

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 863

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S.P. 360

In Senate, February 24, 2023

**An Act to Require an Analysis Prior to the Start of State-funded  
Building Construction over \$1,000,000**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator BALDACCI of Penobscot.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §1754** is enacted to read:

3 **§1754. New building construction**

4 **1. New state building construction.** Prior to final approval of a construction project  
5 by the State of a new building that requires the expenditure of over \$1,000,000 in state  
6 funds, the Department of Administrative and Financial Services, Bureau of General  
7 Services, shall conduct an analysis under subsection 2. No state funds may be expended on  
8 a construction project under this subsection until the analysis under subsection 2 and the  
9 public hearing process under subsection 3 are completed.

10 **2. Analysis.** An analysis conducted by the Department of Administrative and  
11 Financial Services, Bureau of General Services must examine whether:

12 A. The purpose of the proposed construction could reasonably be accomplished  
13 through the rehabilitation of an existing building that may be available and vacant;

14 B. The proposed construction or the rehabilitation of an existing building under  
15 paragraph A is located as closely as possible to a downtown area with a greater  
16 prevalence of services and transportation options than the proposed building location;  
17 and

18 C. It is feasible and is a more efficient use of space to incorporate housing into the new  
19 construction or rehabilitation project under paragraph A.

20 **3. Public hearing.** The analysis under subsection 2 must be released to the public  
21 upon its completion and a public hearing must be held within 30 days of its release to allow  
22 public inspection of and comment on the analysis.

23 **SUMMARY**

24 This bill requires the Department of Administrative and Financial Services, Bureau of  
25 General Services to conduct an analysis prior to final approval of the construction of any  
26 new building that requires the expenditure of over \$1,000,000 in state funds to determine  
27 whether an existing building can be rehabilitated to accomplish the same purpose as the  
28 new construction; whether a location closer to a downtown area with more services and  
29 transportation options than the proposed building location is available; and whether any  
30 housing can be incorporated into the new construction or rehabilitated existing building.  
31 This bill requires a public hearing to be held within 30 days of the release of the analysis  
32 to allow public inspection and comment.