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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 610

February 9, 2009

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The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight

1.1 A bill for an act
1.2 relating to education; requiring schools to use environmentally sensitive cleaning
1.3 and maintenance products; establishing guidelines and a task force; proposing
1.4 coding for new law in Minnesota Statutes, chapter 121A.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[121A.37] ENVIRONMENTALLY SENSITIVE CLEANING AND**
1.7 **MAINTENANCE PRODUCTS.**

1.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following
1.9 definitions apply.

1.10 (b) "Environmentally sensitive cleaning and maintenance products" means cleaning
1.11 and maintenance products that minimize adverse impacts on human health and the
1.12 environment.

1.13 (c) "School" has the meaning given in section 120A.22, subdivision 4, excluding
1.14 home schools.

1.15 Subd. 2. **Use of environmentally sensitive cleaning and maintenance products.**

1.16 By September 1, 2010, a school shall follow the specifications established under
1.17 subdivision 4 regarding the purchase and use of environmentally sensitive cleaning and
1.18 maintenance products. A school may deplete existing cleaning and maintenance product
1.19 supplies purchased prior to this date.

1.20 Subd. 3. **Task force.** The commissioner of education shall appoint an
1.21 Environmentally Sensitive Product Task Force composed of the following members:

1.22 (1) the commissioner of education or the commissioner's designee;

1.23 (2) the commissioner of administration or the commissioner's designee;

1.24 (3) the commissioner of health or the commissioner's designee;

- 2.1 (4) the commissioner of natural resources or the commissioner's designee;
2.2 (5) the commissioner of the Pollution Control Agency or the commissioner's
2.3 designee;
2.4 (6) the commissioner of labor and industry or the commissioner's designee;
2.5 (7) two members from the environmentally sensitive cleaning and maintenance
2.6 product industry to be appointed by the commissioner;
2.7 (8) two members from environmental advocacy groups with knowledge of
2.8 environmentally sensitive cleaning and maintenance products to be appointed by the
2.9 commissioner; and
2.10 (9) two school superintendents to be appointed by the commissioner.

2.11 **Subd. 4. Environmentally sensitive cleaning and maintenance product**
2.12 **guidelines and specifications.** (a) By January 1, 2010, the commissioner of education, in
2.13 cooperation with the task force established under subdivision 3, shall establish guidelines
2.14 and specifications for the purchase and use of environmentally sensitive cleaning and
2.15 maintenance products in schools. In developing the guidelines and specifications, the task
2.16 force shall review and evaluate existing standards established by the state of New York
2.17 regarding environmentally sensitive cleaning and maintenance products, and research and
2.18 guidance issued by the United States Environmental Protection Agency and the Office
2.19 of the Federal Environmental Executive.

2.20 (b) The commissioner of education shall inform schools of the requirements of this
2.21 section, distribute the guidelines and specifications developed in paragraph (a) to all
2.22 schools, and make information regarding the requirements, guidelines, and specifications
2.23 available on the agency's Web site.

2.24 (c) By January 1, 2011, and annually thereafter, the commissioner, in cooperation
2.25 with the task force established in subdivision 3, shall review and issue any revisions to
2.26 the guidelines and specifications to reflect new research and guidance available. The
2.27 commissioner shall inform all schools of any revisions and post the updated guidelines
2.28 and specifications on the agency's Web site.

2.29 **Subd. 5. Rulemaking exemption.** The guidelines and specifications developed
2.30 under this section are exempt from the rulemaking provisions of chapter 14. The
2.31 guidelines and specifications are subject to section 14.386, except that notwithstanding
2.32 section 14.386, paragraph (b), the guidelines and specifications continue in effect until
2.33 repealed or superseded by other law or rule.