

May 25, 2006

S 2010. AIRCRAFT MECHANICS' LIEN. Filed 5/25/06. *TO ESTABLISH A STATUTORY LIEN FOR UNPAID LABOR, SKILL, OR MATERIALS ON AN AIRCRAFT AND FOR UNPAID STORAGE OF AN AIRCRAFT.* Adds Article 5 to GS Chapter 44A creating a lien on aircraft for unpaid labor on or storage of an aircraft. The lien is for the contract price, or in the absence of a contract price, for the reasonable value of the services and has priority over perfected and unperfected security interests. The lien is established by the lien claimant's holding the aircraft for payment or filing a notice of lien with the register of deeds in the county where the services were performed. The lien ceases 90 days after the lien claimant voluntarily relinquishes possession of the aircraft unless the lien claimant files a notice of lien. Directs the registers of deeds to create a index of aircraft liens and specifies a registration fee to be assessed. Sets out provisions for lien claimant to terminate lien upon full payment. If the lien claimant has possession of the aircraft, sets out procedure for the lien claimant to sell the aircraft at a public sale and distribute proceeds. Effective October 1, 2006, for liens created on or after that date and liens occurring before that date if the aircraft in the possession of the lien claimant on that date or had been voluntarily released within 90 days of the date.

Intro. by Hagan.

GS 44A

June 19, 2006

S 2010. AIRCRAFT MECHANICS' LIEN. Filed 5/25/06. Senate committee substitute makes the following changes to 1st edition. Amends GS 44A-2(a) to exclude aircraft from the lien provisions of Article 1 of GS Chapter 44A and makes technical and formatting changes throughout proposed Article 5 of GS Chapter 44A governing aircraft labor and storage liens. Amends GS 44A-50 (definitions) to (1) add definition of "lienor," (2) modify definitions of "aircraft" and "owner". Amends GS 44A-60 (notice of lien on an aircraft) to designate the office of the clerk of court as the place where the notice of liens must be filed (was, office of register of deeds in 2nd edition) and makes conforming changes to GS 44A-65 (notice of lien filed by clerk of court), GS 44A-75 (termination of a lien on an aircraft), and GS 44A-80 (fees).

Amends GS 44A-65 (notice of lien filed by clerk of court) to specify that the clerk of court must keep the notice of lien in a record (was, 2nd edition required register of deed to keep notice in "Index of Liens Upon Aircraft"). Amends GS 44A-85 to (1) delete provisions for public sale of an aircraft to enforce a claim of lien and (2) provide that GS 44A-4 (enforcement of lien by sale) and GS 44A-5 (proceeds of sale) govern enforcement of liens filed under proposed Article 5.

Enacts new GS 44A-90 (title of purchaser) to (1) provide that a purchaser for value acquires title to the property free of any interests over which the lienor was entitled to priority, and (2) require the lienor to provide the purchaser with a bill of sale containing a statement that the sale was conducted in accordance with Article 5.

Provides that the act applies to labor, skills, or materials furnished on an aircraft, or storage provided for an aircraft, on or after the effective date (was, applied to liens that occurred before that date if the aircraft was in the possession of a lien claimant on or after that date as well as any lien that occurred before that date if the aircraft was released from possession by a lien claimant no more than 90 days prior to that date).

June 22, 2006

S 2010. AIRCRAFT MECHANICS' LIEN. Filed 5/25/06. Senate committee substitute makes the following changes to 2nd edition. Modifies proposed GS 44A-55 to specify that the lien on an aircraft is perfected as of the date the labor, skill, or materials are first provided. Modifies proposal GS 44A-60 to change the duration of the lien to 120 days (was 90) after lienor surrenders possession unless a required court notice is filed. Deletes provision in proposed GS 44A-75 allowing the owner to file written documents with the court concerning the lien. Adds new provision to proposed GS 44A-85 allowing the owner to file a statement contrary to the lienor's claim amount up to 30 days after lienor files the claim in court (was three days). Modifies proposed GS 44A-80 to provide for fees in accordance with GS 7A-308.

July 11, 2006

S 2010. AIRCRAFT MECHANICS' LIEN/WINEMAKING (NEW). Filed 5/25/06. House committee substitute makes the following changes to 3rd edition. Incorporates the provisions of the first edition of H 1025 (Winemaking on Premises Permit): Enacts new GS 18B-1001(16) authorizing issuance of a permit to businesses that sell or rent equipment and providing space for the production of unfortified wine by individual consumers who are least 21 years old, but only in jurisdictions where unfortified wine sales are permitted. Prohibits the production or manufacture of wine by the permit holder and requires that any wine produced must be for the personal use of the customer only. Establishes \$400 fee for permit. Makes conforming changes.

August 14, 2006

SL 2006-222 (S 2010). AIRCRAFT MECHANICS' LIEN/WINEMAKING. *AN ACT TO ESTABLISH A STATUTORY LIEN FOR UNPAID LABOR, SKILL, OR MATERIALS ON AN AIRCRAFT AND FOR UNPAID STORAGE OF AN AIRCRAFT AND TO ALLOW THE ALCOHOLIC BEVERAGE CONTROL COMMISSION TO ISSUE PERMITS FOR 'WINEMAKING ON PREMISES' BUSINESSES.* Summarized in *Daily Bulletin* 5/25/06, 6/19/06, 6/22/06, and 7/11/06. Enacted August 10, 2006. Effective August 10, 2006, except as otherwise provided.