
SUBSTITUTE SENATE BILL 5597

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Schoesler, Brown, Prentice, Roach, Jacobsen, Kastama, Shin, Fraser, Kline and Kohl-Welles)

READ FIRST TIME 02/10/05.

1 AN ACT Relating to expansion of farmers market nutrition programs;
2 creating new sections; and making appropriations.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) The farmers market nutrition programs promote health, alleviate
6 hunger, prevent obesity, and encourage the development of good eating
7 habits by enabling low-income women to purchase locally grown fresh
8 fruit and vegetables for themselves and their young children and low-
9 income and homebound seniors to purchase locally grown fresh fruit and
10 vegetables for themselves through farmers markets, congregate meals
11 sites, and senior housing. Women and children in twenty-three counties
12 and seniors in thirty-five counties of the state are presently able to
13 participate in the program.

14 (2) The farmers market nutrition programs support small farmers and
15 rural economies through the promotion of Washington state agriculture.
16 Farmers market nutrition programs increase sales of Washington grown
17 fruits and vegetables, increase marketing opportunities for local
18 farms, strengthen local economies and communities, preserve farmlands,

1 reduce energy usage and pollutants, and promote collaboration among
2 agriculture, health, and social service and food assistance programs.

3 (3) Low-income women and children, low-income seniors, farmers
4 markets, and agencies administering the farmers market nutrition
5 programs will be denied the opportunity to participate in coming years
6 because of cuts at the federal level and lack of sufficient state funds
7 to continue current program levels.

8 NEW SECTION. **Sec. 2.** (1) To qualify as a farmers market for
9 purposes of this act, an entity must sponsor a regular assembly of
10 vendors at a defined location for the purpose of promoting the sale of
11 agricultural products grown or produced in this state directly to the
12 consumer under conditions that meet the following minimum requirements:

13 (a) There are at least five participating vendors who are farmers
14 selling their own agricultural products;

15 (b) The total combined gross annual sales of vendors who are
16 farmers exceeds the total combined gross annual sales of vendors who
17 are processors or resellers;

18 (c) The total combined gross annual sales of vendors who are
19 farmers, processors, or resellers exceeds the total combined gross
20 annual sales of vendors who are not farmers, processors, or resellers;

21 (d) The sale of imported items and secondhand items by any vendor
22 is prohibited; and

23 (e) The vendor may not be a franchisee unless the vendor is locally
24 owned and operated. The vendor must be directly involved, on a regular
25 basis, in the production of the product being sold in the market.
26 Additionally, the vendor may not have an area development agreement or
27 master franchise license for the franchise.

28 (2) In addition to qualifying as a farmers market under subsection
29 (1) of this section, the department of health may, by rule, develop
30 criteria that allow additional farmers markets to participate in the
31 program in this act.

32 (3) The definitions in this subsection apply throughout this
33 section.

34 (a) "Farmer" means a natural person who sells, with or without
35 processing, agricultural products that he or she raises on land he or
36 she owns or leases in this state or in another state's county that
37 borders this state.

1 (b) "Processor" means a natural person who sells processed food
2 that he or she has personally prepared on land he or she owns or leases
3 in this state or in another state's county that borders this state.

4 (c) "Reseller" means a natural person who buys agricultural
5 products from a farmer and resells the products directly to the
6 consumer.

7 NEW SECTION. **Sec. 3.** During the 2005-2007 biennium, an additional
8 four hundred thousand dollars from the general fund--state are
9 appropriated to the department of health to maintain 2004 participation
10 levels for the farmers market nutrition program for women, infants, and
11 children. During the 2005-2007 biennium, seven hundred fifty thousand
12 dollars from the general fund--state are appropriated to the department
13 of social and health services to maintain 2004 participation levels for
14 the senior farmers market nutrition program.

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