

# MAINE STATE LEGISLATURE

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Date 5-5-2023 Majority (Filing No H-102) L D 670

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H P 439, L D 670, "An Act to Protect Birds and Wildlife in the Construction and Maintenance of Public Buildings"

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

'An Act to Protect Birds in the Construction, Renovation and Maintenance of Public Buildings'

Amend the bill by striking out everything after the enacting clause and inserting the following

'Sec. 1. 5 MRSA §1754 is enacted to read

**§1754. Guidance regarding integration of bird collision risk management into public improvements**

The Department of Administrative and Financial Services, Bureau of General Services, referred to in this section as "the bureau," shall develop guidance regarding the integration of bird collision risk management into public improvements. The bureau, to the extent it determines appropriate considering all relevant factors, shall follow the guidance in the construction of public improvements and renovations of public improvements in which more than 50% of a building facade is substantially altered. The guidance is not applicable to public buildings, landscapes or districts listed on the National Register of Historic Places or determined by the Maine Historic Preservation Commission, created pursuant to Title 27, section 502, to be eligible for inclusion on the National Register of Historic Places, including the State House and the Blaine House.

**1. Development of guidance.** The guidance for reducing bird collisions with public buildings and improvements must

A Be developed in consultation with expert stakeholders, including, but not limited to, state or federal natural resource agencies with expertise in bird conservation, nongovernmental organizations with expertise in bird conservation, representatives from the building and design community, and representatives of green building or bird safe building certification programs.

**COMMITTEE AMENDMENT**

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B Include an explanation of architectural design threats and landscape design threats to birds,

C Include an explanation of the cost differentials and comparative effectiveness of materials, designs and other methods for reducing bird collisions,

D Include an explanation of other considerations for reducing bird collisions, and

E Be available on the bureau's publicly accessible website

2. Reports. The bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 31, 2026, and biennially thereafter, detailing use of the guidance under this section during the previous 2-year period, including reasons and factors for using or not using the guidance. The committee may submit legislation relating to the subject matter of the report to the session of the Legislature following receipt of the report.

**Sec. 2. Report.** The Department of Administrative and Financial Services, Bureau of General Services, referred to in this section as "the bureau," shall develop the guidance required by the Maine Revised Statutes, Title 5, section 1754 by December 31, 2024. The bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than December 31, 2024 detailing the guidance developed. The committee may submit legislation relating to the subject matter of the report to the 132nd Legislature in 2025.

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

**SUMMARY**

This amendment replaces the bill and changes the title. It requires the Department of Administrative and Financial Services, Bureau of General Services to develop, by December 31, 2024, guidance regarding integration of bird collision risk management into public improvements. The guidance must be developed in consultation with expert stakeholders, include an explanation of architectural design threats and landscape design threats to birds, include an explanation of the cost differentials and the comparative effectiveness of materials, designs and other methods for reducing bird collisions, include an explanation of other considerations for reducing bird collisions, and be available on the bureau's publicly accessible website. The guidance is intended for use in construction of public improvements and renovations of public improvements in which more than 50% of a building facade is substantially altered. The guidance does not apply to public buildings, landscapes or districts listed on the National Register of Historic Places or determined to be eligible for inclusion on the National Register of Historic Places, including the State House and the Blaine House.

The bureau must submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters no later than December 31, 2024 detailing the guidance developed. The committee may submit legislation relating to the subject matter of the report to the 132nd Legislature. The bureau must submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 31, 2026, and biennially thereafter, detailing use of the

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H P 439, L D 670

1 guidance during the previous 2-year period The committee may submit legislation relating  
2 to the subject matter of the report to the next session of the Legislature

3 **FISCAL NOTE REQUIRED**

4 **(See attached)**

**COMMITTEE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 670

LR 1728(02)

**An Act to Protect Birds and Wildlife in the Construction and Maintenance of Public Buildings**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-102)**  
**Committee: State and Local Government**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund

### Fiscal Detail and Notes

Any additional costs to the Department of Administrative and Financial Services, Bureau of General Services associated with developing guidance and reporting on bird collision risk management are expected to be minor and can be absorbed within existing budgeted resources