1 L.D. 760 2 Date: (Filing No. S-) 3 HOUSING AND ECONOMIC DEVELOPMENT 4 Reproduced and distributed under the direction of the Secretary of the Senate. 5 **STATE OF MAINE** 6 **SENATE** 132ND LEGISLATURE 7 8 FIRST SPECIAL SESSION 9 COMMITTEE AMENDMENT " " to S.P. 301, L.D. 760, "An Act Establishing the 10 Maine Common Interest Ownership Act" 11 Amend the bill by striking out the title and substituting the following: 12 'Resolve, to Establish the Commission to Study the Need to Codify or Recodify Laws 13 Regarding Residential Community Ownership Associations by Adopting the Uniform 14 **Common Interest Ownership Act'** 15 Amend the bill by striking out everything after the title and inserting the following: 'Sec. 1. Commission established. Resolved: That the Commission to Study the 16 17 Need to Codify or Recodify Laws Regarding Residential Community Ownership Associations by Adopting the Uniform Common Interest Ownership Act, referred to in this 18 19 resolve as "the commission," is established. 20 Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 21 353, the commission consists of 12 members appointed as follows: 22 1. Two members of the Senate appointed by the President of the Senate, including one 23 member from each of the 2 parties holding the largest number of seats in the Legislature; 24 2. Three members of the House of Representatives appointed by the Speaker of the House, including at least one member from each of the 2 parties holding the largest number 25 26 of seats in the Legislature; 27 3. Two members of the Maine State Bar Association with a substantial practice in 28 condominium or community ownership association law, one appointed by the President of 29 the Senate and one appointed by the Speaker of the House; 30 4. One member representing the real estate development community, appointed by the 31 President of the Senate; 32 5. One member from an association representing municipalities in the State, appointed 33 by the President of the Senate;

- COMMITTEE AMENDMENT " to S.P. 301, L.D. 760 6. One member representing the State's lending community, appointed by the Speaker 1 2 of the House: 3 7. One member representing condominium owners or homeowners in community 4 ownership associations in the State, appointed by the Speaker of the House; and 5 8. One member of the Commission on Uniform State Laws, as established by the Maine Revised Statutes, Title 5, section 12004-K, subsection 8, appointed by the Governor. 6 7 Sec. 3. Chairs. Resolved: That the first-named Senate member is the Senate chair 8 and the first-named House of Representatives member is the House chair of the 9 commission. 10 Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this 11 12 resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, 13 14 the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been 15 made, the chairs may request authority and the Legislative Council may grant authority for 16 the commission to meet and conduct its business. The commission may conduct its 17 meetings through remote participation. 18 19 **Sec. 5. Duties. Resolved:** That the commission shall: 20 1. Review data on existing condominium and noncondominium community ownership 21 associations in the State; 22 2. Review state statutes that govern and case law that affects condominium and 23 noncondominium community ownership association developments in the State; 24
 - 3. Review efforts in other states to address problems with community ownership associations; and
 - 4. Consider whether the adoption of the Uniform Common Interest Ownership Act or other laws may be suitable for the State.
 - **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.
 - **Sec. 7. Report. Resolved:** That, no later than December 3, 2025, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Housing and Economic Development. The Joint Standing Committee on Housing and Economic Development may submit legislation related to the report to the Second Regular Session of the 132nd Legislature.'
 - Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

39 SUMMARY

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This amendment, which is the majority report of the committee, replaces the bill, which is a concept draft, with a resolve to establish the Commission to Study the Need to Codify

or Recodify Laws Regarding Residential Community Ownership Associations by Adopting the Uniform Common Interest Ownership Act. The 12-member commission is directed to review data on existing condominium and noncondominium community ownership associations in the State, review state statutes that govern and case law that affects condominium and noncondominium community ownership association developments, review efforts in other states to address problems with community ownership associations and consider the adoption of the Uniform Common Interest Ownership Act. The commission is required to submit a report to the Joint Standing Committee on Housing and Economic Development, which may submit legislation related to the report to the Second Regular Session of the 132nd Legislature.

FISCAL NOTE REQUIRED

(See attached)

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