CERTIFICATION OF ENROLLMENT

HOUSE BILL 1915

Chapter 208, Laws of 2005

59th Legislature
2005 Regular Session

INDIAN TRIBES--CIGARETTE TAX CONTRACTS

EFFECTIVE DATE: 7/24/05

Passed by the House March 10, 2005
Yeas 96  Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 11, 2005
Yeas 44  Nays 0

BRAD OWEN
President of the Senate

Certification

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 1915 as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER
Chief Clerk

Approved April 28, 2005.

CHRISTINE GREGOIRE
Governor of the State of Washington

FILED
April 28, 2005 - 1:15 p.m.
AN ACT Relating to adding additional tribes with whom the governor may contract with under RCW 43.06.460; and amending RCW 43.06.460.

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

Sec. 1. RCW 43.06.460 and 2003 c 236 s 1 are each amended to read as follows:

(1) The governor is authorized to enter into cigarette tax contracts with the Squaxin Island Tribe, the Nisqually Tribe, Tulalip Tribes, the Muckleshoot Indian Tribe, the Quinault Nation, the Jamestown S'Klallam Indian Tribe, the Port Gamble S'Klallam Tribe, the Stillaguamish Tribe, the Sauk-Suiattle Tribe, the Skokomish Indian Tribe, the Yakama Nation, the Suquamish Tribe, the Nooksack Indian Tribe, the Lummi Nation, the Chehalis Confederated Tribes, the Upper Skagit Tribe, the Snoqualmie Tribe, the Swinomish Tribe, the Samish Indian Nation, the Quileute Tribe, ((and)) the Kalispel Tribe, the Confederated Tribes of the Colville Reservation, the Cowlitz Indian Tribe, the Lower Elwha Klallam Tribe, and the Makah Tribe. Each contract adopted under this section shall provide that the tribal cigarette tax rate be one hundred percent of the state cigarette and state and local sales and use taxes within three years of enacting the
tribal tax and shall be set no lower than eighty percent of the state
cigarette and state and local sales and use taxes during the three-year
phase-in period. The three-year phase-in period shall be shortened by
three months each quarter the number of cartons of nontribal
manufactured cigarettes is at least ten percent or more than the
quarterly average number of cartons of nontribal manufactured
cigarettes from the six-month period preceding the imposition of the
tribal tax under the contract. Sales at a retailer operation not in
existence as of the date a tribal tax under this section is imposed are
subject to the full rate of the tribal tax under the contract. The
tribal cigarette tax is in lieu of the state cigarette and state and
local sales and use taxes, as provided in RCW 43.06.455(3).

(2) A cigarette tax contract under this section is subject to RCW
43.06.455.

Passed by the House March 10, 2005.
Passed by the Senate April 11, 2005.
Approved by the Governor April 28, 2005.
Filed in Office of Secretary of State April 28, 2005.