

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1997

SESSION LAW 1998-164
SENATE BILL 1262

AN ACT TO APPROPRIATE FUNDS FOR ATTORNEYS FEES IN A CASE
CHALLENGING THE 1992 CONGRESSIONAL REDISTRICTING PLAN AND
TO AUTHORIZE THE TRANSFER OF FUNDS TO THE RESERVE FUND FOR
THE BAILEY/EMORY/PATTON CASES REFUNDS.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

In the General Assembly read three times and ratified this the 30th day of September, 1998.

s/ Dennis A. Wicker

President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 8:32 p.m. this 30th day of September, 1998