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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **458**

February 2, 2009

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The bill was read for the first time and referred to the Committee on Environment Policy and Oversight

February 23, 2009

By motion, recalled and re-referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to the environment; creating an advisory council on development and
1.3 regulation of consumer products; establishing a comprehensive framework
1.4 for consumer products that protect, support, and enhance human health, the
1.5 environment, and economic development; providing appointments; proposing
1.6 coding for new law in Minnesota Statutes, chapter 325F.

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

1.8 Section 1. **[325F.011] ADVISORY COUNCIL ON DEVELOPMENT AND**
1.9 **REGULATION OF CONSUMER PRODUCTS.**

1.10 Subdivision 1. **Creation; composition.** (a) There is created an advisory council
1.11 on consumer products consisting of nine voting members. The council members shall
1.12 be as follows:

1.13 (1) one scientist each appointed by the governor, senate Subcommittee on
1.14 Committees of the Committee on Rules and Administration, and speaker of the house;

1.15 (2) one representative of a business organization each appointed by the governor,
1.16 senate Subcommittee on Committees of the Committee on Rules and Administration,
1.17 and speaker of the house;

1.18 (3) one representative of an environmental health organization each appointed by
1.19 the governor, senate Subcommittee on Committees of the Committee on Rules and
1.20 Administration, and speaker of the house;

1.21 (4) the commissioner of the Pollution Control Agency, who shall be the chair of the
1.22 council, as a nonvoting member;

1.23 (5) the commissioner of health as a nonvoting member;

1.24 (6) the commissioner of commerce as a nonvoting member;

2.1 (7) the commissioner of employment and economic development as a nonvoting
2.2 member; and

2.3 (8) two legislators from each body appointed by the senate Subcommittee on
2.4 Committees of the Committee on Rules and Administration and the speaker of the house
2.5 as nonvoting members.

2.6 The scientists, business, and environmental health organization members shall have
2.7 backgrounds and training in one or more of the following fields: environmental health,
2.8 epidemiology, toxicology, occupational health, industrial hygiene, product design, or
2.9 manufacturing.

2.10 (b) Each council member shall appoint an alternate. Alternates shall serve in the
2.11 absence of the member they replace.

2.12 (c) The voting members shall serve for terms of four years and may be reappointed
2.13 by the appointing authority.

2.14 (d) The council shall select a chair from its members.

2.15 (e) The council shall designate liaisons to the council representing medical, research,
2.16 and the legal profession.

2.17 (f) The compensation and removal of members shall be governed by Minnesota
2.18 Statutes, section 15.059.

2.19 Subd. 2. **Duties; recommendations.** (a) By December 15 of each even-numbered
2.20 year, the advisory council shall submit recommendations with respect to legislation related
2.21 to the regulation of chemicals or chemical compounds in products manufactured or sold in
2.22 Minnesota. A recommendation may not be made by the council unless it is supported by
2.23 eight members of the council. By March 15 of each year, the advisory committee shall
2.24 report its views upon any pending bill relating to the regulation of chemicals or chemical
2.25 compounds in products manufactured or sold in Minnesota to the proper legislative
2.26 committee. At the request of the chairs of the senate and house of representatives
2.27 committees with jurisdiction over environment or public health, the council shall meet
2.28 with the members of the committees to discuss matters of legislative concern.

2.29 (b) The advisory council shall develop a comprehensive framework for promoting
2.30 safe and healthy products as required under section 2.

2.31 Subd. 3. **Meetings; voting.** (a) The council shall meet as frequently as necessary to
2.32 carry out its duties and responsibilities. The council may also conduct public hearings
2.33 throughout the state as may be necessary to give interested persons an opportunity to
2.34 comment and make suggestions on the operation of this chapter.

2.35 (b) The meetings of the council are subject to the state's open meeting law,
2.36 Minnesota Statutes, chapter 13D. All votes of the council must be public and recorded.

3.1 (c) At least once a year the council shall hold a joint meeting with the environmental
3.2 health tracking and biomonitoring advisory panel to discuss and exchange information
3.3 regarding their respective duties and activities.

3.4 Subd. 4. **Executive director.** The deputy commissioner at the Pollution Control
3.5 Agency shall serve as executive director of the council. The executive director shall
3.6 provide administrative support and information to the council in order to allow it to
3.7 monitor all elements of the system.

3.8 Subd. 5. **Administrative support.** The commissioner of the Pollution Control
3.9 Agency shall supply necessary office space, supplies, and staff support to assist the council
3.10 and its executive director in their duties.

3.11 Sec. 2. **COMPREHENSIVE FRAMEWORK FOR PROMOTING SAFE AND**
3.12 **HEALTHY PRODUCTS THAT PROTECT, SUPPORT, AND ENHANCE HUMAN**
3.13 **HEALTH, THE ENVIRONMENT, AND ECONOMIC DEVELOPMENT.**

3.14 (a) The advisory council created under section 1 shall develop a comprehensive and
3.15 integrated framework for promotion of chemistry and chemical engineering involved
3.16 in the design of products that reduce or eliminate risks to health or the environment
3.17 through the reduction in use or generation of hazardous substances while producing safe,
3.18 affordable, high-quality products through safe and efficient manufacturing processes.

3.19 (b) No later than January 15, 2010, the advisory council shall report the result of its
3.20 evaluation with recommendations for a comprehensive framework for promoting nontoxic
3.21 and healthy products to the chairs of the committees with jurisdiction over health policy,
3.22 environment and natural resources policy, agriculture policy, commerce, biosciences and
3.23 emerging technologies, and business, industry, and jobs.

3.24 (c) The framework and plan shall address: (1) program goals; (2) roles and
3.25 responsibilities for relevant governmental agencies; (3) mechanisms for communication
3.26 and program integration with governmental agencies and other key stakeholders around
3.27 this issue; (4) opportunities for public/private partnerships to promote framework goals;
3.28 (5) existing regulatory and nonregulatory mechanisms addressing the safe use and
3.29 management of hazardous substances and products and the role of regulation at the state,
3.30 federal, and international level; (6) recommendations regarding education and outreach
3.31 efforts; (7) recommendations regarding technology transfer of chemistry innovations and
3.32 advancement, including identification of barriers and possible strategies for overcoming
3.33 real or perceived impediments; (8) methods to promote product design and manufacturing
3.34 processes that reduce or eliminate risks to health or the environment; (9) methods for
3.35 evaluating the health, safety, and environmental effects of products and their component

4.1 chemicals; (10) methods for comparing the health, safety, and environmental effects
4.2 of a product and its alternatives and whether alternatives are functionally equivalent,
4.3 technically feasible, and economically viable; (11) methods for evaluating the costs and
4.4 benefits of changes in product design and manufacturing processes, including effects on
4.5 workers, businesses, and consumers; and (12) financial incentives, including, but not
4.6 limited to, capital improvements, low interest loans, and tax credits to promote research,
4.7 design, engineering, and manufacture of consumer products that protect, support, and
4.8 enhance human health, the environment, and economic development.

4.9 (d) No later than January 15, 2012, the advisory council shall report on any
4.10 additions, revisions, or modifications it would recommend to the January 15, 2010, report.

4.11 Sec. 3. **EXPIRATION DATE.**

4.12 Section 2 expires on June 1, 2013.