

Larry

From: JOANNE SAMSON [samhooper1@wildblue.net]
Sent: Wednesday, February 02, 2011 12:26 PM
To: lcopenhaver@mtwf.org
Subject: HB 290

Howdy Larry,
Not feelin' too hot, also printer down so must ask you to make enough copies for the committee if you could-prob won't make it.

My name is Sam Samson. I am a former teacher and Jefferson County commissioner.

As a county commissioner, I treated the situations addressed by this law as if it were already in place. Looking back, I believe this to have been good judgement.

Here is why: I believe that anytime the legal status quo of a road is changed (whether that change be real or perceived) that the proof of change should lie with the person or entity proposing that change. This seems to make common sense as well as being ethically sound.

I saw this situation arise several times in our county and we dealt with all cases quickly, openly, legally, (yet out of court) at little or no cost to anyone, only the time of commisssioners, road supervisor, and county attorney. All of these cases have stood the test of time. Ten years have now passed.

Therefore I recommend that HB290 do pass for the following reasons:

- 1) The law would be simple (as laws go) and enforceable
- 2) Neither landowners nor the public's rights would be violated or changed, only clarified.
- 3) HB290 would result in fewer court cases.
- 4) The law would clarify county responsibilities and actions.
- 5) As mentioned above, it makes total philosophical and common sense to place the onus of responsibility on those who wish to make changes to established use.