

**SENATE . . . . . No. 393**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act establishing the Massachusetts EBT Farmers' Market Project..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 18 of the General Laws, as so appearing in the 2006 official  
2 edition, is hereby amended by inserting after Section 30 the following section: -

3 Section 31. Massachusetts EBT Farmers' Market Project.

4 There shall be within the department, a Massachusetts EBT Farmers' Market Project.

5 The department shall provide a wired EBT machine to all approved department of  
6 agricultural resources farmers' markets, regardless of their monthly EBT sales.

7 The department shall make available to eligible farmers' markets wireless point-of-  
8 service devices for processing electronic benefit transfer transactions, and reimburse the market  
9 for other costs associated with electronic benefit transfer transactions, including cellular  
10 communication costs, point of service device maintenance costs, and transaction fees.

11 Farmers' markets eligible for wireless devices from the department shall be at locations  
12 without access to electricity, as confirmed by the department of agricultural resources.

13           The department shall develop a uniform scrip system to be used in conjunction with a  
14 wireless point of service device for transacting food stamp purchases at farmers' markets.

15           The department shall provide a food stamp recipient with a list of participating farmers'  
16 markets and a brochure explaining the scrip system each spring.

17           SECTION 2. The department shall notify farmers' markets of the creation of the Project  
18 and invite markets to apply to participate. The department shall promulgate regulations  
19 establishing an application process for markets interested in obtaining a wireless point of service  
20 device and detailing the criteria for the selection of markets, including the viability of the use of  
21 wireless technology at the market location, and the food stamp recipient population density in the  
22 area. The department shall not require a market to demonstrate a minimum level of food stamp  
23 sales as part of its initial eligibility determination, but may consider a market's level of food  
24 stamp sales when reviewing an applicant's renewal application.

25           SECTION 3. The program established herein shall not be adopted until the Executive  
26 Office of Health and Human Services certifies it has obtained federal approval of the uniform  
27 scrip system developed in section 1(e) from the United States Department of Agriculture.