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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: H-2255.1/01

ATTY/TYPIST: SCG:mos

BRIEF DESCRIPTION:

1 1201 AMH CLEM H2255.1

2 HB 1201 - H AMD

3 By Representative Clements

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5 On page 1, beginning on line 8, after "to" strike all material  
6 through "agreements" on line 11, and insert "authorize the governor to  
7 enter into cooperative agreements that are cigarette tax contracts with  
8 Indian tribes"

9 On page 2, line 1, after "into" strike "cooperative agreements" and  
10 insert "cigarette tax contracts"

11 On page 2, line 2, after "cigarettes" strike all material through  
12 "agreements" and insert "with Indian tribes. All cigarette tax  
13 contracts"

14 On page 2, beginning on line 3, after "for" strike all material  
15 through "the" on line 4, and insert "cigarette tax contracts under this  
16 section. The"

17 On page 2, line 5, after "a" strike "cooperative agreement" and  
18 insert "cigarette tax contract"

19 On page 2, line 7, after "(2)" strike "Cooperative agreements" and  
20 insert "Cigarette tax contracts"

21 On page 2, at the beginning of line 10, strike "Indian" and insert  
22 "cigarette tax"

23 On page 2, line 10, after "addition," strike "cooperative  
24 agreements" and insert "cigarette tax contracts"

25 On page 2, line 13, after "(3) A" strike "cooperative agreement"  
26 and insert "cigarette tax contract"

27 On page 2, line 15, after "on" strike "Indian" and insert  
28 "cigarette tax"

1 On page 2, beginning on line 18, strike all of subsection (4) and  
2 insert the following:

3 "(4) Cigarette tax contracts shall provide that the first possessor  
4 of all cigarettes possessed or sold by an Indian retailer shall affix  
5 to the cigarettes a cigarette stamp authorized by the state of  
6 Washington."

7 On page 2, line 22, after "(5)" strike "Cooperative agreements" and  
8 insert "Cigarette tax contracts"

9 On page 2, line 28, after "of the" strike "cooperative agreement"  
10 and insert "cigarette tax contract and this section"

11 On page 2, beginning on line 36, strike all of subsections (6) and  
12 (7), and insert the following:

13 "(6) Cigarette tax contracts shall identify acts constituting a  
14 breach of the contract. The contract shall specify penalties  
15 particularized to each identified breach. Contracts shall identify  
16 procedures for the liquor control board and participating tribes to  
17 resolve disputes."

18 Renumber the remaining subsections consecutively and correct any  
19 internal references accordingly.

20 On page 3, line 1, after "tribe" insert "from the sale of  
21 cigarettes"

22 On page 3, beginning on line 4, strike all of subsection (9) and  
23 insert the following:

24 "(9) Cigarette tax contracts must direct disputes regarding the  
25 interpretation and administration of their provisions to a superior  
26 court in Washington state for judicial resolution. In any legal  
27 dispute concerning the performance under the terms and conditions of a  
28 cigarette tax contract, the state of Washington shall be represented by  
29 the liquor control board. The refusal of a cigarette tax contract  
30 signor to submit to the jurisdiction of the state of Washington  
31 operates to terminate the cigarette tax contract."

1 On page 3, beginning on line 11, strike "cooperative agreements"  
2 and insert "cigarette tax contracts"

3 On page 3, line 14, strike "an agreement" and insert "a contract"

4 On page 3, line 12, after "revenue" insert "acting with the  
5 assistance of the liquor control board"

6 On page 3, after line 15, insert the following:

7 "(12) Contracts authorized by this section do not impair or  
8 otherwise affect any present or future assertion of sovereignty by a  
9 party to the contract."

10 Renumber the remaining subsection consecutively and correct any  
11 internal references accordingly.

12 On page 3, line 16, after "For" insert "the limited"

13 On page 3, line 22, after "(b)" strike ""Indian lands"" and insert  
14 ""Cigarette tax lands""

15 On page 3, line 29, after "trust" insert "by the United States"

16 On page 3, line 35, after "into" strike "cooperative agreements"  
17 and insert "cigarette tax contracts"

18 On page 4, line 1, after "Each" strike "agreement" and insert  
19 "contract"

20 On page 4, line 11, strike "agreement" and insert "contract"

21 On page 4, at the beginning of line 14, strike "the agreement" and  
22 insert "the contract"

23 On page 4, line 17, after "A" strike "cooperative agreement" and  
24 insert "cigarette tax contract"

25 On page 4, at the beginning of line 23, strike "cooperative  
26 agreement" and insert "cigarette tax contract"

1        On page 4, line 27, after "retailer" insert "on cigarette tax  
2 lands"

3        On page 4, line 28, after "a" strike "cooperative agreement" and  
4 insert "cigarette tax contract"

5        On page 4, line 33, after "retailer" strike all material through  
6 "agreement" and insert "on cigarette tax lands during the effective  
7 period of a contract with an Indian tribe"

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