

HOUSE OF REPRESENTATIVES

Olympia Washington

Bil Analysis

Bil No. HB 2431

Provisions concerning Southwest Washington Fair  
Brief title

Hrg Date: 1/30/98

Reps. DeBoldt/Alexander  
Sponsor

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**BACKGROUND:**

Article I, Section 28 of the Washington Constitution prohibits enacting any private or special law, among other items grant corporate powers or privileges or release obligations of any municipal or other corporation. The Washington Supreme Court has defined prohibited special legislation as legislation which operates upon a single person or entity. Conversely, general legislation operates upon all things or people within a class. - The class affected by general legislation may consist of one person or corporations as long as the law applies to all members of the class. -

Chapter 36.90 RCW relates to the Southwest Washington Fair (the Fair -) The Fair is categorized as a county and district fair but considered an agricultural fair for funding allocation purposes. The Fair was formerly managed by a commission which was abolished by statute in 1973. The 1973 statute transferred administration and control of all commission obligations to the Lewis County Board of Commissioners (board) and vested title to all Fair property in the board.

The board is authorized to appoint a citizens' commission to advise and assist in carrying out the Fair. The board chair is required to observe as the chair of the citizens' committee.

The board is also authorized to acquire and improve real property for Fair purposes. Any surplus property may be sold or exchanged according to specified procedures.

According to RCW 35.21.730, local governments may by ordinance or resolution create public corporations, commissions and authorities to perform specified functions and may transfer funds, property or services to such entities.

Continued

**SUMMARY:**

Provisions regarding management and operation of the Fair are revised.

As an alternative to appointing a citizens committee, the board may appoint a designee to fulfill all of the board's obligations with respect to the Fair. The chair of the board may but is not required to observe as the chair of any citizens committee that is appointed.

Fair property under the jurisdiction of Lewis County and is under the management and control of the board or its designee. Any exchange of surplus Fair property must be conducted according to Lewis County property management regulations.

The definition of employer is amended for purposes of the Public Employees Retirement System (PERS) Plans I and II to include a public corporation, commission or authority created by a local government pursuant to RCW 35.21.730.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill is passed.