

House Study Bill 215

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON UPMEYER)

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:
7 TLSB 1040YC 81
8 jp/gg/14

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1 1 Section 1. FARMERS MARKET NUTRITION PROGRAMS.
1 2 1. The department of agriculture and land stewardship
1 3 shall revise the department's administrative rules, policies,
1 4 and requirements regarding the eligibility of a farmers market
1 5 to participate in the women, infants, and children Iowa
1 6 farmers market nutrition program or the senior farmers market
1 7 nutrition program, or both. Under the revision, the
1 8 department shall reduce the number of certified vendor
1 9 applications required for a farmers market to participate from
1 10 five applications to one application. The revision shall be
1 11 implemented for the farmers market season that commences in
1 12 spring 2005.
1 13 2. The department may adopt administrative rules under
1 14 section 17A.4, subsection 2, and section 17A.5, subsection 2,
1 15 paragraph "b", to implement the provisions of this section to
1 16 be applicable to the farmers markets operated beginning in
1 17 spring 2005 and the rules shall become effective immediately
1 18 upon filing or on a later effective date specified in the
1 19 rules, unless the effective date is delayed by the
1 20 administrative rules review committee. Any rules adopted in
1 21 accordance with this section shall not take effect before the
1 22 rules are reviewed by the administrative rules review
1 23 committee. The delay authority provided to the administrative
1 24 rules review committee under section 17A.4, subsection 5, and
1 25 section 17A.8, subsection 9, shall be applicable to a delay
1 26 imposed under this section, notwithstanding a provision in
1 27 those sections making them inapplicable to section 17A.5,
1 28 subsection 2, paragraph "b". Any rules adopted in accordance
1 29 with the provisions of this section shall also be published as
1 30 notice of intended action as provided in section 17A.4.
1 31 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
1 32 immediate importance, takes effect upon enactment.

EXPLANATION

1 34 This bill requires the department of agriculture and land
1 35 stewardship to revise certain application requirements
2 1 applicable to the women, infants, and children Iowa farmers
2 2 market nutrition program and the senior farmers market
2 3 nutrition program.
2 4 The revision is to provide that the number of certified
2 5 vendor applications required for a farmers market to
2 6 participate in either or both of the programs shall be reduced
2 7 to one. Under the department's administrative rules and
2 8 requirements, a certified vendor is an individual who meets
2 9 the program's conditions and is guaranteed payment on all
2 10 vouchers accepted provided the vendor remains in compliance
2 11 with the program requirements. The rules provide a standard
2 12 of five applications and program requirements provide a
2 13 standard of three applications in order for a farmers market
2 14 to be authorized to participate in one of the programs;
2 15 however, only one certified vendor must be present during the

2 16 hours of operation.

2 17 The department is required to implement the revision to be
2 18 effective for the farmers market season that commences in
2 19 spring 2005. The bill provides emergency rulemaking authority
2 20 allowing the department to bypass most procedural requirements
2 21 in the rulemaking process except for review by the
2 22 administrative rules review committee.

2 23 The bill takes effect upon enactment.

2 24 LSB 1040YC 81

2 25 jp:nh/gg/14.1