

CHAPTER 62—H.F.No. 949

An act relating to the environment; making manufacturers of electric relays or other electrical devices responsible for the waste management costs of these devices; amending Minnesota Statutes 1996, sections 115A.932, subdivision 1; and 116.92, subdivision 3, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1996, section 115A.932, subdivision 1, is amended to read:

Subdivision 1. **PROHIBITIONS.** (a) A person may not place mercury or a thermostat, thermometer, electric switch, appliance, or medical or scientific instrument, or electric relay or other electrical device from which the mercury has not been removed for reuse or recycling:

- (1) in solid waste; or
- (2) in a wastewater disposal system.

(b) A person may not knowingly place mercury or a thermostat, thermometer, electric switch, appliance, or medical or scientific instrument, or electric relay or other electrical device from which the mercury has not been removed for reuse or recycling:

- (1) in a solid waste processing facility; or
- (2) in a solid waste disposal facility, as defined in section 115.01, subdivision 4.

(c) A person may not knowingly place a fluorescent or high intensity discharge lamp:

- (1) in solid waste; or
- (2) in a solid waste facility, except a household hazardous waste collection or recycling facility.

This paragraph does not apply to waste lamps generated by households until August 1, 1994.

Sec. 2. Minnesota Statutes 1996, section 116.92, subdivision 3, is amended to read:

Subd. 3. **LABELING; PRODUCTS CONTAINING MERCURY.** A manufacturer or wholesaler may not sell and a retailer may not knowingly sell any of the following items in this state that contain mercury unless the item is labeled in a manner to clearly inform a purchaser or consumer that mercury is present in the item and that the item may not be placed in the garbage until the mercury is removed and reused, recycled, or otherwise managed to ensure that it does not become part of solid waste or wastewater:

- (1) a thermostat or thermometer;
- (2) an electric switch, individually or as part of another product, other than a motor vehicle;
- (3) an appliance; and
- (4) a medical or scientific instrument; and

New language is indicated by underline, deletions by ~~strikeout~~.

(5) an electric relay or other electrical device.

Sec. 3. Minnesota Statutes 1996, section 116.92, is amended by adding a subdivision to read:

Subd. 5a. **DISPLACEMENT RELAYS.** (a) A manufacturer of a displacement relay that contains mercury is responsible for the costs of collecting and managing its displacement relays to ensure that the relays do not become part of the solid waste stream.

(b) A manufacturer of a displacement relay that contains mercury shall, in addition to the requirements of subdivision 3, provide incentives for, and sufficient information to, purchasers and consumers of the relay to ensure that the relay does not become part of the waste stream. A manufacturer that has complied with this subdivision is not liable for improper disposal by purchasers or consumers of its relays.

(c) A manufacturer subject to this subdivision, or an organization of such manufacturers and its officers, members, employees, and agents, may participate in projects or programs to collect and properly manage waste displacement relays. Any person who participates in such a project or program is immune from liability under state law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce for activities related to the collection and management of the relays under this subdivision.

(d) For the purposes of this subdivision, a "displacement relay" means an electric flow control device having one or more poles that contain metallic mercury and a plunger which, when energized by a magnetic field, moves into a pool of mercury, displacing the mercury sufficiently to create a closed electrical circuit.

Sec. 4. **EFFECTIVE DATE.**

Section 3 is effective July 1, 1998.

Presented to the governor April 24, 1997

Signed by the governor April 28, 1997, 10:46 a.m.

CHAPTER 63—H.F.No. 1301

An act relating to local government; defining the department's classified service under a merged Saint Paul and Ramsey county department of public health; amending Minnesota Statutes 1996, section 383A.288, subdivisions 3 and 4.

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

Section 1. Minnesota Statutes 1996, section 383A.288, subdivision 3, is amended to read:

Subd. 3. ELIGIBILITY FOR COMPETITIVE OPEN EXAMINATIONS. (a) Competitive open examinations shall, upon public notice, be open to all applicants who meet reasonable job related requirements fixed by the personnel department.

New language is indicated by underline, deletions by ~~strikeout~~.