



2016 State Legislator Candidate Questionnaire

The Missoula Organization of REALTORS® is the voice of the Missoula real estate industry. Our members would like to know your thoughts on priority REALTOR® issues. We thank you for being specific in your responses.

MOR has endorsed candidates in past elections, and may do so in these elections. If we consider an endorsement in your race, we will ask you and your opponent(s) to each meet with us for candidate interviews.

Please return the questionnaire by Friday, September 23 to Sam Sill at ssill@missoularealestate.com.

BACKGROUND

Name: **Bill Murray**

Office You Are Seeking: **Montana HD 90**

Mailing Address: **PO Box 9233**

City & Zip Code: **Missoula, MT-59807**

Phone: **406.396.2560**

Email: bbmurray@live.com

CAMPAIGN ORGANIZATION

Treasurer's Name, Address and Phone Number: **Brigitte Murray, PO Box 9233 Missoula, 59807, 406,542.5087**

Will you accept PAC contributions? **Response: Yes donations from individuals are accepted, no political party contributions have been or will be accepted.**

ISSUES Response: My Campaign issues are for Lower Taxes, Less Regulations, Veterans Hiring Presence, and More Freedom

The year to date median home sales price in Missoula County has risen to \$250,000. This is an all-time high, and well beyond what a median income family can afford. In a September 4, 2016 article in the *Missoulian*, UM chief economist Pat Barkey was quoted as saying that the housing supply was low because of restrictions on development, and that for prices to go down, developers need to be able to build large subdivisions for a relatively low cost. In 2014 and 2015, only two subdivisions were approved in Missoula County. This session, the legislature will consider policies that affect the ability of working families to afford a home.

Response: If a government excessively burdens and regulates developers, there will be less affordable development and affordable housing will be less likely.

1. Missoula County is treated as a closed basin, meaning that no new appropriations of water are allowed without first acquiring an existing water right for mitigation through the DNRC permitting process. This process is unpredictable, lengthy, and often cost prohibitive. As a result, exempt wells had long been used to provide water for new homes, businesses, and industry outside of Mountain Water's service area. As long as the wells were not physically connected, they were exempt from the mitigation requirement. Exempt wells have a priority date and are subject to calls from senior water users. They account for less than 0.5 percent of the water appropriated in Montana each year.

A 2014 district court decision has severely limited their use by requiring DNRC to treat unconnected exempt wells as a "combined appropriation," requiring an existing water right for mitigation in Missoula County. This has drastically limited the ability of developers to build subdivisions with homes that working families can afford. **Should the legislature codify this new definition of combined appropriation from the court decision, or should the legislature codify the previous definition that was in place for over 20 years?**

Response: As explained in your statement above I would consider listening deliberating and voting on legislation that would allow new wells for approved plotted rural subdivision development.

2. Governing bodies are required by state case law to take a "hard look" when examining certain subdivision review criteria. Experience has shown that it is difficult for local governing bodies to know when they have applied the hard look standard. As the standard is currently interpreted by the courts, someone can always claim the governing body didn't look hard enough. This can result in an unfortunate situation where a governing body's conscientious review is overturned based on a distortion of the record or insignificant factors. **If elected, would you support legislation that makes it easier for governing bodies to meet the hard look standard?**

Response: Yes I would support legislation to set a defined "Hard Look" standard. Certainty is what developers, investors and planners require to deal with on budget development. Your question indicates that currently no matter what the "hard look" decision rendered that persons or groups likely will challenge the outcome. I think a "legislative hard look" standard would limit unnecessary delays or litigation due to straw man non existing issues or problems.

3. The Legacy Ranch court decision from Ravalli County is spurring changes to local subdivision phasing and extension rules in Missoula County and other jurisdictions. In Missoula County, the rules will be changed to shorten the approval period, restrict extensions, and require additional public hearings for extensions. This will add uncertainty and increased costs to an already expensive development process. It will also bring about lesser quality neighborhoods by denying developers the ability to plan for street grid connectivity, large interior parks, sidewalks, and other infrastructure. This session, the legislature may consider clarifying subdivision law to provide governing bodies a better framework for handling phased developments. **If elected, would you support legislation that extends the approval period, clarifies that phased developments are allowed, and provides a more streamlined process for governing bodies to review extensions?**

Response: Prior to the hearing in Ravalli County my family resided adjacent to that plot. Our neighbors were split on the concept of this development. The Ravalli County commissioners went out of their way to receive input from both sides before making a decision. In the end this was an unprecedented sized development and only existing case law and regulations were considered. I would consider voting on a bill that set standards for approval of subdivisions consisting of residential dwelling units. This will provide certainty and ultimately lower cost for development leading to better financial valued based home prices.

Respectfully submitted,

Bill Murray

Candidate for Montana HD 90

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