



## REDISTRICTING

Redistricting court cases here are about as unpredictable as North Carolina's weather, and that was on full display over the past few weeks. In our last report, we shared the news on the three-judge Superior Court panel's decision to decline a request to delay the 2022 primaries. Since then, a panel of the North Carolina Court of Appeals reversed that decision. Their decision would have halted filing for the U.S. House and state legislative races on the very day that filing was set to begin. Later that day, the panel's decision was overturned by the full 15-member appeals court, which voted to lift the stay on filing and hold a hearing on the motion. From there, challengers appealed the ruling to the Supreme Court. This brings us to the latest order, which suspended candidate filing for the 2022 primary elections and ordered that the primaries be delayed until May 17th rather than the scheduled March 8th. This ruling goes a step further than the initial ruling, which would have halted filing for the U.S. House and legislative races, and shuts down all candidate filing and delays all state primary elections, including local races.

The Supreme Court has required the original three-judge panel to rule on the merits of the two ongoing redistricting lawsuits by January 11th, to be followed by an expedited appeals process if necessary. "In light of the great public interest in the subject matter of these cases, the importance of the issues to the constitutional jurisprudence of this state and the need for urgency in reaching a final resolution on the merits at the earliest possible opportunity, the court grants a preliminary injunction and temporarily stays the candidate-filing period for the 2022 elections for all offices until such time as a final judgment on the merits of the plaintiffs' claims, including any appeals, is entered and a remedy, if any is required, has been ordered," the court said in its order.

According to the State Board of Elections, at least 1,400 candidates have already filed for federal, state, and local races. The order explains that anyone "who has already filed to run for public office in 2022 and whose filing has been accepted by the appropriate board of elections, will be deemed to have filed for the same office under the new election schedule for the May 2022 primary unless they provide timely notice of withdrawal of their candidacy to the board of elections during the newly-established filing period." That is, unless a candidate's eligibility is impacted by a court-order redraw of the maps or



## NORTH CAROLINA COLLEGE OF EMERGENCY PHYSICIANS



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### FOR MORE INFORMATION:

Colleen Kochanek  
Ashley Matlock Perkinson  
Rachel E. Beaulieu  
P.O. Box 1038  
Wake Forest, NC 27588  
919.809.5600

[colleen@kochaneklawgroup.com](mailto:colleen@kochaneklawgroup.com)  
[ashley@perkinsonlawfirm.com](mailto:ashley@perkinsonlawfirm.com)  
[rachel@beaulieuedlaw.com](mailto:rachel@beaulieuedlaw.com)  
[www.kochaneklawgroup.com](http://www.kochaneklawgroup.com)

of certain districts. In that case, their previous candidate filing will not be counted. All candidates will have the option to withdraw their candidacy, and/or run for another office in which they are eligible, during the new filing period. Dates for a new candidate filing period have not been set.

This delayed schedule will most likely impact the General Assembly's legislative schedule, as well. Now that the primary has been pushed back to the middle of May, it is likely that the legislative short session will not begin until late May or early June.

#### CAMPAIGN ANNOUNCEMENTS

Although candidate filing was brief, there were still some significant announcements in between the court orders. See below for a few announcements from this week.

##### Senate Majority Leader Kathy Harrington Announces Retirement

Sen. Kathy Harrington has announced she will not run for re-election next year. Harrington, a Gaston County Republican, has served six terms in the Senate and holds one of the top posts as Majority Leader. She has endorsed Brad Overcash as her potential successor. Overcash is an attorney and partner with the Parker Poe law firm. He chaired the Gaston College Board of Trustees, is on the Gaston County Family Advisory Board, and has served in state and local GOP posts.

##### Rep. Allen McNeill Announces Retirement

Republican Rep. Allen McNeill will not seek re-election after serving five terms in the House. Rep. McNeill plans to continue to serve his constituents in Randolph and Moore counties until his current term is up at the end of 2022.

##### Former Congressman Mark Walker Considers Dropping U.S. Senate Bid and Running for Congress

U.S. Senate candidate and former Congressman Mark Walker will likely drop his bid for the U.S. Senate and run in the newly drawn 7th Congressional District. Rep. Jon Hardister was considering a run for this Congressional seat, but he has officially filed for another term in the State House. Rumor has it, Walker's switch is egged on by former President Trump who is backing Congressman Ted Budd for the U.S. Senate race. Walker told reporters Thursday that he will be discussing this with his family over the holidays before officially announcing anything. If Walker is out, it will be a two-man race between Governor Pat McCrory and Congressman Ted Budd in the Republican primary.

##### Bo Hines Switches Congressional Districts...Again

Fourth times the charm? Bo Hines, a political newcomer who played one year of football for NC State University, now is expected to run in the newly-drawn 4th Congressional District. He is currently registered to vote in Winston Salem, and previously filed for the 5th Congressional District, then the 13th District and then the 7th District, before this fourth choice. Hines appears to be connected to Congressman Cawthorn's "plan for North Carolina." A map with Cawthorn's official seal on it shows his hand-picked choices for various races throughout the state. This includes Bo Hines, and has him running in the 4th District to make room for Senate candidate Mark Walker to run in the 7th District. Former President Trump is rumored to have given this plan his blessing and plans to endorse the list of candidates. Hines appears to be following the Cawthorn playbook: he's a young newcomer becoming well-known through social media and uses contentious statements to gain attention. The seat is Republican-leaning as it stands, so the real fight is likely to be in the primary. A Trump endorsement of Hines would have a major impact on

Hines' chances in the district, given there are seasoned, well-known leaders running in the area, including Rep. John Szoka.

#### COOPER FOR PRESIDENT?

There is a lot of speculation about where Roy Cooper goes next after his second term as Governor is over, and one of those rumors would take him straight to the White House. The Democratic Governor has an impressive record, one that could be an asset in a national race. He has served in the state Senate, as North Carolina's Attorney General, and is in his second term as Governor. In a politically divided state, he has never lost a race. A Nashville, North Carolina native, Gov. Cooper has a background that plays well in traditionally conservative areas. His family farmed in the Nash County area for centuries. In a state that went for President Trump in 2020, a majority of voters also voted for Democratic Governor Cooper.

His success in a purple state hasn't just gained attention from North Carolina politicians. At the recent Democratic Governors Association meeting, Gov. Cooper was unanimously elected to serve as the Chair of the organization in 2022. Just one day after he was elected DGA Chairman, an article ran in The New York Times which claimed that the Governor was being encouraged by donors to consider a run for president in 2024. The report goes on to say that Gov. Cooper addressed reporters at the meeting, saying he fully expects President Biden to seek re-election in 2024 and that he would support him. That said, his answer doesn't mean he won't ultimately run. It would be frowned upon for a member of the party of the sitting president to announce a challenge, especially before President Biden has announced his re-election plans. With President Biden's poll numbers continuing to plunge, alongside Vice President Kamala Harris's, discussions among party insiders about alternatives are beginning earlier than usual for a president still in his first year of his first term. On top of his present unpopularity, concerns about his age continue to loom over the idea of a second term for President Biden. President Biden would be turning 82 the month he'd be on the ballot. As of now, there is no consensus among Democrats on who the best alternative would be if President Biden doesn't seek re-election, but it's safe to say Governor Cooper is on the list.

#### JEFF JACKSON ENDS BID FOR US SENATE

This week, State Senator Jeff Jackson ended his campaign for the soon-to-be-open U.S. Senate seat, and endorsed the current front runner, former North Carolina Supreme Court Chief Justice Cheri Beasley. Jackson explained that it was time to unite as a party in order to win the seat. "Unlike the Republicans in this race, we won't be participating in a costly and divisive primary. If we're going to flip this seat in November, we need to unite—and we need to unite behind Cheri," Jackson said in his announcement. On the Republican side, former Gov. Pat McCrory and Congressman Ted Budd are leading the field, along with former Congressman Mark Walker who is expected to leave the race and run for Congress instead.

As of now, it appears that Jackson will be taking a step back from politics. Instead, he told reporters he will be spending the next year "running for Dad of the Year," after a tough year campaigning often away from his family. Prior to his announcement, Rep. Rachel Hunt announced her intention to run for his state senate seat, which Jackson has said he supports.

#### HOLIDAY HOURS

Our office will be closed from Tuesday, December 21st through Wednesday, January 5<sup>th</sup>. If you need anything in the meantime don't hesitate to reach out. We hope you and your families have a wonderful holiday season and a very happy New Years.

## BILL UPDATES

HOUSE BILL 220, Choice of Energy/Modify Pub. Rec./TC. On December 9, 2021, Governor Cooper vetoed this bill that would prohibit cities and counties from adopting an ordinance that prohibits, or has the effect of prohibiting, the connection, reconnection, modification, or expansion of an energy service based upon the type or source of energy to be delivered to an individual or any other person as the end-user of the energy service. In his veto, Gov. Cooper states that, “This legislation undermines North Carolina's transition to a clean energy economy that is already bringing in thousands of good paying jobs. It also wrongly strips local authority and hampers public access to information about critical infrastructure that impacts the health and well-being of North Carolinians.”

HOUSE BILL 294, Sale of Salvage Vehicles. This bill that would allow dealers to sell used vehicles issued a salvage certification without conducting a safety inspection was vetoed by Governor Cooper on December 9, 2021, stating that the legislation removes a layer of protection for consumers when buying a vehicle.

SENATE BILL 725, Prohibit Private Money in Elections Admin. This bill that would prohibit the State Board of Elections, county boards of election, and county boards of commissioners from accepting private monetary donations, directly or indirectly, for conducting elections or employing individuals on a temporary basis was vetoed on December 9, 2021. Governor Cooper writes that, “Elections are fundamental to our democracy and in 2020, grants from nonpartisan nonprofits were needed for necessities such as masks, single-use pens and other protective equipment so voters stayed safe during the pandemic. The legislature should start properly funding elections boards to ensure accessible, safe, and secure elections every time, which would end the need for grants.”

- Colleen Kochanek  
NCCEP Legislative Counsel  
Kochanek Law Group  
919.809.5601  
[colleen@kochaneklawgroup.com](mailto:colleen@kochaneklawgroup.com)  
[www.kochaneklawgroup.com](http://www.kochaneklawgroup.com)<sup>i</sup>

Ashley Matlock Perkinson  
Perkinson Law Firm  
919.210.8209  
[ashley@perkinsonlawfirm.com](mailto:ashley@perkinsonlawfirm.com)

Rachel E. Beaulieu  
Rachel E. Beaulieu Law Office, PLLC  
919.896.6296  
[Rachel@BeaulieuEdLaw.com](mailto:Rachel@BeaulieuEdLaw.com)

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