

MAINE STATE LEGISLATURE

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Date 6/13/23 Report 'B'
L D 657
(Filing No H-520)

JUDICIARY

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

COMMITTEE AMENDMENT "A" to HP 426, L D 657, "An Act to Amend the Percentage of Votes Needed for an Amendment of a Declaration in the Maine Condominium Act"

Amend the bill by striking out everything after the enacting clause and inserting the following

'Sec. 1. 33 MRSA §1602-117, sub-§(d), as enacted by PL 1981, c 699, is amended to read

(d) Except to the extent expressly permitted or required by other provisions of this Act, ~~no~~ an amendment may not create or increase special declarant rights, increase the number of units, or change the boundaries of any unit, the allocated interests of a unit, or the uses to which any unit is restricted; in the absence of ~~unanimous consent of the unit~~ the vote or agreement of the owner of each unit particularly affected by the amendment and the owners of units to which at least 90% of the votes of the association are allocated not including the votes of the declarant, or such larger percentage as the declaration may provide '

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

SUMMARY

This amendment replaces the bill but addresses the same issue as the bill, which is to allow a vote that is less than unanimous to make changes to a condominium declaration. The amendment, modeled on a law in the state of Washington, requires the approval of all of the owners of the units particularly affected, as well as the approval of 90% of the owners of the total number of units, rather than 100% of the owners

COMMITTEE AMENDMENT