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**Minnesota
House of
Representatives**
Margaret Anderson Kelliher, Speaker

FOR IMMEDIATE RELEASE

Date: Dec. 23, 2009
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New Laws Effective Jan. 1, 2010

The following are selected new laws passed during the 2009 legislative session that take effect Jan. 1, 2010. The asterisk following the bill number denotes the language that became law. A complete summary of all laws passed by the 2009 Legislature is available from House Public Information Services at www.house.mn/hinfo/NewLaws/NewLawsmain.asp.

CONSUMERS

Step taken toward ban on sale of baby products with BPA

A new law bans Minnesota manufacturers from selling cups and bottles intended for use by children age 3 or younger that contain the chemical Bisphenol-A after Jan. 1, 2010, and bans retailers from selling them after Jan. 1, 2011.

The law is sponsored by Rep. Karen Clark (DFL-Mpls) and Sen. Sandy Rummel (DFL-White Bear Lake).

Numerous peer-reviewed research studies have found BPA to be a carcinogen and endocrine disruptor. The chemical is widely used in consumer products such as eyeglasses, sports helmets, electronic toys and lining for beverage or liquid cans.

HF326/SF247*/CH40

ENVIRONMENT

Restrictions placed on plastic bags for yard waste

Most residents in Twin Cities-area counties who use plastic bags to dispose of yard waste will need to be sure the bags are certified as compostable by the American Society for Testing and Materials (ASTM).

A city with a population exceeding 100,000 and that has an organized collection system for source-separated compostable materials is exempt until Jan. 1, 2013.

The manufacture or importation into Minnesota of a plastic bag for sale labeled in any way that implies it will biodegrade is prohibited unless the bag is certified as meeting a scientifically based standard for biodegradability. Bags labeled "compostable" must meet ASTM specifications for compostable plastics.

A manufacturer, distributor or wholesaler who violates the law is subject to a \$100 penalty for each prepackaged saleable unit offered for sale up to a maximum of \$5,000.

The law is sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul).

HF2123*/SF2099/CH37

HUMAN SERVICES

State-to-state adult guardianship jurisdiction

Minnesota will have procedures for dealing with guardianship and protective order proceedings from other states.

Sponsored by Rep. Gail Kulick Jackson (DFL-Milaca) and Sen. Mee Moua (DFL-St. Paul), the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act establishes uniform jurisdiction on determining a primary residence, and how to transfer and register guardianships between states. It does not change anything regarding minor guardianship.

The law addresses the problem of, for example, a husband and wife who live in Florida six months a year and the husband is her legal guardian or conservator in that state. Under current law, Jackson said that if something were to happen to him and their child wants to move them here, Minnesota would not recognize the guardianship. The law hopes to reduce the number of times a person has to go through the guardianship or conservatorship process.

A court may treat a foreign country as if it were a state for applying provisions of the law, if the country matches the requirements of our jurisdiction regarding a protective order, guardianship or conservatorship.

The law applies to guardianship and protective proceedings begun on or after Jan. 1, 2010.
HF632/SF412*/CH46

RECREATION

New fees for trail passes

Non-state residents wishing to use an all-terrain vehicle on state or grant-in-aid trails will need to purchase a nonresident ATV state trail pass.

The \$20 annual pass will be valid from Jan. 1 to Dec. 31. Proceeds will be deposited into the Department of Natural Resources' ATV account for operation of the electronic licensing system. A \$1 per pass fee may be charged and retained by the issuing agent.

Exceptions are provided for an ATV owned and used by the United States, another state or a political subdivision that is exempt from registration, or those being operated only on a portion of a trail that is owned by the ATV operator or that person's spouse, child or parent.

Additionally, under the new law, commercial horse riding establishments can purchase annual horse trail passes, instead of daily passes. The fee will be \$200 for 15 passes. Additional passes will be \$20 each. To be valid, the commercial annual pass must be signed by the owner of the trail riding facility.

The law is sponsored by Rep. Jean Wagenius (DFL-Mpls) and Sen. Ellen Anderson (DFL-St. Paul).
HF2123*/SF2099/CH37