant,  
3 school, barbershop, hairdressing or cosmetology establishment,  
4 soft drink establishment, beer and wine dispensaries, and for  
5 other similar establishments in which lack of sanitation may  
6 create a condition which causes disease;

7 (D) the regulation of quality and purity of commer-  
8 cially compressed air sold for human respiration.