

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1255

02/14/2019 Authored by Wagenius, Hansen, Acomb, Fischer, Becker-Finn and others
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

1.1 A bill for an act
1.2 relating to environment policy; authorizing cities to adopt certain pesticide control
1.3 ordinances; amending Minnesota Statutes 2018, section 18B.09.

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

1.5 Section 1. Minnesota Statutes 2018, section 18B.09, is amended to read:

1.6 18B.09 PESTICIDE APPLICATION IN CITIES.

1.7 Subdivision 1. Applicability. This section applies only to statutory and home rule charter
1.8 cities that enact ordinances as provided in this section.

1.9 Subd. 2. Authority. Statutory and home rule charter cities may enact an ordinance,
1.10 including their own licensing, penalty, and enforcement provisions, containing one or both
1.11 of the following:

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

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

1.15 Statutory and home rule charter cities may not enact an ordinance that contains more
1.16 restrictive pesticide application warning information than is contained that which is provided
1.17 in subdivision subdivisions 3 and 4.

1.18 Subd. 3. Warning signs for pesticide application. (a) All commercial or noncommercial
1.19 applicators who apply pesticides to turf areas must post or affix warning signs on the property
1.20 where the pesticides are applied.

2.1 (b) Warning signs must project at least 18 inches above the top of the grass line. The
2.2 warning signs must be of a material that is rain-resistant for at least a 48-hour period and
2.3 must remain in place up to 48 hours from the time of initial application.

2.4 (c) The following information must be printed on the warning sign in contrasting colors
2.5 and capitalized letters measuring at least one-half inch, or in another format approved by
2.6 the commissioner. The sign must provide the following information:

2.7 (1) the name of the business organization, entity, or person applying the pesticide; and

2.8 (2) the following language: "This area chemically treated. Keep children and pets off
2.9 until ...(date of safe entry)..." or a universally accepted symbol and text approved by the
2.10 commissioner that is recognized as having the same meaning or intent as specified in this
2.11 paragraph. The warning sign may include the name of the pesticide used.

2.12 (d) The warning sign must be posted on a lawn or yard between two feet and five feet
2.13 from the sidewalk or street. For parks, golf courses, athletic fields, playgrounds, or other
2.14 similar recreational property, the warning signs must be posted immediately adjacent to
2.15 areas within the property where pesticides have been applied and at or near the entrances
2.16 to the property.

2.17 Subd. 4. **Application of certain pesticides prohibited.** (a) A person may not apply or
2.18 use a pollinator-lethal pesticide within the geographic boundaries of a city.

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

2.22 (c) The commissioner must maintain a list of pollinator-lethal pesticides on the
2.23 department's website.