

FINAL BILL REPORT

SB 5146

C 182 L 21
Synopsis as Enacted

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.

Senate Committee on Agriculture, Water, Natural Resources & Parks
House Committee on Rural Development, Agriculture & Natural Resources
House Committee on Capital Budget

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 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: 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.

Votes on Final Passage:

Senate	49	0
House	97	0

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.

Effective: July 25, 2021