

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1262  
Appropriations Committee Substitute Adopted 9/23/98  
Third Edition Engrossed 9/23/98

Short Title: Attorneys Fees/Settlement Funds.

(Public)

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Sponsors:

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Referred to:

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May 27, 1998

A BILL TO BE ENTITLED

1 AN ACT TO APPROPRIATE FUNDS FOR ATTORNEYS FEES IN A CASE  
2 CHALLENGING THE 1992 CONGRESSIONAL REDISTRICTING PLAN AND  
3 TO AUTHORIZE THE TRANSFER OF FUNDS TO THE RESERVE FUND FOR  
4 THE BAILEY/EMORY/PATTON CASES REFUNDS.  
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6 The General Assembly of North Carolina enacts:

7 Section 1. (a) There is established a special reserve fund in the Office of State  
8 Budget and Management to compensate the law firm of Maupin Taylor & Ellis, P.A. for  
9 its representation of Art Pope and others in the case of Pope v. Hunt, which is a challenge  
10 to the congressional redistricting plan adopted by the 1991 General Assembly. The fund  
11 shall be entitled "Reserve for Attorneys Fees in the Case of Pope v. Hunt."

12 (b) There is appropriated from the General Fund to the Office of State Budget and  
13 Management the sum of five hundred fifty thousand dollars (\$550,000) for the 1998-99  
14 fiscal year. The Director of the Budget shall allocate the funds from the Reserve for  
15 Attorneys Fees in the Case of Pope v. Hunt pursuant to the order entered in the case of  
16 Pope v. Hunt (97-1697, 4th Circuit Court of Appeals).

1 (c) Any funds remaining in the reserve established pursuant to this section after  
2 the firm of Maupin Taylor & Ellis, P.A. has been compensated pursuant to the Court's  
3 order shall revert to the General Fund.

4 Section 2. There is established in the Office of State Treasurer a Reserve Fund  
5 for the Bailey/Emory/Patton Cases Refunds.

6 There is transferred from General Fund overcollections for the 1997-98 fiscal  
7 year to the Office of State Treasurer, Reserve for the Bailey/Emory/Patton Cases  
8 Refunds, the sum of four hundred million dollars (\$400,000,000). These funds are  
9 hereby appropriated and shall be held in reserve and allocated pursuant to the Consent  
10 Order entered in the Bailey/Emory/Patton cases, 92 CVS 10221, 94 CVS 06904, 95 CVS  
11 06625, 95 CVS 08230, 98 CVS 00738, and 95 CVS 04346, in Wake County Superior  
12 Court on 10 June 1998.

13 Notwithstanding the provisions of G.S. 114-2.1 and G.S. 114-2.2, the Consent  
14 Order shall be effective when approved by the Court and the Governor signs this  
15 legislation into law.

16 Section 3. This act becomes effective July 1, 1998.