

Bill Patterson (Research)

From: Cooper, Allison <ACooper@bdixon.com>
Sent: Friday, February 28, 2014 02:59 PM
To: Bill Patterson (Research)
Cc: Gray, Jeffrey
Subject: RE: Proposed Legislation to be Considered by House Committee on Mechanics Liens and Leasehold Property

Bill:

As always, thanks for the information. On behalf of the NACM, we have the following comments to the proposals forwarded this week.

- Mechanics Liens- Leasehold Property Bill Draft: We are supportive of this draft. One matter for consideration and requested change would be to make the definitions consistent with those in 44A-7. In 44A-7, an "owner" *is a person who has an interest in the real property improved and for whom an improvement is made **and who ordered the improvement to be made.** "Owner" includes successors in interest of the owner and agents of the owner acting within their authority.* In light of the 44A-7 definition, we don't see the need for the definitions in 44A-8.1(a).
- NCLTA Proposal: This caught us off-guard. We are opposed to this being considered by the Committee at this time for a number of reasons. If this is being considered and is on the agenda for Monday, we want to be heard, so please add NACM to the speaker's list. I am not certain at this time who will speak. This proposal, particularly with respect to the subordination language is substantive in nature, does not fit within the study committee charge, and out of fairness to all stakeholders should be given appropriate time for comment and study.

Have a great weekend!

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From: Bill Patterson (Research) [<mailto:Bill.Patterson@ncleg.net>]

Sent: Wednesday, February 26, 2014 8:31 AM

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To Interested Stakeholders:

We are working to finalize a draft of proposed legislation to be discussed by the committee at its meeting on Monday afternoon. I'll send an email out to let you know when it has been posted on the committee website. I expect that to be later today.

Anyone wishing to submit comments on the proposed draft is requested to do so by email to me by Friday close of business. If you also wish to be heard at the meeting on Monday, please include that request in the email transmitting your written comments.

Thanks,

Bill Patterson
Committee Counsel
House Committee on
NCGA Research Division
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