

Instructions for Signature Gathering for “No SSN to Hunt!”, I-141

PLEASE READ ALL OF THESE INSTRUCTIONS BEFORE GATHERING SIGNATURES.

Please follow these Instructions exactly, so that no one can argue later that the “No SSN to Hunt!” initiative was defective in its form, or in the way that it was circulated. We must avoid grounds for any legal challenge. FOLLOW THESE INSTRUCTIONS, PLEASE

Don’t Alter the Petition. Be sure to use the petition form just as you received it, or just as it was downloaded from the MSSA Website. If you must copy the petition, be sure that you copy both sides of the legal-sized sheet.

Signatures from Other Counties. Be sure to use a different petition sheet for signers from each county. The bottom of each sheet has a space in which to write the name of the county in which you are gathering signatures. When someone from a different county wants to sign, or if you go to a different county to get signatures, put the new county name on a fresh sheet, and make sure that people sign the sheet for their own county.

Don’t Worry About Legislative District. If the signers don’t know their legislative district, the Leg. Dist. space may be left blank.

Petitions Must Be Attended. It's not safe to leave petitions unattended in places where people might see them and sign them (example - stores). They can be lost, trashed, forgotten, or inaccurately filled out. Besides, whoever turns them in must sign an affidavit that he or she personally gathered the signatures.

Don’t Get Into Arguments. Avoid arguments and long discussions of the issue. While you are talking with one person, several other potential signers may be passing you by. Even people who agree with you can take up a lot of valuable time. Say, “This is just to place the issue on the ballot so we will be able to vote on it.”

Learn to Use Sound Bites. When there are lots of potential signers present, it doesn’t work to spend too long talking to any one signer. Say, “Would you care to sign the ‘No SSN To Hunt!’ initiative?” If they ask for further information, say, “This initiative will allow us to vote to repeal the requirement that hunters and fishers must give their Social Security Number in order to get a fishing or hunting license.” If a person needs more information, offer to let them read the question and answer sheet provided with the initiative.

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Montana Shooting Sports Association, P.O. Box 4924, Missoula MT 59806
Membership Application - Please Print
Annual Adult Membership - \$20; Family \$30; Sponsor \$100; Life \$400

Name _____ Phone _____

Address _____

Email address _____

I certify that I am eligible to own and possess firearms under the laws of Montana and the U.S.

Signature _____ Date _____

Turning in Completed Petitions. Two items are important here. MSSA must be able to track the number of signatures gathered, AND, the petitions must get to the county courthouse of the proper county for the signatures on the page NO LATER THAN JUNE 15TH. When the pages are turned in, they must be accompanied by a notarized affidavit of circulation, with an original affidavit for each county for which petitions are signed. There are two ways you may handle this.

- 1) Make a photocopy of only the signature side of the petition, send the copy to MSSA at P.O. Box 4924, Missoula 59806, and turn the originals in to the proper county courthouse(s) yourself together with the necessary affidavit, OR
- 2) Send the completed petitions to MSSA, together with the signed, notarized affidavit of circulation, and we will make the photocopy and mail the petitions to the county courthouse.

We have a preference that you turn the petitions in to the courthouse and send us a copy of the signatures, but you may mail us the petitions and affidavits if you like.

OK to Photocopy Petitions. It is OK to photocopy blank petitions, but they MUST be photocopied EXACTLY as they are originally produced. That includes being on legal-sized paper, printed on both sides, with the title on one side and the signature lines on the other side.

Petitions from the Internet. The initiative petitions will be available from MSSA's Website on the Internet. The address for that site is <http://www/mtssa.org>. Anyone may download the blank petition, these instructions, the affidavits of circulation, and other information about the initiative, from that Website. Participants will also be able to send us email from that site, to get questions answered, or to provide information about initiative campaign progress. Feel free to offer our Website address to any friends who want to help and need to get a copy of the initiative materials.

Primary Election Signature Collection. One good place to collect signatures is at polling places on the day of the primary election, June 6th. If you want to set up a table at the polling place, you will need to clear this in advance with both the local elections officials, and the operators of the polling place. Most polling places are schools. If you ask nicely, and in advance, many schools will even provide you with a table and chairs. DON'T ask people to sign who are going in to vote. This could be seen as interfering with voting. Ask them to sign when they come OUT from voting.

Tips - Collecting Signatures. It is helpful if you can equip yourself with several clipboards while gathering signatures. Have two or three clipboards for the county where you are gathering, so you'll have something to hand to a new signer while someone else is signing. Also, it is often helpful to have separate clipboards for adjacent counties, especially at large gatherings like gun shows. If you encounter signers who are enthusiastic, they can be recruited to gather signatures too. They can be asked to help you where you are if you are swamped, they can be given a petition (and instructions sheet) to take with them and return to MSSA, or their name can be forwarded to MSSA so materials may be mailed to them.

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Please Recruit MSSA members. The Montana Shooting Sports Association is the primary organization in Montana asserting the rights and privileges of gun owners and hunters. We took seven pro-gun bills to the last session of the legislature, and we got six of those passed. We believe that all gun owners and hunters ought to be MSSA members, helping support us support them. While it is most important to gather the necessary signatures for this initiative, if you have time, it would be great if you could also recruit MSSA members too. A prospective member can simply write a check for \$20, payable to MSSA, for a one-year, annual adult membership. We would like to have the person's mail address, phone number, and email address (SSN NOT required). Or, you may clip, copy, and ask them to fill out the membership application on the back side of this form. Mail this material to us at P.O. Box 4924, Missoula, 59806.

“No SSN to Hunt!”, I-141

Questions and Answers

Why is the SSN required for hunting and fishing licenses? Congress passed a law making money available for child support enforcement and other purposes in state welfare agencies, but stipulated that if states want to claim the money, they must pass state laws requiring the collection of SSNs for every license the state issues, and make those SSNs available to the state agency that enforces child support collection.

When did this happen? In a hotly-contested effort, the Legislature passed one bill in 1997 beginning this process, to comply with the federal law. That bill was supposed to have died in 1999. However, the 1999 Legislature, by the thinnest of margins, resurrected that bill and gave it new life. Also, Senator Tom Beck (R-Deer Lodge) introduced SB76 in the 1999 session, to make the collection of SSNs apply to hunting, fishing, and trapping licenses.

I thought that SSNs weren't supposed to be used for identification. That was the intent of the original Social Security Act. However, whatever Congress can do, Congress can also undo. Several federal laws have been passed that effect amendments to the original SS Act. The one requiring states to collect SSNs for child support enforcement purposes works as an amendment to the original law which specified that SSNs should not be used for identification.

Is this part of a move to a national I.D. card? Probably. Congress had voted down overt efforts to create an actual national I.D. card that everyone would be required to have in order to travel, work, receive or spend money, go to school, receive government benefits, buy a firearm, and a whole bunch of other activities. However, the advocates of National I.D. keep trying to get this mandated via the back door. Two examples include the proposal for a national health care card, without which a person could not seek or obtain medical assistance, and the federal requirement that all state drivers licenses contain information that cause them to conform to a national standard, so that state drivers licenses would become a de facto national I.D. All of these attempts at a national I.D. have one thing in common - use of SSN as an identifier of individuals.

Doesn't this amount to effective registration of hunters and gun owners? Maybe. Actually, the Department of Fish, Wildlife, and Parks (FWP) has already been keeping copies of hunting licenses for years, and it is presumed that persons buying hunting licenses own guns. However, figuring out who owns guns in Montana is not hard. We estimate that 90% to 95% of the households in Montana contain firearms. Therefore, any outside entity wanting to know who in Montana possesses firearms would just assume that every Montana citizen owns or has access to guns, and they'd be right far more often than wrong.

If this initiative passes, won't Montana lose \$58 million per year for children? Probably not. First, this money is not “for the children”. It goes primarily to pay the salaries of people working in the welfare industry. So, this money is primarily for career state bureaucrats, not for children. Second, other states have sought and obtained exemptions from the feds to allow them to continue receiving the federal money without collecting all the SSNs purportedly required. Third, other states have flat refused to collect SSNs for the feds, and are still receiving the federal money.

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Won't the authorities argue that Montana children will suffer, maybe starve, if I-141 passes? Of course they will. The state employees who benefit from this money will make any argument, no matter how strained or untrue, in order to keep the money coming.

Will signing I-141 repeal the SSN law? No, signing I-141 will only put the measure on the ballot to give the people of Montana a chance to vote on the issue. We believe in the democratic process, and that Montana citizens ought to be able to vote on significant issues. We trust the voters.

Doesn't widespread use of SSNs help promote fraud and identity theft? Yes. Identity theft is becoming a sizable problem in the U.S. There are major crime rings, especially in the Orient, that specialize in cashing in on your identity(here). This is also done by individuals in the U.S. They steal literally tens of thousands of dollars in fraudulent transactions in your name, and you get blamed. Creditors may spend years hounding you and ruining your credit to try to get you to pay back what these bandits have stolen. It all begins with your SSN. These thieves usually buy your SSN from a store clerk or low-level government employee. If the identity thieves can get your SSN, your name and address, they can rip you off. People have lost their homes, jobs, and even families, because of identity theft. Everyone who advises about protecting against identity theft, including the federal government, strongly recommends against releasing your SSN to anyone, except for SS or tax purposes.

Isn't privacy guaranteed by the Montana Constitution? Yes. The Montana Constitution contains a very clear reservation of individual privacy at Article II, Section 10. Thus, individual privacy in Montana is a constitutional right.

If privacy is a constitutional right, how can the government get away with demanding our SSNs? Because the Legislature passed the law requiring FWP to collect SSNs for hunting and fishing licenses, and the courts have not yet ruled that this scheme is unconstitutional.

Will I-141 repeal the law requiring SSNs for drivers licenses and other licenses? No. I-141 will only fix the problem for hunting, fishing and trapping licenses. There are as many as 30 or 40 other kinds of licenses the state issues for which SSNs are now required. The Montana Supreme Court has severely limited the people's ability to fix this kind of problem with initiatives by ruling, in the CI-75 case, that initiatives may only effect a very narrow area of law. This amounts to a significant shift of power from people to government, something the Montana Supreme Court commonly does. This circumstance prevents us from amending other areas of the law than that covering hunting, fishing and trapping licenses.

Is there some way to fix these other areas of law? Yes. Begin with a successful I-141. Then, make the SSN/privacy issue the most common item of discussion at every candidate forum in Montana. Make sure that all candidates are required to give specific answers about what they will do to fix the problem if elected. Do not settle for any wishy-washy answers, such as "We'll have to see just what bills are introduced.", or any other prevarication. Once we have elected pro-privacy people to the Legislature, then the Legislature can fix the SSN/privacy problem.

Why did the Legislature surrender our privacy for federal money? One of MSSA's members puts it this way, "Since we already know the term for a woman who will 'sacrifice her principles' for money, what is the appropriate term for an entire state legislature that will sell us out for a promised/threatened \$58 million?" In both cases, the answer is the same - some people care more about temporary security or money than about freedom and principle. This includes a lot of elected legislators.

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Affidavit of Circulation, I-141 - "No SSN to Hunt!"

I, _____, swear that I circulated or assisted in circulating the petition to which this affidavit is attached, that I believe the signatures on the petition are genuine, are the signatures of the persons whose names they purport to be, and are the signatures of Montana electors who are registered at the address following their signature, and that the signers knew the contents of the petition before signing the petition.

(Signature of petition circulator)

(Address of petition circulator)

Subscribed and sworn to before me this _____ day of _____, 2000

Seal _____
(Person authorized to take oaths)

(Title or notarial information)

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I certify that I am eligible to own and possess firearms under the laws of Montana and the U.S.

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PETITION TO PLACE INITIATIVE NO. 141 ON THE ELECTION BALLOT

“No SSN to Hunt!”

If 5% of the voters in each of 34 legislative representative districts sign this petition and the total number of voters signing this petition is 19,862, this measure will appear on the next general election ballot. If a majority of voters vote for this measure at that election, it will become law.

We, the undersigned Montana voters, propose that the secretary of state place the following measure on the November 7th, 2000, general election ballot:

In 1999, the legislature passed a law requiring persons applying for a fishing, hunting, or trapping license to include their social security number in the application. The law requires the department of fish, wildlife, and parks to keep the number confidential, except that the social security number may be given to the department of public health and human services for use in administering child support enforcement programs. This initiative would repeal this law, and license applicants would no longer have to provide their social security number. If approved by the voters, this measure would become effective immediately.

Fiscal Note: Federal law requires states to include social security numbers on recreational license applications in order to receive federal funding for temporary assistance to needy families and child support programs. If this measure is passed, Montana could lose \$58 million per year of federal funding.

FOR repealing the requirement that a person provide his or her social security number to apply for a Montana hunting, fishing, or trapping license.

AGAINST repealing the requirement that a person provide his or her social security number to apply for a Montana hunting, fishing, or trapping license.

Voters are urged to read the complete text of the measure, which appears below on this sheet. A signature on this petition is only to put the measure on the ballot and does not necessarily mean the signer agrees with the measure.

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

Section 1. Section 87-2-106, MCA, is amended to read:

87-2-106. Application for license -- penalties for violation -- forfeiture of privileges. (1) A license may be procured from the director, a warden, or an authorized agent of the director. The applicant shall state the applicant's name, age, ~~social security number~~, occupation, street address of permanent residence, mailing address, qualifying length of time as a resident in the state of Montana, and status as a citizen of the United States or as an alien and other facts, data, or descriptions as may be required by the department. An applicant for a resident license shall present a valid Montana driver's license, Montana driver's examiner's identification card, or other identification specified by the department to substantiate the required information. It is the applicant's burden to provide documentation establishing the applicant's identity and qualifications to purchase a license. It is unlawful and a misdemeanor for a license agent to sell a hunting, fishing, or trapping license to an applicant who fails to produce the required identification at the time of application for licensure. Except as provided in subsections (2) through (4), the statements made by the applicant must be subscribed to before the officer or agent issuing the license.

(2) Except as provided in subsection (3), department employees or officers may issue licenses by mail. Statements on an application for a license to be issued by mail need not be subscribed to before the employee or officer.

(3) To apply for a license under the provisions of 87-2-102(7), the applicant shall apply to the director and shall submit at the time of application a notarized affidavit that attests to fulfillment of the requirements of 87-2-102(7). The director shall process the application in an expedient manner.

(4) A resident may apply for and purchase a wildlife conservation license, hunting license, or fishing license for the resident's spouse, parent, child, brother, or sister who is otherwise qualified to obtain the license.

(5) A license is void unless subscribed to by the licensee and by an employee or officer of the department or by a license agent or an authorized representative of the license agent.

(6) It is unlawful to subscribe to any statement, on an application or license, that is materially false. Any material false statement contained in an application renders the license issued pursuant to it void. A person violating any provision of this subsection is guilty of a misdemeanor.

(7) (a) A person not meeting the residency criteria set out in 87-2-102 who is convicted of affirming to a false statement to obtain a resident license shall be:

- (i) fined not less than the greater of \$100 or twice the cost of the nonresident license that authorized the sought-after privilege or more than \$1,000;
- (ii) imprisoned in the county jail for not more than 6 months; or
- (iii) both fined and imprisoned.

(b) In addition to the penalties specified in subsection (7)(a), upon conviction or forfeiture of bond or bail, the person shall forfeit any current hunting, fishing, and trapping licenses and the privilege to hunt, fish, and trap in Montana for not less than 18 months.

(8) It is unlawful and a misdemeanor for a person to purposely or knowingly assist an unqualified applicant in obtaining a resident license in violation of this section.

(9) ~~The department shall keep the applicant's social security number confidential, except that the number may be provided to the department of public health and human services for use in administering Title IV-D of the Social Security Act.~~

(10) ~~The department shall delete an applicant's social security number in any electronic database 5 years after the date that application is made for the most recent license.~~

Section 2. Section 87-2-202 is amended to read:

87-2-202. Application -- fee -- expiration. (1) A wildlife conservation license must be sold upon written application. The application must contain the applicant's name, age, ~~social security number~~, occupation, street address of permanent residence, mailing address, qualifying length of time as a resident in the state of Montana, and status as a citizen of the United States or as an alien and must be signed by the applicant. The applicant shall present a valid Montana driver's license, a Montana driver's examiner's identification card, or other identification specified by the department to substantiate the required information when applying for a wildlife conservation license. It is the applicant's burden to provide documentation establishing the applicant's identity and qualifications to purchase a wildlife conservation license. It is unlawful and a misdemeanor for a license agent to sell a wildlife conservation license to an applicant who fails to produce the required identification at the time of application for licensure.

(2) Hunting, fishing, or trapping licenses issued in a form determined by the department must be recorded according to rules that the department may prescribe.

(3) (a) Resident wildlife conservation licenses may be purchased for a fee of \$4.

(b) Nonresident wildlife conservation licenses may be purchased for a fee of \$5.

(4) Licenses issued are void after the last day of February next succeeding their issuance.

(5) ~~The department shall keep the applicant's social security number confidential, except that the number may be provided to the department of public health and human services for use in administering Title IV-D of the Social Security Act.~~

(6) ~~The department shall delete the applicant's social security number in any electronic database 5 years after the date that application is made for the most recent license.~~

NEW SECTION. Section 3. Effective date. This act is effective upon approval by the electorate.

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WARNING

A person who purposefully signs a name other than his/her own to this petition or who signs more than once for the same issue at one election or signs when not a legally registered Montana voter is subject to a \$500 fine, 6 months in jail, or both. Each person must sign his/her name and address in substantially the same manner as on his/her voter registration card or the signature will not be counted.

Signature	Printed Last Name	Post - office address	Dist.
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County: _____ (Do not include the signatures of voters from more than one county on each individual petition page.) Deliver completed petitions to county Clerk & Recorder; send photocopy of each petition ASAP to: MSSA, P.O. Box 4924, Missoula, Montana 59806