



GOV. MSG. NO. 639

EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

April 30, 2009

The Honorable Colleen Hanabusa, President  
and Members of the Senate  
Twenty-Fifth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on April 30, 2009, the following bill was signed into law:

SB160 SD2

A BILL FOR AN ACT  
RELATING TO SCHOOL MEALS.  
ACT 026 (09)

Sincerely,



LINDA LINGLE

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# A BILL FOR AN ACT

RELATING TO SCHOOL MEALS.

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

1 SECTION 1. The intent of this Act is to modify the manner  
2 in which school meal prices, including lunch and breakfast, are  
3 determined. With the rising costs of food, fuel, and labor, the  
4 department of education requires a better method of determining  
5 the price of school meals. Currently, the cost of school lunch  
6 is limited to one-half of the cost of preparing the lunch. This  
7 Act provides the department of education with greater fiscal  
8 flexibility in the preparation of meals by requiring the  
9 department of set meal prices at not less than one-half of the  
10 cost of preparing meals. The Act also defines "school meals".

11 SECTION 2. Section 302A-101, Hawaii Revised Statutes, is  
12 amended by adding a new definition to be appropriately inserted  
13 and to read as follows:

14 "School meals" means breakfast and lunch prepared and  
15 served by a school cafeteria."

16 SECTION 3. Section 302A-404, Hawaii Revised Statutes, is  
17 amended to read as follows:



1           "~~[f]~~§302A-404~~[t]~~ School ~~[lunches-]~~ meals. School  
2     ~~[lunches]~~ meals shall be made available under the school ~~[lunch]~~  
3     meals program in every school where the students are required to  
4     eat ~~[lunch]~~ meals at school."

5           SECTION 4. Section 302A-405, Hawaii Revised Statutes, is  
6     amended by amending subsection (a) to read as follows:

7           "(a) The price for ~~[the]~~ school ~~[lunch]~~ meals shall be set  
8     by the department to ensure that moneys received from the sale  
9     of the ~~[lunches-may]~~ meals shall be not less than ~~[up to]~~ one-  
10    half of the cost of preparing the ~~[school-lunch]~~ meals. The  
11    ~~[price]~~ prices for ~~[the]~~ school ~~[lunch shall]~~ meals may be  
12    adjusted annually based on the [average cost of preparing the  
13    school lunch over the three years preceding any increase;]  
14    previous year's costs rounded to the nearest five cents;  
15    provided that the department by rule shall provide a lower rate  
16    or free ~~[lunches]~~ meals to children based on their economic  
17    need."

18           SECTION 5. Statutory material to be repealed is bracketed  
19    and stricken. New statutory material is underscored.

20           SECTION 6. This Act shall take effect on July 1, 2009.



S.B. NO. 160  
S.D. 2

APPROVED this 30 day of APR, 2009

A handwritten signature in black ink, appearing to be 'L. L. Ige', written in a cursive style.

GOVERNOR OF THE STATE OF HAWAII