

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5403**

54th Legislature  
1995 Regular Session

Passed by the Senate April 17, 1995  
YEAS 42 NAYS 1

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**President of the Senate**

Passed by the House April 6, 1995  
YEAS 95 NAYS 1

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**Speaker of the  
House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5403** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5403**

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AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

**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. Any lands  
34 acquired by the commission after the effective date of this act for the  
35 state horse park shall be purchased under chapter 43.98A RCW. The  
36 legislature encourages the commission to provide a long-term lease of  
37 the selected property to the Washington state horse park authority at

1 a minimal charge. The lease shall contain provisions ensuring public  
2 access to and use of the horse park facilities, and generally  
3 maximizing public recreation opportunities at the horse park, provided  
4 that the facility remains available primarily for horse-related  
5 activities.

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

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

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

20 NEW SECTION. **Sec. 4.** (1) A nonprofit corporation may be formed  
21 under the nonprofit corporation provisions of chapter 24.03 RCW to  
22 carry out the purposes of this chapter. Except as provided in section  
23 5 of this act, the corporation shall have all the powers and be subject  
24 to the same restrictions as are permitted or prescribed to nonprofit  
25 corporations and shall exercise those powers only for carrying out the  
26 purposes of this chapter and those purposes necessarily implied  
27 therefrom. The nonprofit corporation shall be known as the Washington  
28 state horse park authority. The articles of incorporation shall  
29 provide that it is the responsibility of the authority to develop,  
30 promote, operate, manage, and maintain the Washington state horse park.  
31 The articles of incorporation shall provide for appointment of  
32 directors and other conduct of business consistent with the  
33 requirements of this chapter.

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

1 original appointees shall serve two-year terms. A board member may  
2 serve consecutive terms.

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

5 (i) One board member shall represent the interests of the  
6 commission. In making this appointment, the governor shall solicit  
7 recommendations from the commission;

8 (ii) One board member shall represent the interests of the county  
9 in which the park is located. In making this appointment, the governor  
10 shall solicit recommendations from the county legislative authority;  
11 and

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

18 (3) The articles of incorporation shall include a policy that  
19 provides for the preferential use of a specific area of the horse park  
20 facilities at nominal cost for horse groups associated with youth  
21 groups and the disabled.

22 (4) The governor shall make appointments to fill board vacancies  
23 for positions authorized under subsection (2) of this section, upon  
24 additional solicitation of recommendations from the board of directors.

25 (5) The board of directors shall perform their duties in the best  
26 interests of the authority, consistent with the standards applicable to  
27 directors of nonprofit corporations under RCW 24.03.127.

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

31 (1) Exercise the general powers authorized for any nonprofit  
32 corporation as specified in RCW 24.03.035. All debts of the authority  
33 shall be in the name of the authority and shall not be debts of the  
34 state of Washington for which the state or any state agency shall have  
35 any obligation to pay; and the authority may not issue bonds. Neither  
36 the full faith and credit of the state nor the state's taxing power is  
37 pledged for any indebtedness of the authority;

- 1       (2) Employ and discharge at its discretion employees, agents,  
2 advisors, and other personnel;
- 3       (3) Apply for or solicit, accept, administer, and dispose of  
4 grants, gifts, and bequests of money, services, securities, real  
5 estate, or other property. However, if the authority accepts a  
6 donation designated for a specific purpose, the authority shall use the  
7 donation for the designated purpose;
- 8       (4) Establish, revise, collect, manage, and expend such fees and  
9 charges at the state horse park as the authority deems necessary to  
10 accomplish its responsibilities;
- 11       (5) Make such expenditures as are appropriate for paying the  
12 administrative costs and expenses of the authority and the state horse  
13 park;
- 14       (6) Authorize use of the state horse park facilities by the general  
15 public and by and for compatible nonequestrian events as the authority  
16 deems reasonable, so long as the primacy of the center for horse-  
17 related purposes is not compromised;
- 18       (7) Insure its obligations and potential liability;
- 19       (8) Enter into cooperative agreements with and provide for private  
20 nonprofit groups to use the state horse park facilities and property to  
21 raise money to contribute gifts, grants, and support to the authority  
22 for the purposes of this chapter;
- 23       (9) Grant concessions or leases at the state horse park upon such  
24 terms and conditions as the authority deems appropriate, but in no  
25 event shall the term of a concession or lease exceed twenty-five years.  
26 Concessions and leases shall be consistent with the purposes of this  
27 chapter and may be renegotiated at least every five years; and
- 28       (10) Generally undertake any and all lawful acts necessary or  
29 appropriate to carry out the purposes for which the authority and the  
30 state horse park are created.

31       NEW SECTION. **Sec. 6.** (1) If the authority and state agencies find  
32 it mutually beneficial to do so, they are authorized to collaborate and  
33 cooperate on projects of shared interest. Agencies authorized to  
34 collaborate with the authority include but are not limited to: The  
35 commission for activities and projects related to public recreation;  
36 the department of agriculture for projects related to the equine  
37 agricultural industry; the department of community, trade, and economic  
38 development with respect to community and economic development and

1 tourism issues associated with development of the state horse park;  
2 Washington State University with respect to opportunities for animal  
3 research, education, and extension; the department of ecology with  
4 respect to opportunities for making the state horse park's waste  
5 treatment facilities a demonstration model for the handling of waste to  
6 protect water quality; and with local community colleges with respect  
7 to programs related to horses, economic development, business, and  
8 tourism.

9 (2) The authority shall cooperate with 4-H clubs, pony clubs, youth  
10 groups, and local park departments to provide youth recreational  
11 activities. The authority shall also provide for preferential use of  
12 an area of the horse park facility for youth and the disabled at  
13 nominal cost.

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

16 NEW SECTION. **Sec. 8.** If any provision of this act or its  
17 application to any person or circumstance is held invalid, the  
18 remainder of the act or the application of the provision to other  
19 persons or circumstances is not affected.

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