

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES (Filing No. H-278)
110TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1010, L.D. 1206, Bill,
"AN ACT to Limit Liability Regarding Donations to Food Banks."
in
Amend the Bill in that part designated "§166." / subsection
2, 5th line (4th in L.D.) by striking out the underlined words
"not subject to" and inserting in their place the following
underlined words 'immune from'

Further amend the Bill in that part designated "§165." by
striking out all of subsection 3 and inserting in its place the
following:

'3. Immunity of distributor. Notwithstanding any other
provision of law, a bona fide charitable or not-for-profit
organization and any employee or volunteer of that organization
who in good faith receive and distribute food, which is
apparently fit for human consumption at the time it is distri-
buted, without charge, are immune from civil liability arising
from an injury or death due to the condition of the food, unless
the injury or death is a direct result of the gross negligence,
recklessness or intentional misconduct of the organization.'

Statement of Fact

This amendment rewords the operative immunity language to
more correctly state the nature of the immunity.

It also includes employees and volunteers of the food bank within the scope of immunity granted here.

Reported by the Committee on Judiciary.
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