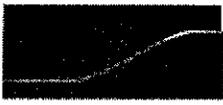


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From : Compton, Art <acompton@mt.gov>
Sent : Thursday, March 24, 2005 3:13 PM
To : <nursekj@aol.com>
CC : "Jopek, Rep Mike" <mjopek@mt.gov>, <MCDAVE94@HOTMAIL.COM>
Subject : FW: HB 793 hearing last night

Kendra, please forward to Will; don't have his email. Thanks.

-----Original Message-----

From: Compton, Art
Sent: Thursday, March 24, 2005 3:08 PM
To: Opper, Richard
Cc: Moore, Louise (DEQ); Spangler, Brian; Thompson, Ricknold; Livers, Tom
Subject: HB 793 hearing last night

Richard, I mentioned this morning that the proponents of Rep McAlpin's recycling bill were not very happy with my informational testimony on the bill. They felt that I left the committee with the impression that SWAC was not consulted on the bill. I've just listened to the audio archive of the hearing, and I did close my testimony with the notion that DEQ works with SWAC on any and all rate increases, and that "SWAC hasn't weighed in on the fee increase, nor have they been consulted."

This statement was technically correct, in that we didn't consult with SWAC on the bill. We informed SWAC that the bill was coming, and presented information on some recycling grant ideas. However, I wish I hadn't included the phrase in bold above, and I've asked Rep. Jopek to point out to HNR during executive action that SWAC was indeed informed about the bill. I intend to be present during exec action in case I am given the opportunity to clarify any point of misunderstanding. Of course, our standard for dept support for fee increases has been a formal expression of support from SWAC, such as a motion or resolution.

The opponents from the Solid Waste Contractors and the City of Billings both made specific statements that "the SWAC had never seen the bill, didn't know anything about it; didn't know that it existed." These statements are not correct, and I regret that my knowledge, at the time, of the communications that DEQ staff has had with SWAC was not sufficient for me to refute/clarify those issues for the committee. I certainly would have done so in my capacity as an informational witness.

I think my testimony was technically correct, but that closing phrase left the wrong impression. I'll correct it if given the opportunity, and I'm confident that Rep Jopek will correct it if I'm not. Thanks.



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