

Bill No. CS for SB 8-E

Amendment No. ____ Barcode 870518

CHAMBER ACTION

Senate

House

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Senator Constantine moved the following amendment:

Senate Amendment

On page 6, line 4, through page 8, line 2, delete those lines

and insert: necessity to make exempt and confidential agreements and proposals to receive funding, including grant applications, until after the conclusion of the project and the issuance of a report, while maintaining the exemption for proprietary information provided for in s. 288.9551(2)(a) in those agreements and grant applications. If these records are not protected during the application process and during the time work on the project is ongoing, the grantee would be at a competitive disadvantage in competing for those funds. Further, it is a public necessity to make exempt and confidential materials that relate to the recruitment of scientists and researchers. If this information is not protected, it could adversely affect the ability of the grantee to attract the highest quality scientists and researchers to The Scripps Research Institute or grantee by

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1 permitting competitors to determine what the terms of
2 employment negotiations for scientists and researchers are and
3 to outbid The Scripps Research Institute or grantee. This
4 would adversely affect the program and defeat its purpose.
5 Furthermore, oversight and accountability for hiring of
6 scientists and researchers is maintained through the
7 requirement in s. 288.955 that reports on average
8 compensation, numbers and types of personnel be provided to
9 the Scripps Florida Funding Corporation or the Office of
10 Tourism, Trade and Economic Development.

11 (4) The Legislature also finds that it is a public
12 necessity to protect the identity of donors and potential
13 donors to The Scripps Research Institute or grantee because
14 some donors wish to remain anonymous and if their identity is
15 not protected they would not make donations. Such donations
16 provide additional funding for research and may provide
17 additional reinvestment funds to the state. Thus, the identity
18 of the donors must be protected in order to enhance and ensure
19 the continuation of such funding and donations.

20 (5) The Legislature also finds that it is a public
21 necessity to make confidential and exempt from public
22 disclosure any information received from a person, another
23 state, the Federal Government, or another nation which is
24 confidential or exempt from disclosure pursuant to the laws of
25 that state, nation, or the Federal Government. Failure to
26 protect such information would inhibit scientific research by
27 The Scripps Research Institute or grantee because other
28 persons, states, the Federal Government, or nations could be
29 unwilling to share information and research if it could be
30 released. Without protecting such information, The Scripps
31 Research Institute or grantee would be on an unequal footing

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1 in the biomedical industry as compared with research
2 competitors that are not required to disclose confidential and
3 exempt information, and thus operate to the economic detriment
4 of the State.

5 (6) The Legislature also finds that it is a public
6 necessity to make confidential and exempt from public
7 disclosure personal identifying information of individuals who
8 participate in human trials or experiments and any medical or
9 health records relating to patients, participants, or clients
10 which are held by the Scripps Florida Funding Corporation, The
11 Scripps Research Institute or grantee, or the Office of
12 Tourism, Trade, and Economic Development. Compilation of this
13 information is necessary to conduct scientific research but
14 could be damaging to those persons who have volunteered or
15 otherwise agreed to participate. Such persons might be denied
16 health insurance, suffer employment discrimination, and
17 experience other personal problems and embarrassment if this
18 highly sensitive and personal information were to be made
19 public. If potential volunteers, patients, or clients feared
20 that such consequences could be suffered by participating in
21 human trials and other scientific research, they might refuse
22 to participate, which would adversely affect biomedical
23 research by The Scripps Research Institute or grantee and
24 place those entities on an unequal footing with other research
25 institutes that protect this information, and thus operate to
26 the economic detriment of the State.

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