

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 226

(SENATE AUTHORS: RARICK)

| DATE | D-PG | OFFICIAL STATUS |
|------------|------|---|
| 01/21/2021 | 130 | Introduction and first reading Referred to Labor and Industry Policy |
| 03/04/2021 | 674a | Comm report: To pass as amended and re-refer to Civil Law and Data Practices Policy |
| 03/17/2021 | 954 | Comm report: To pass |
| | 954 | Second reading |

1.1 A bill for an act

1.2 relating to labor and industry; adopting agency policy provisions; classifying

1.3 occupational safety and health data; classifying apprenticeship data on minors;

1.4 modifying membership of the Construction Codes Advisory Council; amending

1.5 Minnesota Statutes 2020, sections 13.7905, subdivision 6, by adding a subdivision;

1.6 178.012, subdivision 1; 182.66, by adding a subdivision; 326B.07, subdivision 1;

1.7 proposing coding for new law in Minnesota Statutes, chapter 181A.

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

1.9 Section 1. Minnesota Statutes 2020, section 13.7905, subdivision 6, is amended to read:

1.10 Subd. 6. **Occupational safety and health.** (a) Certain data gathered or prepared by the

1.11 commissioner of labor and industry as part of occupational safety and health inspections or

1.12 reports are classified under sections 182.659, subdivision 8, 182.663, subdivision 4, and

1.13 182.668, subdivision 2.

1.14 (b) Certain data gathered or prepared by the commissioner of labor and industry as part

1.15 of occupational safety and health citations are classified under section 182.66, subdivision

1.16 4.

1.17 Sec. 2. Minnesota Statutes 2020, section 13.7905, is amended by adding a subdivision to

1.18 read:

1.19 Subd. 8. Data on individuals who are minors. Disclosure of data on minors is governed

1.20 by section 181A.112.

2.1 Sec. 3. Minnesota Statutes 2020, section 178.012, subdivision 1, is amended to read:

2.2 Subdivision 1. **Apprenticeship rules.** Federal regulations governing apprenticeship in
2.3 effect on ~~July 1, 2013~~ January 18, 2017, as provided by Code of Federal Regulations, title
2.4 29, ~~part~~ parts 29, sections 29.1 to 29.6 and 29.11, and 30 are the apprenticeship rules in this
2.5 state, subject to amendment by this chapter or by rule under section 178.041.

2.6 Sec. 4. **[181A.112] DATA ON INDIVIDUALS WHO ARE MINORS.**

2.7 (a) When the commissioner collects, creates, receives, maintains, or disseminates the
2.8 following data on individuals who the commissioner knows are minors, the data are
2.9 considered private data on individuals, as defined in section 13.02, subdivision 12, except
2.10 for data classified as public data according to section 13.43:

2.11 (1) name;

2.12 (2) date of birth;

2.13 (3) Social Security number;

2.14 (4) telephone number;

2.15 (5) e-mail address;

2.16 (6) physical or mailing address;

2.17 (7) location data;

2.18 (8) online account access information; and

2.19 (9) other data that would identify participants who have registered for events, programs,
2.20 or classes sponsored by the Department of Labor and Industry.

2.21 (b) Access to data under this section is subject to Minnesota Rules, part 1205.0500. Data
2.22 about minors classified under this section maintain their classification as private data on
2.23 individuals after the individual is no longer a minor.

2.24 Sec. 5. Minnesota Statutes 2020, section 182.66, is amended by adding a subdivision to
2.25 read:

2.26 Subd. 4. **Classification of citation data.** Notwithstanding section 13.39, subdivision 2,
2.27 the data in a written citation is classified as public as soon as the commissioner has received
2.28 confirmation that the employer has received the citation. All data in the citation is public,
2.29 including but not limited to the employer's name; the employer's address; the address of the
2.30 worksite; the date or dates of inspection; the date the citation was issued; the provision of

3.1 the act, standard, rule, or order alleged to have been violated; the severity level of the citation;
3.2 the description of the nature of the violation; the proposed abatement date; the proposed
3.3 penalty; and any abatement guidelines.

3.4 Sec. 6. Minnesota Statutes 2020, section 326B.07, subdivision 1, is amended to read:

3.5 Subdivision 1. **Membership.** (a) The Construction Codes Advisory Council consists of
3.6 the following members:

3.7 (1) the commissioner or the commissioner's designee representing the department's
3.8 Construction Codes and Licensing Division;

3.9 (2) the commissioner of public safety or the commissioner of public safety's designee
3.10 representing the Department of Public Safety's State Fire Marshal Division;

3.11 (3) one member, appointed by the commissioner, engaged in each of the following
3.12 occupations or industries:

3.13 (i) certified building officials;

3.14 (ii) fire chiefs or fire marshals;

3.15 (iii) licensed architects;

3.16 (iv) licensed professional engineers;

3.17 (v) commercial building owners and managers;

3.18 (vi) the licensed residential building industry;

3.19 (vii) the commercial building industry;

3.20 (viii) the heating and ventilation industry;

3.21 (ix) a member of the Plumbing Board;

3.22 (x) a member of the Board of Electricity;

3.23 (xi) a member of the Board of High Pressure Piping Systems;

3.24 (xii) the boiler industry;

3.25 (xiii) the manufactured housing industry;

3.26 (xiv) public utility suppliers;

3.27 (xv) the Minnesota Building and Construction Trades Council; ~~and~~

3.28 (xvi) local units of government;

4.1 (xvii) the energy conservation industry; and

4.2 (xviii) a building accessibility advocate.

4.3 (b) The commissioner or the commissioner's designee representing the department's
4.4 Construction Codes and Licensing Division shall serve as chair of the advisory council. For
4.5 members who are not state officials or employees, compensation and removal of members
4.6 of the advisory council are governed by section 15.059. The terms of the members of the
4.7 advisory council shall be four years. The terms of eight of the appointed members shall be
4.8 coterminous with the governor and the terms of the remaining nine appointed members
4.9 shall end on the first Monday in January one year after the terms of the other appointed
4.10 members expire. An appointed member may be reappointed. Each council member shall
4.11 appoint an alternate to serve in their absence.