



GOV. COOPER VETOES HOUSE BILL 605, 2022 PRIMARY DATE

Friday, Governor Cooper vetoed House Bill 605. The bill, which would move the primaries to June 7th and move candidate filing to March 24th through April 1st, passed both chambers by party lines last week. "This bill is an additional attempt by Republican legislators to control the election timeline and undermine the voting process. The constitutionality of congressional and legislative districts is now in the hands of the North Carolina Supreme Court and the Court should have the opportunity to decide how much time is needed to ensure that our elections are constitutional," Gov. Cooper said in his veto message. Republican legislators have a different perspective. "The party-line vote on House Bill 605 and Gov. Cooper's veto lay bare what redistricting litigation really is — nothing more than a pure political power play," said Senate Redistricting and Elections Chairman Warren Daniel in response to the Governor's veto.

At least for now, this means that the state's primary elections for 2022 will remain scheduled for May 17th. There are a couple ways that this primary date could change: the legislature could override the Governor's veto or the state Supreme Court could move the date again. The latter is the most likely of the two if there were to be any change, because all House and Senate Democrats voted against this bill on the first go-round. It is unlikely that they would break from the Governor and give the Republicans the needed votes to successfully override his veto. So, it all comes down to the state Supreme Court.

The state Supreme Court has a 4-3 Democratic majority. The previous ruling from a panel of three Wake County Superior Court judges, including two Republicans and one Democrat, unanimously decided to allow the maps to move forward although they found the maps to have "pro-Republican partisan redistricting." Advocates for the redraw seem to be more optimistic about the state Supreme Court's decision. If the maps are overturned, state law requires that legislators are given at least two weeks to redraw maps. The North Carolina State Board of Elections has already asked for finalized maps by February 18th in order to conduct an orderly primary on May 17th. If the high court takes their time issuing its ruling and doesn't delay the primaries, this could result in a very tight deadline for the Republican-led legislature to finalize new maps. This tight schedule provides an opening for potentially having a third-party, special master come in to handle the redraw process so that we meet our narrow timeline. A special master is precisely what Republicans were attempting to avoid by moving the primaries back to June. If they had more time to complete the redraw, they'd



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be less likely to have an outside expert come in and control the process. However, this is only one scenario. The Court could choose to delay the primaries further to allow the legislature more time, or they could uphold the current maps. For now, we'll have to wait and see. Oral arguments in the redistricting case are set for Wednesday, February 2nd.

#### REDISTRICTING COURT CASE

Last Friday, Governor Cooper and Attorney General Josh Stein filed an amicus brief in the redistricting case urging the state Supreme Court to ensure fair elections and overturn the maps drawn by the Republican-led legislature. "The trial court recognized what has been obvious all along, that the legislative and congressional maps were intentionally gerrymandered," said Governor Cooper. "That's wrong and unconstitutional because it strips voters of their voice and power in our democracy." The state's top Democrats further asked the Court to keep a close eye on the redistricting process should the maps be redrawn, and to further delay the state's primary elections if necessary. They also suggested bringing in a special master to draw new maps if the Republican majority failed to meet the Court's conditions for redrawing districts.

#### REP. MARK WALKER STAYS IN US SENATE RACE

Last week, at a rally in Greensboro, Rep. Mark Walker uncovered a bright, new campaign bus revealing his plan to remain in the US Senate race. Over the holidays, we all could have assumed that the US Senate race was soon to be a two-man race between Governor Pat McCrory and Congressman Ted Budd, who is backed by President Trump. In an effort to clear the lane for his pick, President Trump had offered his endorsement to Rep. Mark Walker for a run in the newly drawn 7th Congressional District. This move would help to ensure that the two Congressmen, who are ideologically and demographically similar, don't split their votes in the Republican primary, and give the majority to former Gov. Pat McCrory.

Congressman Ted Budd's team had some words over Walker's decision. "It's a bad sign when a candidate has to re-announce that he's still an actual candidate after he's already spent \$2 million and been campaigning for 14 months yet has nothing to show for it," said Jonathan Felts, senior advisor for Rep. Ted Budd's campaign. "But in the interest of saying something positive, it will be fun to watch him and McCrory fight over second place." On the day of Walker's rally, Politico reported that President Trump was reconsidering his support of Congressman Budd over his performance in the race. Later that day, President Trump doubled down on his support, serving another blow to US Rep. Walker's campaign. "I am proud of him, and he is going to win big," President Trump said in the written statement. "Ted Budd is the ONLY U.S. Senate candidate in North Carolina who has my Complete and Total Endorsement!"

Walker continues to poll behind Budd and McCrory. His decision to stay in the race could likely have been impacted by the ongoing redistricting court case. Although Walker never lived in the 7th Congressional District to start with, it is challenging to commit to a race where you don't know what the maps are going to ultimately look like in the end.

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