
**Rural Development, Agriculture &
Natural Resources Committee**

SB 5146

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 Summary of Bill

- Provides that the Fish and Wildlife Commission may indemnify the United States and its agencies as a condition to secure federal funds for fish, shellfish, and wildlife projects.

Hearing Date: 3/16/21

Staff: Rebecca Lewis (786-7339).

Background:

The Fish and Wildlife Commission has authority to enter into agreements with a variety of entities, including federal government or its agencies, regarding fish, shellfish, and wildlife-oriented recreation, as well as the propagation, protection, conservation, and control of fish, shellfish, and wildlife. 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.

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.

Summary of Bill:

The Fish and Wildlife Commission may indemnify the United States and its agencies as a condition to secure federal funds for fish, shellfish, and wildlife projects.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.