

COMMITTEE ON ECONOMIC DEVELOPMENT,  
AGRICULTURE AND PLANNING

02/04/2014-AMENDED AND REPORTED OUT TO THE COMMITTEE ON RULES AND JUDICIARY

**BILL NO. 30-0295**

**Thirtieth Legislature of the Virgin Islands**

**January 9, 2013**

An Act amending title 7 Virgin Islands Code, chapter 1 adding subchapter VI pertaining to SNAP Fresh Food Farmers Market Technology Improvement Program

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**PROPOSED BY:** Senators Clarence Payne III and Janette Millin Young  
Co-Sponsors: Clifford F. Graham, Donald G. Cole,  
Myron D. Jackson and Shawn-Michael-Malone

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1           **WHEREAS**, the Legislature finds that the availability of fresh food is of great benefit to  
2 the individual and collective health and well-being of Virgin Islands residents; and

3           **WHEREAS**, the maintenance and further development of the local agriculture industry is  
4 of great importance to the economy of the Virgin Islands; and

5           **WHEREAS**, the federal Supplemental Nutrition Assistance Program (SNAP), popularly  
6 known as “Food Stamps” currently provides benefits, totaling more than \$57 million dollars in  
7 2012, to over 32,000 people in the U.S. Virgin Islands, thus making a significant difference in the  
8 quality of life for nearly one-third of the Territory’s population; and

9           **WHEREAS**, the Legislature finds and declares that encouraging greater consumption of  
10 local agricultural products by SNAP recipients would produce tangible health and economic  
11 benefits for the people of the Virgin Islands; and

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1           **WHEREAS**, local farmers, in order to receive Electronic Benefits Transfer payments,  
2 must be licensed by the United States Department of Agriculture’s Food and Nutrition Services  
3 and must possess the technological access and equipment necessary to process such payments; and

4           **WHEREAS**, the Legislature of the Virgin Islands has acknowledged the importance of  
5 providing internet access to farmers’ markets in the territory through the enactment of Section 10  
6 of Act No. 7257, as amended by Act No. 7356 mandating that the Public Finance Authority  
7 provide free “WIFI” in all farmers’ markets in the Virgin Islands; Now, Therefore,

8 ***Be it enacted by the Legislature of the Virgin Islands:***

9           **SECTION 1.** Title 7 Virgin Islands Code, chapter 1 is amended by adding subchapter VI  
10 to read as follows:

11           ***“SUBCHAPTER VI SUPPLEMENTAL NUTRITION ASSISTANCE FRESH FOOD***  
12 ***ACCESS AND FARMERS’ MARKET TECHNOLOGY PROGRAM”***;

13           **§26.** This subchapter may be cited as the Supplemental Nutrition Assistance Program  
14 Fresh Food Access and Farmers' Market Technology Improvement Program Act.

15           **§27. Definitions.**

16           As used in this subchapter, unless it is otherwise provided or the context requires a  
17 different construction, application, or meaning:

18           “Farmers' market” means a nontraditional fresh food market, licensed by the United States  
19 Department of Agriculture's Food and Nutrition Service to accept SNAP benefits, where farmers,  
20 fishermen or growers sell a variety of fresh fruits and vegetables and other locally-grown or caught  
21 food products directly to consumers.

22           “EBT card” means an electronic benefits transfer card issued by the Department of Human  
23 Services for the purpose of enabling a user of the card to obtain SNAP (formerly known as food  
24 stamps) benefits or cash.

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1           “Program” means the SNAP Fresh Food Access and Farmers’ Market Technology  
2 Improvement Program.

3           “SNAP” means Supplemental Nutrition Assistance Program, formerly known as ‘Food  
4 Stamps’’;

5           **§28. SNAP Fresh Food Farmers' Market Technology Improvement Program.**

6           The Department of Human Services and the Department of Agriculture shall implement a  
7 SNAP Fresh Food Access and Farmers' Market Technology Improvement Program. The purpose  
8 of the Program is to increase access to fresh fruits and vegetables and other eligible food products,  
9 including quality meat, seafood and dairy, for Virgin Islands residents by allowing SNAP  
10 participants to utilize their EBT cards at farmers' markets. The Department of Human Services  
11 and the Department of Agriculture shall solicit federal and territorial funding for the purpose of  
12 implementing the Program.

13           **§29. Implementation of regulations.**

14           The Department of Human Services, after consultation with the Department of Agriculture  
15 and the Public Finance Authority, shall adopt and promulgate necessary regulations governing the  
16 SNAP Fresh Food Access and Farmers' Market Technology Improvement Program and shall  
17 implement the program by July 1, 2014.”

18           **SECTION 2** Title 33, Virgin Islands Code, chapter 111 is amended by adding Section  
19 3049a to read as follows:

20           **“§3049a.** SNAP Fresh Food Access and Farmers' Market Technology Improvement Fund:

21           (a) There is hereby created and established in the Treasury of the Virgin Islands a  
22 special fund to be designated the “SNAP (Supplemental Nutrition Assistance Program) Fresh Food  
23 Access and Farmers' Market Technology Improvement Fund”.

24           (b) The Commissioner of Finance shall maintain and provide for the administration of  
25 the SNAP Fresh Food Access and Farmers' Market Technology Improvement Fund as a separate

1 and distinct fund in the treasury, and no funds therein shall be available for expenditure for any  
2 other purpose except as provided in this section.

3 (c) The SNAP Fresh Food Access and Farmers' Market Technology Improvement Fund  
4 consists of such monies as may be appropriated thereto from time to time by the Legislature, as  
5 well as all gifts behests, grants, and federal funds received for the purposes of effectuating the  
6 aims of the SNAP Fresh Food Access and Farmers' Market Technology Improvement Program.  
7 The Commissioner of Finance, upon the certification of the Commissioner of Human Services,  
8 shall disburse monies from the Fund, exclusively for the following purposes:

9 (1) The purchase or rental of wireless point of sale terminals capable of  
10 processing SNAP benefits disbursed under the program;

11 (2) The purchase of internet services provided to the Farmers' Market pursuant  
12 to regulations adopted under this subchapter”;

13 (3) Monthly or transaction fees associated with EBT card transactions;  
14 provided, however, that no fees related to credit or debit transactions will be reimbursed;  
15 and

16 (4) Outreach to SNAP program participants and local farmers to inform them  
17 about the SNAP Fresh Food Access and Farmers' Market Technology Improvement  
18 Program and to encourage the consumption of fresh food.”

19 **BILL SUMMARY**

20 This Bill amends title 7, Virgin Islands Code, chapter 1 by adding subchapter VI pertaining  
21 to the implementation of the Supplemental Nutrition Assistance Program to enable farmers to  
22 benefit from what is commonly known as the Food stamp Program.

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24 **BR 13-0774/July 8, 2013/AA/Reviewed by MMH**

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