

Respondent



27

Anonymous



91:57

Time to complete



1. Name & office you are seeking *

Josiah Hinkle; Representative for HD90

2. Housing inventories are at all-time lows in many Montana communities. As a result, rent and home sales prices are at all-time highs. Local land use regulations and development review processes add unpredictability, delays, and extra costs to developing new housing stock, directly contributing to the housing shortage and lack of affordability. State law provides the framework and authority for these local regulations and review processes. As a state legislator, you will be asked to balance many competing interests in debates over land use policy. **Will you support legislation that streamlines and supports new housing, even if it means local governments are given less control over housing development?**

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Yes. Why is the local government interfering with the property rights of law abiding citizens? If I'm not mistaken, the 5th amendment secures to the people the right not to be deprived of their property without due process of law. It is not necessary to render a statute obnoxious to the restraints of the constitution that it must in terms effect or authorize the actual physical taking of the thing itself so long as it affects its free use and enjoyment, or the power of disposition, at the will of the owner.

3. Property taxes are the primary funding source for local government services and infrastructure and help to fund public education. Increasing mill levies and increasing property value assessments have left many homeowners and commercial property owners asking for relief. **How would you propose providing property tax relief to Montanans?**

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The general platform of the libertarian party considers taxation based on constraint to be theft. I would work to replace punitive property tax regulations with incentive based legislation/programs which would help to seamlessly coordinate those who wish to financially support such institutions with those institutions providing such services. This places the general power of review and approval, as it concerns their children's education, in the hands of parents where it belongs. And it doesn't take from those who did not consent to provide such financial assistance. A critical examination of the necessity of all government services and potential infrastructure will be done, cutting anything that doesn't serve Montanans, in order to ensure that all potential relief can be made available to struggling Montanan property owners.

4. Montana is one of only a few states in which sellers of real estate are not required by state law to provide potential buyers with a statement disclosing the condition of the property. **Will you support legislation that requires sellers to provide buyers a disclosure statement?** *

No. It should be enough to offer effective disclosure statement forms to interested parties, including buyers, without making them obligatory under the law. If a buyer wishes to make it an obligation of purchase, that is their prerogative. If they do not require it, we shouldn't needlessly burden property owners with unnecessary red tape.

5. New housing and businesses require a source of water. Connecting to municipal water services is not always an option as cities are not always able or willing to extend infrastructure. In these cases, a water right must be secured through a process governed by state law and Department of Natural Resources and Conservation regulations. Reform is necessary as securing a water right is often costly, uncertain, and time-consuming. This ultimately hurts consumers and our growing communities. **Will you support legislation to streamline water right permitting processes?** *

Would need to further review the particulars in this matter to better understand the situation before commenting.

6. One in five homes in Montana is serviced by an onsite septic system. If properly installed and maintained, septic systems are a safe and cost-effective means of waste disposal for homeowners and businesses. Some regulations on septic systems are enforced by local health departments, and enforcement is inconsistent. For instance, how bedrooms are counted for determining what size of system is necessary and how nonconforming systems are handled varies. **Will you support legislation that brings greater consistency to enforcement of regulations on existing septic systems?** *

No. Septic systems are effective for many uses but studies show that orchards grown in leech fields actually still contain some of the very same harmful pathogens we seek to pacify with such systems. While they have been improved upon through time they are a technology from the mid 1800's and other competing and modern technologies should have a chance to advance the lives of every day people. I would work to reduce the burden on property owners and enable them to utilize the most advanced options the market or which science and technology can to offer.

7. REALTORS® believe that private property rights are fundamental to our free-market system and are a cornerstone upon which this nation was founded. Our United States and Montana Constitutions recognize and protect the right to own property. A strong economy depends upon preserving the right to freely own, use, and transfer real property. **If elected, what approach will you take to balancing private property rights with public interests?** *

Property rights are innate in every human being and are inalienable among many others retained by the people. The grand end of civil government, from the very nature of its institution, is for the support, protection and defense of those very rights. The idea that these rights could then somehow be violated by the very government created to protect them turns the concept of civil society on its head.

8. The National Association of REALTORS include sexual orientation and gender identity anti-discrimination language in their code of ethics. Montana does not prohibit discrimination based on sexual orientation and /or gender identity. **As a state legislator would you support legislation to prohibit discrimination based on sexual orientation and /or gender identity?** *

Unsure. While this seems like a good and straight forward idea when faced with the potential consequences of discrimination, history reveals that freedom of conscience is an innate prerogative of all mankind. You cannot force others to betray their thoughts, feelings and beliefs. Man's natural inclination is not toward subjugation. The consequence of these natural tendencies is such that if an individual would discriminate against someone for one

factor which the state then outlaws, they would just as easily make a claim that such discrimination was due to other factors that were still legal. Upon cursory examination, 3.4 million cases of perceived employment-related racial discrimination occurs in the United States every year, yet some analysts estimate that a minor fraction, only 0.13% of potential lawsuits, ever occur. The consequences of discrimination are horrible. There is no denying that. But I'm unsure this would be the way to solve an issue such as this. What if the response to our just concern today ends up setting an exploitable precedent which causes unnecessary harm tomorrow? Germany just outlawed public showings of the letter 'Z' as it has become associated with 'Russian aggression'. Where does it end?

9. Treasurer's Name, Address and Phone Number *

Josiah Hinkle 170 SW Higgins Ave. Missoula MT 59803 (406) 493-2451

10. Will you accept PAC contributions? *

☐ Yes

☒ No

Thank you!

We appreciate you taking the time to complete our survey so that we might better understand your position on key issues facing our community. The committee will be evaluating surveys received and responding within a few weeks regarding next steps.