

SENATE BILL REPORT

SB 5146

As of January 20, 2021

Title: An act relating to authorizing the fish and wildlife commission to indemnify the federal government as a condition of securing certain funds.

Brief Description: Authorizing the fish and wildlife commission to indemnify the federal government as a condition of securing certain funds.

Sponsors: Senator Van De Wege.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/21/21.

Brief Summary of Bill

- Authorizes the Fish and Wildlife Commission to indemnify the United States and its agencies as a condition of securing federal funds for purposes of fish, shellfish, and wildlife projects.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & PARKS

Staff: Jeff Olsen (786-7428)

Background: Certain federal agencies may require indemnification language in their contracts. For example, the United States Army Corps of Engineers requires indemnification for damages arising from the design, construction, and operation of aquatic ecosystem restoration projects. Indemnity may be included as a clause in contracts in which the actions or mistakes of one party may result in the other party being liable for damages. In most contracts, an indemnification clause serves to compensate a party for harm or loss arising in connection with the other party's actions or failure to act.

Federal funding has been authorized for the Puget Sound Nearshore Ecosystem Restoration

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Project (PSNERP). One of the projects recommended in the PSNERP is the Duckabush estuary restoration project. The project would occur primarily on public land and would reconnect the Duckabush River to neighboring floodplains and wetlands.

Summary of Bill: The Fish and Wildlife Commission may indemnify the United States and its agencies as a condition of securing federal funds for purposes of fish, shellfish, and wildlife projects.

Appropriation: None.

Fiscal Note: Requested on January 17, 2021.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.