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HOUSE BILL 2268

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State of Washington                      57th Legislature 2001 Second Special Session

By Representatives Rockefeller, Woods and Dunshee

Read first time . Referred to Committee on .

1            AN ACT Relating to contracts concerning the sale of cigarettes; and  
2 amending RCW 43.06.---

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 43.06.--- and 2001 c 235 s 3 are each amended to read  
5 as follows:

6            (1) The governor is authorized to enter into cigarette tax  
7 contracts with the Squaxin Island Tribe, the Nisqually Tribe, Tulalip  
8 Tribes, the Muckleshoot Indian Tribe, the Quinault Nation, the  
9 Jamestown S'Klallam Indian Tribe, the Port Gamble S'Klallam Tribe, the  
10 Stillaguamish Tribe, the Sauk-Suiattle Tribe, the Skokomish Indian  
11 Tribe, the Suquamish Tribe, the Nooksack Indian Tribe, the Lummi  
12 Nation, the Chehalis Confederated Tribes, and the Upper Skagit Tribe.  
13 Each contract adopted under this section shall provide that the tribal  
14 cigarette tax rate be one hundred percent of the state cigarette and  
15 state and local sales and use taxes within three years of enacting the  
16 tribal tax and shall be set no lower than eighty percent of the state  
17 cigarette and state and local sales and use taxes during the three-year  
18 phase-in period. The three-year phase-in period shall be shortened by  
19 three months each quarter the number of cartons of nontribal

1 manufactured cigarettes is at least ten percent or more than the  
2 quarterly average number of cartons of nontribal manufactured  
3 cigarettes from the six-month period preceding the imposition of the  
4 tribal tax under the contract. Sales at a retailer operation not in  
5 existence as of the date a tribal tax under this section is imposed are  
6 subject to the full rate of the tribal tax under the contract. The  
7 tribal cigarette tax is in lieu of the state cigarette and state and  
8 local sales and use taxes, as provided in RCW 43.06.---(3) (section 2,  
9 chapter 235, Laws of 2001).

10 (2) A cigarette tax contract under this section is subject to RCW  
11 43.06.--- (section 2, chapter 235, Laws of 2001).

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