

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Date: (Filing No. H-)

JUDICIARY

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 214, L.D. 281, Bill, “An Act To Amend the Percentage of Votes Needed for Condominium Governance”

Amend the bill by striking out everything after the enacting clause and before the summary 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 and the owners of the units to which 90% of the votes of the association are allocated other than the declarant or such larger percentage as the declaration provides.'

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 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%.

COMMITTEE AMENDMENT