

S.F. No. 2156 – Buy Clean and Buy Fair Minnesota Act

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Section 1 creates the Buy Clean and Buy Fair Minnesota Act

Subd. 1 [Title] establishes the bill’s short title as the “Buy Clean and Buy Fair Minnesota Act”

Subd. 2 [Definitions] defines various terms used in the bill.

Subd. 3 [Standard; Maximum Global Warming Potential] requires the commissioner of administration to establish a maximum acceptable global warming potential (MAGWP) for eligible materials (carbon steel rebar, structural steel, concrete, and asphalt paving mixtures) used in (1) new construction of a state building with more than 50,000 gross square feet of occupied space; (2) renovation of more than 50,000 gross square feet of conditioned space in a state building where the cost exceeds 50% of the building’s assessed value; or (3) new construction or reconstruction of two or more lane-miles of a trunk highway. The bill uses the term “eligible project” to refer to these three types of projects.

This subdivision sets out a material-specific timeline for the commissioner to establish MAGWPs for each eligible material and requires consultation with the commissioner of transportation in the development of the MAGWP for asphalt mixtures.

The MAGWP for each material must be the industry average global warming potential for the material in question and may be adjusted to reflect downward changes in that average every three years.

Subd. 4 [Procurement Process] requires the Departments of Administration and Transportation to mandate that the global warming potential of materials used in eligible projects not exceed the applicable MAGWP.

This subdivision also makes various additional modifications to the bidding process that encourage the use of materials whose global warming potential falls below the applicable MAGWP.

Subd. 5 [Pilot Program] requires the Departments of Administration and Transportation to establish a pilot program by July 1, 2024, that seeks to obtain from vendors an estimate of the lifecycle greenhouse gas emissions of products selected by the departments from among those procured and related information. Each department must display anonymized versions of the information received from vendors in a database hosted on its website.

Subd. 6 [Waiver Process] authorizes the commissioner of administration to develop a process for manufacturers to seek waivers of the procurement-related limitations established in subdivision 4.

Subd. 7 [Grants to Develop Environmental Product Declarations] requires the commissioner of administration to develop and implement a program to award grants to assist manufacturers of eligible materials to obtain environmental product declarations for eligible materials.

Subd. 8 [Environmental Standards Procurement Task Force] requires the commissioners of administration and transport to establish an environmental standards procurement task force to examine issues surrounding the implementation of a program requiring vendors of certain construction materials purchased by the state to meet various environmental standards.

Subd. 9 [Reports] requires the commissioner of administration, in consultation with the commissioner of transportation, to submit a report to the chairs and ranking minority members of the appropriate legislative committees on the implementation of this section.

[Effective Date] this section is effective the day after final enactment.