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LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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Frank Garner

Montana

State Representative, HD-007 (R)

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80

Lifetime
Freedom
Score

MT Legislative Scorecard 2021

✓ Pro-Freedom ✗ Anti-Freedom — Did not Vote **Vote**

1. Prohibits government entities from allocating funds or using resources to enforce unconstitutional federal gun bans. —

Pro-Freedom: **Yes** · HB258 · 02/27/2021

2. Ensures that local health board are more accountable to elected officials. ✓

Pro-Freedom: **Yes** · Cast: **Yes** · HB121 · 03/01/2021

3. Prohibits infringement of Montana's constitutional right to nullify any federal statute, mandate, or executive order that may be considered unconstitutional. ✗

Pro-Freedom: **Yes** · Cast: **No** · HB570 · 03/02/2021

4. Closes late voter registration at noon the day before the election instead of having same day registration. ✓

Pro-Freedom: **Yes** · Cast: **Yes** · HB176 · 03/30/2021

5. Prohibits employers from inquiring about the vaccination status of their employees. ✓

Pro-Freedom: **Yes** · Cast: **Yes** · HB702 · 04/28/2021

6. Prohibits emergency orders from restricting the ability of private business to conduct business. ✓

Pro-Freedom: **Yes** · Cast: **Yes** · HB257 · 04/29/2021

Scorecard Votes: 80%

Why do these votes matter?

1. Gun Rights - Nullification

HB258 prohibits enforcement of unconstitutional federal bans or regulations on firearms, magazines, ammunition or firearm accessories. Peace officers, state employees, or governing bodies are prohibited from allocating funds or using any other means of assistance in the enforcement of an unconstitutional federal ban.

The Montana State House of Representatives passed HB258 on February 27, 2021 by a vote of 66 to 33. We have assigned the pluses to the ayes because the fundamental right of the American people to keep and bear arms is protected by the U.S. Constitution, particularly in the 2nd, 9th, and 10th Amendments, and should not be infringed. Furthermore, under Article VI of the U.S. Constitution, states have a duty to nullify infringements by the federal government.

2. Health Board Accountability

HB121 ensures that local health boards are held more accountable to elected officials such as city councils or county boards by approving, denying, or amending rules or regulations proposed by unelected health boards.

The Montana State House of Representatives passed HB121 on March 1, 2021 by a vote of 68 to 31. We have assigned the pluses to the ayes because a non-elected bureaucratic local health board should not have the authority to shut down or regulate businesses and churches. Our founding fathers believed that checks and balances in government are essential to keeping our elected officials in check with the Constitution to prevent any unconstitutional government overreach.

3. Nullification

HB570 prohibits infringement of Montana's constitutional right to nullify any federal statute, mandate, or executive order that may be considered unconstitutional.

The Montana State House of Representatives failed to pass HB570 on March 2, 2021 by a vote of 47 to 52. We have assigned the pluses to the ayes because under article VI of the U.S. Constitution, the Constitution is the supreme law of the land and every state is bound by oath to support it. Ultimately, states have a duty to nullify any infringements by the federal government and Article 1, Section 8, of the Constitution gives congress specific powers and if there are violations of those powers, then states have a right to not comply.

4. Voter Registration

HB176 closes late voter registration at noon the day before the election. Since 2005, Montana has had same day late registration and an individual could register or change voter registration information prior to the close of the polls on election day.

The Montana State House of Representatives passed HB176 on March 30, 2021 by a vote of 65 to 35. We have assigned pluses to the ayes because same day registration is a threat to election integrity. Same day registration opens the door for errors and illegitimate electors, which compromises the sacredness and integrity of our vote. The 15th amendment guarantees the "right of citizens of the United States to vote."

5. Vaccination Discrimination

HB702 prohibits employers from inquiring about the vaccination status of their employees. Under this law, it is discriminatory for a person or governmental entity to deny someone of local or state services, health care services, or employment opportunities based on an individual's vaccination status.

The Montana State House of Representatives passed HB702 on April 28, 2021 by a vote of 64 to 32. We have assigned pluses to the ayes because an individual's personal health care decisions should not be the object of government, nor be under its federal, state, or local jurisdictions in the United States. This is a violation of our fundamental rights protected by the U.S. Constitution.

6. Emergency Orders

HB257 prohibits emergency orders from restricting the ability of private business to conduct business. It also limits local governments or health officers from certain actions such as issuing fines or revoking licenses.

The Montana State House of Representatives passed HB257 on April 29, 2021 by a vote of 68 to 31. We have assigned pluses to the ayes because businesses should not have to comply with draconian orders to shut down businesses during a pandemic. The Declaration of Independence states that among our rights are "Life, Liberty and the pursuit of Happiness" and government interference in entrepreneurship is in violation of that belief.