

HB

186

<TARGET><BILL>HB 186</BILL><SUBJECT>HB
186</SUBJECT><COMM>SHSS30</COMM></TARGET>

ALASKA STATE HOUSE

Session:

State Capitol Building,
Room 110
Juneau, AK 99801
Phone: (907) 465-4936
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Interim:

1292 Sadler Way, Suite 308
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REPRESENTATIVE DAVE TALERICO

Sponsor Statement for House Bill 186

"An Act relating to the donation of food; and relating to food banks."

HB 186 seeks to reduce the amount of wasted food in the state while increasing the amount of food donated to food banks and other charitable organizations. Nearly 15% of Alaskans fall into the category of food insecure individuals. Many businesses are currently donating excess food however many desire to do so but are not because of liability. Many charitable organizations do not receive sufficient food donations to feed the homeless and hungry that without such charities have no way to eat. These charities and people may greatly benefit from more donated food.

HB 186 will allow hotels, restaurants, stores and other food donors who choose to donate their excess unsold food or out dated food to donate to food banks or charitable organizations free from liability. This will open up the doors for thousands of pounds of new donated food to charities and thus help feed the nearly 15% hungry Alaskans. HB will require that all food donors that choose to donate hot excess food to simply label the donated hot food that can be frozen and re-served.

HB 186 will also reduce the amount of food put into our landfills which smells, attracts animals, birds and unnecessarily takes up space.

I urge your support for this bill to help reduce the amount of wasted food and increase the amount of donated food to decrease hunger in Alaska. Thank you!

Staff contact: Elijah Verhagen, (907) 465-4936

SENATE COMMITTEE REPORT

Rules

DATE: 4/15/17

FURTHER:

DATE TURNED IN TO OFFICE: 5/9/17

Health and Social Services Committee considered HOUSE BILL NO. 186

HB 186-FOOD DONATIONS

"An Act relating to the donation of food; and relating to food banks."

and recommends:


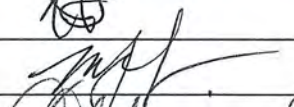
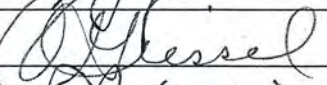
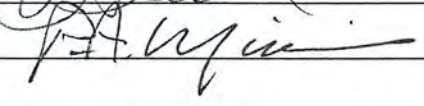
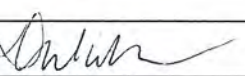
- be replaced with SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- adopt previous SCS _____ (_____) Same Title Technical Title Change
 New Title/SCR No. _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Begich	✓			
	VonImhof	✓			
	Giesel	✓			
	Micciche	✓			
CHAIR: 	Wilson	✓			

Fiscal Note

State of Alaska
2017 Legislative Session

Bill Version:	HB 186
Fiscal Note Number:	1
(H) Publish Date:	4/5/2017

Identifier: HB186-DEC-FSS-03-24-17
 Title: FOOD DONATIONS
 Sponsor: TALERICO
 Requester: House Health and Social Services Committee

Department: Department of Environmental Conservation
 Appropriation: Environmental Health
 Allocation: Food Safety & Sanitation
 OMB Component Number: 2343

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2018	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2018 Request	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
OPERATING EXPENDITURES	FY 2018	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2017) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2018) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By:	Christina Carpenter, Director	Phone:	(907)269-7645
Division:	Environmental Health	Date:	03/24/2017 10:00 AM
Approved By:	Alice Edwards, Deputy Commissioner	Date:	03/24/17
Agency:	Department of Environmental Conservation		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2017 LEGISLATIVE SESSION

Analysis

Analysis/Assumptions:

The Department of Environmental Conservation has oversight of retail markets such as food banks and other organizations that receive donated food and distribute it to the public. This bill expands on statutes that relieve donors and food banks of liability related to the donation of food. Additionally, this bill allows food fit for human consumption to be donated, even if the "best by" date has expired. This is consistent with the Department's current regulations at 18 AAC 31 (Alaska Food Code).

The Alaska Food Code requirements apply to all current and future food bank type establishments, whether they are defined as a food bank or a charitable organization in the proposed bill. If passed, this bill will not change the way the Department regulates organizations that receive and distribute food.

There would be no fiscal impact to the Department.

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REPRESENTATIVE DAVE TALERICO

Sectional Analysis – House Bill 186

"An Act relating to the donation of food; and relating to food banks."

Sec. 1 – AS 17.20.345

Amends AS 17.20.345 (a) by adding charitable organizations in statute next to food banks to be able to receive donated food from donors who may donate their food free from liability.

Amends AS 17.20.345 (b)(1) by adding a sentence clarifying that the labels referenced in this statute do not include the new label referenced in section two of this bill; which requires heated donated food to be labeled.

Amends AS 17.20.345 (b) by adding a third bullet point allowing donors of food to donate food with an expired date on it.

Amends AS 17.20.345 (c) by adding charitable organizations in statute along with food banks to be able to receive donated salmon from hatcheries.

Sec. 2 – AS 17.20.345

Amends AS 17.20.345 is amended by adding a new section which allows donors of food to donate excess hot food to food banks and charities as long as they label it as previously heated food.

Sec. 3 – AS 17.20.346

Amends AS 17.20.346 (a) by adding charitable organizations in statute next to food banks to be free from liability to donate received food to hungry individuals as long as they first inspect it and deem it fit for human consumption.

Amends AS 17.20.346 (b) by adding charitable organizations in statute next to food banks to be free to receive donated food with an expired date on it.

Sec. 4 – AS 17.20.347

Amends AS 17.20.347 (1) by adding delicatessen, restaurant, hotel and store under the definition of donor.

Amends AS 17.20.347 (2) by deleting part of the definition of a food bank so as to separately define a nonprofit organization in a new section.

Sec. 5 – AS 17.20.347

Amends AS 17.20.347 by adding three new definitions namely

1. "charitable organization" means a nonprofit organization that provides food without charge to individuals who do not have money to pay for the food or who do not have homes;
2. "food" includes unsold hot food;
3. "nonprofit organization" means an organization recognized by the state or federal government as a nonprofit organization.

Staff contact: Elijah Verhagen, (907) 465-4936



March 13, 2017

The Honorable Bill Walker
Governor of Alaska
PO Box 110001
Juneau, AK. 99801

Dear Governor Walker:

The Alaska Dental Society (ADS) is writing in support of HB159 and SB 79.

As the opioid public health crisis in Alaska continues, we have the opportunity to serve a key role in educating our communities and our patients about the devastation of opioids, both by reducing the number of prescriptions written and by offering non-opiate alternatives for acute dental pain.

There is a documented epidemic of opioid and heroin abuse in Alaska. The ADS has recognized the need for the responsible use and prescribing of prescription opiates by Alaskan dentists. The ADS is committed to informing our members of the latest research and to keeping you abreast of the latest findings on the efficacy of analgesics and responsible dosing. We share a special rapport with our patients allowing us to educate them about the addictive potential of prescribed opiates and change their expectations for opiate pain medications.

As ethical providers of healthcare, we have an obligation to educate ourselves about safe prescribing, about how to have a frank discussion with patients and, in the case of minors, their parents or caregivers, as well as how to identify possible abuse and recommend help. The Alaska Dental Society has developed guidelines for its members to aid in the proper prescribing of opioids and alternative pain control methods. We welcome other prescribers to utilize the guide where appropriate.

We support and thank you for proposing HB159 and SB79.

Dr. Jessica Blanco
Governmental Affairs Chair, Alaska Dental Society



ALASKA STATE HOSPITAL &
NURSING HOME ASSOCIATION

April 21, 2017

Dr. Jay Butler
Division of Health and Social Services
Chief Medical Officer

Re: HB 159/SB 79 Opioids; Prescriptions; Database; Licenses

Dear Dr. Butler,

On behalf of the members of the Alaska State Hospital and Nursing Home Association (ASHNHA), I am writing this letter in support of HB 159, a bill working to change the way opioids are prescribed and monitored in Alaska.

ASHNHA represents Alaska's hospitals and skilled nursing facilities. Our members provide a variety of critical health care services in their communities, from inpatient acute care and emergency services to primary care and behavioral health. For over 60 years, ASHNHA members have worked to improve health care in Alaska, in close partnership with many other stakeholders.

We are concerned about the opioid epidemic in Alaska and support taking steps to reduce unnecessary exposure to these addictive drugs. We support the overall concepts in this legislation of limiting the prescription of opioids, increasing the use of the prescription drug monitoring database and the other provisions in the bill.

After this bill was introduced, we spent time carefully reviewing and consulting with hospital-based pharmacists to assess the impact and identify any potential problems. We identified a number of concerns and have worked with the administration to address these concerns through a number of amendments.

We are now happy to provide our full support for HB 159/SB79. Please let us know if we can be of further assistance.

Sincerely,

Becky Hultberg
President/CEO



April 11, 2017

The Honorable Bill Walker
Governor of Alaska
PO BOX 11001
Juneau, Alaska 99801-0001

Dear Governor Walker,

The Mat-Su Health Foundation (MSHF) strongly supports HB 159 and SB 79, Opioids; Prescriptions; Database; Licenses. MSHF shares ownership in Mat-Su Regional Medical Center and invests its profits from that partnership back into the community to improve the health and wellness of Alaskans living in the Mat-Su.

HB 159 and SB 79 support recommendations from the Alaska Opioid Policy Task Force and the MSHF's Behavioral Health Environmental Scan (BHES), which called for adoption of strict guidelines for the prescribing of narcotics. The BHES was commissioned by the foundation after a 2013 Community Health Needs Assessment found that all five of the top health goals articulated by the community during the research process were specifically related to behavioral health, including substance abuse.

We believe that this legislation will save lives. In Alaska in the past two years, first responders and emergency services personnel administered naloxone over 1,315 times for both confirmed and suspected narcotic overdoses, including many in the Mat-Su. Thirty-six people died from heroin in Alaska last year, and 83 from prescription opioids. The provisions of this legislation can help ensure that our statistics are better in the future. Limiting the amount of an opioid drug that can be prescribed, requiring training for prescribers, and fully utilizing the Prescription Drug Monitoring Program will help ensure that all Alaskans have the opportunity for a healthy life. Many people will occasionally need assistance dealing with pain, but when they do, it should be according to established best practices, with the long-term safety of the patient in mind. We believe that HB 159 and SB 79 contribute to this goal.

Thank you for introducing this important legislation!

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Ripley".

Chief Executive Officer



Fairbanks Community Food Bank :: Freely Given Food. Free Willingly

725 26th Ave. Fairbanks, AK 99701 • Tel: (907) 45-SHARE • Fax: (907) 374-9776 • Website: www.FairbanksFoodBank.org
Anne Weaver, Executive Director • E-mail: Anne@FairbanksFoodBank.org

March 17, 2017

Re: House Bill 186

To whom it may concern:

The Fairbanks Community Food Bank appreciates the efforts of House Bill 186 to encourage even more food philanthropy in Alaska. Without the donated food from our community we would be unable to serve Alaskans in need!

Thank you,

A handwritten signature in blue ink, appearing to be 'Anne Weaver', with a long horizontal flourish extending to the right.

**Anne Weaver
CEO**



A United Way Agency



Map the Meal Gap 2016: Overall Food Insecurity in Alaska by County in 2014¹



County	Population	Food Insecurity rate	Estimated annual food insecure households (rounded)	Likely Income Eligibility for Federal Nutrition Assistance ²		
				% below 130% poverty <small>(WIC, SNAP, and other federal nutrition programs)</small>	% between 130% and 185% poverty <small>(WIC, SNAP, and other federal nutrition programs)</small>	% above 185% poverty <small>(SNAP, and other federal nutrition programs)</small>
Aleutians East Borough	3,296	14.3%	470	64%	36%	0%
Aleutians West Census Area	5,650	14.6%	830	47%	27%	26%
Anchorage Municipality	298,178	12.7%	37,940	39%	18%	43%
Bethel Census Area	17,576	21.8%	3,820	71%	22%	7%
Bristol Bay Borough	995	14.0%	140	29%	9%	62%
Denali Borough	2,048	14.9%	310	40%	14%	46%
Dillingham Census Area	4,956	17.8%	880	66%	27%	8%
Fairbanks North Star Borough	99,319	13.4%	13,300	35%	18%	46%
Haines Borough	2,557	15.3%	390	38%	32%	31%
Hoonah-Angoon Census Area	2,126	20.2%	430	51%	20%	29%
Juneau City and Borough	32,200	11.3%	3,650	32%	12%	56%
Kenai Peninsula Borough	56,687	13.3%	7,530	43%	18%	39%
Ketchikan Gateway Borough	13,676	15.2%	2,080	43%	14%	44%
Kodiak Island Borough	13,924	13.0%	1,810	44%	17%	39%
Lake and Peninsula Borough	1,490	20.5%	300	59%	25%	16%
Matanuska-Susitna Borough	93,843	12.9%	12,110	45%	16%	39%
Nome Census Area	9,792	21.3%	2,090	76%	19%	5%
North Slope Borough	9,618	14.5%	1,400	44%	13%	43%
Northwest Arctic Borough	7,672	22.5%	1,730	65%	21%	14%
Petersburg Borough	3,212	14.7%	470	45%	13%	43%
Prince of Wales-Hyder Census Area	6,356	18.2%	1,160	52%	23%	25%
Sitka City and Borough	8,957	12.8%	1,150	37%	11%	52%
Skagway Municipality	996	15.9%	160	18%	15%	67%
Southeast Fairbanks Census Area	7,044	17.2%	1,210	49%	29%	22%
Valdez-Cordova Census Area	9,685	13.5%	1,300	52%	6%	42%
Wade Hampton Census Area	7,778	26.7%	2,080	85%	15%	0%
Wrangell City and Borough	2,383	14.8%	350	45%	21%	34%
Yakutat City and Borough	635	16.5%	100	30%	26%	44%
Yukon-Koyukuk Census Area	5,651	23.1%	1,300	64%	22%	14%
State Total³	736,732	14.4%	105,770	44.5%	15.1%	40.4%

For additional data and maps by county, state, and congressional district, please visit www.feedingamerica.org/mapthegap.

Gundersen, C., A. Dewey, A. Crumbaugh, M. Kato & E. Engelhard. *Map the Meal Gap 2016: Food Insecurity and Child Food Insecurity Estimates at the County Level*. Feeding America, 2016. This research is generously supported by the Howard G. Buffett Foundation and The Nielsen Company.

¹Map the Meal Gap's food insecurity rates are determined using data from the 2001-2014 Current Population Survey on individuals in food insecure households; data from the 2014 American Community Survey on median household incomes, poverty rates, homeownership, and race and ethnic demographics; and 2014 data from the Bureau of Labor Statistics on unemployment rates.

²Numbers reflect percentage of food insecure individuals living in households with incomes within the income bands indicated. Eligibility for federal nutrition programs is determined in part by these income thresholds which can vary by state.

³Population and food insecurity data in the state totals row do not reflect the sum of all counties in that state. The state totals are aggregated from the congressional districts data in that state. All data in the state totals row pertaining to the cost of food or the "Meal Gap" reflect state-level data and are not aggregations of either counties or congressional districts.