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Date: (Filing No. H-)

STATE AND LOCAL GOVERNMENT

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

COMMITTEE AMENDMENT “ ” 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

1 B. Include an explanation of architectural design threats and landscape design threats
2 to birds;

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

5 D. Include an explanation of other considerations for reducing bird collisions; and

6 E. Be available on the bureau's publicly accessible website.

7 **2. Reports.** The bureau shall submit a report to the joint standing committee of the
8 Legislature having jurisdiction over state and local government matters by December 31,
9 2026, and biennially thereafter, detailing use of the guidance under this section during the
10 previous 2-year period, including reasons and factors for using or not using the guidance.
11 The committee may submit legislation relating to the subject matter of the report to the
12 session of the Legislature following receipt of the report.

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

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

22 **SUMMARY**

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

37 The bureau must submit a report to the joint standing committee of the Legislature
38 having jurisdiction over state and local government matters no later than December 31,
39 2024 detailing the guidance developed. The committee may submit legislation relating to
40 the subject matter of the report to the 132nd Legislature. The bureau must submit a report
41 to the joint standing committee of the Legislature having jurisdiction over state and local
42 government matters by December 31, 2026, and biennially thereafter, detailing use of the

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.

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FISCAL NOTE REQUIRED

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(See attached)