

Commonwealth of the Northern Mariana Islands

Office of the Governor

Saipan, Mariana Islands 96950

MAIL ADDRESS  
GOV. JOHN SAIPAN  
REPLY TO:

DEPT. or ACTIVITY

DEC 18 1984

The Honorable Ponciano C. Rasa  
President of the senate  
Fourth Northern Marianas Commonwealth  
Legislature  
Saipan, CM 96950

GOV. CONC. NO. 81  
(House of Rep.)

and

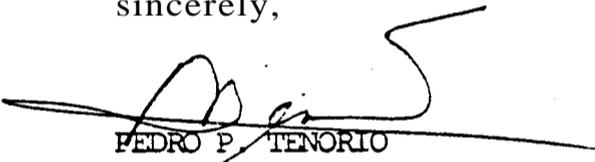
The Honorable Vicente M. Sablan  
Speaker, House of Representatives  
Fourth Northern Marianas Commonwealth  
Legislature  
Saipan, CM 96950

Dear Mr. President and Mr. Speaker:

This is to inform you that I have signed into Law Senate Bill  
No. 4-20, entitled, "To establish a good samaritan fool! donation  
act, and for other purposes," which was passed by the Fourth  
Northern Marianas Commonwealth Legislature.

Senate Bill No. 4-20 becomes Public Law No. 4-26. Copies bearing  
my signature are forwarded herewith for your ready reference.

sincerely,

  
PEDRO P. TENORIO  
Governor

CC: Special Assistant for Programs and Legislative Review

Rec'd  
9:40 12-19-84  
pl

PUBLIC LAW NO. 4-26

S.B. NO. 4-20

FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

SECOND REGULAR SESSION, 1984

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AN ACT

To establish a good samaritan food donation act, and for other purposes.

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Offered by Senators Olympio T. Borja, Julian S. Calvo,  
Manuel P. Villaomez and Ramon M. Dela Cruz

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Date: February 21, 1984

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SENATE ACTION

Referred to: Committee on Health, Education and Welfare

Standing Committee Report No. 4-78

First Reading: November 14, 1984

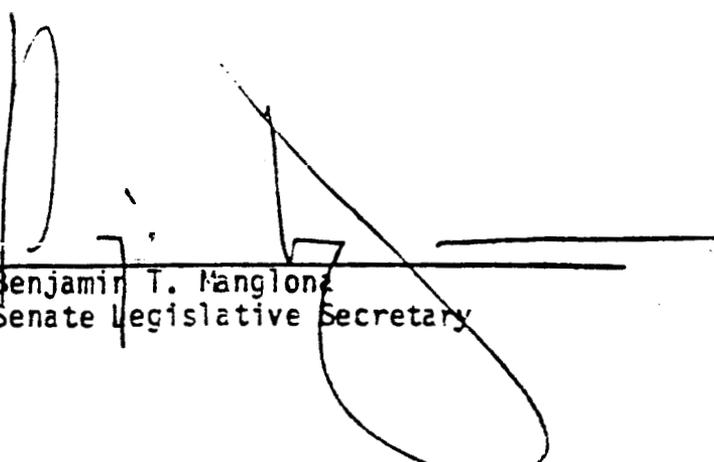
Second Reading: November 19, 1984

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HOUSE ACTION

First and Final Reading: November 21, 1984

  
Benjamin T. Mangione  
Senate Legislative Secretary



*The Senate*

FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE  
P.O. Box 129  
Saipan, CM 96950

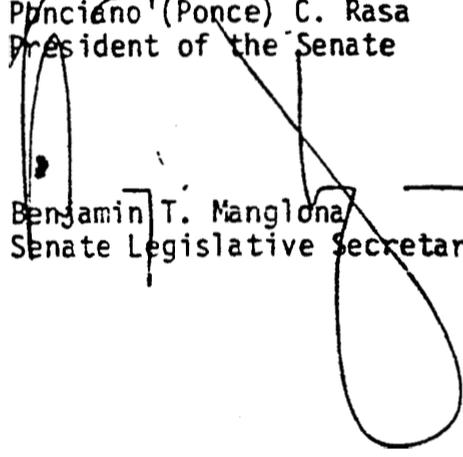
Phone: 6534/6539

CERTIFICATION

S.B. No. 4-20

We hereby certify that the foregoing Senate Bill passed the Senate and the House of Representatives of the Fourth Northern Marianas Commonwealth Legislature, Second Regular Session, 1984, on November 21, 1984, by a unanimous vote of the members, a quorum being present.

  
Ponciano (Ponce) C. Rasa  
President of the Senate

  
Benjamin T. Manglona  
Senate Legislative Secretary

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A BILL FOR AN ACT

To establish a good samaritan food donation act, and for other purposes.

BE IT ENACTED BY THE FOURTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE:

1       Section 1. Short Title and Purpose. This act may be cited as the  
2       Commonwealth Good Samaritan *Food* Donation Act. It is the purpose of  
3       this act to provide immunity from suit for persons who donate food or  
4       who receive or serve donated food.

5       Section 2. Definitions. As used in this act:

6               (a) "Canned food" means any canned food that has been  
7       hermetically sealed and commercially processed and prepared for  
8       human consumption, including canned or preserved fruits, vegetables  
9       or other articles of food. There is specifically excluded for  
10       purposes of this section canned goods that are outdated, rusted,  
11       leaking, swollen or defective, or cannot be otherwise offered for  
12       sale to members of the general public.

13              (b) "Donee" means any charitable, religious, or nonprofit  
14       organization as well as any individual or family.

15              (c) "Edible animal" means any agricultural, dairy or  
16       horticultural product or any product designed or intended for human  
17       consumption or prepared principally from an agricultural, dairy or  
18       horticultural product.

19              (e) "Perishable food" means any food that may spoil or  
20       otherwise become unfit for human consumption because of its nature,  
21       type or physical condition. Perishable food includes, but is not

1 limited to, fresh or processed meats, poultry, seafood, dairy  
2 products, bakery products, eggs in the shell, **fresh** fruits or  
3 vegetables and foods that have been packaged, refrigerated or  
4 frozen.

5 Section 3. Who May Donate. Any person, corporation, partnership,  
6 association or other organization may donate, in good faith and **free of**  
7 charge, to a donee any canned food, edible animal, farm product, or  
8 perishable food which appear to be fit for human consumption at the—  
9 time it is donated.

10 Section 4. Immunity for Donated Food. Any person, corporation,  
11 partnership, association or other organization which donates food or any  
12 donee which receives or serves donated food shall not be liable for  
13 damages in **any** civil or criminal action for **any** injury or death **because**  
14 of the condition of the food, unless the injury or death is a direct  
15 result of the gross negligence or wanton acts or omissions of the donor  
16 or the donee.

17 Section 5. Department of Public Health and Environmental Services.  
18 Nothing in this act is intended to restrict the authority of the  
19 Department of Public Health and Environmental Services to regulate,  
20 inspect or ban the use of donated foods for human consumption.

PUBLIC LAW NO. 4-26

SENATE BILL NO. 4-20

1 Section 6. Effective Date. This act shall take effect upon its  
2 approval by the Governor or upon its becoming law without such approval,

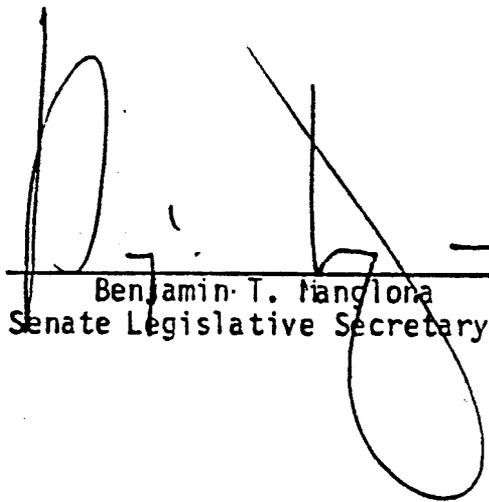


Ponciano (Ponce) C. Rasa  
President of the Senate

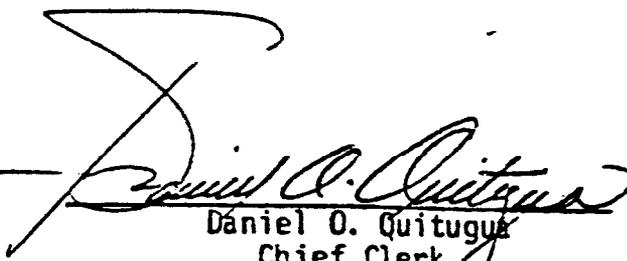


Vicente H. Sablan  
Speaker  
House of Representatives

ATTEST :

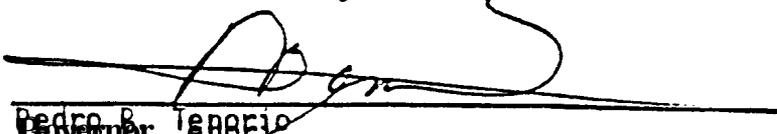


Benjamin T. Mangiona  
Senate Legislative Secretary



Daniel O. Quitugua  
Chief Clerk  
House of Representatives

December 18 1904.



Governor

Commonwealth of the Northern Mariana Islands