



INTRODUCTION

The legislature released their highly anticipated redistricting plan and went about quickly to approve it. These maps will have a heavy hand in shaping the political makeup of the legislature and our State's Congressional delegation for the remainder of this decade. Redistricting maps are not subject to vetoes by the Governor, nor do they require his signature. North Carolina has a long history of litigation over the maps and we have no doubt that these maps will be litigated as well; however, with new rulings that seem to allow partisan gerrymandering, it will be more difficult to challenge these maps.

Congressional Maps

Legislators approved a new Congressional map that will likely result in Republicans holding 10 seats out of 14 with one competitive seat. Under the court-ordered map used in 2022, 7 Democrats and 7 Republicans were elected into office. That means several Democrats on the Hill this year are almost certainly coming home in 2024. The most vulnerable Democratic incumbents would be Reps. Manning, Jackson, and Nickel. Rep. Davis' district will be much more competitive. The approved Congressional map creates an opportunity for the current House Speaker Tim Moore to run for Congress in his home district if he so chooses.

Senate Map

The new Senate map would likely secure a Republican supermajority in the future, with early partisan data tracking the new map to result in 29 safe Republican seats, 17 safe Democratic seats, and 4 toss-up districts. It would also double-bunk a number of incumbents, including Wake County Democrats Sens. Grafstein and Chaudhuri. The map would also place Democratic Sen. Marcus into Republican Sen. Sawyer's district; this new district would have a heavy Republican lean. Democratic Sen. Sydney Batch is drawn into Sen. Gale Adcock's district, and her fellow Democrat Mary Wills Bode's district was redrawn to be a Republican-leaning seat.

House Map

The race to 72 for a supermajority in the House could certainly be within grasp for Republicans under this new map. Early partisan data suggests that this map would result in roughly 67



NORTH CAROLINA COLLEGE OF EMERGENCY PHYSICIANS



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safe Republican seats, 44 safe Democratic seats, and 9 toss-up districts. The new map creates some double-bunks, but they are in districts where one of the incumbents has already announced other plans for 2024. For instance, the map places Democratic Rep. Diamond Staton-Williams and Republican Rep. Kristin Baker in the same district, however Rep. Baker has already announced that she will not be running for re-election. Even though Rep. Staton-Williams won't have to face another incumbent in this district, it will still likely be a challenging district to hold onto as a Democrat. Democratic Reps. Terence Everitt and Lindsey Prather would also likely have challenging elections ahead under these new maps.

Rep. Cotham's political future was often questioned following her announcement to switch parties earlier this session. The switch to the Republican party was frowned upon to say the least by many of her constituents in her Democrat-leaning home district. Under the new House map, Rep. Cotham would no longer be in a strong Democratic district. In fact, her new district would have a Republican leaning. However, her options don't just end there. Under the Congressional map, Rep. Cotham would be part of a seemingly open Republican-leaning Congressional district. This district includes areas currently represented by Rep. Dan Bishop, who has already launched his campaign for Attorney General.

NEW CANDIDATE IN GOVERNOR'S RACE

A Salisbury trial lawyer has joined the race to be North Carolina's next Governor. Bill Graham joins a list of high-profile Republicans vying for the position. This is not Graham's first campaign. Graham also ran for Governor in 2008 unsuccessfully. "We need a nominee who will have the resources, discipline and character needed to defeat the far-left Josh Stein in November," Graham said.

LEADERS BACK REP. DESTIN HALL FOR NEXT SPEAKER

The question of who will become the next Speaker of the state House appears to have been answered. There were three names that rose to the top of everyone's list as possible successors to Speaker Moore: House Majority Leader John Bell, House Appropriations Chair Jason Saine, and House Rules Chairman Destin Hall. In an effort to unite the caucus, and avoid a situation like what has unfolded in DC, Leader Bell and Chairman Saine have decided to back Chairman Destin Hall to be the next Speaker. "We're friends here and there's no point in continuing on a battle like that," Hall told Axios. "It makes for a stronger, united caucus down the road if you're on the same page." Rep. Hall intends to appoint Leader Bell to be the next Rules Chairman. Although the vote for the next Speaker is over a year away, this almost ensures that Rep. Hall will be elected. In light of this early decision, it's possible we also see Speaker Moore step down before his term is up to perhaps focus on a run for Congress.

NEW MAPS

The new maps have been passed into law. In North Carolina, that means it's time for gerrymandering lawsuits. This year will look different than years' past because our now Republican-led state Supreme Court has already determined that they have no jurisdiction over partisan gerrymandering claims. This likely means that the only valid legal argument that could be made over new maps drawn in our state is racial gerrymandering. In recent months, the U.S. Supreme Court struck down Alabama's redistricting plan for violating the federal Voting Rights Act. Republican leaders have reiterated throughout this process that they did not use racial data to create any of the new maps. Nonetheless, many state Democrats and advocate groups suggest that the new maps dilute minority votes, especially in rural areas. "We are exploring racial gerrymandering claims right now," U.S. Rep. Deborah Ross said at a press conference with state

Democrats. “...We’re lawyering up.” Meanwhile, Republican leaders continue to stand by their maps. “We wouldn’t pass these maps if we didn’t think they wouldn’t stand up in court,” Berger told reporters. “... It wouldn’t surprise me if along the way, before we get a final decision from courts, that you might find a court that has some problem with some part of the maps — but it’s our belief that when all is said and done, these maps will stand.”

NEW US HOUSE SPEAKER NAMED

North Carolina’s own, Rep. Patrick McHenry, has laid down the gavel after 22 days as interim Speaker of the House. While many North Carolinians hoped McHenry’s position would become permanent, McHenry made it clear that he was not interested in holding the position long-term. Rep. Mike Johnson of Louisiana was ultimately named the new Speaker of the House following four nominations and rounds of votes. He is currently serving his third term in Congress. A staunch supporter of former President Donald Trump, Johnson served on Trump’s legal defense team during the impeachment hearings and helped contest the 2020 election results.

CAMPAIGN ANNOUNCEMENTS

We’re starting to hear some surprising (and not-so-surprising) campaign announcements in lieu of the new maps and candidate filing starting in just over a month. Please see below for some of the campaign announcements.

JEFF JACKSON RUNNING FOR NC ATTORNEY GENERAL

Freshman Congressman and former state Senator Jeff Jackson has announced his candidacy for Attorney General. This announcement follows the release of the state’s new Congressional map, which would make Jackson’s home district nearly impossible to win as a Democrat. Jackson will likely face off with Republican Congressman Dan Bishop, also of the Mecklenburg County area and also a former state Senator. This race is expected to be a dynamic, competitive race. It is also expected to be an expensive one, perhaps the most expensive Attorney General race this state has ever seen, which says a lot since Attorney General Josh Stein has already broken fundraising records in recent years.

MARK WALKER DROPS OUT OF GUBERNATORIAL RACE & RUNNING FOR CONGRESS

Former Congressman Mark Walker has made a change of plans. Instead of running for Governor, he will again seek a seat in the U.S. House. The new Congressional map creates a vacant district encompassing all of Rowan, Davidson, and Davie counties, as well as parts of Cabarrus, Forsyth, and Walker’s home county of Guilford. With Walker out of the race, Lieutenant Governor Mark Robinson’s already likely odds of being the Republican nominee just got better. However, State Treasurer Dale Folwell is still in the race and is likely Robinson’s main competition in the primary.

PLAINTIFF IN FORMER SUIT AGAINST SPEAKER RUNNING FOR STATE SENATE

Former Apex Town Council member Scott Lassiter is running for state Senate in a new Southern Wake district. Lassiter also ran for a state House seat in the past election cycle, but dropped out once the maps put him in a Republican incumbent’s district. Aside from his political experience, Lassiter is known in North Carolina for his lawsuit against Speaker Moore over the summer. Lassiter sued Moore for alienation of affection, claiming that an affair with Speaker Moore destroyed his marriage. The pair settled the lawsuit in early July.

SEN. LISA GRAFSTEIN SWITCHING DISTRICTS

Lassiter already has a primary opponent lined up in the new 13th state Senate district. Sen. Grafstein, who was double-bunked with Sen. Chaudhuri, announced this week that she will be moving to the southern Wake County district and will run for the seat.

With the new maps, the legislature has adjourned its long session until a date certain in which limited matters can be considered (see the adjournment resolution below for more details). The legislature is set to reconvene on November 29th, December 20th, January 17th, February 14th, March 13th, and April 10th. At these times, only certain matters will be eligible to be considered. This includes vetoes from Gov. Cooper, appointments and nominations, elections-related matters including redistricting, and bills responding to actions related to litigation challenging the legality of legislative enactments. The short session is set to begin on April 24, 2024.

BILL UPDATES

HOUSE BILL 415, Stop Addiction Fraud Ethics Act, prohibits substance abuse treatment providers and facilities from knowingly providing false information with the intent to defraud regarding treatment facilities and services. It also requires all such providers to share information on all types of services they provide, average lengths of stays in residences and facilities, and financial relationships between the providing facility and any publisher of marketing materials. Operators of recovery residences and residential treatment facilities that also provide outpatient services must clearly disclose the nature of those relationships and distinguish between the two services. The bill makes it unlawful for treatment providers and laboratories or other health care providers to solicit or receive anything of value in exchange for referrals. **The bill was approved by both the House and Senate and has been signed into law by the Governor.**

SENATE BILL 508, 2023 Budget Tech/Other Corrections, was amended to become this year's technical corrections bill for both budgetary and policy matters. One change in the bill delays lobbying fee increases that were in the budget from taking effect from January 2024 to January 2025. **The bill was approved by the House and has been sent to the Senate to consider the changes made to the bill.**

SENATE JOINT RESOLUTION 760, Adjournment Resolution. The resolution adjourns the 2023 Regular Session of the General Assembly to a date certain and limits the matters that may be considered upon reconvening. When the House and Senate adjourn on October 25, 2023, they stand adjourned to reconvene on November 29-30, December 20-21, January 17-18, February 14-15, March 13-14, and April 10-11. When the session reconvenes, only the following matters may be considered:

- (1) bills vetoed by the Governor solely for the purpose of considering overriding of the veto upon reconsideration of the bill;
- (2) bills providing for the selection, appointment, or confirmation as required by law, including the filling of vacancies of positions for which the appointees were elected by the General Assembly upon recommendation of the Speaker of the House of Representatives, President of the Senate, President Pro Tempore of the Senate, or a minority leader of a chamber of the General Assembly;
- (3) bills providing for action on gubernatorial nominations or appointments;
- (4) bills responding to actions related to litigation challenging the legality of legislative enactments;

- (5) any bills relating to election laws, including bills concerning the districts for Congressional, State House, State Senate, judicial, municipal, county, and other elected officials, and containing no other matters;
- (6) bills providing for impeachment pursuant to Article IV of the North Carolina Constitution or GS Chapter 123;
- (7) simple resolutions addressing organizational matters of each respective house;
- (8) adoption of conference reports for bills for which conferees had been appointed by both houses on or before Wednesday, October 25, 2023; and
- (9) a joint resolution further adjourning the 2023 Regular Session, amending a joint resolution adjourning the 2023 Regular Session, or adjourning the 2023 Regular Session, sine die.

For the regular session that convenes on Wednesday, April 24, 2024 (This is the session traditionally called the “short session”), limits what may be considered to:

- (1) bills directly and primarily affecting the State budget, including (i) the budget of an occupational licensing board for fiscal year 2024-25 and (ii) bills authorizing a fee for a unit of State government or political subdivision of the State, if the bill is submitted to the Bill Drafting Division by 4:00 P.M. Monday, April 15, 2024, and introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Thursday, May 2, 2024;
- (2) bills:
 - a. proposing an amendment(s) to the North Carolina Constitution and containing no other matter,
 - b. proposing an amendment(s) to the North Carolina Constitution and containing no other matter other than statutory conforming changes to implement such bills, or
 - c. solely making statutory and transitional changes to implement these types of bills;
- (3) bills and resolutions introduced in 2023 (i) that passed third reading in 2023 in the house in which introduced, were received in the other house in accordance with Senate Rule 41 or House Rule 31.1(h) (crossover deadline), as appropriate, and not disposed of in the other house by tabling, unfavorable committee report, indefinite postponement, or failure to pass any reading, and which do not violate the rules of the receiving house or (ii) not subject to the crossover deadline;
- (4) bills and resolutions implementing the recommendations of:
 - a. study commissions, authorities, and statutory commissions authorized or directed to report to the 2023 Regular Session,
 - b. the General Statutes Commission, the Courts Commission, or any commission created under GS Chapter 120 that is authorized or directed to report to the NCGA,
 - c. the House Ethics Committee,
 - d. select committees, or
 - e. the Joint Legislative Ethics Committee or its Advisory Subcommittee, requires that these bills be submitted to the Bill Drafting Division by 4:00 P.M. Monday, April 15, 2024, and filed for introduction in the Senate or introduced in the House of Representatives by 4:00 P.M. Wednesday, May 1, 2024;
- (5) any local bill that submitted to the Bill Drafting Division by 4:00 P.M. Monday, April 15, 2024, and is introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Tuesday, May 7, 2024;
- (6) bills providing for the selection, appointment, or confirmation as required by law, including the filling of vacancies of positions for which the appointees were elected by the NCGA upon recommendation of the Speaker of the House, President of the Senate, or President Pro Tempore of the Senate;
- (7) bills providing for action on gubernatorial nominations or appointments;

- (8) any matter authorized by joint resolution passed by a two-thirds majority of the members present and voting in each chamber, requires that such a bill or resolution have a copy of the ratified enabling resolution attached to the jacket before filing;
- (9) a joint resolution authorizing the introduction of a bill under subdivision (8) above;
- (10) any bills primarily affecting any State or local pension or retirement system, if the bill has been submitted to the Bill Drafting Division by 4:00 P.M. Monday, April 15, 2024, and is introduced in the House of Representatives or filed for introduction in the Senate by 4:00 P.M. Thursday, May 2, 2024;
- (11) joint resolutions and simple resolutions authorized for introduction under Senate Rule 40.1 or House Rule 31;
- (12) bills vetoed by the Governor solely for the purpose of considering overriding of the veto upon reconsideration of the bill;
- (13) bills responding to actions related to litigation concerning the districts for Congressional, State House, State Senate, judicial, municipal, county, and other elected officials' actions and any other litigation challenging the legality of legislative enactments;
- (14) any bills relating to election laws, including bills concerning the districts for Congressional, State House, State Senate, judicial, municipal, county, and other elected officials;
- (15) bills to disapprove rules under GS 150B-21.3;
- (16) bills providing for impeachment pursuant to Article IV of the North Carolina Constitution or GS Chapter 123; and
- (17) a joint resolution further adjourning the 2023 Regular Session, amending a joint resolution adjourning the 2023 Regular Session, or adjourning the 2023 Regular Session, sine die.

The resolution also allows the Speaker of the House or the President Pro Tempore of the Senate to authorize committees or subcommittees to meet during the interims between sessions to (1) review matters related to the State budget for 2023-25, (2) prepare reports, including revised budgets, or (3) consider any other matters as the Speaker of the House or the President Pro Tempore of the Senate deems appropriate. Allows a conference committee to meet in the interim with approval by the Speaker of the House or the President Pro Tempore of the Senate. **The resolution was approved by the House and Senate and became law on October 25, 2023.**

SENATE BILL 761, Additional General Assembly Appointments, appoints persons to various public offices upon the recommendation of the President Pro Tempore of the Senate and the Speaker of the House of Representatives and makes corrections to previous appointments, including:

- Molly Jordan of Durham County, Sherry Bernardo of Lincoln County, Dr. Joshua L. Blanton of Cleveland County, and Dr. Reynolds O. Gray of Cabarrus County are appointed to the Commission for Public Health for terms expiring on April 30, 2027.
- Effective November 1, 2023, Robert E. Barnhill, III, of Nash County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31, 2024. The Honorable Richard Y. Stevens of Wake County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31, 2024.
- Effective January 1, 2024, D. Brandon Greife of Wake County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31, 2025. Dr. R. Paul Riekers, Jr., of Wake County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31, 2025.
- Effective November 1, 2023, John E. Bailey, Jr., of Durham County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31,

2026. Gregory J. Wessling of Mecklenburg County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31, 2026.

- Effective November 1, 2023, Morgan Farrar Brown of Henderson County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31, 2027. Claude E. "Ted" Teague of Alamance County is appointed to the Board of Directors of the UNC Health Care System for a term expiring on October 31, 2027.
- Effective July 1, 2023, Dr. Edward C. Jauch of Buncombe County and John Dickerhoff of Cumberland County are appointed to the North Carolina Brain Injury Council for terms expiring September 30, 2027 (was June 30, 2027).
- Effective July 1, 2023, Barbara G. Beatty of Catawba County, Ashley M. Honeycutt of Wake County, Representative Frank Iler of Brunswick County, Representative Timothy Reeder, MD of Pitt County, Representative Becky Carney of Mecklenburg County, Amanda L. Wilson of Chatham County, Ryan S. Swanson of Wake County, and Joseph E. Propst of Wake County are all appointed to the Justus-Warren Heart Disease and Stroke Prevention Task Force for terms expiring June 30, 2025.

The bill as amended on the Senate floor was approved by the House and the Senate and became law on October 25, 2023. Effective: October 25, 2023, except as otherwise provided.

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