

MT Scorecard 2021-2022

The Legislative Scorecard is a nationwide educational program of The John Birch Society. Its purpose is to create an informed electorate on how state legislators are voting. The Scorecard is nonpartisan; it does not promote any candidate or political party. Bills are selected for their constitutional implications and cost to the taxpayers. Please share this Scorecard in your district to inform people about your legislator's record on key votes.

U.S. Constitution, Amendment I --- 11 C.F.R. §114(4)(c)(4) --- 616 F.2d 45 (2d Cir. 1980)

The following scorecard lists several key votes in the Montana Legislature in 2021-2022 and ranks their State Senators and House Representatives based on their fidelity to (U.S.) constitutional and limited-government principles.

This is our first state-level Scorecard; the selected votes may not be reflective of legislators' overall records. Their cumulative scores will change as we add more votes. Please check regularly for updates.



Jedediah Hinkle

House of Representatives District HD-067
Republican

Contact: (406) 585-0722
201 W Capitol Ave, Jefferson City, MO 65101



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This legislator voted constitutionally on **100%** of the votes shown below.

★ Pro-liberty

✗ Anti-liberty

? Did not Vote

Vote

1. HB257 Emergency Orders (Passed 68 to 31 on 4/29/2021). Prohibits emergency orders from restricting the ability of private business to conduct business.



2. HB702 Vaccination Discrimination (Passed 64 to 32 on 4/28/2021). Prohibits employers from inquiring about the vaccination status of their employees.



3. HB176 Voter Registration (Passed 65 to 35 on 3/30/2021). Closes late voter registration at noon the day before the election instead of having same day registration.



4. HB570 Nullification (Rejected 47 to 52 on 3/2/2021). Prohibits infringement of Montana's constitutional right to nullify any federal statute, mandate, or executive order that may be considered unconstitutional.



5. HB121 Health Board Accountability (Passed 68 to 31 on 3/1/2021). Ensures that local health board are more accountable to elected officials.



6. HB258 Gun Rights - Nullification (Passed 66 to 33 on 2/27/2021). Prohibits government entities from allocating funds or using resources to enforce unconstitutional federal gun bans.



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The Constitution

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1. 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.

2. 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.

3. 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."

4. 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.

5. 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.

6. 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.
