

MINUTES  
**HOUSE BUSINESS COMMITTEE**

**DATE:** Thursday, February 21, 2019

**TIME:** 1:30 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Dixon, Vice Chairman DeMordaunt (Call), Representatives Collins, Crane, Palmer, Barbieri, Stevenson, Armstrong, Clow, Monks, Andrus, Furniss, Nichols, Raymond, Smith, Berch, Green(18)

**ABSENT/  
EXCUSED:** Reps. Smith, Berch, Green(18)

**GUESTS:** Joe Doherty, Self Storage Association, Rep. Ed Morse, A 22 Storage, Rob Haggett, Self Storage/ Trust Storage, Tim Olsen, Self Storage/ Trust Storage, Trent Wright, Idaho Bankers, Jeremy Pisca, NAI Alliance

**Chairman Dixon** called the meeting to order at 1:33 p.m.

**H 84:** **Sen. Burgoyne** presented **H 82**, legislation to bring the Idaho Business Corporation Act into conformity with the Model Business Corporations Act and modernize our business code. The state would have the ability to access and file documents with the Secretary of State electronically. This would give uniformity across the United States so all states could access operations easier and with more transparency.

**Sen. Burgoyne** introduced **David Jensen**, Business Attorney, and **Paul Street**, to assist him. He yielded the floor to **David Jensen**, who explained It is easier to repeal and start a new act than change the legislation. This will not require a business to make any change. **Sen. Burgoyne** followed up answering committee questions regarding facilitation of corporations.

**MOTION:** **Rep. DeMordaunt** made a motion to send **H 84** to the floor with a **DO PASS** recommendation. **Motion carried with voice vote.** **Rep. Zollinger** will sponsor the bill on the floor.

**H 145** **Rep. Vander Woude** presented **H 145**, legislation updating and amending sections relating to self-service storage facilities. Amendments include internet and e-mail communication, definition updates, identifying reasonable rates for late charges and clarifying enforcement of lien language for consumers and operators. Verified or certified mail happens if e-mail is not an option for communication. The bill amends and adds to existing law revising provisions regarding rental agreements and liens, to provide for a procedure in the event of default where the property stored in the leased space is a vehicle or trailer, and to provide for when an operator may restrict access to the leased space.

Speaking **in support** of the bill: **Joe Doherty**, Self Storage Association, and former **Rep. Ed Morse**, saying this bill would allow self storage owners to advertise sale of property, specifically to bidders. When the property is sold it reduces the amount owed to the owner of the storage unit. **Rob Haggett**, owner and developer of Trust Storage, uses technology to contact the customer.

**Trent Wright**, Idaho Bankers Associate, **spoke in opposition** of the bill, explaining the buyer of the storage unit takes free and clear all items, even if there is a lean at the bank, leaving a concern about the bank getting a free and clear title on the property, and asked that lines 8,9,10 be removed from the bill. The owner of the storage unit is absolved. **Jeremy Pisca**, Newspaper Association, said only a jury can define what is a commercially reasonable manner. Page 4, line 15, says any website, including the owners own website, without regards to the public, may be used to post notification. Newspapers are independent, uninterested, neutral, and try to reach as many people as possible.

**MOTION:** **Rep. Palmer** made a motion to send **H 145** to the floor with a **DO PASS** recommendation.

**Rep. Nichols** reported an error on page 2, line 20, says "unite" rather than "united".

**SUBSTITUTE MOTION:** **Rep. Crane** made a substitute motion to **HOLD H 145** for time certain, Monday, February 25, 2019. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 3:10 p.m.

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Representative Dixon  
Chair

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Jayne Feik  
Secretary