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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **509**

February 1, 2007

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The bill was read for the first time and referred to the Committee on Commerce and Labor

February 22, 2007

By motion, recalled and re-referred to the Committee on Environment and Natural Resources

1.1 A bill for an act
1.2 relating to consumer protection; requiring removal of structures built with
1.3 pressure-treated lumber containing chromated copper arsenate from schools,
1.4 parks, and child care facilities; proposing coding for new law in Minnesota
1.5 Statutes, chapter 325F.

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

1.7 Section 1. **[325F.175] REMOVAL OF STRUCTURES; CHROMATED COPPER**
1.8 **ARSENATE-TREATED LUMBER.**

1.9 Subdivision 1. **Definitions.** For purposes of this section:

1.10 (1) "school" means a public school under section 120A.05, subdivisions 9, 11,
1.11 13, and 17; a charter school under section 124D.10; or a nonpublic school, church,
1.12 or religious organization in which a child is provided instruction in compliance with
1.13 sections 120A.22 and 120A.24;

1.14 (2) "park" means any park or playground maintained by the state or a city, town,
1.15 or county; and

1.16 (3) "child care facility" has the meaning given under section 121A.15, subdivision 9.

1.17 Subd. 2. **Removal required.** By August 1, 2009, all structures constructed of
1.18 pressure-treated lumber containing chromated copper arsenate must be removed from the
1.19 property of a school, park, or child care facility.

1.20 Subd. 3. **Public nuisance.** After August 1, 2009, a structure constructed of
1.21 pressure-treated lumber containing chromated copper arsenate located on the property of a
1.22 school, park, or child care facility is a public nuisance and must be removed according to
1.23 sections 463.15 to 463.26.