

102 Reasons Why Montana Should be Chosen as the Free State

Making Government Work-Real Representation

1. Montana has the country's largest population Congressional district. This means that a population increase as few as 10,000 people will cause Montana to be split into two Congressional districts when redistricting is done after the 2010 Census, just about the time we would be ready to run a candidate in a *no incumbent* race for a federal House seat, giving us the best chance of adding to the pool of freedom-loving Congresspeople.
2. At least two Montana libertarians are currently serving in state government. State Senator Jerry Neill and State Representative Joe Balyeat are both libertarian members of state government, elected on the Republican ticket. There are others, as well, but these two gentlemen spoke at the Grand Western Conference in Missoula, MT.
3. The current governor, Judy Martz enjoys only an 18% approval rating with her constituents. Because of this, she is considering not running for re-election. Currently, there are no Republican prospects to replace her, leaving a void in Montana's Republican party which could possibly be filled by a freedom-loving candidate, especially with the help of the FSP.
4. The Montana Constitution includes the following clause: Section 2. Self-government. The people have the exclusive right of governing themselves as a free, sovereign, and independent state. They may alter or abolish the constitution and form of government whenever they deem it necessary. This makes it clear that power in Montana belongs to the people, who may even abolish the state government as they deem necessary.
5. At least 1% of Montana's House, and 2% of Montana's Senate, are libertarians NOW, although they were elected on the Republican ticket.
6. Montana has citizen initiative referenda
7. Montanans can recall state officeholders.
8. Montana has term limits. This leaves government seats without incumbents, which will make it easier to get freedom-minded people elected to state office.
9. Montanans can even change their Constitution by citizen initiative.
10. Montanans can even use citizen initiative to call a Constitutional Convention.
11. In Montana, the legislature meets for only 90 days every two years. Both state senators and state representatives serve two-year terms, which means that they are going to stand for re-election after only one legislative session. Therefore, everything they do in every session of the legislature is going to be scrutinized by their constituents at election time. This should have the effect of keeping the wishes of their constituents prominent in the mind of each state senator and state representative.
12. Residency requirements to be a state senator or state representative in the state of Montana are easily met, even for relative newcomers wishing to run for office. A candidate must be 18 years of age. He must have lived in Montana for at least one year, and lived in the district in which he is running at least six months. Montana voter registration law is in the process of being changed to allow registration at the polls on election day.
13. For those who are concerned about ballot fraud, 20 of Montana's 56 counties offer voting by hand-counted paper ballots: Beaverhead, Blaine, Carter, Chouteau, Daniels, Garfield, Golden Valley, Granite, Judith Basin, McCone, Meagher, Petroleum, Phillips, Powder River, Prairie, Sweet Grass, Teton, Treasure, Wheatland, and Wibaux. Many of these counties are within reasonable commutes of the bigger towns, but none of them have populations over 10,000. Sixteen of the twenty have populations under 5000, making them good possibilities for the county-sized prototypes that are favored by some. Beaverhead County, with a population, according to the 2000 Census, of 8790, is larger than New Hampshire.
14. Montana's legislature has a fairly high amount of turnover, due to short terms and term limits. Turnover in 2002 was 24% in the House, 36% in the Senate. This factor will contribute to the ease of electing porcupines to the Montana Legislature.
15. Montana has banned punch-card voting machines, a voting method shown by the 2000 elections to be particularly fraud-prone.

15 total reasons

Small is Beautiful, When It Comes to Government

1. Montana's laws are written in such a way as to provide incentives for local governments to disband. Incorporated towns receive no tax money from the state, while unincorporated places do. A few years ago, Butte, the fourth largest city in Montana, decided to completely disincorporate, meaning that the lowest level of government in the area is the Silver Bow County government. This means there is an incentive to have fewer layers of government to deal with.
2. Montana has relatively small state level legislative bodies, meaning that we don't need to get very many people elected in order to gain real influence at the state level. Montana has fifty state senators, and 100 state representatives.
3. Both Montana Senate districts and Montana House districts are population based. This means they are concentrated in the towns, providing a number of fairly compact districts for those who think distance is a major concern in campaigning.
4. Montana has a number of very small-population counties (under 5000 people), for those who want to try to gain major influence in a county-sized area first.

5. Montana's state Legislature meets for only 90 days every two years, meaning that, the vast majority of the time, the state's legislators are in their district's living their real lives, working their real jobs, and available to their constituents.
6. Montana is in the process of deregulating the electricity market, thereby reducing government's size and influence in this essential market sector.
7. In the 2002 election, Montanans voted to keep government smaller by voting against the notion of state government acquiring and operating currently privately-owned hydroelectric dams within the state.

22 total reasons

To Serve and Protect--Only

1. Montana has restricted law enforcement jurisdictions. Municipal have jurisdiction only within their municipalities. Sheriffs are restricted to their own counties, and the Montana Highway Patrol numbers under 200 officers, to provide 247 coverage over state the size of Germany. Their jurisdiction is restricted to the highways only.
2. Probable cause or a search warrant (equivalent to home search standards) is required to search a person's vehicle. For our purposes, this means that, unlike the lower threshold allowed in other states, in order for a police officer in Montana to search your car, he has to have a reason that meets the standards for getting a search warrant.
3. Montana has few law enforcement officers as a proportion of the population. There is only one Montana police officer for every 512.6 Montanans. For comparison purposes, Washington, DC, which has the most police per capita of any state-type region in the country, has one law enforcement officer for every 539 residents. For Montanans, and Orcupines, this means the Montana police do not have time or resources to spend bothering people for trivial reasons.
4. Montana law requires that all who are in police custody be read the "Miranda" warning.

26 total reasons

Montana--A Sovereign State

1. There exists in Montana an active culture of resistance to government overreaching, with such activities as reopening federal forest roads being not at all unheard of. This shows that Montanans are willing to be activists for freedom.
2. Missoula, Montana, has refused to enforce the parts of the USA-PATRIOT Act that infringe on the rights of citizens.
3. Montana did not ratify Prohibition, nor did Montana law enforcement enforce Prohibition within Montana's borders.
4. The Montana Constitution includes the following clause: Section 3 Importation of armed persons. No armed person or persons or armed body of men shall be brought into this state for the preservation of the peace, or the suppression of domestic violence, except upon the application of the legislature, or of the governor when the legislature cannot be convened. This has been used, in the recent past, to limit federal law enforcement incursions into the state, a fact which has been credited with being responsible for the group known as the Montana Freeman being arrested (by the Montana police, who wished to prevent another Waco-type incident), without a shot being fired. This means that Montana does not feel that the feds have the unlimited right to do as they please in Montana, or to Montanans.
5. A resolution has been passed by the Montana legislature requiring federal law enforcement that wishes to do anything in Montana to act through the appropriate local sheriff. The intention is to eventually give this the force of law. This tends to signify Montana's sovereignty as a state, as well as its willingness to stand up to the feds, a quality that the Free State Project will eventually find useful.

3 total reasons

Property Rights, Upon Which All Other Freedoms are Based

1. Montana has banned future federal purchase of state lands. This shows a desire to reduce federal land ownership within the state.
2. Montana has few land use planning ordinances, zoning laws, or building code or permit laws, which shows a respect for the right of a citizen to use his property as he sees fit.
3. Montana state law requires the majority of citizens living in an area that a municipality wishes to annex to vote in favor of the annexation before it can take effect. This indicates that Montana does not allow municipalities to have power over those who do not live within their boundaries.

3 total reasons

Upholding the Second Amendment

1. Montana has exempted itself from the federal Gun Free School Zones Act, denoting both Montana's support of the Second Amendment and its willingness to defy the feds when necessary.
2. Montana does not require a concealed carry permit, unless you wish to carry a firearm concealed under your clothing, in town. The state of Montana does not consider such things as a lady's purse or a backpack to be

- clothing, so carrying a weapon in one of them does not require a permit.
- 3 It is legal in Montana to carry a loaded, concealed weapon in one's vehicle, whether or not one has a concealed carry permit.
 - 4 The Montana Constitution contains the following clause: Section 12. Right to bear arms. The right of any person to keep or bear arms in defense of his own home, person, and property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but nothing herein contained shall be held to permit the carrying of concealed weapons.
 5. In the state of Montana, you cannot be held criminally or civilly liable for a crime committed with your gun after it has been stolen from you.
 6. An amendment to the Montana Constitution providing for the right to hunt, in addition to the Second Amendment, and the related clause of the Montana Constitution, will be on the next ballot as a referendum question for the citizenry.
 7. Over 90% of Montana homes contain firearms, with one informal poll setting the average number of firearms per home as high as 27. This testifies to the staunch support of Montanans for the right to keep and bear arms.
 8. While Montana schools are not required to teach firearm safety, they are encouraged to do so. The Montana Shooting Sports Association often provides materials to schools for this purpose. Schools are also encouraged to have team participation in the shooting sports and many do.
 9. The Montana legislature has actually declared an official, yearly, Right to Keep and Bear Arms week.
 10. Montana has banned nuisance lawsuits against gunmakers. Actual product liability suits are still allowed, of course.
 11. There are no Montana state laws regarding machine guns and silencers. Only relevant federal laws apply in Montana.
 12. Montana has gotten a grade of "F" from the Brady Campaign to Prevent Gun Violence every year since at least 1997, the earliest year for which I saw data. This can easily be seen as a good marker of Montana's respect for the rights of citizens to be armed. If they were consistently getting a good grade from the Brady Bunch, I would be very worried.
 - 13 The Montana Legislature has passed and sent to Washington, DC, a resolution urging Congress to repeal the Brady Act.
 - 14 Local governments may not pass gun laws in Montana, with the exception of laws regarding the discharge of firearms within city limits.
 15. The Montana Legislature passed and sent to Washington DC, House Joint Resolution Number 12, the brief summary of which follows: ~~HOUSE JOINT RESOLUTION NO. 12 INTRODUCED BY D. FICHS, BAL YEAT, BOOKOUT- REINICKE, EVERETT, FISHER, GALLIS, GILLAN, HAINES, HAWK, HEDGES, JACKSON, LAKE, LANGE, MAEDJE, MATTHEWS, MENDENHALL, MOOD, MORGAN, A. OLSON, PETERSON, RICE, ROSS, B. RYAN, SALES, SCHRIMPF, STEINBEISSER, STOKER, B. THOMAS, TROPLA, WAGMAN, WITT~~
A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA EXPRESSING A RECOGNITION BY THE PEOPLE OF MONTANA THAT INDIVIDUAL CITIZENS OF THE UNITED STATES, ACTING TOGETHER WITH LAW ENFORCEMENT AGENCIES AND EMERGENCY PERSONNEL AND IN SUPPORT OF OUR MILITARY FORCES, ARE THE SOLE EFFECTIVE MEANS OF THWARTING TERRORISM IN THESE UNITED STATES; ASSERTING THAT FREEDOM OF INDIVIDUALS WILL NOT BE PRESERVED BY THE TRANSFER OF POWER FROM INDIVIDUALS TO GOVERNMENT IN THE NAME OF FIGHTING TERRORISM; AND ENCOURAGING CONGRESS TO PASS AN ACT THAT SUPPORTS AND AUTHORIZES INDIVIDUALS TO INTERDICT TERRORISM WHEREVER IT MAY OCCUR ON THE SOIL OF THE UNITED STATES, RECOGNIZES THE IMPORTANCE OF INDIVIDUALS HAVING TOOLS TO FIGHT TERRORISM, REMOVES CIVIL AND CRIMINAL LIABILITY FOR ACTIONS TAKEN TO INTERDICT TERRORISM, AND CREATES A REWARD FOR INDIVIDUALS WHO PLAY AN EFFECTIVE PART IN PREVENTING TERRORISM AGAINST THE PEOPLE OF THE UNITED STATES.
The full text of the Resolution is available here: <http://www.sierratimes.com/030409/articlemt.htm>

4 total reasons

Taxes--Reducing the Pain

1. Montana is one of the few states in the country to, in the current economic situation, slash income and capital gains taxes. The highest income tax bracket has been cut from 11% to 6.9%, while the capital gains tax has fallen from 11% to 4%.
2. Montana has no sales tax.
- 3 Montana's property taxes are very low--sometimes as low as \$1 per acre.
- 4 Montana has a "Tax Me More Fund" to which those who think taxes are not high enough are welcome to contribute.
5. Montana does not require any vehicle safety or emissions inspections, and the price of license plates decreases as the age of the vehicle increases.

54 total reasons

Montana Is a Good Place for Business

1. In Montana, anyone who holds a liquor license may open a casino that has 25 gambling machines or less. Other forms of gambling, such as blackjack or poker tables are also allowed in the casinos.
2. Any business owner who wishes to pay the \$250 fee can obtain a liquor license. No other restrictions apply.
3. Montana state university professors do not have tenure. Their contract must be renegotiated every four years.
4. During the most recent legislative session, the Montana legislature unanimously abolished the minimum wage for home health care workers. This action argues that the government of Montana realizes that minimum wage laws harm, rather than help, the employment market.
5. Montana has no less than 18 breweries. I'm not a beer drinker, but those that the man of the house sampled ranged from drinkable to "pretty decent". He was not, unfortunately, able to make a full sampling, so I regret that this is but a partial report.
6. Taverns in Montana may serve liquor from 8 am till 2: 30 am. They do not need to close at that time. They merely have to stop serving liquor for 4 and a half hours.
7. Shooting ranges may only be forced to close due to proven safety defects, and then only after the owner, given opportunity, has failed to correct them. Ranges may not be forced to close due to noise, claims of lead or copper pollution, zoning, population encroachment, or other reasons.

61 total reasons

Lived Freedom and Personal Responsibility in Montana

1. Montana has no obscenity law, or other restrictions on the First Amendment. This signals Montana's belief that people can be responsible for what they, or their children, read or see.
2. Montana has no open container laws. The state of Montana trusts that you are responsible enough to drink while driving without being drunk while driving, which is illegal.
3. Montana's homeschooling laws require only that a parent notify the local superintendent of schools that the children of the family will be being homeschooled. There are no testing or parental education requirements.
4. Montana has few anti-nudity laws, instead placing faith in the individual to know when it is appropriate to wear clothing.
5. The Montana Supreme Court has ruled that no locality may have obscenity laws that are stricter than the state's law, which does not exist.
6. The Montana Supreme Court has ruled that no locality may have smoking laws that are stricter than the statewide ones.
7. Montana was the last state to enact an age limit for buying cigarettes, and did so only under federal pressure.
8. Montana has no laws barring minors from being in casinos or bars. They trust parents to decide what is best for their children.
9. Montana state law makes it illegal to arrest a publicly intoxicated person unless he is actively endangering himself or others. Being drunk is not a crime in Montana. Only doing illegal things while you are drunk is.
10. There is little enforcement of polygamy or prostitution laws in Montana. In fact, Butte had an established brothel in operation, from the turn of the 20th century, until 1982. Today, it is the Dumas Brothel Museum.
11. Montanans may obtain a drivers' license at the age of 15. As far as I can find out, Montana does not have the increasingly popular in other states "graduated licenses" for young drivers. Again, Montana trusts parents to guide their youngsters and realizes that a parent best knows what kind of driving their teenager is responsible enough to handle.
12. Montana has no motorcycle helmet law for adults.
13. If you live below the poverty level in Montana, the state would rather help you to provide for yourself than give you handouts. To this end, laws regarding hunting seasons and licenses do not apply to those living below the poverty level, so the poor person who is willing to do some work can have a freezer full of wild game.
14. Montana has legalized the commercial production of hemp within the state.
15. Montana officially recognizes the therapeutic value of marijuana. Their current law is written in such a way that, if the feds authorize the use of marijuana as a prescription drug, it will automatically become legal for therapeutic use in Montana.
16. Montana does not require a social security number to obtain a drivers' license, which, of course, serves to help protect the privacy of their citizens. The only other Free State Project candidate state that does not ask citizens for a social security number to obtain a drivers' license is Vermont.
17. Game lawfully killed in Montana immediately becomes the property of the hunter, who may do with it as he sees fit, including storing it, transporting it, using it, contributing it to charity, etc.
18. Harassment of those involved in lawful hunting activities is against the law, with the second offense being a felony.
19. Montana allows both a religious and a medical exemption to childhood vaccinations.

80 total reasons

Montana, Truly the Last Best Place

1. Montana has its own railroads, including some passenger touring service. These railroads are privately owned, and are profitable.
2. Montana has its own TV network.
3. Montana can be self-sufficient in food. In fact, Montana is a net exporter of food. Montana's treasure trove of natural resources, allowing it to be self-sufficient, or nearly so, place it in a better than average position from which to bargain with the federal government, when the time comes.
4. Montana is also set up to process its own food for sale, with its own slaughterhouses, butchers, and canneries.
5. Montana is also a net energy exporter. State laws are written in such a way as to encourage independent energy use by individuals.
6. Three major transcontinental fiber-optic cables cross Montana, meaning high-speed internet access is, indeed, available. Indeed, high-speed internet is available in some places where grid-supplied electricity is not!
7. Missoula, Montana has the highest number of both published writers and bookstores per capita of any city its size in the country.
8. Because the air in Montana is very low in humidity, the cars do not rust. I saw little hatchbacks from the early eighties that I know, from personal experience, are rustbuckets, driving around without a speck of rust on them.
9. Montana is bordered on three sides by other FSP candidate states (ID, WYSD, and ND). It is bordered on the north by the most freedom-oriented Canadian provinces (Alberta, Saskatchewan, and British Columbia). This would give a Montana-based FSP friendly neighbors, as well as room to expand into a huge Free Region.
10. Montana has a healthy and varied mining industry, and is a net exporter of metals.
11. Montana has its own steel refineries.
12. Montana both pumps and refines oil.
13. For the airborne among us, Montana has 15 state owned airports, 118 public use airports, and 350 private use airports. Subdivisions made of 20-acre plots that have an airstrip for the use of the residents of the subdivision are not uncommon.
14. For those to whom proximity to a major city is important, there are places in extreme western Montana that are no farther from Spokane, WA, than Cheyenne, WY is from Denver.
15. Montana places third of our ten candidate states in terms of expected job growth.
16. Montana has the most privately and locally owned land of any of the ten candidate states.
17. Montana has lots of space. 53 of Montana's 56 counties are larger than the state of Rhode Island.
18. Two of our nation's most important river systems, the Columbia and the Missouri, have their headwaters in Montana.
19. Montana is growing fast enough that the FSP migration will not put a strain on its resources, but not so fast that they will pass the upper population limit for a candidate state before the end of the migration time.
20. Montana's cost of living, at 95% of the national average, is 3d lowest among the candidate states.
21. Famous Montanans include the rock band Pearl Jam, Evel Knievel, Gary Cooper, comedian Dana Carvey, actress Myrna Loy, actor Dirk Benedict ("Face-man" on the A-Team), actress Martha Raye, actor George Montgomery, filmmaker David Lynch, economist Lester C. Thurow, author Will James, author Dorothy Baker, and Jeannette Rankin, the first female member of Congress.

And, Finally, Reason 102:

102. Finally, to paraphrase Quincy OrHai, Montana is a place where people live because they want to, because they love Montana and its culture. The goals of the Free State Project seem perfectly fitted to enhance, rather than change the culture Montanans love. We will be a good fit there, with our goals matching the desires of many Montanans.

My thanks to: Michelle Dumas, whose idea I borrowed (& my apologies to her for criticizing the way she posted her Reasons, as it was the best possible way), Heather Duncan and Corey Brenner, for editing and guidance, Quincy OrHai for providing contact information, manning the phone number, and printing some of the reasons as part of Montana's ballot insert, and all those who are too many to name that provided links and data that went into this list.

For more information about Montana, visit <http://freestateproject.org>, check out <http://groups.yahoo.com/groups/FreeMontanaProject>, or call 1-866-LIVE FREE.

You can also consult the following individuals in Montana:

Quincy OrHai and Rae OrHai (citizens, goat ranchers and liberty activists)

Bozeman 406-586-7926

Representative Joe Balyeat (State Legislator, Libertarian / Republican)

Bozeman 406-586-1833

Senator Jerry O'Neil (State Legislator, Libertarian / Republican; Sec. MT

Libertarian Party) Kalispell 406-892-7602

Gary Marbut (President Montana Shooting Sports Association) Missoula
~~406-549-1252~~