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Minnesota's restrictions on voter registration too strict, judge says

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MINNEAPOLIS - A federal judge on Friday overturned some Minnesota voter registration requirements as too strict, including one that critics said could block American Indians from being able to vote.

The ruling by Judge David Rosenbaum declared that tribal identification cards were a sufficient form of identification for registration. Previously, they could only be used as ID to register on reservations.

He wrote that the distinction violated the equal protection clause of the U.S. Constitution. Rosenbaum's ruling came a few hours after both sides argued the case before him.

The ACLU of Minnesota and several American Indian groups filed a petition Thursday claiming that Secretary of State Mary Kiffmeyer implemented overly restrictive requirements for citizens wishing to vote for the first time. They said the state's requirements overstepped even federal requirements.

Attorney General Mike Hatch, arguing in person on behalf of the state, said Kiffmeyer's office was simply trying to enforce state law as written. He said the Legislature two years ago passed a law to make tribal ID acceptable for voting on reservations.

"How can we go further than the Legislature?" Hatch said. "I don't think the secretary of state or the attorney general is in a position to countermand the direction of the Legislature."

After the ruling, Hatch said he was satisfied with Rosenbaum's decision, saying it cleared up the discrepancy created by the law.

"The court basically said what's good for the goose is good for the gander," Hatch said. "If you can use the tribal ID on the reservation, you have to be able to use it anywhere else."

Judy Hanks, the statewide get-out-the-vote coordinator for the Mille Lacs Band of Ojibwe, estimated that several thousand American Indians live away from reservations, but that for many, tribal IDs are their only form of picture identification.

Some tribal IDs don't include addresses, but under Rosenbaum's ruling individuals

with that kind of ID can also bring a utility bill or other document bearing their current address.

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