

# SENATE BILL REPORT

## SHB 1496

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As Reported By Senate Committee On:  
Labor, Commerce, Research & Development, March 31, 2005

**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:** House Committee on Judiciary (originally sponsored by Representatives Simpson, Roach, P. Sullivan, Quall, McDermott, Santos, Appleton, McCoy, Hunt, Kenney, Kagi and Blake).

**Brief History:** Passed House: 3/08/05, 98-0.

**Committee Activity:** Labor, Commerce, Research & Development: 3/22/05, 3/31/05 [DP, DNP, w/oRec].

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### SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

**Majority Report:** Do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice.

**Minority Report:** Do not pass.

Signed by Senator Honeyford.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Parlette, Ranking Minority Member and Hewitt.

**Staff:** Alison Mendiola (786-7483)

**Background:** Identification is required to register to vote, or purchase alcohol or tobacco.

Through December 31, 2005, to register to vote in Washington, an applicant must provide his or her name, residential address, and signature attesting to the truth of the information provided. Effective January 1, 2006, to register to vote, an applicant must also provide his or her Washington issued driver's license number, identification card number, or the last four digits of his or her social security number.

To purchase alcohol in a state liquor store or agency, or to purchase tobacco a customer may be required to present identification showing his or her age, signature, and photograph. Official documents to provide identity for this purpose include: liquor control authority card of identification of a state or province of Canada; driver's license; instructional permits; or identification card of any state or province of Canada; an "identocard" issued by the Department of Licensing; United States armed forces identification; a passport; or a merchant marine identification card issued by the U.S. Coast Guard.

Enrollment cards issued by federally recognized Indian tribes are proof that a person is an enrolled member of that tribe and meets a minimum degree of that tribe's ancestry. Enrollment cards include the person's picture, name, and birth date, among other things.

**Summary of Bill:** An enrollment card issued by the governing authority of a federally recognized Indian tribe located in Washington is an acceptable form of identification to register to vote, or purchase liquor or tobacco in the state of Washington.

If a person does not have a Washington State driver's license or identification card, or social security number, the person's tribal enrollment card issued by the governing authority of a federally recognized tribe in Washington may be used for voter registration purposes.

The Liquor Control Board adopts rules requiring security features on all acceptable forms of identification used to verify a person's age for the purposes of purchasing liquor or tobacco.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Tribal enrollment cards should be accepted as valid identification, it's really an equity issue. Tribal enrollment cards are very hard to duplicate. Also, it's in the tribes' best interest to provide documents that are hard to duplicate. For example, the Muckleshoots have to follow the same rule as other Washington businesses, because of the amphitheater they operate. Some agencies, like the Department of Licensing, already accepted tribal enrollment cards as a valid form of identification.

**Other:** There is a concern that accepting dozens of new forms of identification will open businesses up to lawsuits if a person is denied the use of their identification. There is no way a business can verify if the tribal enrollment cards are in fact valid.

There are concerns regarding gaming issues. Whether Washington identification is needed depends on the compact. This is really a tribe-to-tribe issue.

Even if the Liquor Control Board develops a security device, if different vendors are used, there is no guarantee that the same security measure could be replicated. The language regarding security features should be in statute, and not left up to the Liquor Control Board to develop.

If the Secretary of State is required to confirm each new voter registration, each tribe keeps track of their members, by the use of a unique tribal enrollment number, and the Bureau of Indian Affairs has this information as well.

**Testimony Against:** None.

**Who Testified:** PRO: Representative Simpson, prime sponsor; Rick Jensen, Muckleshoot Indian Tribe; Mike Moran, Samish Tribe and Quileute Tribe; and Randy Scott, Quinault Indian Nation and Colville Confederated Tribes. OTHER: Michael Transue, Washington Restaurant Association.