

CHAPTER 13

GOVERNMENT DATA PRACTICES

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13.03 ACCESS TO GOVERNMENT DATA.

[For text of subd 1, see M.S.1998]

Subd. 2. Procedures. (a) The responsible authority in every state agency, political subdivision, and statewide system shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.

(b) The responsible authority shall prepare public access procedures in written form and update them no later than August 1 of each year as necessary to reflect any changes in personnel or circumstances that might affect public access to government data. The responsible authority shall make copies of the written public access procedures easily available to the public by distributing free copies of the procedures to the public or by posting a copy of the procedures in a conspicuous place within the government entity that is easily accessible to the public.

(c) Full convenience and comprehensive accessibility shall be allowed to researchers including historians, genealogists and other scholars to carry out extensive research and complete copying of all records containing government data except as otherwise expressly provided by law.

A responsible authority may designate one or more designees.

Subd. 3. Request for access to data. (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.

(b) For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. Nothing in this section prohibits a government entity from charging a reasonable fee for remote access to data under a specific statutory grant of authority. A government entity may charge a fee for remote access to data where either the data or the access is enhanced at the request of the person seeking access.

(c) The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, compiling, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.

(d) When a request under this subdivision involves any person's receipt of copies of public government data that has commercial value and is a substantial and discrete portion of

or an entire formula, pattern, compilation, program, device, method, technique, process, database, or system developed with a significant expenditure of public funds by the agency, the responsible authority may charge a reasonable fee for the information in addition to the costs of making, certifying, and compiling the copies. Any fee charged must be clearly demonstrated by the agency to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.

(e) If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.

[For text of subds 4 to 11, see M.S.1998]

History: 1999 c 227 s 1; 1999 c 250 art 1 s 41

NOTE: The amendment to subdivision 2 by Laws 1999, chapter 250, article 1, section 41, is effective January 1, 2001. Laws 1999, chapter 250, article 1, section 116.

13.04 RIGHTS OF SUBJECTS OF DATA.

[For text of subds 1 and 2, see M.S.1998]

Subd. 3. Access to data by individual. Upon request to a responsible authority, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge and, if desired, shall be informed of the content and meaning of that data. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created. The responsible authority shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority may require the requesting person to pay the actual costs of making, certifying, and compiling the copies.

The responsible authority shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.

[For text of subds 4 and 5, see M.S.1998]

History: 1999 c 227 s 2

13.05 DUTIES OF RESPONSIBLE AUTHORITY.

[For text of subds 1 to 10, see M.S.1998]

Subd. 11. Privatization. (a) If a government entity enters into a contract with a private person to perform any of its functions, the government entity shall include in the contract terms that make it clear that all of the data created, collected, received, stored, used, maintained, or disseminated by the private person in performing those functions is subject to the requirements of this chapter and that the private person must comply with those requirements as if it were a government entity. The remedies in section 13.08 apply to the private person under this subdivision.

(b) This subdivision does not create a duty on the part of the private person to provide access to public data to the public if the public data are available from the government entity, except as required by the terms of the contract.

History: 1999 c 250 art 1 s 42

13.073 PUBLIC INFORMATION POLICY TRAINING PROGRAM.

[For text of subds 1 to 5, see M.S.1998]

Subd. 6. **Preparation of model policies and procedures.** The commissioner shall, in consultation with affected government entities, prepare model policies and procedures to assist government entities in complying with the requirements of this chapter that relate to public access to government data and rights of subjects of data. Upon completion of a model for a governmental level, the commissioner shall offer that model for formal adoption by that level of government. Government entities may adopt or reject the model offered by the commissioner. A government entity that adopts the commissioner's model shall notify the commissioner in a form prescribed by the commissioner.

History: 1999 c 250 art 1 s 43

NOTE: Subdivision 6, as added by Laws 1999, chapter 250, article 1, section 43, is effective July 1, 2000, with respect to preparation of the model policies and procedures by the commissioner of administration, and January 1, 2001, with respect to the other provisions. Laws 1999, chapter 250, article 1, section 116.

13.32 EDUCATIONAL DATA.

[For text of subd 1, see M.S.1998]

Subd. 2. **Student health and census data; data on parents.** (a) Health data concerning students, including but not limited to, data concerning immunizations, notations of special physical or mental problems and records of school nurses are educational data. Access by parents to student health data shall be pursuant to section 13.02, subdivision 8.

(b) Pupil census data, including emergency information and family information are educational data.

(c) Data concerning parents are private data on individuals but may be treated as directory information if the same procedures that are used by a school district to designate student data as directory information under subdivision 5 are followed.

Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

(a) Pursuant to section 13.05;

(b) Pursuant to a valid court order;

(c) Pursuant to a statute specifically authorizing access to the private data;

(d) To disclose information in health and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I) and Code of Federal Regulations, title 34, section 99.36;

(e) Pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3) and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, and 99.35;

(f) To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

(g) When disclosure is required for institutions that participate in a program under title IV of the Higher Education Act, United States Code, title 20, chapter 1092;

(h) To the appropriate school district officials to the extent necessary under subdivision 6, annually to indicate the extent and content of remedial instruction, including the results of assessment testing and academic performance at a post-secondary institution during the previous academic year by a student who graduated from a Minnesota school district within two years before receiving the remedial instruction;

(i) To appropriate authorities as provided in United States Code, title 20, section 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the system to effectively serve, prior to adjudication, the student whose records are released; provided that the authorities to whom the data are released submit a written request for the data

that certifies that the data will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student and the request and a record of the release are maintained in the student's file;

(j) To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

(k) To provide student recruiting information, from educational data held by colleges and universities, as required by and subject to Code of Federal Regulations, title 32, section 216; or

(l) To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals.

[For text of subds 4 to 6, see M.S.1998]

Subd. 7. **Uses of data.** School officials who receive data on juveniles, as authorized under sections 260B.171 and 260C.171, may use and share that data within the school district or educational entity as necessary to protect persons and property or to address the educational and other needs of students.

[For text of subd 8, see M.S.1998]

History: 1999 c 139 art 4 s 2; 1999 c 227 s 3,4

13.43 PERSONNEL DATA.

[For text of subd 1, see M.S.1998]

Subd. 2. **Public data.** (a) Except for employees described in subdivision 5, the following personnel data on current and former employees, volunteers, and independent contractors of a state agency, statewide system, or political subdivision and members of advisory boards or commissions is public:

(1) name; actual gross salary; salary range; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; and the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;

(2) job title and bargaining unit; job description; education and training background; and previous work experience;

(3) date of first and last employment;

(4) the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;

(5) the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body;

(6) the terms of any agreement settling any dispute arising out of an employment relationship, including a buyout agreement as defined in section 123B.143, subdivision 2, paragraph (a); except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money;

(7) work location; a work telephone number; badge number; and honors and awards received; and

(8) payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data; and city and county of residence.

(b) For purposes of this subdivision, a final disposition occurs when the state agency, statewide system, or political subdivision makes its final decision about the disciplinary action, regardless of the possibility of any later proceedings or court proceedings. In the case of arbitration proceedings arising under collective bargaining agreements, a final disposition

occurs at the conclusion of the arbitration proceedings, or upon the failure of the employee to elect arbitration within the time provided by the collective bargaining agreement. Final disposition includes a resignation by an individual when the resignation occurs after the final decision of the state agency, statewide system, political subdivision, or arbitrator.

(c) The state agency, statewide system, or political subdivision may display a photograph of a current or former employee to a prospective witness as part of the state agency's, statewide system's, or political subdivision's investigation of any complaint or charge against the employee.

(d) A complainant has access to a statement provided by the complainant to a state agency, statewide system, or political subdivision in connection with a complaint or charge against an employee.

(e) Notwithstanding paragraph (a), clause (5), upon completion of an investigation of a complaint or charge against a public official, or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. For purposes of this paragraph, "public official" means:

- (1) the head of a state agency and deputy and assistant state agency heads;
- (2) members of boards or commissions required by law to be appointed by the governor or other elective officers; and
- (3) executive or administrative heads of departments, bureaus, divisions, or institutions.

[For text of subs 2a to 6, see M.S.1998]

Subd. 7. Employee assistance data. All data created, collected or maintained by any state agency or political subdivision to administer employee assistance programs similar to the one authorized by section 43A.319 are classified as private, pursuant to section 13.02, subdivision 12. This section shall not be interpreted to authorize the establishment of employee assistance programs.

[For text of subs 8 to 12, see M.S.1998]

Subd. 13. Dissemination of data to department of economic security. Private personnel data must be disclosed to the department of economic security for the purpose of administration of the reemployment compensation program under chapter 268.

History: 1999 c 107 s 66; 1999 c 182 s 1; 1999 c 227 s 6; 1999 c 250 art 1 s 114

13.442 BUILDING CODE VIOLATIONS.

Code violation records pertaining to a particular parcel of real property and the buildings, improvements, and dwelling units located on it that are kept by any state, county, or city agency charged by the governing body of the appropriate political subdivision with the responsibility for enforcing a state, county, or city health, housing, building, fire prevention, or housing maintenance code are public data; except as otherwise provided by section 13.39, subdivision 2; 13.44; or 13.82, subdivision 5.

History: 1999 c 227 s 5

13.46 WELFARE DATA.

Subdivision 1. **Definitions.** As used in this section:

(a) "Individual" means an individual according to section 13.02, subdivision 8, but does not include a vendor of services.

(b) "Program" includes all programs for which authority is vested in a component of the welfare system according to statute or federal law, including, but not limited to, the aid to families with dependent children program formerly codified in sections 256.72 to 256.87, Minnesota family investment program—statewide, medical assistance, general assistance, general assistance medical care, and child support collections.

(c) "Welfare system" includes the department of human services, local social services agencies, county welfare agencies, the public authority responsible for child support en-

forcement, human services boards, community mental health center boards, state hospitals, state nursing homes, the ombudsman for mental health and mental retardation, and persons, agencies, institutions, organizations, and other entities under contract to any of the above agencies to the extent specified in the contract.

(d) "Mental health data" means data on individual clients and patients of community mental health centers, established under section 245.62, mental health divisions of counties and other providers under contract to deliver mental health services, or the ombudsman for mental health and mental retardation.

(e) "Fugitive felon" means a person who has been convicted of a felony and who has escaped from confinement or violated the terms of probation or parole for that offense.

Subd. 2. **General** (a) Unless the data is summary data or a statute specifically provides a different classification, data on individuals collected, maintained, used, or disseminated by the welfare system is private data on individuals, and shall not be disclosed except:

(1) according to section 13.05;

(2) according to court order;

(3) according to a statute specifically authorizing access to the private data;

(4) to an agent of the welfare system, including a law enforcement person, attorney, or investigator acting for it in the investigation or prosecution of a criminal or civil proceeding relating to the administration of a program;

(5) to personnel of the welfare system who require the data to determine eligibility, amount of assistance, and the need to provide services of additional programs to the individual;

(6) to administer federal funds or programs;

(7) between personnel of the welfare system working in the same program;

(8) the amounts of cash public assistance and relief paid to welfare recipients in this state, including their names, social security numbers, income, addresses, and other data as required, upon request by the department of revenue to administer the property tax refund law, supplemental housing allowance, early refund of refundable tax credits, and the income tax. "Refundable tax credits" means the dependent care credit under section 290.067, the Minnesota working family credit under section 290.0671, the property tax refund under section 290A.04, and, if the required federal waiver or waivers are granted, the federal earned income tax credit under section 32 of the Internal Revenue Code;

(9) between the department of human services, the department of children, families, and learning, and the department of economic security for the purpose of monitoring the eligibility of the data subject for reemployment compensation, for any employment or training program administered, supervised, or certified by that agency, for the purpose of administering any rehabilitation program or child care assistance program, whether alone or in conjunction with the welfare system, or to monitor and evaluate the Minnesota family investment program by exchanging data on recipients and former recipients of food stamps, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, or medical programs under chapter 256B, 256D, or 256L;

(10) to appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons;

(11) data maintained by residential programs as defined in section 245A.02 may be disclosed to the protection and advocacy system established in this state according to Part C of Public Law Number 98-527 to protect the legal and human rights of persons with mental retardation or other related conditions who live in residential facilities for these persons if the protection and advocacy system receives a complaint by or on behalf of that person and the person does not have a legal guardian or the state or a designee of the state is the legal guardian of the person;

(12) to the county medical examiner or the county coroner for identifying or locating relatives or friends of a deceased person;

(13) data on a child support obligor who makes payments to the public agency may be disclosed to the higher education services office to the extent necessary to determine eligibility under section 136A.121, subdivision 2, clause (5);

(14) participant social security numbers and names collected by the telephone assistance program may be disclosed to the department of revenue to conduct an electronic data match with the property tax refund database to determine eligibility under section 237.70, subdivision 4a;

(15) the current address of a Minnesota family investment program participant may be disclosed to law enforcement officers who provide the name of the participant and notify the agency that:

(i) the participant:

(A) is a fugitive felon fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or attempt to commit a crime that is a felony under the laws of the jurisdiction from which the individual is fleeing; or

(B) is violating a condition of probation or parole imposed under state or federal law;

(ii) the location or apprehension of the felon is within the law enforcement officer's official duties; and

(iii) the request is made in writing and in the proper exercise of those duties;

(16) the current address of a recipient of general assistance or general assistance medical care may be disclosed to probation officers and corrections agents who are supervising the recipient and to law enforcement officers who are investigating the recipient in connection with a felony level offense;

(17) information obtained from food stamp applicant or recipient households may be disclosed to local, state, or federal law enforcement officials, upon their written request, for the purpose of investigating an alleged violation of the Food Stamp Act, according to Code of Federal Regulations, title 7, section 272.1(c);

(18) the address, social security number, and, if available, photograph of any member of a household receiving food stamps shall be made available, on request, to a local, state, or federal law enforcement officer if the officer furnishes the agency with the name of the member and notifies the agency that:

(i) the member:

(A) is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime or attempt to commit a crime that is a felony in the jurisdiction the member is fleeing;

(B) is violating a condition of probation or parole imposed under state or federal law; or

(C) has information that is necessary for the officer to conduct an official duty related to conduct described in subitem (A) or (B);

(ii) locating or apprehending the member is within the officer's official duties; and

(iii) the request is made in writing and in the proper exercise of the officer's official duty;

(19) certain information regarding child support obligors who are in arrears may be made public according to section 518.575;

(20) data on child support payments made by a child support obligor and data on the distribution of those payments excluding identifying information on obligees may be disclosed to all obligees to whom the obligor owes support, and data on the enforcement actions undertaken by the public authority, the status of those actions, and data on the income of the obligor or obligee may be disclosed to the other party;

(21) data in the work reporting system may be disclosed under section 256.998, subdivision 7;

(22) to the department of children, families, and learning for the purpose of matching department of children, families, and learning student data with public assistance data to determine students eligible for free and reduced price meals, meal supplements, and free milk according to United States Code, title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to allocate federal and state funds that are distributed based on income of the student's family; and to verify receipt of energy assistance for the telephone assistance plan;

(23) the current address and telephone number of program recipients and emergency contacts may be released to the commissioner of health or a local board of health as defined in section 145A.02, subdivision 2, when the commissioner or local board of health has reason to believe that a program recipient is a disease case, carrier, suspect case, or at risk of illness, and the data are necessary to locate the person;

(24) to other state agencies, statewide systems, and political subdivisions of this state, including the attorney general, and agencies of other states, interstate information networks, federal agencies, and other entities as required by federal regulation or law for the administration of the child support enforcement program;

(25) to personnel of public assistance programs as defined in section 256.741, for access to the child support system database for the purpose of administration, including monitoring and evaluation of those public assistance programs;

(26) to monitor and evaluate the Minnesota family investment program by exchanging data between the departments of human services and children, families, and learning, on recipients and former recipients of food stamps, cash assistance under chapter 256, 256D, 256J, or 256K, child care assistance under chapter 119B, or medical programs under chapter 256B, 256D, or 256L; or

(27) to evaluate child support program performance and to identify and prevent fraud in the child support program by exchanging data between the department of human services, department of revenue under section 270B.14, subdivision 1, paragraphs (a) and (b), without regard to the limitation of use in paragraph (c), department of health, department of economic security, and other state agencies as is reasonably necessary to perform these functions.

(b) Information on persons who have been treated for drug or alcohol abuse may only be disclosed according to the requirements of Code of Federal Regulations, title 42, sections 2.1 to 2.67.

(c) Data provided to law enforcement agencies under paragraph (a), clause (15), (16), (17), or (18), or paragraph (b), are investigative data and are confidential or protected non-public while the investigation is active. The data are private after the investigation becomes inactive under section 13.82, subdivision 5, paragraph (a) or (b).

(d) Mental health data shall be treated as provided in subdivisions 7, 8, and 9, but is not subject to the access provisions of subdivision 10, paragraph (b).

[For text of subs 3 to 7, see M.S.1998]

Subd. 8. Access for auditing. To the extent required by state or federal law, representatives of federal, state, or local agencies shall have access to data maintained by public or private community mental health centers, mental health divisions of counties, and other providers under contract to deliver mental health services which is necessary to achieve the purpose of auditing. Public or private community mental health centers, mental health divisions of counties, and other providers under contract to deliver mental health services shall not permit this data to identify any particular patient or client by name or contain any other unique personal identifier.

[For text of subs 9 to 11, see M.S.1998]

History: 1999 c 99 s 7; 1999 c 107 s 66; 1999 c 159 s 1; 1999 c 241 art 9 s 1; 1999 c 245 art 7 s 1

NOTE: Subdivision 2, paragraph (22), was also amended by Laws 1999, chapter 159, section 2, to read as follows:

“(22) to the department of children, families, and learning for the purpose of matching department of children, families, and learning student data with public assistance data to determine students eligible for free and reduced price meals, meal supplements, and free milk according to United States Code, title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to produce accurate numbers of students receiving assistance from the Minnesota family investment program as required by section 126C.06; to allocate federal and state funds that are distributed based on income of the student’s family; and to verify receipt of energy assistance for the telephone assistance plan;”

NOTE: Subdivision 2, paragraph (22), was also amended by Laws 1999, chapter 205, article 1, section 1, to read as follows:

“(22) to the department of children, families, and learning for the purpose of matching department of children, families, and learning student data with public assistance data to determine students eligible for free and reduced price meals, meal supplements, and free milk according to United States Code, title 42, sections 1758, 1761, 1766, 1766a, 1772, and 1773; to produce accurate numbers of students receiving Minnesota family investment program assistance as required by section 126C.06; to allocate federal

and state funds that are distributed based on income of the student's family; and to verify receipt of energy assistance for the telephone assistance plan."

13.47 EMPLOYMENT AND TRAINING DATA.

Subdivision 1. **Definition.** (a) "Employment and training data" means data on individuals collected, maintained, used, or disseminated because an individual applies for, is currently enrolled in, or has been enrolled in employment and training programs funded with federal, state, or local resources, including those provided under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

(b) "Employment and training service provider" means an entity certified, or seeking to be certified, by the commissioner of economic security to deliver employment and training services under section 268.0122, subdivision 3, or an organization that contracts with a certified entity or the department of economic security to deliver employment and training services.

(c) "Provider of training services" means an organization or entity that provides training under the Workforce Investment Act of 1998, United States Code, title 29, section 2801.

Subd. 2. **Classification.** Employment and training data are private data on individuals.

Subd. 3. **Dissemination.** Employment and training data may be disseminated by employment and training service providers:

(a) to other employment and training service providers to coordinate the employment and training services for the data subject or to determine eligibility or suitability for services from other programs;

(b) to local and state welfare agencies for monitoring the eligibility of the participant for assistance programs, or for any employment or training program administered by those agencies; and

(c) to the commissioner of economic security.

Subd. 4. **Data preparation.** To produce data required to certify the eligibility of training service providers under section 268.0122, subdivision 3, clause (7), the Workforce Investment Act of 1998, United States Code, title 29, section 2801, or other studies required by law, the commissioner of economic security, in consultation with the governor's workforce development council, may:

(1) enter into a data exchange agreement with a training service provider whereby the commissioner of economic security shall furnish to the provider wage information under section 268.044 on individuals who have received training services from the provider. The provider shall use this wage information to prepare summary data determined necessary by the commissioner in consultation with the governor's workforce development council. The provider may use this wage information for conducting studies to improve instruction; or

(2) if there is no agreement under clause (1), require the training service provider to furnish employment and training data determined necessary by the commissioner in consultation with the governor's workforce development council.

Subd. 5. **Summary data.** The commissioner of economic security shall provide the training service providers, as well as make available to the public, summary data on the performance of the training services.

History: 1999 c 227 s 7

13.491 RIDESHARE DATA.

The following data on participants, collected by the Minnesota department of transportation and the metropolitan council to administer rideshare programs, are classified as private under section 13.02, subdivision 12: residential address and telephone number; beginning and ending work hours; current mode of commuting to and from work; and type of rideshare service information requested.

History: 1999 c 227 s 8

13.612 MUNICIPAL UTILITY CUSTOMER DATA.

Data on customers of municipal electric utilities are private data on individuals or non-public data, but may be released to:

- (1) a law enforcement agency that requests access to the data in connection with an investigation;
- (2) a school for purposes of compiling pupil census data;
- (3) the metropolitan council for use in studies or analyses required by law;
- (4) a public child support authority for purposes of establishing or enforcing child support; or
- (5) a person where use of the data directly advances the general welfare, health, or safety of the public; the commissioner of administration may issue advisory opinions construing this clause pursuant to section 13.072.

History: 1999 c 227 s 9

13.72 TRANSPORTATION DEPARTMENT DATA.

[For text of subd 1, see M.S.1998]

Subd. 2. [Repealed, 1999 c 227 s 23]

[For text of subds 4 to 8, see M.S.1998]

13.772 MINNESOTA POLLUTION CONTROL AGENCY DATA.

Data that identify specific locations within the state where intensive and global survey site investigations are under way, or are determined by the Minnesota pollution control agency as appropriate for studying the cause of malformations in frogs, are nonpublic data until the agency determines that it will not investigate or has completed its scientific investigation at the reported abnormal frog site.

History: 1999 c 227 s 10

13.99 OTHER GOVERNMENT DATA PROVISIONS.

Subdivision 1. **Provisions coded in other chapters.** The laws enumerated in this section are codified outside of this chapter and classify government data as other than public or place restrictions on access to government data. Except for records of the judiciary, the definitions and general provisions in sections 13.01 to 13.07 and the remedies and penalties provided in sections 13.08 and 13.09 also apply to data and records listed in this section and to other provisions of statute that provide access to government data and records or rights regarding government data similar to those established by section 13.04.

Subd. 2. [Repealed, 1996 c 305 art 1 s 2]

Subd. 3. **Legislative audit data.** Data relating to an audit performed under sections 3.97, 3.971, and 3.979 are classified under section 3.979, subdivision 3.

Subd. 3a. **State auditor data.** Data relating to an audit under chapter 6 are classified under section 6.715.

Subd. 4. **Campaign finance and public disclosure board information.** Disclosure by the campaign finance and public disclosure board of information about a complaint or investigation is governed by section 10A.02, subdivision 11.

Subd. 5. **Ethical practices investigation data.** The record of certain investigations conducted under chapter 10A is classified, and disposition of certain information is governed, by section 10A.02, subdivision 11a.

Subd. 5a. **Campaign finance and public disclosure board opinions.** A request for a campaign finance and public disclosure board advisory opinion and the opinion itself are classified under section 10A.02, subdivision 12.

Subd. 6. **Register of ownership of bonds or certificates.** Information in a register of ownership of state bonds or certificates is classified under section 16A.672, subdivision 11.

Subd. 6a. **State debt collection data.** Data on debtors received, collected, created, or maintained by the commissioner of finance are classified under section 16D.06.

Subd. 6b. **Agriculture best management practices loan program.** Data collected by the commissioner on applicants or borrowers for the agriculture best management practices loan program are governed by section 17.117.

Subd. 6c. **Aquaculture data.** Data on aquatic farming held by the pollution control agency is classified under section 17.498.

Subd. 6d. **Agricultural producer association and commodity handlers.** Access to data filed with the commissioner of agriculture by agricultural producer associations and agricultural commodity handlers is governed by section 17.694, subdivision 1.

Subd. 6e. **Agricultural commodities promotion council.** Financial information on producers of agricultural commodities that is provided to the agricultural commodities promotion council is governed by section 17.62.

Subd. 7. **Pesticide dealer and applicator records.** Records of pesticide dealers and applicators inspected or copied by the commissioner of agriculture are classified under sections 18B.37, subdivision 5, and 18B.38.

Subd. 7a. **Wholesale produce dealers.** Financial data submitted by a license applicant is classified under section 27.04, subdivision 2.

Subd. 7b. **Meat inspection data.** Access to information obtained by the commissioner of agriculture under the meat inspection law is governed by section 31A.27, subdivision 3.

Subd. 8. **Dairy reports to commissioner of agriculture.** Disclosure of information in reports about dairy production required to be filed with the commissioner of agriculture under section 32.19 is governed by that section.

Subd. 8a. **Dairy product data.** Financial and production information obtained by the commissioner of agriculture to administer chapter 32 are classified under section 32.71, subdivision 2.

Subd. 9. **Family farm security.** Data received or prepared by the commissioner of agriculture regarding family farm security loans are classified in section 41.63.

Subd. 10. **Rural finance authority.** Certain data received or prepared by the rural finance authority are classified pursuant to section 41B.211.

Subd. 11. **World trade center.** Certain data received or developed by the governing board of the Minnesota world trade center corporation are classified in section 44A.08.

Subd. 11a. **Certain data received by commissioner of commerce.** Certain data received because of the participation of the commissioner of commerce in various organizations are classified under section 45.012.

Subd. 11b. **Bank incorporators data.** Financial data on individuals submitted by incorporators proposing to organize a bank are classified under section 46.041, subdivision 1.

Subd. 12. **Commerce department data on financial institutions.** The disclosure by the commissioner of commerce of facts and information obtained in the course of examining financial institutions and in relation to complaints filed with the commissioner is governed by section 46.07, subdivisions 2 and 3.

Subd. 12a. **Electronic financial terminal data.** Information obtained by the commissioner of commerce in the course of verifying electronic financial terminal equipment is classified under section 47.66.

Subd. 13. [Repealed, 1997 c 157 s 72]

Subd. 13a. **Licensed currency exchanges.** Financial information in annual reports submitted to the commissioner of commerce by currency exchanges is classified in section 53A.081, subdivision 4.

Subd. 14. **Examination of insurance companies.** Information obtained by the commissioner of commerce in the course of supervising or examining insurance companies is classified under section 60A.03, subdivision 9. An examination report of a domestic or foreign insurance company prepared by the commissioner is classified pursuant to section 60A.031, subdivision 4.

Subd. 14a. **Surplus lines insurer data.** Reports and recommendations on the financial condition of eligible surplus lines insurers submitted to the commissioner of commerce are classified under section 60A.208, subdivision 7.

Subd. 14b. **Material transaction reports.** Reports required to be filed by insurers regarding certain material transactions are classified under section 60A.135, subdivision 4.

Subd. 14c. **Risk-based capital data.** Risk-based capital reports and related reports, data, and orders maintained by the commissioner of commerce are classified under section 60A.67.

Subd. 15. **Insurance company information.** Data received by the department of commerce under section 60A.93 are classified as provided by that section.

Subd. 15a. **Viatical settlements data.** Viatical settlements data provided to the commissioner of commerce are classified under section 60A.968, subdivision 2.

Subd. 16. **Proceeding and records in summary proceedings against insurers.** Access to proceedings and records of summary proceedings by the commissioner of commerce against insurers and judicial review of such proceedings is governed by section 60B.14, subdivisions 1, 2, and 3.

Subd. 17. **Insurance Guaranty Association.** The commissioner may share data with the board of the Minnesota Insurance Guaranty Association as provided by section 60C.14, subdivision 2.

Subd. 17a. **HMO financial statements.** Unaudited financial statements submitted to the commissioner by a health maintenance organization are classified under section 62D.08, subdivision 6.

Subd. 17b. **Insurer financial condition data.** Recommendations on the financial condition of an insurer submitted to the commissioner of commerce by the insurance guaranty association are classified under section 60C.15.

Subd. 18. **Various insurance data.** Disclosure of information obtained by the commissioner of commerce under section 60D.18, 60D.19, or 60D.20 is governed by section 60D.22.

Subd. 18a. **Insurer supervision data.** Data on insurers supervised by the commissioner of commerce under chapter 60G are classified under section 60G.03, subdivision 1.

Subd. 18b. **Insurance agent termination.** Access to data on insurance agent terminations held by the commissioner of commerce is governed by section 60K.10.

Subd. 18c. **Association data.** Certain data submitted to the commissioner of commerce by a life and health guaranty association are classified under section 61B.28, subdivision 2.

Subd. 18d. **Solicitor or agent data.** Data relating to suspension or revocation of a solicitor's or agent's license are classified under section 62C.17, subdivision 4.

Subd. 19. **HMO examinations.** Data obtained by the commissioner of health in the course of an examination of the affairs of a health maintenance organization are classified under section 62D.14, subdivisions 1 and 4.

Subd. 19a. **Health technology data.** Data obtained by the health technology advisory committee about a specific technology are classified under section 62J.152, subdivision 7.

Subd. 19b. **Provider conflicts of interest.** Certain data in transition plans submitted by providers to comply with section 62J.23, subdivision 2, on conflicts of interest are classified under that section.

Subd. 19c. **Health data and research initiatives.** Data collected by the commissioner of health for data and research initiatives are classified under section 62J.321, subdivision 5. Data collected for purposes of sections 62J.301 to 62J.42 that identify patients or providers are classified under section 62J.321, subdivision 5.

Subd. 19d. **Health carrier data.** Data received by the commissioner from health carriers under chapter 62L are classified under section 62L.10, subdivision 3.

Subd. 19e. **Small employer reinsurance association data.** Patient identifying data held by the reinsurance association are classified under section 62L.16, subdivision 6.

Subd. 19f. **Legal service plan solicitor or agent data.** Information contained in a request by a legal service plan for termination of a solicitor's or agent's license is classified under section 62G.20, subdivision 3.

Subd. 19g. [Repealed, 1998 c 254 art 1 s 3]

Subd. 19h. **Health care cost containment.** Data required to be submitted under health care cost containment provisions are classified by sections 62J.321, subdivision 5, and 62J.452, subdivision 2.

Subd. 19i. **Health data institute.** Health data institute data are classified under section 62J.452, subdivision 2.

Subd. 19j. **Essential community provider.** Data on applications for designation as an essential community provider are classified under section 62Q.19, subdivision 2.

Subd. 19k. **Preferred provider agreements.** The terms and conditions of certain preferred provider agreements are classified in section 62E.13, subdivision 11.

Subd. 19l. **Minnesota risk adjustment association.** Data privacy issues concerning the Minnesota risk adjustment association are governed by section 62Q.03, subdivision 9.

Subd. 19m. [Repealed, 1999 c 245 art 2 s 45]

Subd. 20. **Auto theft data.** The sharing of data on auto thefts between law enforcement and prosecutors and insurers is governed by section 65B.82.

Subd. 20a. **Insurance contract data.** Certain insurance contract data held by the commissioner of commerce are classified under section 72A.20, subdivision 15.

Subd. 20b. **Health claims appeals.** Documents that are part of an appeal from denial of health care coverage for experimental treatment are classified under section 72A.327.

Subd. 20c. **Self-insurers advisory committee.** Data received by the self-insurers' advisory committee from the commissioner is classified under section 79A.02, subdivision 2.

Subd. 21. **Self-insurers' security fund.** Disclosure of certain data received by the self-insurers' security is governed by section 79A.09, subdivision 4.

Subd. 21a. **Mineral data.** Data submitted in applying for a permit for mineral deposit evaluation and as a result of exploration are classified under section 103I.605, subdivisions 2 and 4.

Subd. 21b. **Transfer station data.** Data received by a county or district from a transfer station under section 115A.84, subdivision 5, are classified under that section.

Subd. 21c. **Customer lists.** Customer lists provided to counties or cities by solid waste collectors are classified under section 115A.93, subdivision 5.

Subd. 21d. [Repealed, 1997 c 7 art 1 s 1]

Subd. 21e. **Exclusion of waste materials.** Data included in a document submitted by a transfer station under section 115A.84, subdivision 5, is classified under that subdivision.

Subd. 22. **Environmental response.** Certain data obtained by the pollution control agency from a person who may be responsible for a release are classified in section 115B.17, subdivision 5.

Subd. 23. **Hazardous waste generators.** Data exchanged between the pollution control agency and the department of revenue under sections 115B.24 and 116.075, subdivision 2, are classified under section 115B.24, subdivision 5.

Subd. 24. **Solid waste records.** (a) Records of solid waste facilities received, inspected, or copied by a county pursuant to section 115A.882 are classified pursuant to section 115A.882, subdivision 3.

(b) Customer lists provided to counties or cities by solid waste collectors are classified under section 115A.93.

Subd. 24a. [Repealed, 1997 c 7 art 1 s 2]

Subd. 24b. **Petroleum tank release.** Certain data in connection with a petroleum tank release are classified under section 115C.03, subdivision 8.

Subd. 24c. **Toxic pollution prevention plans.** Toxic pollution prevention plans are classified under section 115D.09.

Subd. 25. **Hazardous waste generators.** Information provided by hazardous waste generators under section 473.151 and for which confidentiality is claimed is governed by section 116.075, subdivision 2.

Subd. 26. **Pollution control agency tests.** Trade secret information made available by applicants for certain projects of the pollution control agency is classified under section 116.54.

Subd. 27. **Low-level radioactive waste.** Certain data given to the pollution control agency by persons who generate, transport, or dispose of low-level radioactive waste are classified under section 116C.840.

Subd. 27a. **Minnesota Technology, Inc.** Data on a tape of a closed board meeting of Minnesota Technology, Inc. are classified under section 116O.03, subdivision 6. Certain data disclosed to the board or employees of Minnesota Technology, Inc. are classified under section 116O.03, subdivision 7.

Subd. 27b. **Airlines data.** Specified data about an airline submitted in connection with state financing of certain aircraft maintenance facilities are classified under section 116R.02, subdivision 3.

Subd. 27c. **Minnesota Business Finance, Inc.** Various data held by Minnesota Business Finance, Inc. are classified under section 116S.02, subdivision 8.

Subd. 27d. **School readiness program.** Data on a child participating in a school readiness program are classified under section 124D.15, subdivision 9.

Subd. 27e. **Developmental screening.** Data collected in early childhood developmental screening programs are classified under section 121A.18.

Subd. 27f. **Teacher license reporting.** Data on certain teacher discharges and resignations reported under section 122A.20 are classified under that section.

Subd. 28. **Student financial aid.** Data collected and used by the higher education services office on applicants for financial assistance are classified under section 136A.162.

Subd. 28a. **Higher education services office.** Financial records submitted by schools registering with the higher education services office are classified under section 136A.64.

Subd. 28b. **Nursing home residents.** Access to certain data on assessments of care and services to nursing home residents is governed by section 144.0721, subdivision 2.

Subd. 29. **Restrictions on access to archives records.** Limitations on access to records transferred to the state archives are provided in section 138.17, subdivision 1c.

Subd. 29a. **Parents' social security number; birth certificate.** Parents' social security numbers provided for a child's birth certificate are classified under section 144.215, subdivision 4.

Subd. 29b. **Public health studies.** Data held by the commissioner of health in connection with public health studies are classified under section 144.053.

Subd. 29c. **Rural hospital grants.** Financial data on individual hospitals under the rural hospital grant program are classified under section 144.147, subdivision 5.

Subd. 30. **Foundling registration.** The report of the finding of an infant of unknown parentage is classified under section 144.216, subdivision 2.

Subd. 31. **New certificate of birth.** In circumstances in which a new certificate of birth may be issued under section 144.218, the original certificate of birth is classified as provided in that section.

Subd. 31a. **Vital records.** Physical access to vital records is governed by section 144.225, subdivision 1.

Subd. 32. **Birth certificate of child of unmarried parents.** Access to the birth certificate of a child whose parents were not married to each other when the child was conceived or born is governed by sections 144.225, subdivision 2, and 257.73.

Subd. 33. **Human leukocyte antigen type registry.** Data identifying a person and the person's human leukocyte antigen type which is maintained by a government entity are classified under section 144.336, subdivision 1.

Subd. 34. **Health threat procedures.** Data in a health directive issued by the commissioner of health or a board of health are classified in section 144.4186.

Subd. 35. **Certain health inspections.** Disclosure of certain data received by the commissioner of health under sections 144.50 to 144.56 is governed by section 144.58.

Subd. 35a. **Public hospital meetings.** Data from a closed meeting of a public hospital are classified under section 144.581, subdivision 5.

Subd. 35b. **Epidemiologic data.** Epidemiologic data that identify individuals are classified under section 144.6581.

Subd. 35c. **Traumatic injury data.** Data on individuals with a brain or spinal injury collected by the commissioner of health are classified under section 144.665.

Subd. 36. **Cancer surveillance system.** Data on individuals collected by the cancer surveillance system are classified pursuant to section 144.69.

Subd. 37. **Medical malpractice claims reports.** Reports of medical malpractice claims submitted by an insurer to the commissioner of health under section 144.693 are classified as provided in section 144.693, subdivision 1.

Subd. 38. **Health test results.** Health test results obtained under chapter 144 are classified under section 144.768.

Subd. 38a. **Ambulance service data.** Data required to be reported by ambulance services under section 144E.123 are classified under that section.

Subd. 38b. **Lead exposure data.** Data on individuals exposed to lead in their residences are classified under sections 144.9502, subdivision 9, and 144.9504, subdivision 2.

Subd. 39. **Home care services.** Certain data from providers of home care services given to the commissioner of health are classified under sections 144A.46, subdivision 5, and 144A.47.

Subd. 39a. [Repealed, 1996 c 305 art 1 s 6]

Subd. 39b. **EMT, EMT-I, EMT-P, or first responder misconduct.** Reports of emergency medical technician, emergency medical technician-intermediate, emergency medical technician-paramedic, or first responder misconduct are classified under section 144E.305, subdivision 3.

Subd. 40. **Terminated pregnancies.** Disclosure of reports of terminated pregnancies made to the commissioner of health is governed by section 145.413, subdivision 1.

Subd. 41. **Review organization data.** Disclosure of data and information acquired by a review organization as defined in section 145.61, subdivision 5, is governed by section 145.64.

Subd. 42. **Family planning grants.** Information gathered under section 145.925 is classified under section 145.925, subdivision 6.

Subd. 42a. **Board of medical practice.** Data held by the board of medical practice in connection with disciplinary matters are classified under sections 147.01, subdivision 4, and 147.091, subdivision 6.

Subd. 42b. **Report of violations.** Certain reports of violations submitted to the board of medical practice are classified under section 147.121.

Subd. 43. **Physician investigation records.** Patient medical records provided to the board of medical practice under section 147.131 are classified under that section.

Subd. 44. **Record of physician disciplinary action.** The administrative record of any disciplinary action taken by the board of medical practice under sections 147.01 to 147.22 is sealed upon judicial review as provided in section 147.151. Certain data relating to sexual misconduct are classified under sections 147.092 and 147.01.

Subd. 45. **Chiropractic review records.** Data of the board of chiropractic examiners and the peer review committee are classified under sections 148.10, subdivision 1, and 148.106, subdivision 10.

Subd. 46. **Disciplinary action against nurses.** Data obtained under section 148.261, subdivision 5, by the board of nursing are classified under that subdivision.

Subd. 47. **Medical records obtained by board of nursing.** Medical records of a patient cared for by a nurse who is under review by the board of nursing are classified under sections 148.191, subdivision 2, and 148.265.

Subd. 48. **Records of nurse disciplinary action.** The administrative records of any disciplinary action taken by the board of nursing under sections 148.171 to 148.285 are sealed upon judicial review as provided in section 148.266.

Subd. 48a. **Licensee residence addresses.** Residence addresses of certain professional licensees are classified under section 148B.04, subdivision 6.

Subd. 49. **Client, licensee, and reporting of violations records obtained by boards on mental health and social work.** Client records obtained by a board conducting an investigation under chapter 148B are classified by section 148B.09. Certain licensing data and data in reports of violations under chapter 148B are classified by sections 148B.04 and 148B.08.

Subd. 50. **Records of social work disciplinary action.** The administrative records of disciplinary action taken by the board of social work are classified under section 148B.285.

Subd. 51. **Social work and mental health boards.** Certain data obtained by licensing boards under chapter 148B are classified under section 148B.175, subdivisions 2 and 5.

Subd. 52. **Records of unlicensed mental health practitioner disciplinary actions.** The administrative records of disciplinary action taken by the commissioner of health pursuant to sections 148B.60 to 148B.71 are sealed upon judicial review as provided in section 148B.65.

Subd. 52a. **Mortuary science data.** (a) Data on investigations and disciplinary actions by the commissioner of health are classified under section 149A.04, subdivision 5.

(b) Data on individuals in annual reports required of certain funeral establishments are classified under section 149A.97, subdivision 11.

Subd. 52b. **Unlicensed mental health practitioners.** Certain data in connection with the investigation of an unlicensed mental health practitioner are classified under section 148B.66, subdivision 2.

Subd. 53. **Board of dentistry.** Data obtained by the board of dentistry under section 150A.08, subdivision 6, are classified as provided in that subdivision. Data obtained under section 150A.081 are classified under that section.

Subd. 53a. **Controlled substance convictions.** Data on certain convictions for controlled substances offenses may be expunged under section 152.18, subdivision 3.

Subd. 53b. **Veterinary records.** Veterinary records on clients when a veterinarian is under investigation are classified under section 156.082. Records on the veterinarian are classified under section 156.125.

Subd. 54. **Motor vehicle registration.** Various data on motor vehicle registrations are classified under sections 168.345 and 168.346.

Subd. 54a. **Chemical use assessment.** A report of an assessment conducted in connection with a conviction for driving while intoxicated is classified under section 169.126, subdivision 2.

Subd. 54b. **Driver's license cancellations.** Access to data on individuals whose driver's licenses have been canceled is governed by section 171.043.

Subd. 55. **Driver's license photograph or image.** Photographs or electronically produced images taken by the commissioner of public safety for drivers' licenses are classified under section 171.07, subdivision 1a.

Subd. 56. **Driver's license address.** The residence address of certain individuals provided to the commissioner of public safety in drivers' license applications is classified under section 171.12, subdivision 7.

Subd. 56a. **Driver's license cancellation due to blindness.** Data on a visual examination performed for purposes of driver's license cancellation are classified under section 171.32, subdivision 3.

Subd. 57. **Accident report.** Release of accident reports provided to the department of public safety under section 169.09 is governed by section 169.09, subdivision 13.

Subd. 57a. **Special transportation service provider.** Certain data relating to alleged violations by special transportation service providers is governed under section 174.30, subdivision 9.

Subd. 57b. **Special transportation service; ambulance service.** Data relating to a person's physical condition or medical treatment gathered by the commissioner of transportation or the commissioner of health in an investigation of an alleged violation by a special transportation service provider, is governed by section 174.315.

Subd. 58. **Reporters to labor and industry.** Disclosure of the names of certain persons supplying information to the department of labor and industry is prohibited by sections 175.24 and 175.27.

Subd. 58a. **Workers' compensation medical data.** Access to medical data in connection with a workers' compensation claim is governed by section 176.138.

Subd. 58b. **Workers' compensation coverage.** Access to the identity of anyone reporting that an employer may not have workers' compensation insurance is governed by section 176.184, subdivision 5.

- Subd. 59. **Report of death or injury to labor and industry.** Access to a report of work-er injury or death during the course of employment filed by an employer under section 176.231 is governed by sections 176.231, subdivisions 8 and 9, and 176.234.
- Subd. 59a. **Employee drug and alcohol tests.** Results of employee drug and alcohol tests are classified under section 181.954, subdivision 2.
- Subd. 59b. **Identity of employees making complaints.** The disclosure of the identity of employees making certain complaints is governed by section 181.932, subdivision 2.
- Subd. 60. **Occupational safety and health.** Certain data gathered or prepared by the commissioner of labor and industry as part of occupational safety and health inspections are classified under sections 182.659, subdivision 8, and 182.668, subdivision 2.
- Subd. 61. **Employee drug and alcohol test results.** Test results and other information acquired in the drug and alcohol testing process, with respect to public sector employees and applicants, are classified by section 181.954, subdivision 2, and access to them is governed by section 181.954, subdivision 3.
- Subd. 62. **Certain veterans benefits.** Access to files pertaining to claims for certain veterans benefits is governed by section 196.08.
- Subd. 63. **Veterans service officers.** Data maintained by veterans service officers are classified under section 197.603.
- Subd. 63a. **Registered voter lists.** Access to registered voter lists is governed by section 201.091.
- Subd. 64. **Health licensing boards.** Data held by health licensing boards are classified under sections 214.10, subdivision 8, and 214.25, subdivision 1.
- Subd. 64a. **Combined boards data.** Data held by licensing boards participating in a health professional services program are classified under sections 214.34 and 214.35.
- Subd. 65. **Commissioner of public service.** Certain energy data maintained by the commissioner of public service are classified under section 216C.17, subdivision 4.
- Subd. 65a. **Energy conservation investment loan.** Data contained in applications for energy conservation investment loans, including supporting technical documentation, is governed by section 216C.37, subdivisions 3a and 3b.
- Subd. 65b. **Transporting hazardous material or waste; permit application.** Data submitted under section 221.0355, subdivision 9, and received by the commissioner of transportation on applications for permits to transport hazardous material or hazardous waste are classified under section 221.0355, subdivision 9.
- Subd. 65c. **Rail carrier data.** Certain data submitted to the commissioner of transportation and the attorney general by acquiring and divesting rail carriers are classified under section 222.86, subdivision 3.
- Subd. 65d. **Grain buyer licensee data.** Financial data submitted to the commissioner by grain buyer's license applicants are classified under section 223.17, subdivision 6.
- Subd. 65e. **Predatory offenders.** Data provided under section 243.166, subdivision 7, are classified under that section.
- Subd. 66. **Mental health records.** Disclosure of the names and addresses of persons receiving mental health services is governed by section 245.467, subdivision 6.
- Subd. 67. **Children receiving mental health services.** Disclosure of identities of children receiving mental health services under sections 245.487 to 245.4887, and the identities of their families, is governed by section 245.4876, subdivision 7.
- Subd. 68. **Mental health clinics and centers.** Data collected by mental health clinics and centers approved by the commissioner of human services are classified under section 245.69, subdivision 2.
- Subd. 68a. **Ombudsman for mental health and retardation.** Access by the ombudsman for mental health and mental retardation to private data on individuals is provided under section 245.94, subdivision 1.
- Subd. 69. **State hospital patients.** Contents of, and access to, records of state hospital patients required to be kept by the commissioner of human services are governed by section 246.13.

Subd. 70. **Chemical dependency service agreements.** Certain data received by the commissioner of human services from chemical dependency programs are classified under section 246.64, subdivision 4.

Subd. 71. [Repealed, 1995 c 186 s 7]

Subd. 72. **Prepetition screening.** Prepetition screening investigations for judicial commitments are classified as private under section 253B.07, subdivision 1, paragraph (b).

Subd. 73. **Subject of research; recipients of alcohol or drug abuse treatment.** Access to records of individuals who are the subject of research or who receive information, assessment, or treatment concerning alcohol or drug abuse is governed by section 254A.09.

Subd. 74. **Child mortality review panel.** Data practices of the commissioner of human services as part of the child mortality review panel are governed by section 256.01, subdivision 12.

Subd. 74a. **Technology assistance review panel.** Data maintained by the technology assistance review panel under section 256.9691, subdivision 6, are classified under that section.

Subd. 74b. **Medical assistance cost reports.** Medical records of medical assistance recipients obtained by the commissioner of human services for purposes of section 256B.27, subdivision 5, are classified under that section.

Subd. 74c. **Ombudsman on aging.** Data held by the ombudsman on aging are classified under section 256.9744.

Subd. 75. **Records of artificial insemination.** Access to records held by a court or other agency concerning artificial insemination performed on a married woman with her husband's consent is governed by section 257.56, subdivision 1.

Subd. 76. **Parentage action records.** Inspection of records in parentage actions held by the court, the commissioner of human services, or elsewhere is governed by section 257.70.

Subd. 76a. **Name changes of protected witnesses and victims.** Court records of name changes of participants in a witness and victim protection program are governed by section 259.10, subdivision 2.

Subd. 76b. **Fathers' adoption registry.** Data in the fathers' adoption registry are classified under section 259.52, subdivision 4.

Subd. 77. **Commissioner's records of adoption.** Records of adoption held by the commissioner of human services are classified, and access to them is governed by section 259.79, subdivisions 1 and 3.

Subd. 78. **Adoption records.** Various adoption records are classified under section 259.53, subdivision 1. Access to the original birth certificate of a person who has been adopted is governed by section 259.89.

Subd. 79. **Peace officers, court services, and corrections records of juveniles.** Inspection and maintenance of juvenile records held by police and the commissioner of corrections and disclosure to school officials of court services data on juveniles adjudicated delinquent are governed by section 260B.171.

Subd. 79a. **Court records.** Court records of dispositions involving placement outside this state are classified under section 260B.235, subdivision 8.

Subd. 80. **Commissioner of economic security.** Data maintained by the commissioner of economic security are classified under section 268.19.

Subd. 81. **Transitional housing data.** Certain data collected, used, or maintained by the recipient of a grant to provide transitional housing are classified under section 268.38, subdivision 9.

Subd. 81a. **Wage subsidy program.** Data on individuals collected under section 268.552, subdivision 7, are classified under that subdivision.

Subd. 81b. **Minnesota youth program.** Data on individuals under the Minnesota youth program are classified under section 268.561, subdivision 7.

Subd. 82. **Emergency jobs program.** Data maintained by the commissioner of economic security for the emergency jobs program are classified under section 268.673, subdivision 5.

Subd. 83. **Vocational rehabilitation data.** Disclosure of data obtained by the commissioner of economic security regarding the vocational rehabilitation of an injured or disabled employee is governed by section 268A.05.

Subd. 84. **Revenue Recapture Act.** Data maintained by the commissioner of revenue under the Revenue Recapture Act are classified under section 270A.11.

Subd. 85. **Tax data; classification and disclosure.** Classification and disclosure of tax data created, collected, or maintained by the department of revenue under chapter 290, 290A, 291, or 297A are governed by chapter 270B.

Subd. 85a. **Certificate of value.** Data in a real estate certificate of value filed with the county auditor is classified under section 272.115, subdivision 1.

Subd. 86. **Homestead applications.** The classification and disclosure of certain information collected to determine homestead classification is governed by section 273.124, subdivision 13.

Subd. 86a. **Political contribution refund.** Certain political contribution refund data in the revenue department are classified under section 290.06, subdivision 23.

Subd. 86b. **Gross earnings taxes.** Certain patient data provided to the department of revenue under chapter 295 are classified under section 295.57, subdivision 2.

Subd. 87. **Motor vehicle registrar data.** Disclosure of certain information obtained by motor vehicle registrars is governed by section 297B.12.

Subd. 88. **Marijuana and controlled substance tax information.** Disclosure of information obtained under chapter 297D is governed by section 297D.13, subdivisions 1 to 3.

Subd. 89. **Mineral rights filings.** Data filed pursuant to section 298.48 with the commissioner of revenue by owners or lessees of mineral rights are classified under section 298.48, subdivision 4.

Subd. 89a. **Criminal alert network.** Data on private sector members of the criminal alert network are classified under section 299A.61, subdivision 2.

Subd. 90. **Undercover buy fund.** Records relating to applications for grants under section 299C.065 are classified under section 299C.065, subdivision 4.

Subd. 90a. **Criminal justice information network.** Data collected by the criminal justice data communications network are classified under section 299C.46, subdivision 5.

Subd. 90b. **Criminal gang investigative data system.** Data in the criminal gang investigative data system are classified in section 299C.091.

Subd. 90c. **Arson investigative data system.** Data in the arson investigative data system are classified in section 299F.04, subdivision 3a.

Subd. 91. **Arson investigation.** Data maintained as part of arson investigations are governed by sections 299F.055 and 299F.056.

Subd. 91a. **Hazardous substance emergency.** Data collected by a fire department under sections 299F.091 to 299F.099 are classified under sections 299F.095 and 299F.096, subdivision 1.

Subd. 92. **Office of pipeline safety.** Data obtained by the director of the office of pipeline safety are classified under section 299J.13.

Subd. 92a. **Gambling enforcement investigative data.** Data provided to the director of the division of alcohol and gambling enforcement by a governmental entity located outside Minnesota for use in an authorized investigation, audit, or background check are governed by section 299L.03, subdivision 11.

Subd. 92b. **Data on videotape consumers.** Personally identifiable information on videotape consumers received by law enforcement agencies is classified under section 325I.02, subdivision 2.

Subd. 92c. **Sports bookmaking tax.** Disclosure of facts contained in a sports bookmaking tax return is prohibited by section 297E.03, subdivision 8.

Subd. 92d. **Lottery prize winner.** Certain data on a lottery prize winner are classified under section 349A.08, subdivision 9.

Subd. 92e. **Professional corporations or firms.** Access to records of a professional firm held by a licensing board under section 319B.11 is governed by that section.

Subd. 92f. **Private detective license.** Certain data on applicants for licensure as private detectives are classified under section 326.3382, subdivision 3.

Subd. 92g. **Lottery prize winner.** Certain data on lottery prize winners are classified under section 349A.08, subdivision 9.

Subd. 93. **Human rights conciliation efforts.** Disclosure of information concerning efforts in a particular case to resolve a charge through education conference, conciliation, and persuasion is governed by section 363.06, subdivision 6.

Subd. 94. **Human rights department investigative data.** Access to human rights department investigative data by persons other than department employees is governed by section 363.061.

Subd. 94a. **Property tax abatement.** Certain data in an application for property tax abatement are classified under section 375.192, subdivision 2.

Subd. 95. **Records of closed county board meetings.** Records of Hennepin county board meetings permitted to be closed under section 383B.217, subdivision 7, are classified under that subdivision.

Subd. 95a. **Medical examiner investigations.** Certain data on deceased persons collected or created by the Hennepin county medical examiner are classified under section 383B.225.

Subd. 96. **Inquest data.** Certain data collected or created in the course of a coroner's or medical examiner's inquest are classified under sections 390.11, subdivision 7, and 390.32, subdivision 6.

Subd. 96a. **Solid waste collector.** Data obtained in an audit of a solid waste collector under section 400.08, subdivision 4, are classified under that subdivision.

Subd. 96b. **911 emergency telephone service.** Public utility data and names, addresses, and telephone numbers provided to a 911 system under section 403.07, subdivisions 3 and 4, are classified under those subdivisions.

Subd. 96c. **Public facilities authority.** Financial information received or prepared by a public facilities authority are classified under section 446A.11, subdivision 11.

Subd. 96d. **Housing finance agency.** Financial information regarding a housing finance agency loan or grant recipient are classified under section 462A.065.

Subd. 97. [Repealed, 1996 c 471 art 7 s 34]

Subd. 97a. **Economic development data.** Access to preliminary information submitted to the commissioner of trade and economic development under sections 469.142 to 469.151 or sections 469.152 to 469.165 is limited under section 469.154, subdivision 2.

Subd. 97b. **Capital intensive public service proposals and negotiation documents.** Proposals received from vendors, and all government data received from vendors or generated by a municipality relating to negotiations with vendors, for capital intensive public services are classified under section 471A.03, subdivision 3.

Subd. 98. **Municipal self-insurer claims.** Disclosure of information about individual claims filed by the employees of a municipality which is a self-insurer is governed by section 471.617, subdivision 5.

Subd. 98a. **Arena acquisition.** Certain data in connection with a decision whether to acquire a sports arena are classified under section 473.598, subdivision 4.

Subd. 98b. **Metropolitan airports commission.** Certain airline data submitted to the metropolitan airports commission in connection with the issuance of revenue bonds are classified under section 473.6671, subdivision 3.

Subd. 99. **Metropolitan solid waste landfill fee.** Information obtained from the operator of a mixed municipal solid waste disposal facility under section 473.843 is classified under section 473.843, subdivision 4.

Subd. 100. **Municipal obligation register data.** Information contained in a register with respect to the ownership of certain municipal obligations is classified under section 475.55, subdivision 6.

Subd. 100a. **Child support attorneys.** Certain data provided by an applicant or recipient of child support enforcement services are classified under section 518.255.

Subd. 101. **Child custody proceedings.** Court records of child custody proceedings may be sealed as provided in section 518.168.

Subd. 101a. **Custody mediation.** Child custody or visitation mediation records are classified under section 518.619, subdivision 5.

Subd. 101b. **International will registration.** Information on the execution of international wills is classified under section 524.2-1010, subdivision 1.

Subd. 101c. **Domestic abuse petitioner's residence.** Court records on the location or residence of a petitioner in a domestic abuse proceeding are governed by section 518B.01, subdivision 3b.

Subd. 101d. **Child support parties.** Certain data regarding the location of parties in connection with child support proceedings are governed by sections 256.87, subdivision 8; 257.70; and 518.005, subdivision 5. Certain data regarding the suspension of licenses of persons owing child support are governed by section 518.551, subdivision 13a, and certain data on newly hired employees maintained by the public authority for support enforcement are governed by section 256.998.

Subd. 102. **Farmer-lender mediation.** Data on debtors and creditors under the Farmer-Lender Mediation Act are classified under section 583.29.

Subd. 103. **Sources of presentence investigation reports.** Disclosure of confidential sources in presentence investigation reports is governed by section 609.115, subdivision 4.

Subd. 104. **Use of motor vehicle to patronize prostitutes.** Use of a motor vehicle in the commission of an offense under section 609.324 is noted on the offender's driving records and the notation is classified pursuant to section 609.324, subdivision 5.

Subd. 105. **Sexual assault crime victims.** Data on sexual assault victims are governed by section 609.3471.

Subd. 105a. **Data for assessment of offenders.** Access to data for the purpose of a mental health assessment of a convicted harassment offender is governed by section 609.749, subdivision 6.

Subd. 106. **Financial disclosure for public defender services.** Disclosure of financial information provided by a defendant seeking public defender services is governed by section 611.17.

Subd. 107. **Crime victim notice of release.** Data on crime victims who request notice of an offender's release are classified under section 611A.06.

Subd. 107a. **Sex offender HIV tests.** Results of HIV tests of sex offenders under section 611A.19, subdivision 2, are classified under that section.

Subd. 108. **Battered women.** Data on battered women maintained by grantees for emergency shelter and support services for battered women are governed by section 611A.32, subdivision 5.

Subd. 109. **Crime victim claims for reparations.** Claims and supporting documents filed by crime victims seeking reparations are classified under section 611A.57, subdivision 6.

Subd. 110. **Crime victim ombudsman.** Data maintained by the crime victim ombudsman are classified under section 611A.74, subdivision 2.

Subd. 110a. **Child abuse videotapes.** Access to child abuse videotapes prepared as part of an investigation or evaluation is governed by sections 13.391 and 611A.90.

Subd. 111. **Reports of gunshot wounds.** Disclosure of the name of a person making a report under section 626.52, subdivision 2, is governed by section 626.53.

Subd. 112. **Child abuse report records.** Data contained in child abuse report records are classified under section 626.556.

Subd. 112a. **Reports of alcohol abuse.** Data on persons making reports under section 626.5563 are classified under section 626.5563, subdivision 5.

Subd. 113. **Vulnerable adult report records.** Data contained in vulnerable adult report records are classified under section 626.557, subdivision 12b.

Subd. 113a. **Child protection team.** Data acquired by a case consultation committee or subcommittee of a child protection team are classified by section 626.558, subdivision 3.

Subd. 114. **Peace officer discipline procedures.** Access by an officer under investigation to the investigating agency's investigative report on the officer is governed by section 626.89, subdivision 6.

Subd. 114a. **Domestic abuse police reports.** Police reports on domestic incidents are classified under section 629.341.

Subd. 115. **Health data institute data.** Data created, collected, received, maintained, or disseminated by the Minnesota health data institute established under section 62J.451 are classified under section 62J.452; access to and disclosure of such data are governed by section 62J.452.

History: 1999 c 99 s 23; 1999 c 139 art 4 s 2; 1999 c 205 art 1 s 70; 1999 c 245 art 9 s 1,2