

section 275.125, subdivision 11a, shall be reduced by an amount equal to the amount transferred. Any school district may transfer any amount from the unappropriated fund balance account in its transportation fund to any other operating fund or to the appropriated fund balance account for bus purchases in its transportation fund.

Approved May 14, 1987

CHAPTER 144—H.F.No. 1204

An act relating to health facilities; providing for the management of county health facilities; clarifying provisions relating to the St. Paul Ramsey medical center; permitting the Hennepin county board to hold closed meetings on certain medical center business; permitting certain data to be treated as trade secret information; amending Minnesota Statutes 1986, sections 246A.16, subdivision 2; 246A.17, subdivision 2; and 383B.217, subdivision 7.

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

Section 1. Minnesota Statutes 1986, section 246A.16, subdivision 2, is amended to read:

Subd. 2. **BOARD ACTION.** Notwithstanding ~~any law to the contrary~~ section 471.705, the corporation and the hospital subsidiary corporation may meet in closed session to discuss and take action on specific matters involving contracts or marketing activity in cases where the corporation or its subsidiaries are in competition with health care providers that offer similar goods or services, and where the disclosure of information pertaining to such matters would cause harm to the competitive position of the corporation or its subsidiaries.

Sec. 2. Minnesota Statutes 1986, section 246A.17, subdivision 2, is amended to read:

Subd. 2. **TRADE SECRET INFORMATION.** ~~Notwithstanding any law to the contrary,~~ Data concerning specific matters involving contracts or marketing activity in cases where the corporation or its subsidiaries are in competition with health care providers that offer similar goods or services are "trade secret information" for purposes of section 13.37, subdivision 2, to the extent disclosure of information pertaining to such matters would cause harm to the competitive position of the corporation or its subsidiaries.

Sec. 3. Minnesota Statutes 1986, section 383B.217, subdivision 7, is amended to read:

Subd. 7. **PURCHASES AND MARKETING.** (a) Contracting and purchasing made on behalf of the Hennepin county medical center of goods, materials, supplies, equipment and contracted services shall comply with sections 383B.141 to 383B.151.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(b) Notwithstanding section 471.705, the county board on behalf of the medical center may meet in closed session to discuss and take action on specific products or services that are in direct competition with other providers of goods or services in the public or private sector, if disclosure of information pertaining to those matters would clearly harm the competitive position of the medical center.

(c) The medical center shall inform the county board when there are matters that are appropriate for discussion or action under paragraph (b). The county administrator or the administrator's designee shall give the board an opinion on the propriety of discussion or action under paragraph (b) for each of the matters. The county board may, by a majority vote in a public meeting, decide to hold a closed meeting under paragraph (b). The purpose, time and place of the meeting must be announced at a public meeting. A written roll of members present at a closed meeting must be made available to the public after the closed meeting. The proceedings of a closed meeting must be tape recorded at the expense of the county board and be preserved for not less than five years after the meeting. The data on the tape are nonpublic data under section 13.02, subdivision 9, until two years after the meeting. A contract entered into by the county board at a meeting held on behalf of the medical center is subject to section 471.345. All bids and any related materials that are considered at the meeting must be retained for a period of not less than five years. After the expiration of the term of any contract entered into pursuant to this subdivision or a period of two years, whichever is less, the contract, the bids, and any related materials are public data. The contract, the bids, and any related materials are subject to review by the state auditor at any time.

(d) Data concerning specific products or services that are in direct competition with other providers of goods or services in the public or private sector are trade secret information for purposes of section 13.37, to the extent disclosure of information pertaining to the matters would clearly harm the competitive position of the medical center. The data are trade secret information for the term of the contract or a two-year period, whichever is less.

(e) This subdivision applies to the medical center, ambulatory health centers, or other clinics authorized under section 383B.219, as well as any other organization, association, partnership, or corporation authorized by Hennepin county under section 144.581.

Sec. 4. LOCAL APPROVAL.

This act takes effect the day after the Hennepin county board complies with Minnesota Statutes, section 645.021, subdivision 3.

Approved May 14, 1987

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