

**SSB 5785** - H COMM AMD

By Committee on Agriculture & Natural Resources

**ADOPTED 02/27/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 77.12  
4 RCW to read as follows:

5 (1) The definitions in this subsection apply throughout this  
6 section unless the context clearly requires otherwise.

7 (a) "Nonprofit organization" means any:

8 (i) Organization described in section 501(c)(3) of the internal  
9 revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)) and exempt from tax  
10 under section 501(a) of the internal revenue code; or

11 (ii) Not-for-profit organization that is organized and conducted  
12 for public benefit and operated primarily for charitable, civic,  
13 educational, religious, welfare, or health purposes.

14 (b) (i) "Volunteer" or "volunteer organization" means an  
15 individual or entity performing services for a nonprofit organization  
16 or a governmental entity who does not receive compensation, other  
17 than reasonable reimbursement or allowances for expenses actually  
18 incurred, or any other thing of value, in excess of \$500 per year.

19 (ii) "Volunteer" includes a volunteer serving as a director,  
20 officer, trustee, or direct service volunteer.

21 (2) The director is authorized to enter into those contracts,  
22 agreements, or other arrangements as are necessary to collaborate  
23 with volunteer organizations and nonprofit organizations to maintain,  
24 protect, and enhance department lands including, but not limited to,  
25 entering into:

26 (a) Agreements with nonprofit organizations and volunteer  
27 organizations for work; and

28 (b) Master agreements with nonprofit organizations and volunteer  
29 organizations, allowing for the issuing of work orders as needed  
30 pursuant to the terms of those master agreements.

31 (3) Agreements under this section are limited to a duration of  
32 five years and work valued at less than \$250,000 per year.

1 (4) The requirements of chapter 39.04 RCW do not apply to  
2 contracts, agreements, or other arrangements between the department  
3 and nonprofit organizations, volunteers, and volunteer organizations,  
4 for the purposes set forth in this section.

5 (5) Whenever volunteers or volunteer organizations are authorized  
6 to perform activities or carry out projects under this section or  
7 agreements entered into pursuant to this section, the volunteers or  
8 members of the volunteer organization may not be considered employees  
9 or agents of the department and the department is not subject to any  
10 liability whatsoever arising out of volunteer activities or projects.  
11 The liability of the department to volunteers and members of the  
12 volunteer organizations is limited in the same manner as provided for  
13 in RCW 4.24.210.

14 (6)(a) Nothing in this section shall diminish the responsibility  
15 of the department to protect the resources and access guaranteed to  
16 federally recognized Indian tribes in certain treaties made with the  
17 United States.

18 (b) Nothing in this section shall alter, diminish, or expand the  
19 rights of any federally recognized Indian tribe with treaty reserved  
20 rights."

21 Correct the title.

EFFECT: Provides that nothing in the act diminishes the  
responsibility of the department of fish and wildlife to protect the  
resources and access guaranteed to federally recognized Indian tribes  
in certain treaties made with the United States. Provides that  
nothing in the act alters, diminishes, or expands the rights of any  
federally recognized Indian tribe with treaty reserved rights.

--- END ---