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 Maine Common Interest Ownership Act" 10 11 Amend the bill by striking out the title and substituting the following: 12 'Resolve, to Establish the Stakeholder Group to Study the Need to Codify or Recodify Laws Regarding Residential Community Ownership Associations by Adopting the 13 14 **Uniform Common Interest Ownership Act'** 15 Amend the bill by striking out everything after the title and inserting the following: 'Sec. 1. Stakeholder group established. Resolved: That the Stakeholder Group 16 to Study the Need to Codify or Recodify Laws Regarding Residential Community 17 Ownership Associations by Adopting the Uniform Common Interest Ownership Act, 18 19 referred to in this resolve as "the stakeholder group," is established. 20 Sec. 2. Stakeholder group membership. Resolved: That, notwithstanding Joint 21 Rule 353, the stakeholder group consists of 7 members appointed as follows: 22 1. Two members of the Maine State Bar Association with a substantial practice in 23 condominium or community ownership association law, one appointed by the President of 24 the Senate and one appointed by the Speaker of the House; 25 2. One member representing the real estate development community, appointed by the 26 President of the Senate: 27 3. One member from an association representing municipalities in the State, appointed 28 by the President of the Senate; 29 4. One member representing the State's lending community, appointed by the Speaker 30 of the House: 31 5. One member representing condominium owners or homeowners in community 32 ownership associations in the State, appointed by the Speaker of the House; and 33 6. One member of the Commission on Uniform State Laws, as established by the Maine 34 Revised Statutes, Title 5, section 12004-K, subsection 8, appointed by the Governor.

Page 1 - 132LR2009(03)

- **Sec. 3. Chairs. Resolved:** That, notwithstanding Joint Rule 353, the members of the stakeholder group shall, at the first meeting, elect a chair of the stakeholder group by majority vote of members present.
- **Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the executive director shall notify the stakeholder group member from the Commission of Uniform State Laws appointed pursuant to section 2, subsection 6 that appointments are complete and the stakeholder group may be convened. The stakeholder group member from the Commission of Uniform State Laws 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 made, the stakeholder group member from the Commission of Uniform State Laws may request authority and the Legislative Council may grant authority for the stakeholder group to meet and conduct its business. The stakeholder group may conduct its meetings through remote participation.

Sec. 5. Duties. Resolved: That the stakeholder group shall:

- 1. Review data on existing condominium and noncondominium community ownership associations in the State;
- 2. Review state statutes that govern and case law that affects condominium and noncondominium community ownership association developments in the State;
- 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. Staffing. Resolved:** That members of the stakeholder group shall provide staffing resources, if needed.
- **Sec. 7. Report. Resolved:** That, no later than December 3, 2025, the stakeholder group 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.

36 SUMMARY

This amendment, which is the minority report of the committee, replaces the bill, which is a concept draft, with a resolve to establish the Stakeholder Group to Study the Need to Codify or Recodify Laws Regarding Residential Community Ownership Associations by Adopting the Uniform Common Interest Ownership Act. The 7-member stakeholder group 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

COMMITTEE AMENDMENT " to S.P. 301, L.D. 760

1	affects condominium and noncondominium community ownership association
2	developments, review efforts in other states to address problems with community
3	ownership associations and consider adoption of the Uniform Common Interest Ownership
4	Act. The stakeholder group is required to submit a report to the Joint Standing Committee
5	on Housing and Economic Development, which may submit legislation related to the report
6	to the Second Regular Session of the 132nd Legislature.

Page 3 - 132LR2009(03)