

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5042**

58th Legislature  
2003 Regular Session

Passed by the Senate April 21, 2003  
YEAS 43 NAYS 0

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**President of the Senate**

Passed by the House April 9, 2003  
YEAS 92 NAYS 0

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Milton H. Doumit, Jr.,  
Secretary of the Senate of the  
State of Washington, do hereby  
certify that the attached is  
**SENATE BILL 5042** as passed by the  
Senate and the House of  
Representatives on the dates  
hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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SENATE BILL 5042

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AS AMENDED BY THE HOUSE

Passed Legislature - 2003 Regular Session

State of Washington                      58th Legislature                      2003 Regular Session

By Senators T. Sheldon, Morton and Fraser; by request of  
Commissioner of Public Lands

Read first time 01/13/2003.                      Referred to Committee on Natural  
Resources, Energy & Water.

1            AN ACT Relating to the department of natural resources' contractual  
2 authority; and amending RCW 43.30.130.

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

4            **Sec. 1.** RCW 43.30.130 and 1965 c 8 s 43.30.130 are each amended to  
5 read as follows:

6            (1) The department shall exercise all of the powers, duties, and  
7 functions now vested in the commissioner of public lands and such  
8 powers, duties, and functions are hereby transferred to the  
9 department(~~PROVIDED, That~~). However, nothing ((herein)) contained  
10 in this section shall effect ((his)) the commissioner's ex officio  
11 membership on any committee provided by law.

12            (2)(a) Except as provided in (b) of this subsection, and subject to  
13 the limitations of RCW 4.24.115, the department, in the exercise of any  
14 of its powers, may include in any authorized contract a provision for  
15 indemnifying the other contracting party against loss or damages.

16            (b) When executing a right of way or easement contract over private  
17 land that involves forest management activities, the department shall

1 indemnify the private landowner if the landowner does not receive a  
2 direct benefit from the contract.

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