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# 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           §371-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 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 Hawaii to be distributed to recipients  
10 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



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

3 (1) Moneys appropriated to the fund pursuant to section  
4 371K-A;

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

6 (3) Gifts, donations, and grants from public agencies and  
7 private persons; and

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

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

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

13 (d) Expenditures from the special fund shall be authorized  
14 and administer by the office of community services.

15 (e) The special fund shall not be subject to sections  
16 36-27, 36-30, or 37-53.

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

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



1           "(a) Except as provided in this section, and  
2 notwithstanding any other law to the contrary, from time to  
3 time, the director of finance, for the purpose of defraying the  
4 prorated estimate of central service expenses of government in  
5 relation to all special funds, except the:

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

8           (2) School cafeteria special funds of the department of  
9                 education;

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

11          (4) Convention center enterprise special fund under  
12                 section 201B-8;

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

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

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

17          (8) Hawaii hurricane relief fund established under chapter  
18                 431P;

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



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- 1       (10) Universal service fund established under section
- 2               269-42;
- 3       (11) Emergency and budget reserve fund under section
- 4               328L-3;
- 5       (12) Public schools special fees and charges fund under
- 6               section 302A-1130;
- 7       (13) Sport fish special fund under section 187A-9.5;
- 8       (14) Neurotrauma special fund under section 321H-4;
- 9       (15) Glass advance disposal fee established by section
- 10              342G-82;
- 11       (16) Center for nursing special fund under section
- 12              304A-2163;
- 13       (17) Passenger facility charge special fund established by
- 14              section 261-5.5;
- 15       (18) Solicitation of funds for charitable purposes special
- 16              fund established by section 467B-15;
- 17       (19) Land conservation fund established by section 173A-5;
- 18       (20) Court interpreting services revolving fund under
- 19              section 607-1.5;
- 20       (21) Trauma system special fund under section 321-22.5;
- 21       (22) Hawaii cancer research special fund;



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



1 ~~{}~~ (34) ~~{}~~ Stadium development special fund under section  
2 109-3.5 ~~{}~~; and  
3 (35) Hawaii food assistance program special fund under  
4 section 371K-B,  
5 shall deduct five per cent of all receipts of all other special  
6 funds, which deduction shall be transferred to the general fund  
7 of the State and become general realizations of the State. All  
8 officers of the State and other persons having power to allocate  
9 or disburse any special funds shall cooperate with the director  
10 in effecting these transfers. To determine the proper revenue  
11 base upon which the central service assessment is to be  
12 calculated, the director shall adopt rules pursuant to chapter  
13 91 for the purpose of suspending or limiting the application of  
14 the central service assessment of any fund. No later than  
15 twenty days prior to the convening of each regular session of  
16 the legislature, the director shall report all central service  
17 assessments made during the preceding fiscal year."

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

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



- 1           (1) Special out-of-school time instructional program fund
- 2                   under section 302A-1310;
- 3           (2) School cafeteria special funds of the department of
- 4                   education;
- 5           (3) Special funds of the University of Hawaii;
- 6           (4) Special funds established by section 206E-6;
- 7           (5) Aloha Tower fund created by section 206J-17;
- 8           (6) Funds of the employees' retirement system created by
- 9                   section 88-109;
- 10          (7) Hawaii hurricane relief fund established under chapter
- 11                   431P;
- 12          (8) Convention center enterprise special fund established
- 13                   under section 201B-8;
- 14          (9) Hawaii health systems corporation special funds and
- 15                   the subaccounts of its regional system boards;
- 16          (10) Universal service fund established under section
- 17                   269-42;
- 18          (11) Emergency and budget reserve fund under section
- 19                   328L-3;
- 20          (12) Public schools special fees and charges fund under
- 21                   section 302A-1130;





- 1 (13) Sport fish special fund under section 187A-9.5;
- 2 (14) Neurotrauma special fund under section 321H-4;
- 3 (15) Center for nursing special fund under section
- 4 304A-2163;
- 5 (16) Passenger facility charge special fund established by
- 6 section 261-5.5;
- 7 (17) Court interpreting services revolving fund under
- 8 section 607-1.5;
- 9 (18) Trauma system special fund under section 321-22.5;
- 10 (19) Hawaii cancer research special fund;
- 11 (20) Community health centers special fund;
- 12 (21) Emergency medical services special fund;
- 13 (22) Rental motor vehicle customer facility charge special
- 14 fund established under section 261-5.6;
- 15 (23) Shared services technology special fund under section
- 16 27-43;
- 17 (24) Nursing facility sustainability program special fund
- 18 established pursuant to section 346F-4;
- 19 (25) Automated victim information and notification system
- 20 special fund established under section 353-136;



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1 (26) Hospital sustainability program special fund under  
2 section 346G-4;

3 (27) Civil monetary penalty special fund under section  
4 321-30.2; ~~and~~

5 ~~{}~~ (28) ~~{}~~ Stadium development special fund under section  
6 109-3.5 ~~{}~~; and

7 (29) Hawaii food assistance program special fund under  
8 section 371B,

9 shall be responsible for its pro rata share of the  
10 administrative expenses incurred by the department responsible  
11 for the operations supported by the special fund concerned."

12 SECTION 5. There is appropriated out of the general fund  
13 the sum of \$5,000,000 or so much thereof as may be necessary for  
14 fiscal year 2022-2023 to be deposited into the Hawaii food  
15 assistance special fund; provided that the office of community  
16 services may retain ten per cent of the appropriation for its  
17 administrative costs in entering into and overseeing contracts  
18 adopted pursuant to section 371K-A, Hawaii Revised Statutes.

19 SECTION 6. In codifying the new sections added by section  
20 2 of this Act, the revisor of statutes shall substitute



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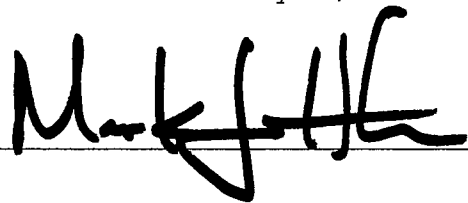
1 appropriate section numbers for the letters used in designating  
2 the new sections in this Act.

3 SECTION 7. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 8. This Act shall take effect on July 1, 2022.

6

INTRODUCED BY:



JAN 19 2022



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**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 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.*

