

2007 Montana Legislature

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HOUSE BILL NO. 712

INTRODUCED BY R. JORE

A BILL FOR AN ACT ENTITLED: "AN ACT ENACTING THE MONTANA SOVEREIGNTY PROTECTION ACT; REJECTING THE AUTHORITY OF THE UNITED NATIONS OVER THE TERRITORY OR PEOPLE OF MONTANA; AND PROVIDING PENALTIES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Short title. [Sections 1 through 7] may be cited as the "Montana Sovereignty Protection Act".

NEW SECTION. Section 2. Purpose. The purposes of [sections 1 through 7] are to:

- (1) maintain and preserve the state of Montana as a free and independent state as provided in the declaration of independence and the Montana constitution and as preserved in the 9th and 10th amendments to the constitution of the United States;
- (2) reject any claim that the united nations charter has any lawful or constitutional authority in or over this state under either the charter of the united nations or the constitution of the United States; and
- (3) recognize the power of symbols and flags and their proper legal function when flown over official state property, which is to proclaim dominion over territory and to demonstrate allegiance to a given authority.

NEW SECTION. Section 3. Findings. (1) Each elected official of this state and of each of its political subdivisions has taken an exclusive oath of allegiance to support the constitution of the United States. An elected official has not taken an oath to support the united nations and cannot take such an oath by law.

(2) The united nations charter is not by definition or in practice a treaty made under the authority of the United States as provided for in Article II, section 2, of the United States constitution, but rather is a constitution for world government.

(3) Although the preamble of the united nations charter states that it was made in the name of the peoples of the united nations, the charter was never initiated by the people of the United States and was not ratified by the people of the several states of the United States.

(4) Because the united nations charter has never been constituted by the people of the United States or ratified by the people of the several states, any claim of governing authority of the united nations charter over any state of the United States is wholly illegitimate and unconstitutional.

(5) The display of any government flag over any government property indicates dominion and authority over the territory and allegiance on the behalf of the people of that territory to the authority.

NEW SECTION. Section 4. Flags or symbols prohibited. A flag or other symbol representing the united nations may not be flown or otherwise displayed from any official mast, building, or other property of the state of

Montana or any of its political subdivisions receiving state funds. This section does not prohibit the display of united nations flags or symbols for historical or educational purposes.

NEW SECTION. Section 5. Prohibition on support. The legislature or a legislative body of a political subdivision of this state may not authorize the expenditure of any public funds to support any program or other activity carried on under the authority of or in cooperation with the united nations.

NEW SECTION. Section 6. Enforcement of international court actions. A judicial decree, judgment, order, or other action entered by an international court or other judicial body acting under the authority of, in cooperation with, or in relation to the united nations is not enforceable in any court in this state. A resident of Montana or a person lawfully in Montana is not subject to any subpoena, warrant, extradition, or other process issued by an international court or other judicial body acting under the authority of, in cooperation with, or in relation to the united nations.

NEW SECTION. Section 7. Penalties. A knowing violation of [section 6] is a misdemeanor punishable as provided in 46-18-212. Each violation is a separate offense, and a fourth or subsequent violation is a felony punishable as provided in 46-18-213.

NEW SECTION. Section 8. Codification instruction. [Sections 1 through 7] are intended to be codified as an integral part of Title 2, chapter 1, part 1, and the provisions of Title 2, chapter 1, part 1, apply to [sections 1 through 7].

NEW SECTION. Section 9. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

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