

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5403

Chapter 200, Laws of 1995

54th Legislature
1995 Regular Session

WASHINGTON STATE HORSE PARK

EFFECTIVE DATE: 7/23/95

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

JOEL PRITCHARD

President of the Senate

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

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved May 1, 1995

MIKE LOWRY

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.

MARTY BROWN

Secretary

FILED

May 1, 1995 - 11:42 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5403

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.

Passed the Senate April 17, 1995.

Passed the House April 6, 1995.

Approved by the Governor May 1, 1995.

Filed in Office of Secretary of State May 1, 1995.