

1.1 A bill for an act  
1.2 relating to environment; requiring public buildings to use environmentally  
1.3 sensitive cleaning products; establishing guidelines and a task force; proposing  
1.4 coding for new law in Minnesota Statutes, chapter 116.

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

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

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

1.9 (1) "environmentally sensitive cleaning product" means a cleaning product that  
1.10 performs effectively and meets the cleaning needs of the public building while minimizing  
1.11 adverse impacts on human health and the environment through attributes such as  
1.12 biodegradability, low toxicity, low volatile organic compound content, reduced packaging,  
1.13 or low life-cycle energy use; and

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

1.16 Subd. 2. **Use of environmentally sensitive cleaning products.** (a) By September 1,  
1.17 2011, an operator of a public building must follow the specifications established under  
1.18 subdivision 3 regarding the purchase and use of environmentally sensitive cleaning  
1.19 products. The operator of a public building may deplete existing cleaning product supplies  
1.20 purchased before September 1, 2011, but must comply with this section beginning January  
1.21 1, 2012.

1.22 (b) Owners of buildings, who lease 50 percent or more of a building to the state or a  
1.23 county, city, or school district, must include environmentally sensitive cleaning product

2.1 language specified under subdivision 1, clause (1), in future leasing contract language for  
2.2 that building.

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

2.6 Subd. 3. **Environmentally sensitive cleaning product guidelines and**  
2.7 **specifications.** (a) By January 1, 2011, the commissioner of the Pollution Control Agency  
2.8 shall establish guidelines and specifications for the use of environmentally sensitive  
2.9 cleaning products in public buildings. At a minimum, the guidelines shall allow the use of  
2.10 the United States Environmental Protection Agency's Design for the Environment (DFE)  
2.11 program, the EcoLogo program administered by TerraChoice, Green Seal, and alternative  
2.12 qualifications such as: a submission of testing by an accredited third party verifying that  
2.13 the product meets the criteria of one of the recognized standards and other alternatives as  
2.14 determined appropriate by the Pollution Control Agency.

2.15 (b) The guidelines and specifications established under this section shall not prohibit  
2.16 the use of disinfectants, disinfecting cleaners, sanitizers, or any other antimicrobial product  
2.17 regulated by the federal Insecticide, Fungicide and Rodenticide Act, United States Code,  
2.18 title 7, section 136, et seq., when necessary to protect public health and provided that the  
2.19 use of these products is in accordance with responsible cleaning procedure requirements.

2.20 (c) The commissioner of administration shall inform operators of public buildings of  
2.21 the requirements of this section, distribute the guidelines and specifications developed  
2.22 in paragraph (a) to all public building operators, make information regarding the  
2.23 requirements, guidelines, and specifications available on the agency's Web site, and  
2.24 inform public building operators of the ability to purchase from the state contract as  
2.25 cooperative purchasing vendors.

2.26 (d) By January 1, 2012, and annually thereafter, the commissioners of administration  
2.27 and the Pollution Control Agency shall review and issue any revisions to the guidelines  
2.28 and specifications to reflect available new research and guidance. The commissioner of  
2.29 administration shall inform all public building operators of any revisions and post the  
2.30 updated guidelines and specifications on the agency's Web site.

2.31 (e) If the operator of a public building determines that it is not economically  
2.32 feasible to purchase and use environmentally sensitive cleaning products by January 1,  
2.33 2012, the operator shall submit a letter to the commissioner of administration and the  
2.34 local governing board specifically indicating the financial reasons that the operator will  
2.35 not purchase and use environmentally sensitive cleaning products. The operator must

3.1 submit the letter annually until the operator determines that it is economically feasible to  
3.2 comply with the requirements.

3.3 Subd. 4. **Rulemaking exemption.** The guidelines and specifications developed  
3.4 under this section are exempt from the rulemaking provisions of chapter 14. The  
3.5 guidelines and specifications are subject to section 14.386, except that notwithstanding  
3.6 section 14.386, paragraph (b), the guidelines and specifications continue in effect until  
3.7 repealed or superseded by other law or rule.