PA13-13

SB0752

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Bolduc, Scott Soucey, Mike Fox, Chris Herb and Lesley Bennett.

Rafie.

RAPHAEL PODOLSKY: Thank you, Mr. Chairman. My name is Rafael Podolsky. I'm a lawyer with the Legal Assistance Resource Center and part of the legal aid program. And in the context of this hearing I'm here representing low-income consumers.

The bill I want to speak on is Senate Bill Number 752, which is the one that deals with self storage facilities. You have not at this point heard from the industry itself which is interested (inaudible) the next speaker is from the industry, so I'll explain the bill very briefly so that you can have some context from my comments.

You had a bill similar to this last year. The actual proposed bill is pretty general. It says it's to modernize self storage facility land laws including notification and advertising requirements. And my understanding from last year's bill, which is House Bill 5088, is that the bill is about notification and advertising requirements. That's the underlying proposal.

And my understanding, again from last year, is what the industry is looking for is to substitute various forms of electronic notice. In the case of notice to the property owner and the self storage facility, that their goods are going to be sold off, to use something other electronic rather than certified mail. And the case of advertising the sale, to be able to use something electronic rather than publication in a newspaper. That's my understanding of what's

behind the proposal.

We are not necessarily against more efficient and more effective systems. There are two basic principles that we believe should be followed in deciding what to do. One is in regard to notice to the owner of the property, to use something that maximizes the likelihood that that notice will actually be received, because that's the whole point of the notice. And in regard to maximizing -- in regard to advertising the sale, the real goal is to maximize the retail -- the resale price. So those are the things that you should be looking for in evaluating alternatives.

In regard to giving notice, the general way of doing it as an alternative, electronically is e-mail. And the problem with e-mail is, it's notoriously unreliable. Messages bounce back or don't bounce back. They're intercepted by spam systems. People change their accounts. They change their providers. There's no clear way -- people don't check their accounts. Sometimes they don't have computers.

And so from our perspective, using e-mail alone is not a good solution unless there's confirmation both that it's received and that it's been opened. And last year we actually worked something out and this committee sent a bill forward, or at least actually went through the House that did address those issues by saying that e-mail could be used for notice as long as it was both received and opened. And I think the industry is still in support of that position and that part would be fine from our end of it, but it's important you have both receipt and the opening and some evidence of that.

I'll close quickly.

In regard to publication, to the notice of an auction the question there becomes, are there ways that you can effectively maximize the number -- maximize the number of bidders, maximize the number of bids, maximize the resale price?

It's clear that using electronics in addition to newspaper advertising is fine. The question really is, should you be using -- can you use electronic notice or advertising in place of what's now the standard, the legal standard which is newspaper publication? And that's a harder question and I think that's something that has to be looked at and evaluated to see how adequate these alternatives are.

My request to you is that, if you'd be willing to include me in any discussion, I think that's what happened last year and it was productive and I'm more than happy to be part of that again, this year.

SENATOR DOYLE: Thank you.

Any questions?

Thank you -- again, Representative Carter.

REP. CARTER: Yeah. I'll go quick, Mr. Chairman.

Thanks very much for being here and supplying your testimony.

You know, one of the things I noticed about the electronic e-mail, the receipt required -- basically I get things all the time. And there are times it will pop-up; it will say, do I want to return receipt? Normally, I say no.

So my question to you would be, would it be okay if we had something in statute where we said, if you have -- if you had made it clear in your contract that you were going to use e-mail as your main way of communicating, would that suffice as notice?

RAPHAEL PODOLSKY: No.

REP. CARTER: No, it won't?

RAPHAEL PODOLSKY: No, absolutely not. The -- first of all, they really can't use notice -- I mean, they can only use notice by e-mail if you give them an e-mail address.

REP. CARTER: That's my point. In the contract you would give them an e-mail address and you would say --

RAPHAEL PODOLSKY: Right. But the problem is that people don't necessarily have the same e-mail address when the time comes five months later when they've defaulted on their payments at the self storage facility.

It doesn't follow that because -- I mean, a lot of these things are small print in contracts anyway. It doesn't follow they actually check their e-mails regularly and time is of the essence if they're going to resell your property.

But we have a clientele that may have e-mail addresses that they only use at the public library. So they have the ability to get their e-mail, but to get their e-mail they go to the public libraries.

You and I may sit at our computers every evening -- some of us, like me are constantly

going to our cellphone and constantly checking our e-mails. But there are loads and loads of people who aren't in a position to do that or who don't do that. So that the confirmation aspect becomes important because that says that somebody opened this. I mean, you don't know if they read it, but at least they opened it.

And the industry testified last year that there are mechanisms that will work for doing this. The reason I said it got -- that got worked out last year was the industry was basically okay with that. And I think that that makes e-mail about as usable as you can make it as a way for a form of notice and this is a critical form of notice.

This is under, you know, the underlying aspect of this has constitutional overtones and you want to make sure that you really maximize the ability for people to get the notice. I mean, you can -- there are obviously risks in mail of all sorts also because people move and they don't give forwarding addresses, so there's always some risks. No matter what form of notice you use it may not be a hundred percent.

But at least in our experience -- and I think -- I would think for all of us in our personal experience there are a lot of, you know, people send us e-mails. We don't always get them. We don't always see them on time. There are a lot of practical problems.

And for this purpose, which could be a substantial amount of property that's going to be sold off, I mean, it depends how much (inaudible) this you know, storage place is and how much you've packed in, there could be a lot of -- there may be very little at stake

in terms of dollars. There may be a lot at stake. And you want to make sure that people have maximized the opportunity.

REP. CARTER: Thank you very much.

RAPHAEL PODOLSKY: But I think that's workable. I mean, I do think that we've sort of figured out there's a workable way to do that.

REP. CARTER: Thank you.

Thank you, Mr. Chairman.

SENATOR DOYLE: Representative Carter, I'm sorry if I appeared to forestall questions. I certainly don't mean to do that.

Representative Altobello.

REP. ALTOBELLO: Thank you, Mr. Chairman.

Good afternoon, sir.

RAPHAEL PODOLSKY: Good afternoon.

REP. ALTOBELLO: Going back to last year, your testimony refers to House Bill 5088.

raf: I think that's right.

REP. ALTOBELLO: House Bill 5088, and you said that that would be -- that was worked out last year and that was satisfactory to all parties?

RAPHAEL PODOLSKY: I think the final version of it was satisfactory, so it was only part of what they were asking for. It really dealt with the notice, if my memory is correct, it dealt with the notice to the property owner; did not deal with the advertising or the sale by the time it got done.

REP. ALTOBELLO: Okay. And that was amended later by House A?

RAPHAEL PODOLSKY: I don't have this in front of me. I think the House amended it. I think the house passed it. The Senate, I think never took it up.

REP. ALTOBELLO: Yes -- or I think House A was a strike-all and it looks like it passed 136 to 2. But giving that as a reference to last year's bill, would have been -- would be okay?

RAPHAEL PODOLSKY: I think so. I should -- actually before I lock myself into that --

REP. ALTOBELLO: I understand.

RAPHAEL PODOLSKY: In preparation for this hearing I meant to check the exact wording of that bill. I realize I did not. I should have.

I think it's okay. I would want to just do a doublecheck on that.

REP. ALTOBELLO: Checking that for you right now, sir.

Thank you, Mr. Chairman.

SENATOR DOYLE: And Representative Altobello, I think we're right. We all, kind of, last year came to an agreement and it didn't get through the Senate for some reason.

But -- and I forgot what it says last year, too, but Rafie, what about -- and I fully appreciate the notice requirements. And the question is the newspaper advertising -- despite their opposition to the newspaper industry because they're running out of money or revenue, do you think that's getting

obsolete?

I mean, I wonder -- because it's been proffered to me that it's -- now there's a TV show that there's a website for allegedly for the industry that if you're really interested in these in theory you know to go there. And the question is, I guess, do people really go to newspapers to read? What do you think? Or to learn of the --

RAPHAEL PODOLSKY: Well, if I had my way for this kind of a transaction I would actually say that the advertising in the newspaper needs to be in the classified ads and not in the legal pads. And the reason I say that is if you -- I would try and think about what is -- what's the market I want to be in if I want to maximize price? And it seems to me what you'd like is sort of a tag sale kind of environment as best you can. The problem is of course in this industry the (inaudible) the storage is not opened. I mean, the system is you open the door, you can look inside.

And actually for the first time in my life I went to one of these auctions about I guess it's now about a month ago, because I was really curious. And they are typically advertised electronically and in addition to the newspaper. And I don't know what percentage of the bidders there were from the newspaper, what from the electronic notice is. My guess is it was probably mostly from the electronic notice.

So that was interesting to me to see what -- apparently there are auctioneers who have their own, you know, e-mail distribution lists and so some people, you know, it's like they follow the auctioneer. I don't know if there's one central list that's sort of a

maximum list that includes everything. I don't think that's true. So I think there may be sales that do not go through that kind of a system.

I don't know -- last year there was the proposal that said if there were bidders that made it per se -- would make it per se adequate. Three seems like an awfully low number to me to validate a sale and as being commercially reasonable. But I'm really circling around to saying, I'm not sure that I know the answer to your question, but I think that these notices tend to be in the wrong part of the newspaper if the goal is not merely to satisfy a formal legal requirement, but rather to try and maximize the number of people who show up. And so it's something to think about.

This is not the only kind of legal notice requirement that goes into the legal notice section. And I'm -- and there are a number of other things where if I'm not sure legal notice is the best way to do -- even if you're going to do newspaper advertising, that that's the best place to put it.

SENATOR DOYLE: Thank you.

And I think we both need to look at the compromise language. I kind of forgot what it was, too, but I think without committing you, we'll -- we can look at that and see.

All right. Any further questions from the committee? Thank you very much.

RAPHAEL PODOLSKY: Thank you.

SENATOR DOYLE: The next speaker is Lorna Bolduc. Yeah, Lorna is here. Scott Soucey, Mike Fox,

Chris Herb, Lesley Bennett, Mike Barker, Maureen Dinnan.

Lorna.

LORNA BOLDUC: I'm glad Rafie went before me performing because he (inaudible) on almost every point.

I am Lorna Bolduc, the Executive Director for the Connecticut Self Storage Association. I am testifying on behalf of the self storage industry in Connecticut in support of Bill 5752, AN ACT CONCERNING SELF STORAGE FACILITY LIENS.

SB 752

The association represents facility owners managers and suppliers. There are approximately 315 facilities in Connecticut. We are pursuing changes to the current self storage lien law, changes that would make the lien process more effective and more cost-effective for both the consumer and the business owner.

Our delinquent tenants are those who are already struggling financially. Most are in some type of transition due do life situations such as job foreclose -- foreclosure, job loss, death of a family member, divorce, et cetera. And in most situations these people are under very stressful situations. Any costs incurred during the lien process become part of their bill, a bill they already cannot already afford to pay.

There are two sections of the law that need modernizing. The first is notification delinquent tenants. The current law providers that facilities sent notification of impending auction by certified return receipt mail. This communication is expensive and facility

owners report that about 50 percent of the notices are returned as undeliverable or unclaimed. This type of notice is not forwarded, so if the tenant is no longer at the address or refuses to sign for the letter, the notice is then unsuccessfully -- unsuccessful.

The post office has a certificate of mailing category that is less expensive, does not require a signature and forwards the letter to the tenant if the tenant has relocated, as many of our delinquent tenants have. This method of mailing is more effective and still provides proof of mailing and compliance with the law.

The most effective form of communication today is electronic. When asked by the facility owner how they prefer to be communicated with, most tenants say e-mail.

An industry truism, if you go to one of their conferences is, the best auction is no auction at all, because it's really most effective for the facility owners to communicate directly with the tenant and then to work with them as opposed to going into auction.

So we recommend changing the current lien law to allow electronic notification and if that fails to get a response from the tenant, that the facility send a letter via the post office certificate of mailing option. We would also recommend that the manner in which the facility is going to communicate with the tenant be outlined in the rental agreement where the tenant can select their preferred method of communication.

The second part of the lien law that has become ineffective is the advertising piece.

This part of the lien law is designed to attract bidders through the lien sale or to the auction. The goal is to have at least five, preferably more bidders at a sale which would help drive up the final sale price of the unit. Currently facilities are required to advertise in a local newspaper.

As we're all aware, newspapers have been folding and are not as prevalent as they once were. What has also happened is newspaper subscriptions have declined dramatically and people are now turning to the Internet for the news. Ads placed newspaper are not being read, so they are ineffective in attracting bidders to the sale. And I agree with Rafie as far as people being able to find those ads in the legal section is very difficult.

What we found is people are finding notice of self storage auctions through Google searches. The advent of Google has helped us increase the number of bidders at auctions. There are several places where facilities advertise on their own website, on the website of the auctioneer if they need a professional auctioneer, and then online databases such as storage treasurers. The advertising costs are free in some instances and very reasonable in others. The ads are visible and easy to find and available every day.

Newspaper ads are published in advance of the sale by ten days and those ads only publish twice. So if you don't happen to be looking at the newspaper on the day that you -- on the day that you're looking for auctions you're not going to see it.

So I did a Google search this morning and eight unique sites advertising Connecticut lien sales were listed on the first page of

the search. This does not include the paid Google ads. I found 27 Connecticut auctions on February on just one site alone. When I searched the Hartford Courant there were two postings. I would also like to report that finding the auctions using Google was easy. Figuring out how to get to the auction lists in the Courant was challenging.

In addition to being ineffective, newspaper advertising is expensive and is a burden to both the consumer and business owner as the costs become part of the tenant's bill. The current lien law has a provision for posting notices in the local area, should a newspaper general circulation not be available. This type of advertising in the absence of a newspaper is very antiquated and not at all effective. Some of my owners have said in their community it's actually illegal to go out and post notices on telephone poles and things like that.

So we recommend changing the current lien law to allow for Internet advertising as an option. This will give the facilities the choice to do what works best for them in their location and will provide a reasonable solution to advertising in areas where there is no newspaper and not make them post notices where they're not supposed to be posting them.

Mike Barker, a facility owner will be testifying a little bit later. I've submitted written testimony as well that goes into more detail. So I'm asking, please support Bill 752.

And thank you for your time today.

SENATOR DOYLE: Thank you.

Any questions? I'll just ask you, how much -- if you don't mind -- how much is, like, a typical ad for the Courant, like a legal ad currently about? Ballpark or --

LORNA BOLDUC: Yeah. I haven't actually placed an ad, but Mike Parker would have a better idea about that.

SENATOR DOYLE: Okay. We'll ask -- he probably know. Okay.

Any further questions from any of the committee? Seeing none, thank you very much.

LORNA BOLDUC: Thank you.

SENATOR DOYLE: Next speaker is Scott Soucey, Mike Fox, Chris Herb, Lesley Bennett, Mike Barker, Maureen Dinnan, Carl DeMilia, Kate --

A VOICE: Byroade.

SENATOR DOYLE: Byroade. Thank you.

A VOICE: (Inaudible.)

SENATOR DOYLE: Okay. Thank you.

Mike Fox is here. Thank you.

SB 321 HB 5313
HB 5344

MICHAEL J. FOX: Good afternoon, Senator, Representatives, members of the committee. The hour is late. You have my written testimony. I'll try and summarize for you.

For the members of the committee that don't know me, my name is Michael Fox. I'm the Executive Director of the Gasoline and Automotive Service Dealers of America. We represent over 450 of Connecticut's small-business service station owners.

something else we can attach it to that is a routine thing among care? Your analysis is something that came to my mind because it's done with ever one of those patients. But --

LESLEY BENNETTT: I think probably the best thing to do might be to sit down and talk to some of the physician groups to find out what they're comfortable with.

REP. CARTER: Okay.

LESLEY BENNETTT: It's just a time-consuming for them.

REP. CARTER: Thank you. Thank you for your testimony.

Thank you, Mr. Chairman.

SENATOR DOYLE: Thank you.

Any further questions from the committee? Seeing none, Thank you.

Next speaker is Mike Barker, Maureen Dinnan, Carl DeMilia, Kate Byroade.

Michael is here.

MICHAEL BARKER: Thank you. My name is Michael Barker. I owñ a facility in Meriden called Meriden Self Storage and I'm here to speak in favor of Senate Bill Number 752, regarding the two major items, the certified mail and the advertising.

The mail issue -- certified mail is not an effective way to contact the customer. If the customer has moved or does not accept delivery of a certified letter the letter is simply returned to the company marked unclaimed. I

brought a few show-and-tells with me.

We have one letter we sent to the customer at the addresses he had given us. It came -- we use on our envelopes return address labels as return service requests. So the post office sent it back to us with his new addresses because he had left one.

We then sent him a certified letter and we mailed it to him on May 18th. And on May 19th they tried to deliver it, on June 6th and June 11th, and then they sent it back saying unclaimed.

The post office does have a means of first-class letter, that for a small fee they have a certificate of mailing that you fill it in with the name and the address, put the postage on it and the post office will stamp it showing that they accepted the letter from you. Is the individuals has moved and left a forwarding address with the postal service they will send it along to them.

Normally we get back two out of three certified letters that we send to customers, and by using the returned service request it gives us an opportunity to keep current information on our customers' whereabouts. Our leases just state that it is the customer's obligation to keep us informed of their contact information.

Electronic mail, we ask them on their application to give us a home address, home phone, work phone, cellphone and e-mail addresses. Quite often they don't even have a landline. They're on the verge of moving, but normally the last means of contact that we have are cellphones and e-mail info.

We always send a customer a welcome letter within about a week of moving in, not so much to say thank you for finding us, but as a means to confirm that the address that they gave us is a legitimate address because sometimes that's not the case.

Regarding advertising, the newspapers are expensive. The ads run under legal notices. Of course, the more units an individual is here involved with the auction the longer the ad gets, the more column inches it is, but an ad can run easily 150 to 300 dollars or more and we are required presently to run the ad twice.

If a storage facility is running an auction by themselves without a professional auctioneer, and running a local newspaper ad, usually only a few local people might see the advertisement. We use a professional auction service similar to what you see on the TV show and he publishes an e-mail list and a mail list. And when he pulls in he's like the pied piper. He'll bring 20, 30 followers with him to an auction. So there is a large number of bidders appearing.

We make every effort to work with our customers when they reach the point, the stage of being in an auction situation. We'll never get more money for the unit then we will from the customer. And if that means working out a settlement of X percentage, we're always better off doing that at the auction if we get 10 to 20 percent of the fees and rent built up, we're usually doing pretty well. So we try whatever we can to work with the customer.

And you know, by using the electronic advertising through the auctioneer or our own website we find we get a lot more people than

we would otherwise.

Thank you for letting me speak.

SENATOR DOYLE: Thank you.

Any questions? Any questions from the committee?

Representative Esposito.

REP. ESPOSITO: Thank you, sir.

I heard you say that you send them a welcoming letter. When they're applying for the storage unit, what type of information do they have to furnish you with, you know?

MICHAEL BARKER: We take a picture of their driver's license which may or may not have current or correct address information. And we, you know, we ask them to give us their current home address, home phone number, emergency contact information, work phone numbers, et cetera, et cetera.

I mean, we'll get in -- I mean, it's nice to have customers that are businesses or people that want to store their snow blowers in the summer and their summer toys in the winter, but you know, we've got a good percentage of customers that are in situations where they're, for one reason or another, they're forced to move quickly from where they are.

And we'll get people that will call for information saying, how soon do you need the unit?

And they'll say, what time do you close today? I've got to be out of where I am today. And we try and, you know, we never know. We ask

people. We give them a list of things that they cannot store, flammables, fluids, things like that. But you know, we don't know what they're storing and why they're starting it. And for whatever reasons some people disappear.

REP. ESPOSITO: The reason I was asking is that there some companies, not necessarily storage companies, but they require, like, a utility bill or something that shows there's some people who are living at that address. Have you ever --

MICHAEL BARKER: A lot of people are living in an apartment or a room where the utilities are included with their rent and even a TV bill.

REP. ESPOSITO: It was just a kind of a suggestion to you. It might be another way to keep current on the people's addresses.

Thank you.

MICHAEL BARKER: We put a sign on the door that without proper ID we won't rent you a unit. We've had people with phony IDs running credit card scams off of major retailers getting stolen, you know, credit card fraud having things delivered to a storage facility.

So I mean, just because you have a pic that -- what looks like a driver's license from whatever state doesn't mean it's identification, but you know, we try.

SENATOR DOYLE: Thank you.

Any further questions from the committee? Seeing none, thank you very much.

MICHAEL BARKER: Thank you very much.

SENATOR DOYLE: The next speaker is Maureen Dinnan. Maureen is not here.

Is Carl DeMilia? Then Kate Byroade. Carl is here.

CARL DeMILIA: I probably should say good evening at this point, but good delayed afternoon. I'm Carl DeMilia. I'm current President of the Connecticut Library Association and my day job is I'm library director of the New Milford Public Library.

As you've taken testimony from my colleagues this afternoon, you've had the opportunity to ask some very insightful questions, which I hope have brought and shed light on the issue of e-books and libraries in the State of Connecticut. So I won't burden you with any further testimony. I've supplied written testimony.

I just want to thank you for taking the testimony from my colleagues today and asking questions. I also want to thank Representative Sear for helping us in supporting this measure as it goes forward. And the Connecticut Library Association looks forward to working with you as this moves forward.

SENATOR DOYLE: Great. Any questions from the committee?

Thank you very much.

CARL DeMILIA: Good. Thank you very much.

SENATOR DOYLE: The last person signed up is Kate Byroade, the person -- I mispronounced her name a couple of times.

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S.B. 752 -- Self-service storage liens

General Law Committee public hearing -- February 7, 2013

Testimony of Raphael L. Podolsky

Recommended Committee action: **FURTHER REVIEW**

This bill proposes to "modernize self-storage facility lien laws, including notification and advertising requirements." It appears to be a revised version of H.B. 5088 from the 2012 session of the General Assembly, which proposed the use of electronic notice instead of notice by mail. Unfortunately, in the absence of a drafted version of the bill, it is impossible to take a firm position, other than to say that we are willing to work with the bill's sponsors and the General Law Committee to craft a bill that provides adequate protections for consumers Any such bill should implement the following two principles:

(1) Notice to the renter of the storage space The bill should maximize the likelihood that notice will actually be received so that the renter has an opportunity to prevent sale of the goods by paying the bill.

(2) Notice of the auction The bill should maximize the price obtained at any auction by requiring notice in ways likely to draw the largest number of bidders.

Existing law gives a self-service storage facility a lien on the stored property To foreclose the lien, the storage facility must notify the property owner by certified or registered mail, return receipt requested, after which it may sell the property at an appropriately advertised auction Last year's bill would have allowed notice to be given to the property owner by electronic mail, allowed the auction to be advertised electronically, and made an auction per se commercially reasonable if it drew three bidders

(1) Notice by electronic mail. **We oppose the use of email notice unless the sender receives confirmation that the notice was both received and opened.** Email is a convenient but unreliable way to give notice, especially notice that is time-related. People close email accounts or change email addresses. They do not necessarily know to whom they may have given the old email address Many do not check their email regularly. Some have email addresses but no computer and must go to a library to check email. In addition, different email systems have different spam and security controls; and it does not follow that the sender will receive a bounce-back notice if the email does not go through. We do not oppose email as an optional additional form of notice, but it is not an adequate substitute for other forms of delivery unless the sender receives confirmation that the email has not only been received by the system to which it is sent but that it has also been opened Language to that effect was included in the final version of last year's bill.

(2) Commercially reasonable advertising: **We support legislation that requires that advertising for the auction be carried out in a commercially reasonable manner,**

(continued on reverse side)

if that phrase is understood to mean advertising that is designed to generate a maximum resale price. This involves appropriate advertising in a retail market and the making of the property available for bid in a way that encourages higher bidding. Property in self-storage units can be of substantial value and can be worth far more than the debt to the storage facility. From this perspective, we support the supplementation of newspaper advertising with appropriate, documented electronic advertising. We also believe that newspaper advertising should be in classified sections, rather than in legal sections. We do not, however, support eliminating newspaper advertising in the absence of an effective alternate system

(3) Minimum number of bidders: **We oppose an irrebuttable presumption that three bidders proves commercially reasonable advertising.** Such a provision appeared in the original version of last year's bill. Nevertheless, we do not oppose a rebuttable presumption of commercial reasonableness based upon a substantial number of bidders

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Line: 25

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Testimony Supporting
Bill No. 752 AN ACT CONCERNING SELF STORAGE FACILITY LIENS
General Law Committee
February 7, 2013

Testimony By
Lorna M. Bolduc, CAE, Executive Director
Connecticut Self Storage Association (CTSSA)
860.228.3624 – ctssa@ctssa.org

On behalf of the Connecticut Self Storage Association members and on behalf of the industry as a whole, I submit the following testimony in support of Bill No. 752.

About Self Storage and Tenants

- Self storage space is the rental of space or real estate
- Tenants lease space much as they would rent an apartment, a house, an office, etc., with the terms of their rental specified in a rental agreement.
- The lien law applies only to those tenants who become delinquent on their rent. This is a small percentage of consumers.
- Those consumers who default are the people who have fallen on hard times – loss of employment, death of family member, divorce, etc.
- The consumers who default can least afford the additional costs incurred during the lien process.

About the Current Lien Law

The current lien law has mailing and advertising requirements that are no longer effective in our ever-changing world of electronic communication. It was written at a time (over 30 years ago) when most people subscribed to the local newspaper and their primary means of communication was via traditional mail sent through the Unites State Postal Service.

- The purpose of the advertising requirement was to maximize the number of bidders at a lien sale. It follows that if you have competing bids at an auction, the price for the goods increases resulting in a better sale price which is used to cover the cost of the delinquent rent and cost of conducting the lien sale.
    - Industry-wide, facility owners report that they average about 20 cents on the dollar owed.
- With newspaper readership down to 17 percent or less, the advertising requirement no longer drives bidders to the lien sales. The result is either lower bids or no bids at all.
- The delinquent consumer benefits from a strong bidding process as any money collected in excess of their debt is returned to them.
- The high cost of newspaper advertising adversely affects the delinquent consumer as these charges are part of their over-all debt
- The registered or return receipt mail requirement increases the cost of mailing, a cost that also becomes part of the consumer's debt but it is also important to note that this type of communication is also ineffective

- We estimate that 50 percent or more of certified mail is returned. Either the tenant has moved or they have refused to sign for the letter. The consumer suffers because they don't have the information they need to stop the lien process. The self storage owner is then required to send another expensive certified letter with the same expensive, ineffective result.

Proposed Changes to the Lien Law

- Both the consumer and facility benefit with changes to the advertising requirement that will allow self storage facilities to maximize the number of bidders at a lien sale without the higher costs of newspaper advertising. The result will be lower debt for the delinquent consumer because the costs of advertising the sale are lower and a higher sale price which could result in their debt being settled with a net gain to them for their goods.
- Add more flexibility in notifying the delinquent consumer of the impending lien sale. Our recommended change to current lien law is to allow mailing by first class certificate of mailing which would allow facilities to mail to the last known address of the tenant as before with verification from the post office that they mailed their notices. This provides proof that the letter was mailed but insures that if the Post Office has a change of address on file, the letter will be forwarded.
- Allows for electronic notifications. We have found that while tenants tend to be transient, they are less likely to change their e-mail address, are more likely to receive notices, and respond to them when contacted electronically.

Summary

Bill No. 752 will improve the way the self storage industry services the consumer and reduce the financial responsibilities of those tenants who are already struggling to make ends meet. With the addition of certificate of mailing, more consumers will have the information they need to stop the sale of their goods if they so wish and their financial responsibilities will be greatly reduced without the additional burden of high advertising and mailing costs.

Please support Bill No. 572 and the recommended changes to the current lien law as outlined above. Thank you.

Respectfully,

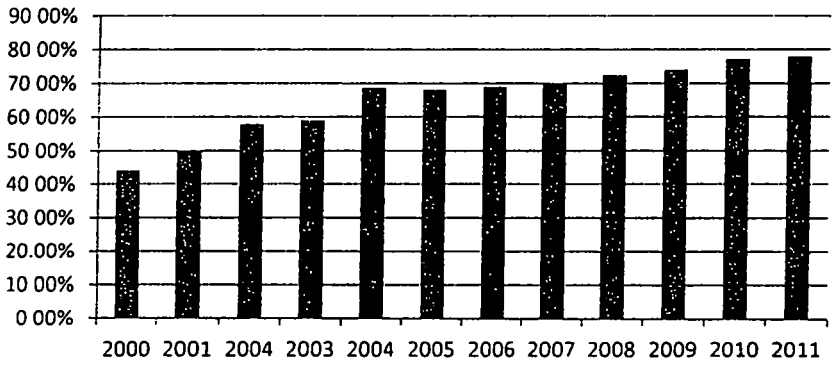
Lorna M Bolduc

Lorna M. Bolduc, CAE
Executive Director
Connecticut Self Storage Association (CTSSA)
17 Rivendell Road, Marlborough, CT 06447-1260
860.228.3624 – ctssa@ctssa.org

Alternatives to Printed Public Notice Good for Consumers, Small Businesses

Public notice requirements in the United States are based on a method that was the only option for hundreds of years. Long before radio and television, there were no other vehicles to extend messages to the public. Can that be said today? Consumers are looking to Internet websites and mobile applications for their information. Private sector advertisers, and now government entities, have followed - migrating to clearly better options for mass exposure because they can choose where best to spend their resources- generally via Internet-based websites, mobile applications and social media. Unfortunately today thousands of small businesses must contend with obsolete laws that require only certain sectors, such as self storage, to advertise within print media, at increasing costs and decreasing exposure.

Internet Access % US Population



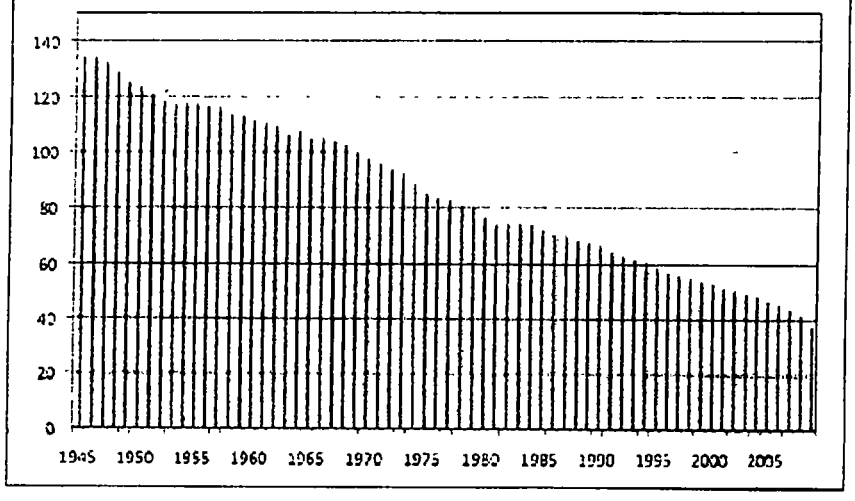
Source: Neilson Online

The effectiveness of now widely accepted means of direct contact and public exposure are already being utilized by most of these businesses, essentially creating a situation wherein the law requires them to subsidize another private sector which provides an outdated service.

Monopoly Despite Decreasing Circulation / Fewer Newspapers

In most parts of the country newspapers still hold a singular monopoly over public notice requirements, despite the unavoidable fact that print is going away. More than 200 major market print newspapers have closed their doors since 2005 and in some parts of the country, there are no "newspapers of record" through which to comply with public notice requirements that are required by law

Newspaper Circulation Per 100 Households (% Households)



Source: Editor & Publisher

THE WALL STREET JOURNAL

PUBLIC NOTICES

ATTENTION:

FEDERAL FORFEITURE NOTICES

Federal forfeiture notices previously published in this space may now be found at

www.forfeiture.gov

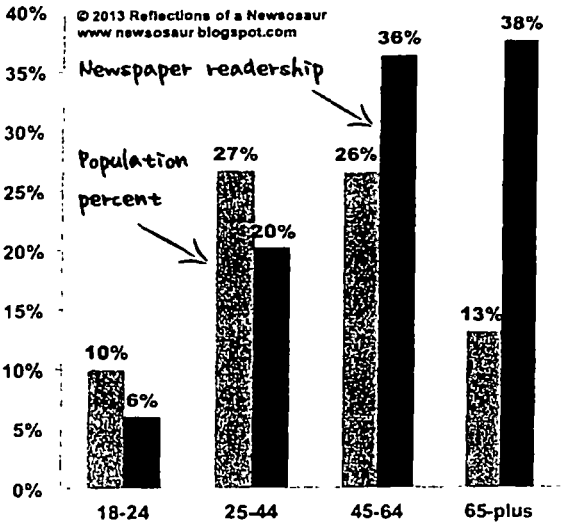
Department Of Justice
Federal Bureau Of Investigation

Governments Changing Public Notice Protocol

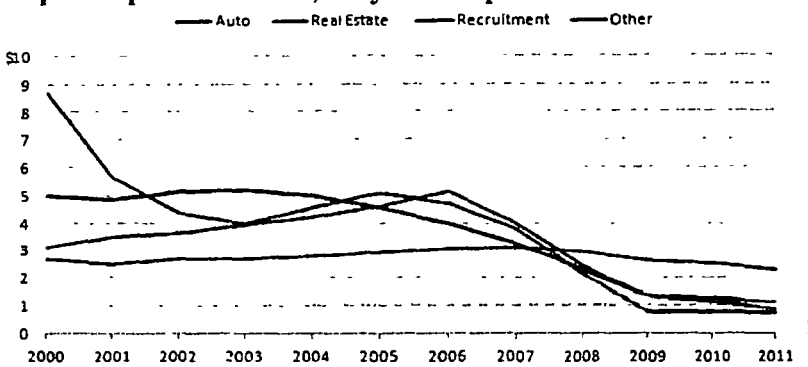
Governments at all levels are taking their public notices online to save money and reach a broader audience. In this case, the FBI/Justice Dept. announced in the *Wall Street Journal* on 12/28/12 that Federal Foreclosure Notices would only be available online, no longer in WSJ.

Aged 45 & Below Do Not Read Newspapers

Overwhelming majority of newspaper readers (74%) are older than 45, yet most of the U.S. population is now 45 or under. Only 26% of newspaper readers are under the age of 45, however 61% of the population is under 45 years of age



"Other" classified advertisements, including legally required public notices, only stable print media revenue



Meriden Self Storage
210 Pomeroy Avenue
Meriden, CT 06450
Phone:203-376-8386

February 6, 2013

To Whom It May Concern:

I am writing to ask legislators to SUPPORT Senate Bill 752, an Act Concerning Self Storage Facility Liens. We support this Bill for several reason. Some of those are:

1) Certified mail is expensive and ineffective. At least half of the letters we send out certified are returned as undeliverable.

2) We find that electronic mail is the most effective and most requested form of communication by our tenants. Many of our tenants need our services because they are moving, their address is temporary. Usually people's email address do not change.

3) Requiring Storage Facilities to advertise in Newspapers is not effective, is expensive and of little value. Finding a local newspaper to advertise in can be difficult. People are not reading the paper anymore. More and more, everything is done online. Its an extra expense past on to our customers.

4) We find it more effective to allow electronic publication of notices on a web site designated in the rental agreement. Also, the part of the lien law that requires us to post sign in the local area is also ineffective and in conflict with local sign ordinances in our area.

Sincerely,

Lisa Highbridge
Manager

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

Public Hearing – February 7, 2013
General Law Committee

Testimony Submitted by Commissioner Dan Esty

S.B. 752 - AN ACT CONCERNING SELF-SERVICE STORAGE FACILITY LIENS

Thank you for the opportunity to present testimony regarding S.B. 752 - AN ACT CONCERNING SELF-SERVICE STORAGE FACILITY LIENS, which seeks to change some rules for storage businesses dealing with defaulted property. The Department of Energy and Environmental Protection (DEEP) periodically receives calls from such storage businesses who are dealing with defaulted vessels, who well understand their responsibilities under the law when dealing with other types of property, but who frequently overlook the vessel lien statute because it is not covered in their section of law. This oversight has resulted in unnecessary expenditure of time and money for both businesses and this agency.

To address this oversight, and in view of the proposed changes to storage facility law, the Department requests Section 42-160 be amended to add a subsection stating that if the defaulted property is a vessel, then the requirements of Section 49-55 et Seq. are to be followed. Implementation of this modification will cue the aggrieved business to begin the vessel lien process concurrent with the process for dealing with other defaulted property, assisting the aggrieved while avoiding the expense of agency time that would be required to address an improperly transferred vessel.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact DEEP's legislative liaison, Robert LaFrance at 424-3401 or Robert.LaFrance@ct.gov

Mill Plain Self Storage LLC
103 Mill Plain Road
Danbury, Connecticut 06811
(203) 778-6724

Senate Bill 752
An Act Concerning Self Storage Facility Liens.

February 7, 2013

Please accept this letter as a request that you support Senate Bill 752 modifying current self storage lien laws. Mill Plain Self Storage LLC is a small, independently owned, facility located in Danbury Connecticut. I believe the proposed changes will reduce operator costs while improving communications with the customer and

1. The current law requires that delinquent tenants be sent a notice of default, assertion of landlord's lien rights and notice of the sale of their possessions at auction by certified mail. This notification method adds expense and uncertainty to the process:
   a. The transient nature of many self storage customers often means that addresses maintained on the facility's records are not up to date and the postal service does not forward certified mail
   b. The time-frame to move forward on the auction process commences on delivery of the certified letter, yet in many instances, the letter is never delivered bringing to question the validity of the auction process
   c. The cost of certified mailings, while not great, do increase the facility's costs of collection which impact the customers obligation.
2. Senate Bill 752 changes the method of delivery to allow notification via Verified and First Class mail as well as by Electronic means. The changes serve to reduce notification costs, ultimately benefitting the customer and also improving the likelihood that the notice will reach the customer. Email is often the most reliable means of reaching the self storage customer base as they move from one location to another.
3. The current lien law requires notification of public auctions via local newspaper. This provision is in place to 1) make public notice of the sale and, 2) to maximize the number of bidders at the lien sale with the aim of making the sales competitive to maximize proceeds realized. Society has largely shifted from obtaining its news and information through printed materials to electronic outlets.
   a. More efficient notifications can be achieved through posts on websites dedicated to storage auctions, mass emails to subscriber lists and postings on facility websites.

b. Print advertising continues to increase in cost. These costs are added to the customer's balance and, after auction, either increase their shortfall or reduce the net funds returned to them. To the extent the storage facility chooses to pursue the customer in court, the increased cost directly impacts the consumer.

I hope that you will support the adoption of Senate Bill 752.

Regards,

M. Jeffers Ryer
Mill Plain Self Storage, LLC

Self Storage Industry Testimony
Connecticut General Assembly - General Law Committee Hearing (2/7/13)
Support for Senate Bill 752 (2012 Bill 5088)

The national Self Storage Association represents approximately 30,000 owners of 47,000 self storage properties nationwide. These are primarily small businesses – with the bulk of the industry made up of "mom and pop" operators with only one or two facilities I am writing today to support the approximate 317 facilities in the state of Connecticut. These self storage businesses have only one remedy in nonpayment and/or abandonment circumstances: the lien process. Self storage operators go above and beyond to remedy late payment situations before moving into the auction process Less than 1% of storage units nationwide end up at auction and storage businesses are generally lucky to recoup $0.20 on the dollar that is owed. Selling property at auction is by no means a windfall and most storage managers are simply looking to recoup their space to rent to another tenant. They are trying to "lose less."

The Self Service Storage Act in Connecticut was established three decades ago; subsequently more efficient means of advertising and notice delivery have surfaced, and these are positive developments both for the owner operators of self storage simply seeking to "lose less" in a nonpayment circumstance, and the consumers of self storage, many of whom prefer to be informed via e-mail and view public notices via the Internet. Given that these laws across the country were mostly established between the late 1970s and early 1990s, legislatures in 14 states over the past four years have made identical or very similar changes to their lien statutes; with several other legislative updates working their way through their respective legislature processes, including this bill in Connecticut

- Certified Mail is expensive for operators, more than $5 with a return receipt. Most storage operators report that about 50 percent these certified letters are returned without signatures.

- Today e-mail is the preferred form of communications for many tenants. At the time of rental, only those who choose to provide an e-mail address will be notified via this method. The self storage industry endorses methods of e-mail delivery confirmation, such as read receipts or services that offer confirmation that an email was delivered to the last known e-mail address provided by the tenant.

- Internet posting of public lien notices have a wider reach than circulation via newspapers. Newspaper publishing is still an option for advertising; this bill simply expands the options to include Internet. Even government agencies, including the FBI/Justice department have announced public notices regarding forfeited assets will only be available online (12/28/12 *Wall Street Journal;* scan of page included).

- Enabling operators to utilize a "commercially reasonable" advertising method ensures three or more independent bidders are present at an auction and leaves it to the owners' discretion which method most efficiently and effectively accomplishes this goal.

- States that have enacted identical or similar lien improvements include Ohio, which was signed into law this past December, as well as Arizona, Arkansas, California, Colorado, Illinois, Maine, Michigan, Nevada, North Carolina, Rhode Island, Tennessee, Texas, Washington State and Wisconsin

I can be available to answer any questions you may have about what is happening nationally in this area. My contact information is below.

Sincerely,

Timothy J. Dietz, CAE
SSA Sr. VP – Communications & Government Relations
1901 N. Beauregard St., Alexandria, VA 22311
703-575-8000 x112; tdietz@selfstorage.org

February 6, 2013

Senator Doyle, Representative Baram, and Members of the General Law Committee·

As you may recall my company operates Planet Self Storage in Newington and we manage 3 other properties in Bridgeport and the Danbury area. As a storage operator we have an interest in Senate Bill 752 An Act Concerning Self Storage Liens I am writing to request your continued support of this bill that will modernize the self storage lien law

I also serve as a director and President of the Connecticut Self Storage Association (CTSSA). Unfortunately I have other commitments which prevent me from attending the hearing on Feb. 7 but wish to speak in favor of this legislation. The current law requires certified mail notices and print newspaper ads for lien sales While this was appropriate many years ago it is no longer when there are quicker, better, more effective, and more direct methods available

Certified mail is not effective as an average of 50% of the notices sent are returned unopened which means no official notice was received by the tenant in default The reasons vary but include no longer at that address, refused, failed to claim, etc. There is also a stigma associated with "signing" for a notice, perhaps some feel if they don't sign nothing can happen. Certified mail is never forwarded by the postal service. It is also very expensive in terms or labor and postage, costs for the delinquents but are born by all tenants in their rents

A better solution is a "verified" type of mail The postal service offers a certificate of mailing which certifies who first class mail is being mailed to and when it was brought to the post office for delivery. This provides accountability and proof that a storage operator mailed the required notices Additionally first class mail is forwarded by the postal service.

Newspapers across the nation are fast fading from the scene with many already shuttering their doors due to lack of circulation - fewer subscribers means less advertising dollars spent Some now only publish on weekends. Today most people prefer to get their news electronically where they can select their own interests and how/when they wish to receive it

But there are other issues with the papers which adversely affect storage operators. An apparent side effect of cut backs, it is not unusual for us to submit a carefully worded and spelled legal ad only to have errors made when typesetting by the newspaper When this occurs we must cancel and reschedule the lien sale This requires a new round of certified mail notices to advise of the new sale date and more expenses born by the storage operator Finally with declining circulation it seems even less likely the delinquent tenant would see a legal ad if published in a newspaper. Another issue is the expense, a recent ad for my property in Bridgeport cost approximately $800

just to appear twice in the paper. These same ads cost less than $200 just a few years ago..Yet storage rents could never increase at that rate.

A much better solution is to designate a website on the rental agreement which will be the official place to publicize a lien sale. That website could be the storage property's own website or perhaps on the CTSSA web site in a publicly accessible area. If the CTSSA web site is chosen we would welcome sale postings from any CT storage operator regardless whether they are members or not. Web sites are superior to print because they can be posted, updated or corrected in minutes not days. One central web site may be a good solution for Connecticut.

I hope I have made my opinions clear but please let me know any further questions you may have.

Thank you,

Charlie Fritts, CPM

(716) 689-7377
Charlie@simi org

HACIENDA STORAGE

125 Old Gate Lane Milford, CT 06460

To: CT Legislators
Re. Senate Bill 752,
AN ACT CONCERNING SELF-STORAGE FACILITY LIENS.

Dear Connecticut Legislators,

My name is Bob Kiley and I have been the manager of Hacienda Storage, a self storage facility located in Milford, CT, since it opened in 2001. In the past twelve years Hacienda Storage has hosted nearly forty public storage auctions (averaging three per year) and I have overseen the development of each of them from start to finish. In that time I've become well acquainted with Connecticut's self storage lien laws and, particularly in the last five years, I've determined that they are antiquated and in serious need of reexamination.

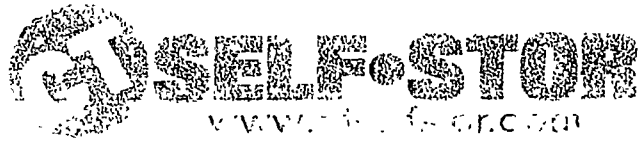
Requiring self storage facilities to advertise upcoming storage auctions in newspapers is ineffective and inefficient. Print newspaper circulation is inarguably on a downward trajectory as readers continue to get their news from the Internet. Advertisements in print newspapers are being seen by fewer eyes than ever before whereas the opposite is true of Internet advertisements. The result of this trend is inevitable, thus I think it's clear that self storage facilities in Connecticut should be allowed to advertise auctions on the Internet instead of print newspapers sooner rather than later.

Similarly inefficient is the current law's requirement that self storage facilities notify their customers of auctions via certified mail. Anecdotally, the majority of certified mail that Hacienda Storage sends is returned to us, ultimately wasting both money and time for everyone involved. It is my experience that verified and first class mail are more efficient forms of paper mail than certified mail. Furthermore, email continues to be an expedient and cheap way for us to contact our customers.

Thank you for hearing my concerns and I hope that you will reconsider Connecticut's restrictive and outmoded self storage lien laws

Thank you,

Bob Kiley
Hacienda Storage Manager



PO Box 271391 • West Hartford CT 06127 • Phone (860) 523-1292 • Fax (860) 523-[illegible]
E-Mail jclisham@selfstor.com Web www.selfstor.com

Date February 5, 2013
To General Law Committee
From JR Clisham
RE Support for Senate Bill 752

I am writing this letter in support of Senate Bill 752 (2012 Bill No. 5088), An Act Concerning Self-Service Storage Facility Liens. I own and/or manage self storage facilities in Glastonbury, Plainville, Meriden, West Hartford, Waterbury, Bloomfield and Simsbury. In addition, I am the Immediate Past President of the Connecticut Self Storage Association as well as the current Vice-Chairman of the National Self Storage Association. Over the years, I have met several times with elected state officials, including the chairs of the General Law Committee, on behalf of the self storage industry in Connecticut. I would be at the hearing on Thursday February 7th to testify in person if I were not unavoidably out of state on business.

My position is simple - certified mail should not be required for notification to delinquent tenants because it does not work. Over 50% of the certified mails we send out come back not signed for, and therefore, undelivered. It is a waste of money for small business owners such as myself. In addition, certified mailings do not serve the purpose of notifying the delinquent tenant. Consider that if a delinquent tenant has moved, certified mails do not get forwarded. However, first class mail mailed under the United States Post Office certificate of mailing category does in fact get forwarded and still provides proof, at a much lesser cost, that notice was mailed.

The statute should be amended to strike the onerous and ineffective certified mail requirement, and in its place, the effective method of first class certificate of mail should be allowed.

I have found that using electronic mail is very effective and continue to support the language in the 2012 Bill 5088 that allows for electronic notification.

Sincerely,

J.R. Clisham

J R Clisham, Owner

Stor-It-All, Inc.
P.O. Box 333
Sharon, CT 06069

February 6, 2013

Dear Legislators,

I am writing this in support of Senate Bill 752, An Act Concerning Self Storage Facility Liens.

My family has owned and operated self-storage facilities since 1989. Through those years we have seen many legislative changes. Some have not always been positive and have increased our customers' costs substantially.

Below are some examples of why it is important that Senate Bill 752 should be supported:

- Certified return receipt mail is expensive and doesn't get forwarded if someone has moved. About 50% of the certified letters mailed get returned as undeliverable.
- First class letters mail under the Post Office's certificate of mail category are forwarded by the postal service. More effective due to the transient nature of storage tenants for getting notice to them; reduces costs of mailing -- costs that are passed on to the tenant making this option consumer-friendly.
- Electronic mail is the most effective and most requested form of communication by our tenants. While most tenants are in transition and their mailing addresses change frequently, their e-mail addresses usually stay the same. We are fast becoming an electronic society, continuously connected via computers and smart phones making the option of notification very effective
- Remove requirement to advertise in a local paper. There are two objectives of advertising 1) public notice of the sale. It is very, very rare that a tenant in default learns of the default via published notice. and, 2) to maximize the number of bidders at the lien sale. Newspaper advertising has become ineffective because people are not reading the newspapers any more, they are going to the Internet and using search engines to find auctions.
- Newspaper advertising is not only ineffective but it is expensive. This cost is passed on the consumer so this change is also consumer-friendly
- Additionally, newspapers are disappearing and finding a local paper to advertise in has become difficult in many areas. We believe it is better to allow electronic publication of notices on a website designated in the rental agreement. The part of the lien law that requires us to post signs in the local vicinity is also antiquated and ineffective and in conflict with sign ordinances in many communities

I would also like to note that facilities go out of their way to reach the delinquent tenant. We not only try to contact the tenant but most of us also reach out to the emergency contact listed in the rental agreement We do not want to go to auction where we are lucky to make 20 cents on the dollar. We would prefer to settle with the tenant

Thank you for your time and consideration with this important matter to our industry.

Sincerely,

Brian Riva, Owner

H – 1160

CONNECTICUT
GENERAL ASSEMBLY
HOUSE

PROCEEDINGS
2013

VOL.56
PART 11
3446 – 3814

Those absent and not voting 15

SPEAKER SHARKEY:

The Bill as amended passes.

Will the Clerk please Calendar 442?

THE CLERK:

On page 26, Calendar 442, favorable report of the Joint Standing Committee on General Law, Substitute Senate Bill 752, AN ACT CONCERNING SELF-SERVICE STORAGE FACILITY LIENS.

SPEAKER SHARKEY:

Representative Baram, you have the floor, sir.

REP. BARAM (15th):

Good evening, Mr. Speaker. I move for acceptance of the Joint Committee's favorable report and passage of the Bill in concurrence with the Senate.

SPEAKER SHARKEY:

The question before the Chamber is the acceptance of the Joint Committee's favorable report and passage of the Bill in concurrence with the Senate.

Will you remark, sir?

REP. BARAM (15th):

Thank you, Mr. Speaker. This bill allows the owner of a self-storage facility to send electronic notice of default to any renter or secured party.

That notice has to have a read receipt so that there's confirmation that the electronic notice was received. It also has an informational note which indicates that upon opening the email or electronic notice, it is acceptance of the notice.

This was passed unanimously by the General Law Committee and the Senate passed it obviously. There's no fiscal note. This would take effect upon passage of the Bill. I move passage of the Bill.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark? Do you care to remark further on the Bill that's before us?

Representative Simanski of the 62nd, you have the floor, sir. Representative Simanski is waiving his right to speak on the Bill before us.

Representative Aresimowicz of the 30th District, you're lit up, sir. Sorry. Thank you.

Representative Carter of the 2nd District, you have the floor, sir.

REP. CARTER (2nd):

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

It took a long time to get to you.

REP. CARTER (2nd):

Thank you, Mr. Speaker. I thought you were never going to get to me there for a minute. Mr. Speaker, I would thank the good Chairman of the Committee for bringing out this Bill. It was passed unanimously through Committee.

It's a very good Bill in the sense that it takes a nice burden off some of the smaller self-storage facilities and it also does so by protecting the consumer's rights. I urge passage of the Bill. Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further on the Bill that's before us? Do you care to remark further?

If not, staff and guests to the well of the house, members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the chamber immediately?

SPEAKER SHARKEY:

Have all the members voted? Have all the members

voted? If all the members have voted, the machine will be locked and the Clerk will take a tally.

Representative Vicino, for what purpose do you rise?

REP. VICINO (35th):

In the affirmative.

SPEAKER SHARKEY:

Please record Representative Vicino's vote in the affirmative.

Clerk please announce the tally.

THE CLERK:

Bill 752 in concurrent with the Senate.

Total number voting	135
Necessary for passage	68
Those voting Yea	129
Those voting Nay	6
Those absent and not voting	15

SPEAKER SHARKEY:

The Bill passes.

Just reminding members if they can stay close the Chamber, we'll be calling these votes very quickly. We only have a handful left and we'd like to get out tonight.

Will the Clerk please Calendar Number 301?

S - 655

CONNECTICUT
GENERAL ASSEMBLY
SENATE

PROCEEDINGS
2013

VOL. 56
PART 4
911 - 1212

Thank you.

Are there any other points of personal privilege?

The -- the Senate will stand at ease for a moment.

(Chamber at ease.)

THE CHAIR:

Call the Senate back to order.

And Senator Looney.

SENATOR LOONEY:

Thank you. Thank you, Madam President.

Madam President, we have some additional markings at this time and some items previously marked go to be placed on the Consent Calendar. We appreciate the bipartisan cooperation on that, to help move things along today. So if we would, taking them in -- in Calendar order, Madam President, a couple of changes.

First of all, there was one item that was marked go that needs to be marked passed, retaining its place on the Calendar. That is the item at the bottom of Page 6, Calendar 119, Substitute for Senate Bill Number 564, should be marked passed, retaining its place on the Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Okay; and moving to Calendar Page 10, Madam President, on Calendar Page 10, Calendar 166, Substitute for Senate Bill Number 752, previously marked go; Madam President would move to place that item on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, moving to Calendar Page 12, the fourth item on that page, Calendar 190, Substitute for Senate Bill Number 829, previously marked go, would move to place that item also on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Moving to Calendar Page 13, third item on that page, Calendar 199, Substitute for Senate Bill Number 11; Madam President, would move to place that item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, moving to Calendar Page 15, at the bottom of that page, Calendar 218, Senate Bill Number 996; Madam President, move to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir, seeing no objection.

SENATOR LOONEY:

Thank you, Madam President.

Opposed?

The amendment passes.

Senator Looney.

SENATOR LOONEY:

Yes. Yes; thank you. Thank you, Madam President.

Madam President, would move that the bill as amended be referred to the Committee on Planning and Development.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, before calling for a vote on the Consent Calendar, there's one item that needs to be removed from the Consent Calendar, and that was Calendar, from Calendar Page 9, Calendar 1 -- 162, Senate Bill 318, placed on Consent earlier. That needs to be removed from -- from Consent at that point, and if the Clerk would then move to list the items on the Consent Calendar and call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 1, Calendar 401, Senate Joint Resolution Number 53, also Calendar 402, Senate Joint Resolution Number 54.

On Page 2, Calendar 415, House Joint Resolution Number 89; Calendar 416, House Joint Resolution Number 90; Calendar 417, House Joint Resolution Number 91; Calendar 418, House Joint Resolution Number 92; Calendar 419, House Joint Resolution Number 93.

On Page 3, Calendar 420, House Joint Resolution Number 94; Calendar 426, Senate Resolution Number 26.

On Page 10, Calendar 166, Senate Bill Number 752.

Page 12, Calendar 190, Senate Bill Number 829.

On Page 13, Calendar 199, Senate Bill Number 11.

Page 15, Calendar 218, Senate Bill Number 996.

On Page 16, Calendar 220, Senate Bill Number 1001.

Page 24, Calendar 292, Senate Bill Number 692.

On Page 34, Calendar 382, Senate Bill 466.

On Page 43, Calendar 150, Senate Bill Number 815.

And on Page 45, Calendar 249, Senate Bill Number 806.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote, and the machine will be open on the Consent Calendar.

THE CLERK:

Immediate roll call has been ordered on -- in the Senate. Senators please return to the Chamber. Immediate roll call, today's Consent Calendar, in the Senate.

THE CHAIR:

Have all members voted; all members voted? The machine will be closed.

Mr. Clerk, will you please call the tally.

THE CLERK:

On today's Consent Calendar.

Total Number Voting	34
Those voting Yea	34

Those voting Nay 0
Absent and not voting 2

THE CHAIR:

The Consent Calendar passes.

Senator Welch, do you have a -- a point of personal privilege?

SENATOR WELCH:

Thank you, Madam President.

I do rise for a point of personal privilege, and I'd just like to take a second to recognize a very special group, I think, to all of us here, and that is the Parent Leadership Training Institute. Today we have with --

THE CHAIR:

Excuse me.

SENATOR WELCH:

-- us --

THE CHAIR:

Excuse me a minute, sir.

Can I ask for a little bit of quiet in the, in the Circle, please? Senator Welch does have the floor.

SENATOR WELCH:

Thank you, madam.

THE CHAIR:

Please keep the voice down.

SENATOR WELCH:

Thank you.