

**RCW 43.30.411 Department to exercise powers and duties—
Indemnification of private parties.** (1) The department shall exercise all of the powers, duties, and functions now vested in the commissioner of public lands and such powers, duties, and functions are hereby transferred to the department. However, nothing contained in this section shall effect the commissioner's ex officio membership on any committee provided by law.

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

(b) When executing a right-of-way or easement contract over private land that involves forest management activities, the department shall indemnify the private landowner if the landowner does not receive a direct benefit from the contract. [2003 c 334 s 108; 2003 c 312 s 1; 1965 c 8 s 43.30.130. Prior: 1957 c 38 s 13. Formerly RCW 43.30.130.]

Reviser's note: This section was amended by 2003 c 312 s 1 and by 2003 c 334 s 108, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Intent—2003 c 334: See note following RCW 79.02.010.