MAINE STATE LEGISLATURE

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L.D. 1402

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STATE OF MAINE
SENATE
115TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT " A " to S.P. 524, L.D. 1402, Bill, "An

14   Act to Provide Confidentiality of Proprietary Data Provided to State Agencies"

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Amend the bill by striking out all of subsection 4 (page 1,

18   lines 5 to 11 in L.D.) and inserting in its place the following:

20   '4. Confidentiality. Computer programs, technical data, logic diagrams and source code related to data processing or

22   telecommunications are confidential and are not public records as defined in Title 1, section 402, subsection 3 to the extent of

24   the identified trade secrets. To qualify for confidentiality under this subsection, computer programs, technical data, logic

26   diagrams and source code must:

28   A. Contain trade secrets as defined in Title 10, section 1542, subsection 4 held in private ownership; and

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B. Have been provided to a state agency by an authorized

32   independent vendor or contractor under an agreement by which:

34   (1) All trade secrets that can be protected are identified without disclosing the secret;

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(2) The vendor or contractor retains all intellectual

38   property rights in those trade secrets; and

40   (3) The state agency agrees to hold and use the programs, data, diagrams or source code without

42   disclosing any identified trade secrets.'

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STATEMENT OF FACT

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This amendment specifically defines the elements of licensed

48   computer software that are covered by this confidentiality law.

Reported by Senator Bustin for the Committee on State and Local Government. Reproduced and Distributed Pursuant to Senate Rule 12.
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