
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. Act 176, Session Laws of Hawaii 2021, is
2 amended by amending section 1 to read as follows:

3 "SECTION 1. The legislature finds that supporting local
4 businesses and encouraging the production and use of local
5 agricultural products [~~is~~] are a matter of statewide concern.

6 The legislature further finds that the department of
7 education, department of health, department of public safety,
8 and University of Hawaii system are the state entities that
9 purchase some of the greatest amounts of agricultural products.
10 For example, according to the department of public safety, it
11 consistently spent more than \$10,000,000 annually from 2007 to
12 2011 to feed Hawaii's inmate population. Under section 11-174-
13 3, Hawaii Administrative Rules, the inclusive rate for routine
14 and ancillary services per patient of the Hawaii state hospital
15 is \$133 per day. Routine and ancillary services include food
16 and nutrition services, among other services and supplies.



1 The department of education operates the twelfth-largest
2 school system in the United States. Prior to the COVID-19
3 pandemic, the department of education served lunch to 103,786
4 students daily and an additional 32,352 breakfasts daily.
5 During fiscal year 2017-2018, the department spent more than
6 \$45,640,000 on food for school meals. In 2020, even during an
7 abbreviated school year, the department spent about \$30,000,000
8 on food.

9 ~~[The]~~ Therefore, the purpose of this Act is to require
10 ~~[state departments]~~ the department of education, department of
11 health, department of public safety, and University of Hawaii
12 system to ensure that a certain percentage of [produce] food
13 that is purchased is locally grown to ensure the continued
14 growth of local [produce,] food, support local farmers and
15 ranchers, and guarantee that revenue derived from [the produce
16 of contracts for] locally grown [produce] food remains in the
17 State. This Act is not meant to capture departmental or
18 university staff travel expenses, office staff procurement, or
19 any other staff meals separate from each department's or the
20 university's offered meal services or programs."



1 SECTION 2. Section 27-8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~[§]27-8[§]~~ **Contracts for ~~[produce,]~~ food; percentage to**
4 **be grown within the State.** (a) ~~[Each principal department of~~
5 ~~the State, as established in section 26-4, that purchases~~
6 ~~produce]~~ The department of education, department of health,
7 department of public safety, and University of Hawaii system
8 shall ensure that a certain percentage of the ~~[produce]~~ food
9 purchased ~~[by that department]~~ in public schools, public
10 hospitals, public prisons, and University of Hawaii facilities
11 is fresh local agricultural products and local value-added,
12 processed, agricultural, or food products as follows:

13 (1) By January 1, 2025, fresh local agricultural products
14 and local value-added, processed, agricultural, or
15 food products shall constitute a minimum of ten per
16 cent of the total ~~[produce]~~ food purchased ~~[by the~~
17 ~~department]~~ during each calendar year, as measured by
18 the per cent of total food cost;

19 (2) By January 1, 2030, fresh local agricultural products
20 and local value-added, processed, agricultural, or
21 food products shall constitute a minimum of



1 eighteen per cent of the total [~~produce~~] food
2 purchased [~~by the department~~] during each calendar
3 year, as measured by the per cent of total food cost;

4 (3) By January 1, 2035, fresh local agricultural products
5 and local value-added, processed, agricultural, or
6 food products shall constitute a minimum of
7 twenty-six per cent of the total [~~produce~~] food
8 purchased [~~by the department~~] during each calendar
9 year, as measured by the per cent of total food cost;

10 (4) By January 1, 2040, fresh local agricultural products
11 and local value-added, processed, agricultural, or
12 food products shall constitute a minimum of
13 thirty-four per cent of the total [~~produce~~] food
14 purchased [~~by the department~~] during each calendar
15 year, as measured by the per cent of total food cost;

16 (5) By January 1, 2045, fresh local agricultural products
17 and local value-added, processed, agricultural, or
18 food products shall constitute a minimum of
19 forty-two per cent of the total [~~produce~~] food
20 purchased [~~by the department~~] during each calendar



1 year, as measured by the per cent of total food cost;
2 and

3 (6) By January 1, 2050, fresh local agricultural products
4 and local value-added, processed, agricultural, or
5 food products shall constitute a minimum of
6 fifty per cent of the total [~~produce~~] food purchased
7 [~~by the department~~] during each calendar year, as
8 measured by the per cent of total food cost.

9 (b) [~~Each principal department of the State~~] The
10 department of education, department of health, department of
11 public safety, and University of Hawaii system shall each submit
12 a report to the legislature no later than twenty days prior to
13 the convening of each regular session on [~~that department's~~]
14 progress toward meeting the benchmarks described in
15 subsection (a), including:

16 (1) The [~~amount of~~] total [~~produce~~] cost of food purchased
17 [~~by the department~~] during the calendar year preceding
18 that regular session[, ~~as measured by the per cent of~~
19 ~~the total food cost~~];

20 (2) The [~~amount of~~] percentage of the total cost of food
21 purchased during the calendar year preceding that



1 regular session accounted for by the cost of fresh
2 local agricultural products and local value-added,
3 processed, agricultural, or food products [~~purchased~~
4 ~~by the department during the calendar year preceeding~~
5 ~~that regular session, as measured by the per cent of~~
6 ~~the total food cost~~]; and

7 ~~[(3) The percentage of fresh local agricultural products~~
8 ~~and local value-added, processed, agricultural, or~~
9 ~~food products purchased by the department during the~~
10 ~~year preceeding that regular session; and~~

11 ~~+(4)]~~ (3) If ~~[the]~~ each respective department or the
12 University of Hawaii did not meet the relevant
13 benchmark described in subsection (a), an explanation
14 of why ~~[the]~~ each respective department or the
15 University of Hawaii did not meet that benchmark.

16 (c) ~~[For the purposes of]~~ As used in this section:

17 "Fresh local agricultural products" means fruits,
18 vegetables, nuts, coffee, eggs, poultry, and poultry products,
19 livestock, and livestock products, milk and milk products,
20 aquacultural, and maricultural products, and horticultural



1 products, one hundred per cent grown, raised, and harvested in
2 Hawaii.

3 "Local value-added, processed, agricultural, or food
4 product" means a product for which at least fifty-one per cent
5 of its primary agricultural product is grown, raised, and
6 harvested in Hawaii.

7 "Primary agricultural product" means the major agricultural
8 product in a processed or value-added agricultural or food
9 product.

10 [~~"Produce" means fruits, vegetables, staple starches, nuts,~~
11 ~~coffee, eggs, poultry and poultry products, livestock and~~
12 ~~livestock products, milk and milk products, aquacultural and~~
13 ~~maricultural products, and horticultural products.] "~~

14 SECTION 2. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

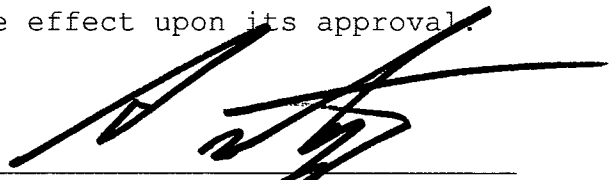
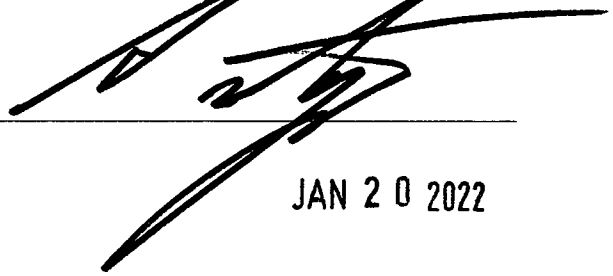


H.B. NO. 1568

1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY:

JAN 20 2022



H.B. NO. 1568

Report Title:

Procurement; Food Contracts; Specifications; DOE; DOH; PSD; UH System

Description:

Changes the law requiring all state departments to ensure that a certain percentage of food purchased consists of fresh, local agricultural products or local value-added, processed, agricultural, or food products to apply only to the DOE, DOH, PSD, and UH System. Requires each of those departments and the UH System to report to the legislature on its progress toward meeting these benchmarks and clarifies the information to be reported.

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

