
Judiciary Committee

PSHB 1496

Title: An act relating to enrollment cards issued by federally recognized Indian tribes.

Brief Description: Authorizing the use of enrollment cards issued by federally recognized Indian tribes.

Sponsors: Representatives Simpson, Roach, P. Sullivan, Quall, McDermott, Santos, Appleton, McCoy, Hunt, Kenney, Kagi and Blake.

Brief Summary of Proposed Substitute

- Allows a person who does not have a Washington state driver's license or social security number to provide an enrollment card from a federally recognized Indian tribe in Washington when registering to vote.
- Adds enrollment cards from federally recognized Indian tribes in Washington to the list of documents that a person can use to buy liquor and tobacco.
- Requires the Liquor Control Board to adopt rules requiring security features on all forms of identification used to buy liquor and tobacco.

Hearing Date: 2/11/05

Staff: Trudes Tango Hutcheson (786-7384).

Background:

Documentation for registering to vote

The federal Help America Vote Act of 2002 (HAVA) required changes to state elections administration and provides federal funds for such purposes. The HAVA requires first-time voters who register by mail to either submit with the registration form, or present at the poll, a valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document showing the name and address of the voter. The voter registration form from the Secretary of State's office reflects these new federal requirements.

If the Secretary of State determines the person does not have a Washington driver's license or social security number, the person is given a unique voter registration number and placed on the voter registration list.

Documentation for purchasing liquor and tobacco

To verify age, a purchaser of liquor or tobacco may present any one of the following documents that shows the purchaser's age and bears the purchaser's signature and photograph:

- liquor control authority card from a state or Canada;
- driver's license, instruction permit, or identification card from a state or Canada;
- Washington state "identocard" from the Department of Licensing;
- U.S. military identification;
- passport; or
- U.S. merchant marine identification card.

Enrollment cards from federally recognized tribes

There are 29 federally recognized tribes in Washington. There are also non-federally recognized tribes in the state. Each tribe determines its own membership criteria, using a variety of methods such as blood quantum requirements. Each tribe may issue enrollment cards to its members. There are no federal standards for tribal enrollment cards.

The Department of Licensing accepts enrollment cards from federally recognized tribes as one form of alternate documentation establishing a person's identity when applying for a driver's license.

Summary of Bill:

When registering to vote, a person who does not have a Washington state driver's license or social security number may provide an enrollment card issued by the governing authority of a federally recognized Indian tribe in Washington.

To verify a purchaser's age, a tobacco or liquor retailer may accept enrollment cards from federally recognized tribes in Washington that show the person's age, signature, and photograph.

The liquor control board shall adopt rules requiring security features on all the forms of identification used to purchase liquor and tobacco.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed except Section 1 of the bill takes effect January 1, 2006.