

# SENATE BILL REPORT

## SB 5403

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As Reported By Senate Committee On:  
Ecology & Parks, February 28, 1995

**Title:** An act relating to the Washington state horse park.

**Brief Description:** Establishing the Washington state horse park.

**Sponsors:** Senators Fraser, A. Anderson, Rasmussen, Prince, Spanel, Morton, Loveland, Swecker, Snyder, Palmer, Owen, Quigley and Roach.

**Brief History:**

**Committee Activity:** Ecology & Parks: 2/2/95, 2/28/95 [DPS].

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### SENATE COMMITTEE ON ECOLOGY & PARKS

**Majority Report:** That Substitute Senate Bill No. 5403 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; C. Anderson, Vice Chair; McAuliffe, McDonald, Spanel and Swecker.

**Staff:** Cathy Baker (786-7708)

**Background:** In 1986 the Legislature directed the state Department of Agriculture to investigate the economic impact of Washington's horse industry. Based upon that study, and with the assistance of the Washington State Horse Council, the department recommended the creation of a state-owned and operated equestrian center to promote and serve the recreational horse industry. The Horse Council subsequently pursued this recommendation with the State Parks and Recreation Commission for the potential location of such a facility at Lewis and Clark State Park in Lewis County.

A State Parks feasibility study was completed in 1990, and funds were appropriated in the 1991-1993 capital budget for initial acquisition of land parcels adjacent to the park. Subsequently, the site was found not suitable for the facility, but an alternative site in Lewis County was identified, which is partially in state ownership.

The Washington State Horse Park Foundation has been created as a private, nonprofit corporation to assist in promoting and funding a state horse park. The foundation proposes the park to be located at a site approved by the state and operated under a publicly-created Washington nonprofit corporation.

**Summary of Substitute Bill:** Findings are made regarding the economic and recreational benefits of equestrian activities to the state. The Washington State Horse Park is established and is located at a site approved by the State Parks and Recreation Commission.

The park is operated by the Washington State Horse Park Authority, authorized to be created by the Governor as a private nonprofit corporation under Washington law. The Authority is governed by a seven-member board appointed by the Governor. Members include: (a) one member representing the interests of the State Parks and Recreation Commission; (b) one member representing the interests of the county in which the park is located; and (c) five members representing the diversity of equestrian interests in the state.

The Authority has all the powers and is subject to all the restrictions that apply to private nonprofit corporations. The Authority is also specifically authorized to accept gifts and grants, establish and collect fees, insure its obligations and potential liability, enter into cooperative agreements, grant concessions and leases, and undertake other acts necessary to carry out the purposes of the Authority and the horse park. Any debts of the Authority are in the name of the Authority and are not debts of the state.

The State Parks and Recreation Commission retains ownership of land provided by the state for the horse park. The commission is encouraged to provide a long-term lease of the selected property to the Authority at a minimal charge. If such a lease is provided, it must contain provisions ensuring public access to and use of the horse park facilities. Land provided for the horse park by the county in which the park is located remains in the ownership of that county. If the Authority acquires additional lands through other means, the Authority retains ownership of those lands.

Several agencies of the state and higher education institutions are directed to explore with the Authority opportunities for collaboration on matters regarding the horse park and equestrian activities generally. The Authority is encouraged to cooperate with youth groups and local park departments to provide youth recreational activities.

**Substitute Bill Compared to Original Bill:** The Washington State Horse Park Authority is authorized to be created as a private nonprofit corporation, rather than a public nonprofit corporation. The Authority will be governed by the statutes that apply to private nonprofit corporations, and it will not be considered an instrumentality of the state.

The original bill contained provisions to clarify the relationship between the state and the Authority with respect to liability and financial obligations. Many of these provisions have been removed. The original bill also exempted the Authority from various laws applicable to state agencies. These provisions have also been removed.

The original bill authorized the creation of a new account in the custody of the State Treasurer, and it limited the indebtedness of the Authority. Both of these provisions have been removed.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The bill will provide both economic and recreational benefits to the entire state by addressing a major need for such a facility for equestrian activities.

**Testimony Against:** None.

**Testified:** PRO: David Schilperoort, Lewis County; Kay Sabich, Karen Munro, Amy Roden, Washington State Horse Park Foundation; Russ Cahill, State Parks and Recreation Commission.