

SHB 1349 - S COMM AMD
By Committee on Judiciary

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature intends to appoint a work
4 group to study the issue of whether the laws governing easements should
5 continue to be changed in Washington state. Such an important policy
6 decision must be examined in a comprehensive and well-considered manner
7 from all aspects including, but not limited to, fiscal impacts;
8 consideration of rights of property owners; legal ramifications; and
9 the legal and constitutional framework in which the easements currently
10 operate. The importance of the policy implications in this matter
11 requires that a work group study the issue and report its
12 recommendation to the legislature.

13 NEW SECTION. **Sec. 2.** (1) A legislative work group on easements is
14 established, with members as provided in this subsection.

15 (a) The president of the senate shall appoint one member from each
16 of the two largest caucuses of the senate;

17 (b) The attorney general shall appoint a representative of the
18 office of attorney general;

19 (c) An attorney selected by an association of attorneys whose
20 members have practices that focus on real property and probate;

21 (d) A representative of a statewide organization representing real
22 estate agents and brokers; and

23 (e) A representative from the administrative office of the courts.

24 (2) The work group shall review, at a minimum, the following
25 issues:

26 (a) All aspects of how easements function in the state of
27 Washington and whether it should as a matter of policy the laws
28 surrounding easements need to be changed or reformed;

1 (b) The potential fiscal implications to changes in laws involving
2 easements including impacts to collection of taxes and suits in court;

3 (c) The legal and constitutional framework in which easements
4 operate in Washington state; and

5 (d) A survey of laws from other states on the subject of easements.

6 (3) Staff support for the work group must be provided by senate
7 committee services and the house of representatives office of program
8 research.

9 (4) Travel and other membership expenses for legislative members
10 must not be reimbursed. Nonlegislative members must seek reimbursement
11 for travel and other membership expenses through their respective
12 agencies or organizations.

13 (5) The work group shall hold meetings in state or local government
14 facilities and shall endeavor to accommodate the varied places of
15 residence among work group members.

16 (6) The work group may organize itself in a manner, and adopt rules
17 of procedure, that it determines are most conducive to the timely
18 completion of its charge.

19 (7) The work group is subject to chapter 42.30 RCW.

20 (8) The work group shall report its findings and recommendations to
21 the Washington state supreme court, the governor, and appropriate
22 committees of the legislature by December 1, 2012."

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23 On page 1, line 1 of the title, after "agreements;" strike the
24 remainder of the title and insert "and creating new sections."

EFFECT: Requires that a work group study easements in Washington
state.

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