

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 2229

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DATE
03/11/2019

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OFFICIAL STATUS
Introduction and first reading
Referred to Environment and Natural Resources Policy and Legacy Finance

1.1 A bill for an act
1.2 relating to natural resources; prohibiting use of certain conservation materials;
1.3 appropriating money; proposing coding for new law in Minnesota Statutes, chapter
1.4 103F.

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

1.6 Section 1. **[103F.49] CONSERVATION MATERIALS CONTAINING PLASTICS.**

1.7 Subdivision 1. **Identifying and listing.** (a) By January 1, 2021, the Board of Water and
1.8 Soil Resources must:

1.9 (1) identify materials used in conservation and bioengineering projects that contain
1.10 plastic that are used or are likely to be used in state-funded projects;

1.11 (2) determine whether feasible alternatives for the materials identified are available that
1.12 do not contain plastic; and

1.13 (3) post a list of the materials with feasible alternatives prominently on the board's
1.14 website stating that the materials are ineligible for state funding beginning January 1, 2023.

1.15 (b) The criteria for identifying and listing materials under this subdivision are not subject
1.16 to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

1.17 Subd. 2. **Prohibition.** Beginning January 1, 2023, a person may not:

1.18 (1) purchase a material listed under subdivision 1, in whole or in part, with state funds;
1.19 or

1.20 (2) use a material listed under subdivision 1 as part of a project funded in whole or in
1.21 part with state funds.

2.1 Sec. 2. APPROPRIATION.

2.2 (a) \$..... in fiscal year 2020 is appropriated from the general fund to the Board of Water
2.3 and Soil Resources to:

2.4 (1) identify and list ineligible materials under Minnesota Statutes, section 103F.49;

2.5 (2) assess the viability of replacing plastic materials used in conservation and
2.6 bioengineering projects with similarly designed organic materials; and

2.7 (3) by November 1, 2020, prepare and submit a report to the chairs and ranking minority
2.8 members of the committees and divisions with jurisdiction over the environment and natural
2.9 resources with:

2.10 (i) criteria to be used by the board for identifying and listing materials under Minnesota
2.11 Statutes, section 103F.49;

2.12 (ii) recommendations for implementing Minnesota Statutes, section 103F.49, including
2.13 a process for reviewing and updating the list; and

2.14 (iii) results of the assessment under clause (2) and any related recommendations.

2.15 (b) The board must consult with the United States Department of Agriculture and the
2.16 commissioners of natural resources, transportation, and the Pollution Control Agency and
2.17 may contract with the University of Minnesota as necessary for the purposes of this section.

2.18 (c) The appropriation in this section is onetime and available until June 30, 2021.