

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
SENATE  
121ST LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 541, L.D. 1582, Bill, "An Act To Protect Critical Homeland Security Information"

Amend the bill by striking out the title and substituting the following:

**'An Act To Protect Critical Homeland Security Information and Information Technology Infrastructure and Systems'**

Further amend the bill by striking out all of sections 2 and 3 and inserting in their place the following:

**'Sec. 2. 1 MRSA §402, sub-§3, ¶L, as enacted by PL 2001, c. 675, §3, is amended to read:**

L. Records describing security plans, security procedures or risk assessments prepared specifically for the purpose of preventing or preparing for acts of terrorism, but only to the extent that release of information contained in the record could reasonably be expected to jeopardize the physical safety of government personnel or the public. Information contained in records covered by this paragraph may be disclosed to the Legislature or, in the case of a political or administrative subdivision, to municipal officials or board members under conditions that protect the information from further disclosure. For purposes of this paragraph, "terrorism" means conduct that is designed to cause serious bodily injury or substantial risk of bodily

injury to multiple persons, substantial damage to multiple structures whether occupied or unoccupied or substantial physical damage sufficient to disrupt the normal functioning of a critical infrastructure; and

Sec. 3. 1 MRSA §402, sub-§3, ¶M is enacted to read:

M. Records or information describing the architecture, design, access authentication, encryption or security of information technology infrastructure and systems. Records or information covered by this paragraph may be disclosed to the Legislature or, in the case of a political or administrative subdivision, to municipal officials or board members under conditions that protect the information from further disclosure.'

### SUMMARY

This amendment deletes the substantive changes to the Maine Revised Statutes, Title 1, section 402, subsection 3, paragraph L proposed in the bill because the current law already covers information technology systems in the context of preventing or preparing for acts of terrorism.

This amendment changes the language for a new category of records and information that are not public records: records or information that describes the architecture, design, access authorization, encryption or security of information technology infrastructure and systems.