

February 7, 1992 LB 787

rules rather than file with the FTC rules so it is simply a technical amendment describing that it is to be prepared in compliance rather than filed with.

PRESIDENT MOUL: Thank you, Senator Conway. Senator Peterson, do you wish to address the committee amendments?

SENATOR PETERSON: Madam President, no, I just ask for the adoption of the committee amendments and I'll explain the bill after we adopt the committee amendment.

PRESIDENT MOUL: Thank you, Senator Peterson. Does anyone else wish to address the committee amendments? Seeing none, we'll now vote on the adoption of the committee amendments to LB 787. All those in favor please vote aye, opposed nay. Have you all voted on the committee amendments? Please record, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 nays on the adoption of committee amendments.

PRESIDENT MOUL: The committee amendments are adopted. Senator Peterson, for opening on the bill.

SENATOR PETERSON: Madam President and members, this bill is to correct some problems that owners of condominium units have had with developers of condominiums who adopt declarations for proposed purchasers to rely on and then change them after people have purchased their condominiums relying on these declarations. This bill simply would give a cause of action for enforcement against the condominium developer or such developers, successors and assigns to enforce compliance with the original amended declarations with such owner which had relied upon in purchasing his or her condominium unit. The conditions of these declarations are oftentimes very important to potential purchaser and they should have a cause of action to enforce compliance with these declarations if they are breached. Not only does this bill give such cause of action, but also provides for court costs and reasonable attorney fees needed to enforce this compliance. This bill also prevents the developer from voting on amending the declaration of bylaws and that relied on by purchasers of the condominium units. I ask for the advancement of the bill.

PRESIDENT MOUL: Thank you, Senator Peterson. Does anyone wish to address this bill? Seeing none, we'll now vote on the motion