

A bill for an act
relating to data practices; classifying certain transportation department data;
amending Minnesota Statutes 2006, section 13.72, by adding subdivisions.

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

Section 1. Minnesota Statutes 2006, section 13.72, is amended by adding a subdivision
to read:

Subd. 14. **Market research data; classification.** (a) Names, home addresses
except for zip codes, home e-mail addresses, and home telephone numbers obtained
for or received in response to a survey conducted by or on behalf of the Department of
Transportation are classified as private data on individuals.

(b) Business names, business addresses except for zip codes, business e-mail
addresses, and business telephone numbers obtained for or received in response to a
survey conducted by or on behalf of the Department of Transportation are classified
as nonpublic data.

Sec. 2. Minnesota Statutes 2006, section 13.72, is amended by adding a subdivision to
read:

Subd. 15. **Overhead rate data.** Financial statements and lists of stockholders
provided to the commissioner of transportation by a consultant in order to establish its
overhead rate, and the schedule of audit adjustments and the overhead rate schedule
prepared by the Department of Transportation in order to establish the overhead rate for a
consultant are classified as nonpublic data or private data on individuals. The overhead
rate percentage is public data.

H.F. No. 1282, as introduced - 85th Legislative Session (2007-2008)

2.1 Sec. 3. Minnesota Statutes 2006, section 13.72, is amended by adding a subdivision to
2.2 read:

2.3 Subd. 16. **Bid escrow data.** Bid documentation held in escrow by the Department
2.4 of Transportation is classified as nonpublic data. Any data on individuals in the bid
2.5 documentation are classified as private data on individuals. "Bid documentation" means
2.6 all writings, working papers, computer printout charts, and other data calculations used
2.7 by a contractor to determine its bid in bidding for a contract. The bid documentation
2.8 includes, but is not limited to, the contractor's costs for operating each piece of equipment
2.9 owned by the contractor, the contractor's overhead costs and its calculated overhead rate,
2.10 the contractor's pay rates for its employees, efficiency or productivity factors, arithmetic
2.11 extensions, and the rates and quotations from subcontractors and material suppliers to
2.12 the extent that the rates and quotations were used by the contractor in formulating and
2.13 determining the amount of the bid.