



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-THIRD LEGISLATURE, 2026**

---

**ON THE FOLLOWING MEASURE:**

S.B. NO. 3063, RELATING TO DEPARTMENT OF EDUCATION PROCUREMENT.

**BEFORE THE:**

SENATE COMMITTEE ON EDUCATION

**DATE:** Friday, February 13, 2026

**TIME:** 1:05 p.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Anne T. Horiuchi, Deputy Attorney General

---

Chair Kim and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments on this bill.

This bill authorizes the Department of Education to expend up to five percent more to procure local edible produce and packaged food products, compared to non-local alternatives.

The Department notes that there is no definition of "non-local alternatives" provided in the bill, nor is the term currently defined in statute. However, section 27-8, Hawaii Revised Statutes (HRS), provides: (1) "'Fresh local agricultural products' means fruits, vegetables, nuts, coffee, eggs, poultry and poultry products, livestock and livestock products, milk and milk products, aquacultural and maricultural products, and horticultural products, that are one hundred per cent grown, raised, and harvested in Hawaii"; and (2) "'Local value-added, processed, agricultural, or food products' means a product for which at least fifty-one per cent of its primary agricultural product is grown, raised, and harvested in Hawaii."

To provide clarity, the Department recommends inserting the following wording at the end of section 302A-1317, HRS, on page 1, line 17:

For purposes of this section, "non-local alternatives" are food products that do not meet the definitions of "fresh local agricultural products" or "local value-added, processed, agricultural, or food products" as provided in section 27-8.

Thank you for the opportunity to provide comments on this bill.



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KA 'OIHANA HO'ONA'AUAO  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/13/2026

**Time:** 01:05 PM

**Location:** CR 229 & Videoconference

**Committee:** EDU

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Title of Bill:** SB3063, RELATING TO DEPARTMENT OF EDUCATION  
PROCUREMENT.

**Purpose of Bill:** Authorizes the Department of Education to expend up to 5% more to procure local edible produce and packaged food products, compared to non-local alternatives.

**Department's Position:**

The Hawaii State Department of Education (Department) is supportive of SB 3063.

The Department remains committed to increasing locally sourced products for the school meal program in alignment with Act 175, Session Laws of Hawaii 2021 (Act 175), and appreciates the potential ability to expend up to 5% more to procure local edible produce and packaged food products compared to non-local alternatives.

Under Hawaii Public Procurement Code, the Department can already apply a 15% differential for agricultural products and a 10% differential for processed goods. Since the current logistics of our program depend on distributors who win an entire contract rather than specific line items, and the Department has very minimal direct contracts because of operational logistics, the differential or the ability to expend more for local products are difficult to utilize at this time. However, as we move into the Regional Kitchen model and have contracts directly with producers, these two mechanisms will be a catalyst for more local purchasing.

Thank you for the opportunity to provide testimony in support on SB 3063.

JOSH B. GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



BONNIE KAHAKUI  
ADMINISTRATOR  
  
DAYNA OMIYA  
ASSISTANT ADMINISTRATOR

**STATE OF HAWAI'I | KA MOKU'ĀINA O HAWAI'I**  
**STATE PROCUREMENT OFFICE**

P.O. Box 119  
Honolulu, Hawaii 96810-0119  
Tel: (808) 586-0554  
email: [state\\_procurement\\_office@hawaii.gov](mailto:state_procurement_office@hawaii.gov)  
<http://spo.hawaii.gov>

TESTIMONY  
OF  
BONNIE KAHAKUI, ADMINISTRATOR  
STATE PROCUREMENT OFFICE

TO THE SENATE COMMITTEE  
ON  
COMMITTEE ON EDUCATION  
February 13, 2026, 1:05 PM

SENATE BILL 3063  
RELATING TO DEPARTMENT OF EDUCATION PROCUREMENT

Chair Kim, Vice Chair Kidani, and members of the committee, thank you for the opportunity to submit testimony on Senate Bill 3063. The State Procurement Office (SPO) acknowledges the intent of this bill to reduce administrative burden and promote local agriculture and food producers; however, the SPO has considerable concerns and offers comments on this measure.

Senate Bill 3063 amends Section 302A-1317, Hawaii Revised Statutes (HRS), authorizing the Department of Education (DOE) to purchase **any** amount of local edible produce and packaged food products that cost no more than five per cent (5%) more than non-local alternatives to be exempt from electronic procurement requirements.

The SPO has significant concerns regarding the enforceability of the proposed pricing condition. The bill does not clearly define nor establish a mechanism for how the DOE is to determine, document, or verify the price of a comparable non-local alternative. A valid price comparison requires a competitive solicitation; without this, the 5% pricing threshold becomes subject to interpretation.

The intent of Chapter 302A-1317, HRS, is to exempt the purchase of local edible produce and packaged food products, less than \$250,000 from electronic procurement. Adding **any** amount of local edible produce and packaged food products that cost no more than five percent (5%) goes beyond the intent and spirit of the law.

Exemption of **any** procurements that meet the 5% pricing threshold from electronic procurement requirements reduces transparency and competition and increases risk of collusion, resulting in limited public visibility, a smaller pool of qualified vendors, and higher costs.

The SPO recommends removal of Section 1, subsection (2), lines 9-11 in its entirety.

~~["(2) Any amount for local edible produce and packaged food products for the department that cost no more than five per cent more than non-local alternatives,"]~~

Thank you for the opportunity to submit testimony on this measure.



P.O. Box 253, Kunia, Hawai'i 96759  
Phone: (808) 848-2074; Fax: (808) 848-1921  
e-mail [info@hfbf.org](mailto:info@hfbf.org); [www.hfbf.org](http://www.hfbf.org)

February 13, 2026

HEARING BEFORE THE  
SENATE COMMITTEE ON EDUCATION

**TESTIMONY ON SB 3063**  
RELATING TO DEPARTMENT OF EDUCATION PROCUREMENT

Conference Room 229 & Videoconference  
1:05 PM

Aloha Chair Kim, Vice-Chair Kidani, and Members of the Committee:

I am Brian Miyamoto, Executive Director of the Hawai'i Farm Bureau (HFB). Organized since 1948, the HFB is comprised of 1,800 farm family members statewide and serves as Hawai'i's voice of agriculture to protect, advocate, and advance the social, economic, and educational interests of our diverse agricultural community.

**The Hawai'i Farm Bureau supports SB 3063**, which strengthens the Department of Education's ability to procure locally grown edible produce and packaged food products by providing clear procurement flexibility and recognizing a reasonable cost differential for local products.

Hawai'i's farmers and ranchers operate in one of the highest cost environments in the nation. Land, labor, transportation, invasive species pressures, and limited scale all impact the price of locally grown food. The 5% allowance gives DOE reasonable flexibility to prioritize Hawai'i-grown products while maintaining responsible cost controls.

SB 3063 also complements the State's Farm to School initiatives and Regional Kitchens. Procurement flexibility is essential to ensure that regional kitchens can effectively source Hawai'i-grown products at a meaningful scale. Without workable procurement pathways, farmers and food processors cannot reliably access institutional markets.

By clarifying and strengthening DOE's authority to prioritize local products within a defined cost framework, this measure advances food security, supports rural economies, and creates stable markets for Hawai'i's agricultural producers.

SB 3063 represents a practical, accountable step toward increasing the use of Hawai'i-grown food in our public school system.

Thank you for the opportunity to provide testimony on this measure.

**SB-3063**

Submitted on: 2/10/2026 8:42:59 PM

Testimony for EDU on 2/13/2026 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry Support

3063 SB RELATING TO DEPARTMENT OF EDUCATION PROCUREMENT.

**SB-3063**

Submitted on: 2/10/2026 10:08:34 PM

Testimony for EDU on 2/13/2026 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ted Meehan	Individual	Support	Written Testimony Only

Comments:

Supporting local food growers is just good for Hawaii. Please support SB 3063. Thank you.

Ted Meehan

**SB-3063**

Submitted on: 2/11/2026 12:50:55 AM

Testimony for EDU on 2/13/2026 1:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
M. Leilani DeMello	Individual	Support	Written Testimony Only

Comments:

Aloha,

I KĀKO‘O this bill and hope that our schools will provide more opportunities for local farmers that will in turn provide healthier food for our keiki.

Mahalo,

M. Leilani DeMello

‘Ōla‘a, Puna, Hawai‘i