

JAN 20 2023

A BILL FOR AN ACT

RELATING TO THE HAWAII FARM TO FOOD BANK PROGRAM.

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

1 SECTION 1. The purpose of this Act is to create the Hawaii
2 farm to food bank program and provide a source of funding for
3 the program to fund state food banks to purchase, store, and
4 transport food grown or produced in Hawaii to local communities
5 for distribution. This program will serve the State's food
6 needs, provide local food producers with a market to support
7 their operations, and keep moneys circulating within the State
8 to boost the local economy.

9 SECTION 2. Chapter 371K, Hawaii Revised Statutes, is
10 amended by adding a new part to be appropriately designated and
11 to read as follows:

12 "PART . HAWAII FARM TO FOOD BANK PROGRAM

13 §371K-A Hawaii farm to food bank program. (a) There is
14 established the Hawaii farm to food bank program to be
15 administered by the office of community services within the
16 department of labor and industrial relations to relieve food
17 shortages experienced by residents of the State, including low-



1 income and unemployed families and individuals, by distributing
2 fresh locally grown or produced food to those persons.

3 (b) The office of community services shall make moneys
4 available to food banks located in the State pursuant to
5 subsection (a) using moneys in the Hawaii food assistance
6 program special fund established pursuant to section 371K-B.

7 (c) Food banks that receive moneys pursuant to this
8 section shall use the moneys to purchase, store, and transport
9 food grown or produced in the State to be distributed to
10 recipients at no cost to the recipients.

11 (d) For the purposes of this section:

12 "Food bank" has the same meaning as in title 7 United
13 States Code Section 7501(5).

14 "Fresh locally grown or produced food" means fruits,
15 vegetables, nuts, coffee, eggs, poultry, and poultry products,
16 livestock products, milk and milk products, aquacultural, and
17 maricultural products, and horticultural products, one hundred
18 per cent grown, raised, and harvested in Hawaii.

19 **§371K-B Hawaii food assistance program special fund. (a)**
20 There is established in the state treasury the Hawaii food



S.B. NO.430

1 assistance program special fund into which shall be deposited
2 the following:

- 3 (1) Appropriations by the legislature to the special fund;
- 4 (2) Gifts, donations, and grants from public agencies and
5 private persons; and
- 6 (3) Interest accrued from moneys in the special fund.

7 (b) Moneys in the special fund shall be used for programs
8 to provide hunger relief to those in need.

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

11 (d) Expenditures from the special fund shall be authorized
12 and administered by the office of community services for
13 purposes of the Hawaii farm to food bank program.

14 (e) The special fund shall not be subject to sections
15 36-27, 36-30, or 37-53.

16 (f) All procurements executed pursuant to this part shall
17 be exempt from the requirements of chapters 103D and 103F."

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

20 "(a) Except as provided in this section, and
21 notwithstanding any other law to the contrary, from time to



1 time, the director of finance, for the purpose of defraying the
2 prorated estimate of central service expenses of government in
3 relation to all special funds, except the:

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

6 (2) School cafeteria special funds of the department of
7 education;

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

9 (4) Convention center enterprise special fund under
10 section 201B-8;

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

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

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

15 (8) Hawaii hurricane relief fund established under chapter
16 431P;

17 (9) Hawaii health systems corporation special funds and
18 the subaccounts of its regional system boards;

19 (10) Universal service fund established under section 269-
20 42;



S.B. NO. 430

- 1 (11) Emergency and budget reserve fund under section 328L-
- 2 3;
- 3 (12) Public schools special fees and charges fund under
- 4 section 302A-1130;
- 5 (13) Sport fish special fund under section 187A-9.5;
- 6 (14) Neurotrauma special fund under section 321H-4;
- 7 (15) Glass advance disposal fee established by section
- 8 342G-82;
- 9 (16) Center for nursing special fund under section 304A-
- 10 2163;
- 11 (17) Passenger facility charge special fund established by
- 12 section 261-5.5;
- 13 (18) Solicitation of funds for charitable purposes special
- 14 fund established by section 467B-15;
- 15 (19) Land conservation fund established by section 173A-5;
- 16 (20) Court interpreting services revolving fund under
- 17 section 607-1.5;
- 18 (21) Trauma system special fund under section 321-22.5;
- 19 (22) Hawaii cancer research special fund;
- 20 (23) Community health centers special fund;
- 21 (24) Emergency medical services special fund;



S.B. NO. 430

- 1 (25) Rental motor vehicle customer facility charge special
2 fund established under section 261-5.6;
- 3 (26) Shared services technology special fund under section
4 27-43;
- 5 (27) Automated victim information and notification system
6 special fund established under section 353-136;
- 7 (28) Deposit beverage container deposit special fund under
8 section 342G-104;
- 9 (29) Hospital sustainability program special fund under
10 section 346G-4;
- 11 (30) Nursing facility sustainability program special fund
12 under section 346F-4;
- 13 (31) Hawaii 3R's school improvement fund under section
14 302A-1502.4;
- 15 (32) After-school plus program revolving fund under section
16 302A-1149.5;
- 17 (33) Civil monetary penalty special fund under section 321-
18 30.2; [~~and~~
- 19 ~~}]~~ (34) ~~[}]~~ Stadium development special fund under section
20 109-3.5 [~~}]~~; and



1 (35) Hawaii food assistance program special fund under
2 section 371K-B,
3 shall deduct five per cent of all receipts of all other special
4 funds, which deduction shall be transferred to the general fund
5 of the State and become general realizations of the State. All
6 officers of the State and other persons having power to allocate
7 or disburse any special funds shall cooperate with the director
8 in effecting these transfers. To determine the proper revenue
9 base upon which the central service assessment is to be
10 calculated, the director shall adopt rules pursuant to
11 chapter 91 for the purpose of suspending or limiting the
12 application of the central service assessment of any fund. No
13 later than twenty days prior to the convening of each regular
14 session of the legislature, the director shall report all
15 central service assessments made during the preceding fiscal
16 year.

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

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

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



S.B. NO. 430

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



- 1 (15) Center for nursing special fund under section 304A-
- 2 2163;
- 3 (16) Passenger facility charge special fund established by
- 4 section 261-5.5;
- 5 (17) Court interpreting services revolving fund under
- 6 section 607-1.5;
- 7 (18) Trauma system special fund under section 321-22.5;
- 8 (19) Hawaii cancer research special fund;
- 9 (20) Community health centers special fund;
- 10 (21) Emergency medical services special fund;
- 11 (22) Rental motor vehicle customer facility charge special
- 12 fund established under section 261-5.6;
- 13 (23) Shared services technology special fund under section
- 14 27-43;
- 15 (24) Nursing facility sustainability program special fund
- 16 established pursuant to section 346F-4;
- 17 (25) Automated victim information and notification system
- 18 special fund established under section 353-136;
- 19 (26) Hospital sustainability program special fund under
- 20 section 346G-4;



S.B. NO. 430

1 (27) Civil monetary penalty special fund under section 321-
2 30.2; ~~and~~
3 (28) Stadium development special fund under section
4 109-3.5; and
5 (29) Hawaii food assistance program special fund under
6 section 371K-B,
7 shall be responsible for its pro rata share of the
8 administrative expenses incurred by the department responsible
9 for the operations supported by the special fund concerned."

10 SECTION 5. There is appropriated out of the general fund
11 the sum of \$5,000,000 or so much thereof as may be necessary for
12 fiscal year 2023-2024 to be deposited into the Hawaii food
13 assistance special fund.

14 SECTION 6. There is appropriated out of the Hawaii food
15 assistance special fund the sum of \$5,000,000 or so much thereof
16 as may be necessary for fiscal year 2023-2024, with such moneys
17 to be used consistent with the Hawaii food assistance program
18 special fund.

19 The sum appropriated shall be expended by the department of
20 labor and industrial relations; provided that the office of
21 community services may retain ten per cent of the appropriation



S.B. NO. 430

1 for its administrative costs in entering into and overseeing
2 contracts adopted pursuant to section 371K-A, Hawaii Revised
3 Statutes.

4 SECTION 7. In codifying the new sections added by section
5 2 of this Act, the revisor of statutes shall substitute
6 appropriate section numbers for the letters used in designating
7 the new sections in this Act.

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

10 SECTION 9. This Act shall take effect on July 1, 2023.

11

INTRODUCED BY:





S.B. NO. 430

Report Title:

Hawaii Farm to Food Bank Program; Hawaii Food Assistance Program; Special Fund; Appropriation

Description:

Establishes the Hawaii Farm to Food Bank Program and Hawaii Food Assistance Program Special Fund to alleviate food shortages in the State. Makes an appropriation.

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

