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# A BILL FOR AN ACT

RELATING TO FOOD SECURITY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 37-41.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:  
3           "(c) In addition to the five per cent retainage under  
4 subsection (a), the department of education may retain any  
5 appropriation received pursuant to section 127A-16(a) or as  
6 reimbursement for disaster relief pursuant to section  
7 ~~[127A-16(d)]~~ 127A-16(e) at the close of the fiscal year in which  
8 the appropriation or reimbursement was received and the funds  
9 retained shall not lapse until June 30 of the first fiscal year  
10 of the next fiscal biennium. ~~[Such]~~ These funds shall be  
11 considered as separate and distinct from the funds the  
12 department of education is authorized to retain pursuant to  
13 subsection (a)."

14           SECTION 2. Section 127A-16, Hawaii Revised Statutes, is  
15 amended to read as follows:

16           "**§127A-16 Major disaster fund.** (a) The administrator  
17 shall submit requests to the legislature to appropriate from the



1 general revenues of the State sufficient moneys as may be  
2 necessary for expenditure by or under the direction of the  
3 governor for immediate relief in response to an emergency or a  
4 disaster in any part of the State; provided that:

5 (1) The governor has issued a proclamation of a state of  
6 emergency;

7 (2) The governor [~~may~~] shall not expend in excess of  
8 \$10,000,000 for immediate relief as a result of any  
9 single emergency or disaster; and

10 (3) In addition to the funds in paragraph (2), an  
11 additional \$5,000,000 may be made available solely for  
12 the purpose of matching federal disaster relief funds  
13 when these funds become available to the State  
14 following a presidential disaster declaration.

15 In expending the moneys, the governor may allot any portion  
16 thereof to any agency, office, or employee of the State or a  
17 county for the most efficient relief for the population.

18 Notwithstanding this subsection, the only exception to  
19 paragraphs (1), (2), and (3) is that the administrator may use  
20 up to \$250,000 per year to support the emergency management  
21 reserve corps.



1        (b) Moneys in the fund may be expended at any time without  
2 the need for the governor to issue a proclamation of a state of  
3 emergency for the purpose of ensuring that foodbanking  
4 organizations in the State maintain a minimum stock of food  
5 prior to the occurrence of a disaster or emergency. Not later  
6 than twenty days prior to the beginning of each regular session,  
7 the administrator shall submit a request to the legislature to  
8 appropriate from the general revenues of the State sufficient  
9 moneys as may be necessary for expenditure by or under the  
10 direction of the governor for the purpose of assisting  
11 foodbanking organizations approved by the adjutant general to  
12 maintain, at all times, a minimum stock of food to meet the  
13 demands of an emergency or a disaster in any part of the State;  
14 provided that:

- 15        (1) The governor has issued a proclamation of pre-disaster  
16        necessity; and  
17        (2) The governor shall not expend in excess of \$2,500,000  
18        in any fiscal year for the purpose established in this  
19        subsection.



1 A proclamation of pre-disaster or emergency necessity shall not  
2 require the existence of an imminent threat of disaster or  
3 emergency.

4 The administrator shall establish minimum food stock levels  
5 for foodbanking organizations without regard to chapter 91.

6 [~~(b)~~] (c) No later than sixty days after any allotment by  
7 the governor or the expenditure of any fund moneys, the  
8 administrator shall report to the legislature on the purpose of  
9 the allotment or expenditure.

10 [~~(e)~~] (d) Except as provided in subsection [~~(d)~~], (e),  
11 federal reimbursement moneys for disaster relief shall be deemed  
12 to be trust moneys and may be deposited into a trust account  
13 with and under the control of the Hawaii emergency management  
14 agency. These moneys and any interest earned thereon shall be  
15 used for the purpose identified in subsection (a) and shall not  
16 lapse to the general fund.

17 [~~(d)~~] (e) In cases in which the department of education  
18 expends the funds appropriated to the department for purposes  
19 deemed to be reimbursable by federal reimbursement moneys for  
20 disaster relief, the federal reimbursement moneys shall not  
21 lapse to the general fund and shall be credited directly to the



1 department of education without regard to whether the original  
2 appropriation has lapsed. Such funds shall carry over in  
3 accordance with section 37-41.5(c).

4 [~~e~~] (f) Any unspent funding under \$2,500,000 shall be  
5 rolled over to the next fiscal year to support future  
6 emergencies and disasters."

7 SECTION 3. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$ or so  
9 much thereof as may be necessary for fiscal year 2020-2021 for  
10 the major disaster fund.

11 The sum appropriated shall be expended by the department of  
12 defense for the purposes of this Act.

13 SECTION 4. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Emergency Preparedness; Disaster; Major Disaster Fund; Foodbank;  
Governor; Appropriation

**Description:**

Authorizes the Governor to issue a proclamation of pre-disaster  
necessity for the purpose of assisting foodbanking organizations  
to maintain food stocks for an emergency. Appropriates funds.  
Effective 7/1/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

