

MAR 10 2005

Agriculture

HOUSE FILE 694  
BY FALLON, WHITAKER, and  
SWAIM

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act requiring the department of agriculture and land  
2 stewardship to revise certain application requirements  
3 applicable to the women, infants, and children Iowa farmers  
4 market nutrition program and the senior farmers market  
5 nutrition program and providing an effective date.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 694

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1 Section 1. FARMERS MARKET NUTRITION PROGRAMS.

2 1. The department of agriculture and land stewardship  
3 shall revise the department's administrative rules, policies,  
4 and requirements regarding the eligibility of a farmers market  
5 to participate in the women, infants, and children Iowa  
6 farmers market nutrition program or the senior farmers market  
7 nutrition program, or both. Under the revision, the  
8 department shall reduce the number of certified vendor  
9 applications required for a farmers market to participate from  
10 five applications to one application. The revision shall be  
11 implemented for the farmers market season that commences in  
12 spring 2005.

13 2. The department may adopt administrative rules under  
14 section 17A.4, subsection 2, and section 17A.5, subsection 2,  
15 paragraph "b", to implement the provisions of this section to  
16 be applicable to the farmers markets operated beginning in  
17 spring 2005 and the rules shall become effective immediately  
18 upon filing or on a later effective date specified in the  
19 rules, unless the effective date is delayed by the  
20 administrative rules review committee. Any rules adopted in  
21 accordance with this section shall not take effect before the  
22 rules are reviewed by the administrative rules review  
23 committee. The delay authority provided to the administrative  
24 rules review committee under section 17A.4, subsection 5, and  
25 section 17A.8, subsection 9, shall be applicable to a delay  
26 imposed under this section, notwithstanding a provision in  
27 those sections making them inapplicable to section 17A.5,  
28 subsection 2, paragraph "b". Any rules adopted in accordance  
29 with the provisions of this section shall also be published as  
30 notice of intended action as provided in section 17A.4.

31 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
32 immediate importance, takes effect upon enactment.

33 EXPLANATION

34 This bill requires the department of agriculture and land  
35 stewardship to revise certain application requirements

1 applicable to the women, infants, and children Iowa farmers  
2 market nutrition program and the senior farmers market  
3 nutrition program.

4 The revision is to provide that the number of certified  
5 vendor applications required for a farmers market to  
6 participate in either or both of the programs shall be reduced  
7 to one. Under the department's administrative rules and  
8 requirements, a certified vendor is an individual who meets  
9 the program's conditions and is guaranteed payment on all  
10 vouchers accepted provided the vendor remains in compliance  
11 with the program requirements. The rules provide a standard  
12 of five applications and program requirements provide a  
13 standard of three applications in order for a farmers market  
14 to be authorized to participate in one of the programs;  
15 however, only one certified vendor must be present during the  
16 hours of operation.

17 The department is required to implement the revision to be  
18 effective for the farmers market season that commences in  
19 spring 2005. The bill provides emergency rulemaking authority  
20 allowing the department to bypass most procedural requirements  
21 in the rulemaking process except for review by the  
22 administrative rules review committee.

23 The bill takes effect upon enactment.

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