

Chairman's Report – December (Special Election)

Dear Republican Friends,

I had been planning on writing you to wish you a Merry Christmas and a Happy New Year, but events have overtaken my plans, so you are getting an early letter.

Zinke Named Secretary of Interior

The big news for the Montana Republican Party is the selection of our Congressman Ryan Zinke to serve as the Secretary of Interior of the United States. While we wait for Ryan to officially accept the position we are thrilled that he has been presented with the opportunity to serve in the administration of Donald J. Trump who has pledged to bring back better paying jobs to this country in his effort to Make America Great Again. Trump has indicated his strong support for use of our nation's abundant natural resources in the service of reaching that goal. The Interior Department controls a lot of federal land and coal, oil and gas, and mineral resources and Ryan can work to put those resources to work on behalf of the people of Montana and this country. We wish him well in his continued work on expanding our economic opportunity.

The Replacement Process

I have had numerous calls from members of the press and the party on who the Republican Party will put forward to replace Congressman Zinke should that vacancy occur and how that process will work. Section 2 of Article I of the US Constitution provides "When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies." No House seat has ever been filled by appointment on an interim

or permanent basis as a result.

Therefore, language in state law that was amended in the last session of the legislature to allow the Governor to make a temporary interim appointment from a list of three nominees submitted by the party prior to the special election (to provide a better process than that used by our hapless governor in the John Walsh fiasco appointment to the U.S. Senate) will **NOT** apply.

So, when a vacancy officially occurs, which I expect will be after Zinke is confirmed by the Senate and officially vacates his seat, the remaining portions of state law will take effect. The Governor will schedule a special election from 85 to 100 days after the vacancy occurs. There will be no primary election. Instead, under our bylaws, the State Central Committee will meet in convention and select a nominee whose name will appear on the ballot. I will get to chair that meeting although I will not get a vote on who the nominee will be.

Potential Pitfalls for the Party

The last time a vacancy occurred in the U.S. House from Montana was in February 1969 when newly elected President Richard M. Nixon appointed Congressman James F. Battin, who represented the eastern district of Montana (we had two back then) to the federal bench to serve as a federal judge. The Montana Republican Party, if memory serves me correct, had a very divisive knock down and drag out convention, and left the convention bitterly divided. That served to advance the cause of the Democrat Party who managed to elect one of theirs, John Melcher, to a seat he never should have won. Melcher was later elected to the U.S. Senate and was only removed from office in a tight race with Conrad Burns in 1988, over 19 years later.

I have been fielding many calls from people interested in the position. It will be my responsibility to conduct the meeting

and conduct it fairly. I will do my best to do so. It will be up to the many people who are interested in the job or are interested in furthering the career of a friend to decide whether the convention will be divisive and lead to the election of an undeserving Democrat about 90 days later, or will be conducted with mutual respect so that we can leave united behind a candidate we can support and get elected. I hope that it will be the latter. But the election of an undeserving Democrat to a 19 year career in Washington should be a cautionary tale to all of us. Please ponder these outcomes and make a sober decision on how you will conduct yourselves over the next few months. The future of the Montana Republican Party and the success of our newly elected President is at stake.

Thank you for your consideration. And, by the way, have a Merry Christmas and a Happy New Year!

Sincerely,

A handwritten signature in blue ink, appearing to read 'JE' or similar initials, with a stylized flourish.

Jeff Essmann
Chairman
Montana Republican Party