

JAN 17 2025

A BILL FOR AN ACT

RELATING TO THE HAWAII CHILD NUTRITION PROGRAMS.

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

1 SECTION 1. The legislature finds that the Hawaii child
2 nutrition programs is the state agency link between the United
3 States Department of Agriculture Food and Nutrition Service and
4 local program operators. The agency conducts audits, provides
5 technical assistance, and disburses federal funds while ensuring
6 the programs are managed according to federal requirements.

7 The legislature further finds that the Hawaii child
8 nutrition programs has a critical role in ensuring the
9 department of education reaches the programmatic goal
10 established in Act 175, Session Laws of Hawaii 2021, to provide
11 at least thirty per cent locally grown food in the State's
12 public schools by 2030. However, additional resources and staff
13 dedicated to farm-to-school connections are needed to ensure the
14 department of education meets its "30 by 30" goal.

15 The legislature also finds that the Hawaii child nutrition
16 programs is an agency attached to the department of education
17 under the board of education. However, it is critical from an



1 ethical standpoint for the Hawaii child nutrition programs to be
2 independent of the department of education's school food
3 services branch to prevent its preferential treatment. The
4 Hawaii child nutrition programs agency should be transferred
5 from the department of education to the department of
6 agriculture to allow the Hawaii child nutrition programs to
7 conduct compliance audits and fiscal reviews without
8 interference from the school food services branch.

9 The purpose of this Act is to:

- 10 (1) Establish the Hawaii child nutrition programs as an
11 agency in the department of agriculture; and
12 (2) Fund grant-based programs to be administered through
13 the Hawaii child nutrition programs.

14 SECTION 2. The Hawaii Revised Statutes is amended by
15 adding a new chapter to be appropriately designated and to read
16 as follows:

17 **"CHAPTER**

18 **HAWAII CHILD NUTRITION PROGRAMS**

19 § -1 **Definitions.** As used in this chapter, "agency"
20 means the Hawaii child nutrition programs agency.



1 § **-2 Hawaii child nutrition programs agency; purpose.**

2 (a) There is established within the department of agriculture
3 for administrative purposes only, the Hawaii child nutrition
4 programs agency. The agency shall serve as the state link
5 between the United States Department of Agriculture Food and
6 Nutrition Services and local program operators.

7 (b) The purpose of the Hawaii child nutrition programs
8 agency is to conduct audits, provide technical assistance,
9 disburse federal funds to local program operators, and
10 administer and award grants to promote the purchasing of locally
11 grown foods by all schools in the State participating in the
12 United States Department of Agriculture child nutrition
13 programs.

14 § **-3 Grants.** (a) The agency shall administer a grant
15 program to support the State's public schools by funding the
16 initiatives described in subsection (c).

17 (b) Funding shall be used for the purposes described in
18 subsection (c); provided that no more than two per cent of the
19 funding received by the grantee may be retained to be used for
20 administration costs. Funding retained by project partners for



1 data collection, outreach, and training may not exceed one per
2 cent for each project partner.

3 (c) Grants shall be awarded to:

4 (1) Fund purchase of minimally processed local food
5 products;

6 (2) Fund equipment to increase the use and preparation of
7 minimally processed local foods in school meals;

8 (3) Fund professional development to educate children
9 about good nutrition and farm-to-school connections;

10 and

11 (4) Fund technical assistance to increase participation in
12 federal child nutrition programs.

13 (d) In determining recipients for grants related to farm-
14 to-school education and increasing participation in federal
15 child nutrition programs, the agency shall prefer grantees who
16 propose educational activities that meet one or more of the
17 following:

18 (1) Promotion of healthy food activities;

19 (2) Clear educational objectives;

20 (3) Involvement of parents or the community;



(4) Connect to a school or child care center's farm-to-school or farm-to-early-child-care procurement activities; and

(5) Marketing and promoting the program, which will lead to increased pupil knowledge and consumption of Hawaii-grown products.

§ -4 **Reports to the legislature.** The agency shall submit a report to the legislature on the disbursement of funds awarded pursuant to section -3 no later than twenty days prior to the convening of each regular session."

SECTION 3. All employees of the Hawaii child nutrition programs who occupy civil service positions and whose functions are transferred to the department of agriculture by this Act shall retain their civil service status, whether permanent or temporary. Employees shall be transferred without loss of salary, seniority (except as prescribed by applicable collective bargaining agreements), retention points, prior service credit, any vacation and sick leave credits previously earned, and other rights, benefits, and privileges, in accordance with state personnel laws and this Act; provided that the employees possess the minimum qualifications and public employment requirements



1 for the class or position to which transferred or appointed, as
2 applicable; provided further that subsequent changes in status
3 may be made pursuant to applicable civil service and
4 compensation laws.

5 Any employee who, prior to this Act, is exempt from civil
6 service and is transferred as a consequence of this Act may
7 retain the employee's exempt status, but shall not be appointed
8 to a civil service position as a consequence of this Act. An
9 exempt employee who is transferred by this Act shall not suffer
10 any loss of prior service credit, vacation or sick leave credits
11 previously earned, or other employee benefits or privileges as a
12 consequence of this Act; provided that the employees possess
13 legal and public employment requirements for the position to
14 which transferred or appointed, as applicable; provided further
15 that subsequent changes in status may be made pursuant to
16 applicable employment and compensation laws.

17 SECTION 4. All appropriations, records, equipment,
18 machines, files, supplies, contracts, books, papers, documents,
19 maps, and other personal property heretofore made, used,
20 acquired, or held by the department of education relating to the



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1 functions transferred to the department of agriculture shall be
2 transferred with the functions to which they relate.

3 SECTION 5. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2025-2026 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2026-2027 to fund grants administered by the Hawaii child
8 nutrition programs agency for the 2025-2026 school year.

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

11 SECTION 6. This Act shall take effect on July 1, 2025.

12

INTRODUCED BY:

Lynn DeLoite BR



S.B. NO. 988

Report Title:

Hawaii Child Nutrition Programs; Department of Agriculture;
Grants; Appropriation

Description:

Transfers the Hawaii Child Nutrition Programs Agency from the Department of Education to the Department of Agriculture and codifies its establishment. Establishes a grant program to be administered by the Agency to support the funding of certain initiatives for the State's public schools. Appropriates funds for grants.

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