

MAINE STATE LEGISLATURE

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MAJ

L.D. 760

Date: 5/20/25

(Filing No. S- 122)

MAJORITY

HOUSING AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to S.P. 301, L.D. 760, "An Act Establishing the Maine Common Interest Ownership Act"

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

'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'

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 Need to Codify or Recodify Laws Regarding Residential Community Ownership Associations by Adopting the Uniform Common Interest Ownership Act, referred to in this resolve as "the commission," is established.

Sec. 2. Commission membership. Resolved: That, notwithstanding Joint Rule 353, the commission consists of 12 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate, including one member from each of the 2 parties holding the largest number of seats in the Legislature;

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 of seats in the Legislature;

3. Two members of the Maine State Bar Association with a substantial practice in condominium or community ownership association law, one appointed by the President of the Senate and one appointed by the Speaker of the House;

4. One member representing the real estate development community, appointed by the President of the Senate;

5. One member from an association representing municipalities in the State, appointed by the President of the Senate;

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1 6. One member representing the State's lending community, appointed by the Speaker
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
6 Revised Statutes, Title 5, section 12004-K, subsection 8, appointed by the Governor.

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
11 appointments must be made no later than 30 days following the effective date of this
12 resolve. The appointing authorities shall notify the Executive Director of the Legislative
13 Council once all appointments have been completed. After appointment of all members,
14 the chairs shall call and convene the first meeting of the commission. If 30 days or more
15 after the effective date of this resolve a majority of but not all appointments have been
16 made, the chairs may request authority and the Legislative Council may grant authority for
17 the commission to meet and conduct its business. The commission may conduct its
18 meetings through remote participation.

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
25 associations; and

26 4. Consider whether the adoption of the Uniform Common Interest Ownership Act or
27 other laws may be suitable for the State.

28 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
29 necessary staffing services to the commission, except that Legislative Council staff support
30 is not authorized when the Legislature is in regular or special session.

31 **Sec. 7. Report. Resolved:** That, no later than December 3, 2025, the commission
32 shall submit a report that includes its findings and recommendations, including suggested
33 legislation, for presentation to the Joint Standing Committee on Housing and Economic
34 Development. The Joint Standing Committee on Housing and Economic Development
35 may submit legislation related to the report to the Second Regular Session of the 132nd
36 Legislature.'

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

39 **SUMMARY**

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

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COMMITTEE AMENDMENT "A" to S.P. 301, L.D. 760 (5-122)

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

11 FISCAL NOTE REQUIRED

12 (See attached)

COMMITTEE AMENDMENT



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LD 760

LR 2009(02)

An Act Establishing the Maine Common Interest Ownership Act

Fiscal Note for Bill as Amended by Committee Amendment "A" (5-122)
Committee: Housing and Economic Development
Fiscal Note Required: Yes

Fiscal Note

Legislative Cost/Study

Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,750 in fiscal year 2025-26. The Legislature's proposed budget for the 2026-2027 biennium includes \$22,196 in each of fiscal years 2025-26 and 2026-27 for the costs of legislative studies, as well as \$8,265 in projected balances from fiscal year 2024-25 and \$33,073 of balance carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.