

A bill for an act

relating to environment; requiring public buildings to use environmentally sensitive cleaning products; establishing guidelines and a task force; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Section 1. **[116.351] ENVIRONMENTALLY SENSITIVE CLEANING PRODUCTS.**

Subdivision 1. Definitions. For the purposes of this section:

(1) "environmentally sensitive cleaning product" means a cleaning product that has positive environmental attributes, including biodegradability, low toxicity, low volatile organic compound content, reduced packaging, and low life-cycle energy use; and

(2) "public building" means a building owned or leased by the state government, a city, a county, a K-12 public school, or a public institution of higher education.

Subd. 2. Use of environmentally sensitive cleaning products. (a) By September 1, 2011, an operator of a public building must follow the specifications established under subdivision 4 regarding the purchase and use of environmentally sensitive cleaning products. The operator of a public building may deplete existing cleaning product supplies purchased before September 1, 2011, but must comply with this section beginning January 1, 2012.

(b) Owners of public buildings leased by the state or a county, city, or school district must include environmentally sensitive cleaning product language specified under subdivision 1, clause (1), in future leasing contract language.

(c) Owners or operators of public buildings that contract to an outside vendor for cleaning must include environmentally sensitive cleaning product language specified under subdivision 1, clause (1), in future leasing contract language.

Subd. 3. **Task force.** The commissioner of the Pollution Control Agency shall appoint an Environmentally Sensitive Product Task Force composed of the following members:

- (1) the commissioner of education;
- (2) the commissioner of administration;
- (3) the commissioner of health;
- (4) the commissioner of labor and industry;
- (5) two members from the environmentally sensitive cleaning product industry;
- (6) two members from environmental advocacy groups with knowledge of environmentally sensitive cleaning products;
- (7) two school superintendents;
- (8) a member of a labor union representing public building workers; and
- (9) an administrator of county building purchasing and maintenance.

Subd. 4. **Environmentally sensitive cleaning product guidelines and specifications.** (a) By January 1, 2011, the commissioner of the Pollution Control Agency, in cooperation with the task force established under subdivision 3, shall establish guidelines and specifications for the purchase and use of environmentally sensitive cleaning products in public buildings. In developing the guidelines and specifications, the task force shall review and evaluate existing standards established by the environmentally preferable purchasing specialist at the Pollution Control Agency regarding environmentally sensitive cleaning products and research and guidance issued by the United States Environmental Protection Agency and the Office of the Federal Environmental Executive.

(b) The commissioner of the Pollution Control Agency shall inform operators of public buildings of the requirements of this section, distribute the guidelines and specifications developed in paragraph (a) to all public building operators, make information regarding the requirements, guidelines, and specifications available on the agency's Web site, and inform public building operators of the ability to purchase from the state contract as cooperative purchasing vendors.

(c) By January 1, 2012, and annually thereafter, the commissioner, in cooperation with the task force established in subdivision 3, shall review and issue any revisions to the guidelines and specifications to reflect available new research and guidance. The

commissioner shall inform all public building operators of any revisions and post the updated guidelines and specifications on the agency's Web site.

(d) If the operator of a public building determines that it is not economically feasible to purchase and use environmentally sensitive cleaning products by January 1, 2012, the operator shall submit a letter to the Pollution Control Agency and the local governing board, indicating that the operator will not purchase and use environmentally sensitive cleaning products. The operator must submit the letter annually until the operator determines that it is economically feasible to comply with the requirements.

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