
A BILL FOR AN ACT

RELATING TO EMERGENCY FOOD MANAGEMENT.

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

1 SECTION 1. The legislature finds that during times of
2 economic crisis, natural disasters, or other emergencies the
3 number of Hawaii residents and families who experience food
4 insecurity increases dramatically. Recent natural disasters
5 like hurricanes, flooding, tsunami, and volcanic eruptions, as
6 well as health and economic crises, including the coronavirus
7 disease 2019 (COVID-19) pandemic and subsequent government
8 mandated shutdowns, have forced people out of their homes,
9 disrupted the economy, and upset supply chains.

10 The legislature finds that local charitable food
11 organizations, including food banks, soup kitchens, shelters,
12 and food rescue operations, are critical parts of the food
13 safety net during times of crisis. The fallout from natural
14 disasters and similar crises place insurmountable pressure on
15 these organizations, which are often called upon by local
16 authorities to respond to the increased demand on limited



1 budgets. At least sixteen other states provide some type of
2 government funding support for charitable food organizations.

3 The legislature also recognizes that during times of
4 crisis, local food producers, including farmers, ranchers,
5 fishers, and others, can be negatively impacted. Disruptions to
6 supply chains can result in food spoiling before reaching its
7 intended destination. Work interruptions, whether by government
8 orders, pandemics, or other disasters, can also adversely affect
9 food producers' ability to bring their products to market.

10 Charitable food operations can offer a dual solution by not
11 only ensuring families in need have access to enough food to
12 sustain their household, but also by operating as an economic
13 stimulus by purchasing food directly from local Hawaii food
14 businesses. The legislature finds that there is a need to
15 connect community feeding and local food production to emergency
16 funding solutions.

17 The purpose of this Act is to create the Hawaii emergency
18 food assistance program and, upon an emergency proclamation from
19 the governor, require that moneys be appropriated to the program
20 to fund state food banks to purchase, store, and transport food
21 grown or produced in Hawaii to local communities for



1 distribution. This program will serve the State's food needs
2 during an emergency, provide local food producers with a market
3 to support those needs, and keep moneys within the State to
4 boost the local economy.

5 SECTION 2. Chapter 127A, Hawaii Revised Statutes, is
6 amended by adding two new sections to be appropriately
7 designated and to read as follows:

8 **"§127A-A Hawaii emergency food assistance program. (a)**

9 There is established the Hawaii emergency food assistance
10 program to be administered by the department of agriculture
11 during a declared state of emergency to relieve food shortages
12 experienced by residents of the State, including low-income and
13 unemployed families and individuals, by distributing food grown
14 or produced in Hawaii to those persons.

15 (b) The department of agriculture shall make moneys
16 available to food banks located in the State pursuant to
17 subsection (a) using moneys in the Hawaii emergency food
18 assistance program special fund established pursuant to section
19 127A-B.

20 (c) Food banks that receive moneys pursuant to this
21 section shall use the moneys to purchase, store, and transport



1 food grown or produced in Hawaii to be distributed to recipients
2 at no cost to the recipients.

3 (d) For purposes of this section:

4 (1) "Food bank" has the same meaning as in title 7 U.S.C.
5 section 7501(5).

6 (2) "Produced in Hawaii" has the same meaning as in
7 section 486-119(b).

8 **§127A-B Hawaii emergency food assistance program special**
9 **fund.** (a) There is established in the state treasury the
10 Hawaii emergency food assistance program special fund into which
11 shall be deposited the following:

12 (1) Moneys appropriated to the fund pursuant to section
13 127A-16;

14 (2) Appropriations by the legislature to the special fund;

15 (3) Gifts, donations, and grants from public agencies and
16 private persons; and

17 (4) Interest accrued from moneys in the special fund.

18 (b) Moneys in the special fund shall be used to provide
19 immediate relief from food shortages during a declared state of
20 emergency pursuant to section 127A-A. Moneys shall not be



1 expended from the special fund unless a state of emergency has
2 been declared pursuant to section 127A-14.

3 (c) Moneys deposited into the special fund shall not lapse
4 to the credit of the general fund.

5 (d) Expenditures from the special fund shall be authorized
6 and administered by the department of agriculture.

7 (e) The special fund shall not be subject to sections
8 36-27, 36-30, or 37-53."

9 SECTION 3. Section 36-27, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) Except as provided in this section, and
12 notwithstanding any other law to the contrary, from time to
13 time, the director of finance, for the purpose of defraying the
14 prorated estimate of central service expenses of government in
15 relation to all special funds, except the:

16 (1) Special out-of-school time instructional program fund
17 under section 302A-1310;

18 (2) School cafeteria special funds of the department of
19 education;

20 (3) Special funds of the University of Hawaii;

21 (4) State educational facilities improvement special fund;



- 1 (5) Convention center enterprise special fund under
2 section 201B-8;
3 (6) Special funds established by section 206E-6;
4 (7) Aloha Tower fund created by section 206J-17;
5 (8) Funds of the employees' retirement system created by
6 section 88-109;
7 (9) Hawaii hurricane relief fund established under chapter
8 431P;
9 (10) Hawaii health systems corporation special funds and
10 the subaccounts of its regional system boards;
11 (11) Tourism special fund established under section
12 201B-11;
13 (12) Universal service fund established under section
14 269-42;
15 (13) Emergency and budget reserve fund under section
16 328L-3;
17 (14) Public schools special fees and charges fund under
18 section 302A-1130;
19 (15) Sport fish special fund under section 187A-9.5;
20 [+] (16) [+] Neurotrauma special fund under section 321H-4;



1 [+] (17) [+] Glass advance disposal fee established by section
2 342G-82;
3 [+] (18) [+] Center for nursing special fund under section
4 304A-2163;
5 [+] (19) [+] Passenger facility charge special fund
6 established by section 261-5.5;
7 [+] (20) [+] Solicitation of funds for charitable purposes
8 special fund established by section 467B-15;
9 [+] (21) [+] Land conservation fund established by section
10 173A-5;
11 [+] (22) [+] Court interpreting services revolving fund under
12 section 607-1.5;
13 [+] (23) [+] Trauma system special fund under section
14 321-22.5;
15 [+] (24) [+] Hawaii cancer research special fund;
16 [+] (25) [+] Community health centers special fund;
17 [+] (26) [+] Emergency medical services special fund;
18 [+] (27) [+] Rental motor vehicle customer facility charge
19 special fund established under section 261-5.6;
20 [+] (28) [+] Shared services technology special fund under
21 section 27-43;



[+](29)[+] Automated victim information and notification
system special fund established under section 353-136;
[+](30)[+] Deposit beverage container deposit special fund
under section 342G-104;
[+](31)[+] Hospital sustainability program special fund
under [+]section 346G-4[+];
[+](32)[+] Nursing facility sustainability program special
fund under [+]section 346F-4[+];
[+](33)[+] Hawaii 3R's school improvement fund under section
302A-1502.4;
[+](34)[+] After-school plus program revolving fund under
section 302A-1149.5; [and
+(35)[+] Civil monetary penalty special fund under section
321-30.2[+]; and
(36) Hawaii emergency food assistance program special fund
under section 127A-B,
shall deduct five per cent of all receipts of all other special
funds, which deduction shall be transferred to the general fund
of the State and become general realizations of the State. All
officers of the State and other persons having power to allocate
or disburse any special funds shall cooperate with the director



1 in effecting these transfers. To determine the proper revenue
2 base upon which the central service assessment is to be
3 calculated, the director shall adopt rules pursuant to chapter
4 91 for the purpose of suspending or limiting the application of
5 the central service assessment of any fund. No later than
6 twenty days prior to the convening of each regular session of
7 the legislature, the director shall report all central service
8 assessments made during the preceding fiscal year."

9 SECTION 4. Section 36-30, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

11 "(a) Each special fund, except the:

12 (1) Special out-of-school time instructional program fund
13 under section 302A-1310;

14 (2) School cafeteria special funds of the department of
15 education;

16 (3) Special funds of the University of Hawaii;

17 (4) State educational facilities improvement special fund;

18 (5) Special funds established by section 206E-6;

19 (6) Aloha Tower fund created by section 206J-17;

20 (7) Funds of the employees' retirement system created by
21 section 88-109;



- 1 (8) Hawaii hurricane relief fund established under chapter
2 431P;
- 3 (9) Convention center enterprise special fund established
4 under section 201B-8;
- 5 (10) Hawaii health systems corporation special funds and
6 the subaccounts of its regional system boards;
- 7 (11) Tourism special fund established under section
8 201B-11;
- 9 (12) Universal service fund established under section
10 269-42;
- 11 (13) Emergency and budget reserve fund under section
12 328L-3;
- 13 (14) Public schools special fees and charges fund under
14 section 302A-1130;
- 15 (15) Sport fish special fund under section 187A-9.5;
- 16 [+](16)[+] Neurotrauma special fund under section 321H-4;
- 17 [+](17)[+] Center for nursing special fund under section
18 304A-2163;
- 19 [+](18)[+] Passenger facility charge special fund
20 established by section 261-5.5;



1 [+] (19) [+] Court interpreting services revolving fund under
2 section 607-1.5;

3 [+] (20) [+] Trauma system special fund under section
4 321-22.5;

5 [+] (21) [+] Hawaii cancer research special fund;

6 [+] (22) [+] Community health centers special fund;

7 [+] (23) [+] Emergency medical services special fund;

8 [+] (24) [+] Rental motor vehicle customer facility charge
9 special fund established under section 261-5.6;

10 [+] (25) [+] Shared services technology special fund under
11 section 27-43;

12 [+] (26) [+] Nursing facility sustainability program special
13 fund established pursuant to [+]section 346F-4[+];

14 [+] (27) [+] Automated victim information and notification
15 system special fund established under section 353-136;

16 [+] (28) [+] Hospital sustainability program special fund
17 under [+]section 346G-4[+]; ~~and~~

18 +] (29) [+] Civil monetary penalty special fund under section
19 321-30.2[+]; and

20 (30) Hawaii emergency food assistance program special fund
21 under section 127A-B,



1 shall be responsible for its pro rata share of the
2 administrative expenses incurred by the department responsible
3 for the operations supported by the special fund concerned."

4 SECTION 5. There is appropriated out of the general fund
5 of the State the sum of \$ or so much thereof as may be
6 necessary for fiscal year 2021-2022 and the same sum or so much
7 thereof as may be necessary for fiscal year 2022-2023 to be
8 deposited into the Hawaii emergency food assistance program
9 special fund.

10 SECTION 6. There is appropriated out of the Hawaii
11 emergency food assistance program special fund the sum of \$
12 or so much thereof as may be necessary for fiscal year 2021-2022
13 and the same sum or so much thereof as may be necessary for
14 fiscal year 2022-2023 for expenditure pursuant to section 2 of
15 this Act.

16 The sums appropriated shall be expended by the department
17 of agriculture for the purposes of this Act.

18 SECTION 7. In codifying the new sections added by section
19 2 of this Act, the revisor of statutes shall substitute
20 appropriate section numbers for the letters used in designating
21 the new sections in this Act.



1 SECTION 8. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 9. This Act shall take effect on July 1, 2050.



Report Title:

HDOA; Hawaii Emergency Management Agency; Hawaii Emergency Food Assistance Program Special Fund; Appropriation

Description:

Establishes the Hawaii emergency food assistance program and Hawaii emergency food assistance program special fund to be administered by the department of agriculture and appropriates moneys into the fund to provide food to certain residents during governor-declared states of emergency. Effective 7/1/2050.
(SD2)

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