
SUBSTITUTE SENATE BILL 5403

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Ecology & Parks (originally sponsored by Senators Fraser, A. Anderson, Rasmussen, Prince, Spanel, Morton, Loveland, Swecker, Snyder, Palmer, Owen, Quigley and Roach)

Read first time 03/01/95.

1 AN ACT Relating to the Washington state horse park; adding a new
2 chapter to Title 67 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that:

5 (1) Horses are part of a large, highly diverse, and vital industry
6 which provides significant economic, employment, recreational, and
7 educational contributions to residents of and visitors to the state of
8 Washington;

9 (2) Currently there is no adequate facility in the Pacific
10 Northwest with the acreage, services, and capacity to host large
11 regional horse shows, national championships, or Olympics-quality
12 events to showcase and promote this important Washington industry;

13 (3) Establishing a first-class horse park facility in Washington
14 would meet important needs of the state's horse industry, attract
15 investment, enhance recreational opportunities, and bring new
16 exhibitors and tourists to the state from throughout the region and
17 beyond; and

18 (4) A unique opportunity exists to form a partnership between
19 state, county, and private interests to create a major horse park

1 facility that will provide public recreational opportunities and state-
2 wide economic and employment benefits.

3 It is the purpose of this legislation to create the framework for
4 such a partnership to facilitate development of the Washington state
5 horse park. It is further the intent of the legislature that the state
6 horse park shall be developed in stages, based on factors such as the
7 availability of funds, equipment, and other materials donated by
8 private sources; the availability and willingness of volunteers to work
9 on park development; and the availability of revenues generated by the
10 state horse park as it is developed and utilized.

11 NEW SECTION. **Sec. 2.** Unless the context clearly indicates
12 otherwise, the definitions in this section apply throughout this
13 chapter.

14 (1) "Authority" means the Washington state horse park authority
15 authorized to be created in section 4 of this act.

16 (2) "Commission" means the Washington state parks and recreation
17 commission.

18 (3) "Horses" includes all domesticated members of the taxonomic
19 family Equidae, including but not limited to horses, donkeys, and
20 mules.

21 (4) "State horse park" means the Washington state horse park
22 established in section 3 of this act.

23 NEW SECTION. **Sec. 3.** (1) The Washington state horse park is
24 hereby established, to be located at a site approved by the commission.
25 In approving a site for the state horse park, the commission shall
26 consider areas with large blocks of land suitable for park development,
27 the distance to various population centers in the state, the ease of
28 transportation to the site for large vehicles traveling along either a
29 north-south or an east-west corridor, and other factors deemed
30 important by the commission.

31 (2) Ownership of land for the state horse park shall be as follows:

32 (a) The commission is vested with and shall retain ownership of
33 land provided by the state for the state horse park. The legislature
34 encourages the commission to provide a long-term lease of the selected
35 property to the Washington state horse park authority at a minimal
36 charge. The lease shall contain provisions ensuring public access to
37 and use of the horse park facilities, and generally maximizing public

1 recreation opportunities at the horse park, provided that the facility
2 remains available primarily for horse-related activities.

3 (b) Land provided for the state horse park by the county in which
4 the park is located shall remain in the ownership of that county unless
5 the county determines otherwise. The legislature encourages the county
6 to provide a long-term lease of selected property to the Washington
7 state horse park authority at a minimal charge.

8 (c) If the authority acquires additional lands through donations,
9 grants, or other means, or with funds generated from the operation of
10 the state horse park, the authority shall retain ownership of those
11 lands. The authority shall also retain ownership of horse park site
12 improvements paid for by or through donations or gifts to the
13 authority.

14 (3) Development, promotion, operation, management, and maintenance
15 of the state horse park is the responsibility of the authority created
16 in section 4 of this act.

17 NEW SECTION. **Sec. 4.** (1) The governor shall form a Washington
18 nonprofit corporation under the nonprofit corporation provisions of
19 chapter 24.03 RCW. The corporation shall have all the powers and be
20 subject to the same restrictions as are permitted or prescribed to
21 nonprofit corporations and shall exercise those powers only for
22 carrying out the purposes of this chapter and those purposes
23 necessarily implied therefrom. The nonprofit corporation shall be
24 known as the Washington state horse park authority. The articles of
25 incorporation shall provide that it is the responsibility of the
26 authority to develop, promote, operate, manage, and maintain the
27 Washington state horse park. The articles of incorporation shall
28 provide for appointment of directors and other conduct of business
29 consistent with the requirements of this chapter.

30 (2)(a) The articles of incorporation shall provide for a seven-
31 member board of directors for the authority, all appointed by the
32 governor. Board members shall serve three-year terms, except that two
33 of the original appointees shall serve one-year terms, and two of the
34 original appointees shall serve two-year terms. A board member may
35 serve consecutive terms.

36 (b) The articles of incorporation shall provide that the governor
37 appoint board members as follows:

1 (i) One board member shall represent the interests of the
2 commission. In making this appointment, the governor shall solicit
3 recommendations from the commission;

4 (ii) One board member shall represent the interests of the county
5 in which the park is located. In making this appointment, the governor
6 shall solicit recommendations from the county legislative authority;
7 and

8 (iii) Five board members shall represent the geographic and sports
9 discipline diversity of equestrian interests in the state, and at least
10 one of these members shall have business experience relevant to the
11 organization of horse shows or operation of a horse show facility. In
12 making these appointments, the governor shall solicit recommendations
13 from a variety of active horse-related organizations in the state.

14 (3) The governor shall make appointments to fill board vacancies
15 for positions authorized under subsection (2) of this section, upon
16 additional solicitation of recommendations from the board of directors.

17 (4) The board of directors shall perform their duties in the best
18 interests of the authority, consistent with the standards applicable to
19 directors of nonprofit corporations under RCW 24.03.127.

20 NEW SECTION. **Sec. 5.** To meet its responsibility for developing,
21 promoting, operating, managing, and maintaining the state horse park,
22 the authority is empowered to do the following:

23 (1) Exercise the general powers authorized for any nonprofit
24 corporation as specified in RCW 24.03.035. All debts of the authority
25 shall be in the name of the authority and shall not be debts of the
26 state of Washington for which the state or any state agency, other than
27 the authority, shall have any obligation to pay; and the authority may
28 not issue bonds. Neither the full faith and credit of the state nor
29 the state's taxing power is pledged for any indebtedness of the
30 authority;

31 (2) Employ and discharge at its discretion employees, agents,
32 advisors, and other personnel;

33 (3) Apply for or solicit, accept, administer, and dispose of
34 grants, gifts, and bequests of money, services, securities, real
35 estate, or other property. However, if the authority accepts a
36 donation designated for a specific purpose, the authority shall use the
37 donation for the designated purpose;

1 (4) Establish, revise, collect, manage, and expend such fees and
2 charges at the state horse park as the authority deems necessary to
3 accomplish its responsibilities;

4 (5) Make such expenditures as are appropriate for paying the
5 administrative costs and expenses of the authority and the state horse
6 park;

7 (6) Authorize use of the state horse park facilities by the general
8 public and by and for compatible nonequestrian events as the authority
9 deems reasonable, so long as the primacy of the center for horse-
10 related purposes is not compromised;

11 (7) Insure its obligations and potential liability;

12 (8) Enter into cooperative agreements with and provide for private
13 nonprofit groups to use the state horse park facilities and property to
14 raise money to contribute gifts, grants, and support to the authority
15 for the purposes of this chapter;

16 (9) Grant concessions or leases at the state horse park upon such
17 terms and conditions as the authority deems appropriate, but in no
18 event shall the term of a concession or lease exceed twenty-five years.
19 Concessions and leases shall be consistent with the purposes of this
20 chapter and may be renegotiated at least every five years; and

21 (10) Generally undertake any and all lawful acts necessary or
22 appropriate to carry out the purposes for which the authority and the
23 state horse park are created.

24 NEW SECTION. **Sec. 6.** (1) If the authority and state agencies find
25 it mutually beneficial to do so, they are authorized to collaborate and
26 cooperate on projects of shared interest. Agencies authorized to
27 collaborate with the authority include but are not limited to: The
28 commission for activities and projects related to public recreation;
29 the department of agriculture for projects related to the equine
30 agricultural industry; the department of community, trade, and economic
31 development with respect to community and economic development and
32 tourism issues associated with development of the state horse park;
33 Washington State University with respect to opportunities for animal
34 research, education, and extension; the department of ecology with
35 respect to opportunities for making the state horse park's waste
36 treatment facilities a demonstration model for the handling of waste to
37 protect water quality; and with local community colleges with respect

1 to programs related to horses, economic development, business, and
2 tourism.

3 (2) The authority is encouraged to cooperate with 4-H clubs, pony
4 clubs, youth groups, and local park departments to provide youth
5 recreational activities. The authority is also encouraged to provide
6 for preferential use of an area of the horse park facility for youth
7 and the disabled at nominal cost.

8 NEW SECTION. **Sec. 7.** Sections 2 through 6 of this act shall
9 constitute a new chapter in Title 67 RCW.

10 NEW SECTION. **Sec. 8.** If any provision of this act or its
11 application to any person or circumstance is held invalid, the
12 remainder of the act or the application of the provision to other
13 persons or circumstances is not affected.

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