

attempt by the tobacco industry to have certain documents which showed that for generations, well decades, they have known of the relationship between tobacco and a number of diseases and other detrimental things that tobacco does and the tobacco industry did not want these documents to be made public. The judge ruled that because of the overwhelming public interest these documents should be made public. There are instances probably which you all can think of or that you've read about that will not occur to me at this point where an industry in examining itself will disclose for itself and its use various things that would have a detrimental effect on them. There are findings made when drugs and medicines are being tested and sometimes the side effects or contra indications are concealed by these drug manufacturers. Sometimes it's kept from the FDA and everybody else who would have an interest in knowing all aspects of how this drug is going to affect, whether humans or animals. So if these documents can be deemed confidential and they contain information harmful to the public, information that would show that what this operation is doing will harm the public, then without such knowledge and information the public blindly could put itself into a position relying on this operation and be harmed. When I consider what happened with the Franklin Credit Union, and Senator Beutler mentioned the billions of dollars being paid off still to these savings and loans and the fact that high ranking federal officials was involved, some of them elected. We as the public and we as representatives of the public should be very careful in letting these institutions which are handling other people's money and handling because they have presented themselves as being trustworthy, we should make sure that we do not put into the law a shield behind which they can hide activities detrimental to the public and which will be unavailable to those whose job it is to review and regulate what it is they are doing. If it was found by a judge that confidentiality was invoked to cover fraudulent activity, I don't know of anybody on the floor of this Legislature who would say that such information, such invocation of confidentiality should be valid so that that fraudulent activity could be protected. Another provision in Senator Beutler's amendment...

PRESIDENT ROBAK: One minute.

SENATOR CHAMBERS: ...the person invoking the confidentiality did not initiate after the audit or review appropriate efforts to achieve compliance with applicable state or federal statutes