

ACT 194

H.B. NO. 13

A Bill for an Act Relating to Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the establishment of a revolving fund for the department of education's office of Hawaii child nutrition program is necessary to account for the receipts from the administrative fees charged to the recipient agencies for the distribution of federal commodity foods.

The legislature further finds that the United States Department of Agriculture Food and Nutrition Service, Western Region Office, monitors and approves the administrative fees charged to the recipient agencies. However, federal legislation does not allow the department of education to expend federal moneys for the operations of state-contracted warehouses.

The purpose of this Act is to create a revolving fund for the collection and disbursement of generated revenue to support the administration and operation of the department of education food distribution program.

SECTION 2. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§302A- Food distribution program revolving fund. (a) There is established the food distribution program revolving fund to be administered by the department.

(b) The food distribution program revolving fund shall consist of:

- (1) Administrative fees collected by the department for administering and operating the food distribution program;
- (2) All interest earned on the deposit or investment of moneys in the food distribution program revolving fund; and
- (3) Any other moneys made available to the food distribution program revolving fund from other sources.

(c) The revolving fund shall be used by the department for the collection and disbursement of generated revenue to support the administration and operation of the food distribution program.

(d) The balance in the food distribution program revolving fund shall not exceed \$2,000,000 to pay for services rendered by state-contracted warehouses for the distribution of federal commodity foods to the recipient agencies. Any moneys remaining in the revolving fund in excess of \$2,000,000 at the end of each fiscal year shall lapse to the credit of the general fund.

(e) The food distribution program revolving fund shall not be used for:

- (1) Consultant or personal services rendered;
- (2) Travel expenses that may include conference registration, per diem, or airfare costs; or
- (3) The purchase of furniture, equipment, computer hardware, or office supplies.”

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SECTION 3. There is appropriated out of the food distribution program revolving fund of the State of Hawaii the sum of \$2,000,000 or so much thereof as may be necessary for fiscal year 2007-2008 and the same sum or so much thereof as may be necessary for fiscal year 2008-2009 for the payment of services provided by state-contracted warehouses for the distribution of federal commodity foods to recipient agencies under the department of education food distribution program.

The sums appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 2007.

(Approved June 19, 2007.)

Note

1. Edited pursuant to HRS §23G-16.5.