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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1130

02/01/2023 Authored by Tabke and Kraft

The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy

03/15/2023 Adoption of Report: Amended and re-referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to agriculture; authorizing cities to adopt certain pesticide control
1.3 ordinances; amending Minnesota Statutes 2022, section 18B.09, subdivision 2, by
1.4 adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2022, section 18B.09, subdivision 2, is amended to read:

1.7 Subd. 2. **Authority.** (a) Statutory and home rule charter cities may enact an ordinance,
1.8 which may include penalty and enforcement provisions, containing one or both of the
1.9 following:

1.10 (1) the pesticide application warning information contained in subdivision 3, including
1.11 their own licensing, penalty, and enforcement provisions; and

1.12 (2) the pesticide prohibition contained in subdivision 4.

1.13 (b) Statutory and home rule charter cities may not enact an ordinance that contains more
1.14 restrictive pesticide application warning information than is contained in subdivision
1.15 subdivisions 3 and 4.

1.16 Sec. 2. Minnesota Statutes 2022, section 18B.09, is amended by adding a subdivision to
1.17 read:

1.18 Subd. 4. **Application of certain pesticides prohibited.** (a) A person may not apply or
1.19 use a pollinator-lethal pesticide within the geographic boundaries of a city that has enacted
1.20 an ordinance under subdivision 2 prohibiting such use.

2.1 (b) For purposes of this subdivision, "pollinator-lethal pesticide" means a pesticide that
2.2 has a pollinator protection box on the label or labeling or a pollinator, bee, or honey bee
2.3 precautionary statement in the environmental hazards section of the label or labeling.

2.4 (c) This subdivision does not apply to:

2.5 (1) pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals
2.6 that are harmful to the health of a domesticated animal;

2.7 (2) personal care products used to mitigate lice and bedbugs;

2.8 (3) indoor pest control products used to mitigate insects indoors, including ant bait;

2.9 (4) pesticides as used or applied by the Metropolitan Mosquito Control District for public
2.10 health protection if the pesticide includes vector species on the label;

2.11 (5) wood preservative pesticides used either within a sealed steel cylinder or inside an
2.12 enclosed building at a secure facility by trained technicians and pesticide-treated wood
2.13 products;

2.14 (6) pesticides used or applied to control or eradicate a noxious weed designated by the
2.15 commissioner under section 18.79, subdivision 13; and

2.16 (7) pesticides used or applied on land used for agricultural production and located in an
2.17 area zoned for agricultural use.

2.18 (d) The commissioner must maintain a list of pollinator-lethal pesticides on the
2.19 department's website.