

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Chairman Don Dahl at 9:00 A.M. on March 10, 2005 in Room 241-N of the Capitol.

All members were present except:

Kevin Yoder- excused
Patricia Kilpatrick- unexcused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department
Norm Furse, Office of Revisor of Statutes
Renaë Jefferies, Office of Revisor of Statutes
June Evans, Committee Secretary

Conferees appearing before the committee:

John Federico, Kansas Self Storage Owners Association
Larry Triplett, General Partner, Triplett Self Storage

Others attending:

See attached list.

The Chairman opened the hearing on **SB 69 - Kansas Self-Storage Act; Late Fees.**

Staff gave a briefing on **SB 69**, stating a self-service storage facility is any property used for renting or leasing storage spaces. The hyphen was removed between “last” and “known” in line 41, page 1. A new Section (i) was added to define late fees. In new Section 2. “not” was added in line 9.

John J. Federico, on behalf of Kansas Self Storage Owners Association, testified as a proponent to **SB 69**. A very similar version of this bill passed out of the House last year and was too late to have Senate hearings. It was started in the Senate this year and passed out 39-0. Owners add late fees now but there is nothing in the statutes that says they can. This legislation only impacts people not paying their bills. Nuisance law suits are expensive. **SB 69** limits what can be charged for late fees, either \$20 or 20% which is a fair amount (Attachment 1).

Larry Triplett, General Partner, Triplett Self Storage L.P. dba Citywide Self Storage, testified as an opponent to **SB 69**. Mr. Triplett stated he believes this legislation would instigate litigation. It would be better to substitute “a reasonable fee rather than state \$20 or 20%”. Mr. Triplett believes the New Hampshire Self Storage Lien Laws would lower overhead of every storage owner in Kansas. When overhead is lowered the consumer is the winner (Attachment 2).

There was discussion and it was found that some technical changes were needed. Staff was asked to bring back a balloon for final action at a later date.

Written testimony was distributed for Anthony Santaularia, Diversified Concepts, Lawrence, an opponent. (Attachment 3).

The Chairman closed the hearing on **SB 69**.

The Chairman asked the committee what their pleasure was on **SB 215 - Commercial real estate broker lien act.**

Staff briefed the committee on the balloon for **SB 215**.

Representative Pauls suggested two technical amendments to the balloon: (1) On page 5, line 7, change 30 to 20. (2) On page 4, line 43, strike “registered or certified mail, return receipt requested” and replace with “return mail receipt requested”.

Representative Jack moved and Representative Grant seconded to accept the balloon with the technical

CONTINUATION SHEET

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amendments. The balloon was adopted as amended

Representative Jack moved and Representative Kiegerl seconded to move **SB 215** out favorably as amended. The motion carried.

The Chairman said action would be taken on **SB 69** at a later date.

The meeting adjourned at 10:15 a.m. and the next meeting will be March 11.