



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Higher Education
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By
Jan Gouveia, Vice President for Administration
University of Hawai'i System

SB 2990 – RELATING TO THE UNIVERSITY OF HAWAII

Chair Kim, Vice Chair Kidani, and members of the committee:

Thank you for the opportunity to submit testimony on SB 2990, which requires all cafeterias in the UH System to accept the use of supplemental nutrition assistance program (“SNAP”) benefits utilizing electronic benefits transfer (“EBT”) cards. While the University is not familiar with the requirements associated with being an authorized SNAP provider, based on the University’s current understanding, we have identified the following issues and respectfully provide comments.

While the University supports the intent of this bill to address food insecurity among college students through SNAP and recognizes that food insecurity can pose a significant barrier to student success, the University provides prepared foods, does not operate retail food stores (e.g., grocery stores), and does not typically provide the non-prepared foods intended for home consumption, as contemplated under SNAP.

The primary goal of a SNAP food vendor is to provide “staple” foods, which are defined in 7 C.F.R. § 271.2 as “food items intended for home preparation and consumption” in the food categories of “meat, poultry or fish; bread or cereals; fruits or vegetables; and dairy products.” These foods are usually prepared at home and eaten as a meal and do not include prepared foods, hot foods, or accessory foods such as snacks and desserts. Given this, the goals of University cafeterias are not in alignment with those of SNAP vendors as University cafeterias provide mostly prepared and heated foods and generally do not stock items intended for home preparation. Furthermore, University cafeterias would not meet the eligibility standards of the U.S. Department of Agriculture (“USDA”) for a vendor to accept SNAP. Under 7 C.F.R. § 278.1(b)(1)(i)(A), SNAP participation is limited to retail food stores, which must either (1) sell a specified variety of staple foods on a continuous basis or (2) have more than 50 percent of the total gross retail sales in staple foods. Therefore, as the federal requirements of a SNAP retail food store would preempt the state law, this measure is unnecessary as University cafeterias are not retail food stores and do not fulfill the goals of the SNAP program. Based on the above, the University respectfully requests that this measure be eliminated or reconsidered.

In the alternative, due to the time needed to understand the eligibility requirements of SNAP retail food stores and the corresponding operational changes that would be necessary, the University requests that this matter be deferred to work with the Hawai'i Department of Human Services to implement these changes within the University’s food operations.

Thank you for the opportunity to testify on SB 2990.