

Exhibit A-1

Letter from Sen. Mark Blasdel & Rep. Wylie Galt to all
Republican legislators (Feb. 17, 2022)



MONTANA STATE LEGISLATURE

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SENATOR MARK BLASDEL
PRESIDENT OF THE SENATE
REPRESENTATIVE E. WYLIE GALT
SPEAKER OF THE HOUSE

To: All Republican Legislators
From: President Blasdel and Speaker Galt

February 17, 2022

This letter is following up on our earlier letter from this week. Attached to the email sending you this letter you will also find a document from Rep. Skees providing answers to the questions we had asked in our earlier letter.

Rep. Skees also sent us five questions he wanted us to answer. Those questions from Rep. Skees (in black) and our answers (in red) are below.

Regarding the answers to the questions we had asked, we have concerns about the lack of specificity. The proposed funding includes \$150,000 for legal staff, travel expenses, and expert witnesses. What action will require \$50,000 in legal expenses? Who is going to be traveling, to where, for what purpose? The Legislature doesn't normally pay people to testify before us, so why would we need to spend \$50,000 on that? The answers provided to our questions also don't explain **how** the committee would "ensure the purity of elections and guard against abuses of the electoral process," and the response doesn't answer our question about if there are any policy proposals.

Again, we are seeking these details about the election integrity proposal because special sessions are too short to make a plan on the fly, and we also don't think legislators should be expected to sign a letter without understanding the plan they are signing onto. We want caucus members to be able to make a fully informed decision.

Here are our goals as leadership in this ongoing discussion:

1. Maintain the Legislature's authority to draw PSC maps. If we can get the necessary support to have a special session on this topic, we'll do that. At this stage, the governor would have to call a special session, and he's said he will only do that if PSC maps are the only topic. If the necessary agreement can't be reached to have a special session, then we'll draw maps next session and put a procedure in place to make sure the courts can't intrude on the Legislature's authority again in the future.
2. Protect the integrity of our elections. We passed numerous election security bills last session, most of which are currently being litigated. We must protect those gains. Also, any special committee to work on this topic needs to have defined goals and a defined plan to be successful. A special committee that doesn't accomplish anything will do more harm than good to election integrity.
3. Preserve the caucus unity and cooperativeness that we experienced last session. We had by far the most successful legislative session ever for conservative policy that we can recall. We want that success to continue going forward.

Sincerely,

Handwritten signature of Mark Blasdel in black ink.

Mark Blasdel, Senate President

Handwritten signature of E. Wylie Galt in black ink.

Wylie Galt, House Speaker



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Below are Rep. Skees's questions (in black) and leadership responses (in red).

1. What have you done to whip votes for a PSC map to date (not including what you have initiated in the last 24 hours, due to our letter)? You have said that you have seen perhaps up to 14 different maps, well if this issue is so vital to the Legislature, which map did you like and circulate to see if we could get enough support for a special session?

The first step is to get agreement on the scope and topic(s) for which a special session would be called. We (the entire Republican caucus) haven't gotten past that first step yet. A majority of each caucus would support a special session for the sole purpose of PSC redistricting according to informal leadership vote counts, but we haven't been able to get agreement to limit the special session to only that subject. Without that agreement, there aren't enough votes as of our last count.

2. At least in the House the whips were not activated, so have any of you individually or combined, reached out to every member of the caucus to determine what they wanted in order to get a special session?

Majority Leader Sue Vinton talked to and counted the votes in the House. President Pro Tempore Jason Ellsworth did the same in the Senate. These issues were discussed in depth and at length at a January meeting which you participated in. As you know, we had nearly reached agreement on having a single issue PSC maps special session, but a senator walked out of the room over the issue of an election special committee and no agreement was reached. At that same meeting, there was also no consensus on a PSC map.

3. The lawsuit was filed in mid-December, thus giving us 7 weeks to deal with this critical issue. That window would have been enough for us to utilize the Sec State polling method (30 day requirement to reply) so we could call the session ourselves. Why didn't you do poll the single issue session on PSC maps then?

We still, to this date, have not been able to get agreement from the caucuses to do a single issue PSC maps special session. When Rep. Vinton and Sen. Ellsworth talked to caucus members, the votes weren't there to have a special session unless it was agreed that the sole topic would be PSC redistricting. A call via legislative poll would have failed due to that lack of agreement.

4. Why didn't you join the Sec State and the AG as defendants in this case as soon as we saw it, so we had standing to appeal the decision, should it go the wrong way, vis a vie Constitutional Legislative authority?

Leadership has no legal authority to do that on our own, it is outside of our powers. When the Legislature joined the SB 140 lawsuit during session, we passed concurrent resolutions in both chambers to join that lawsuit. Outside of session, it would take at least a vote of Legislative Council, which is a deadlocked committee due to its equal partisan makeup. The Attorney General has the legal responsibility to defend the state in lawsuits, which includes the Legislature's interests, and he has been doing just that.



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5. We all know that the call will be for a single issue, the PSC maps. It is implied in your response, as the committee we are asking for will be set up by a procedural vote during our normal business. It is not an issue per say, according to the legal definitions of the call by the governor. If we have a majority of both chambers for this call by Friday at 3pm, will you then answer the request of your peers and ask for a special session?

The letter you are circulating is not asking the governor to call a single issue special session on PSC maps. The letter very clearly and explicitly asks the governor to call a special session for more than that topic. The governor has been quite clear, publicly and repeatedly, that he will only call a special session on the single topic of PSC maps, and if the Legislature has agreement that that will be the only topic.

Also, regardless of an election special committee being a subject of the call or a motion during the session, the need for a specific plan still remains. Legislators shouldn't be expected to vote on a \$250,000 appropriation without understanding how that money will be used and what projects or policy proposals such a committee would be undertaking.