

Summary of the Roundtable Discussion on the Process of Drafting & Passing Effective Mercury Reduction Legislation

Wednesday, May 25, 2005

Portland, Maine

Session Objectives:

- Identify key stages in process of preparing and enacting laws
- Identify important communications and information sharing
- Identify areas for coordination and follow-up

What has worked in the past?

The following are the ideas that the participants in the Roundtable shared on what has been working with drafting and passing effective mercury reduction legislation:

- keep it simple
- focus on most important issues
- identify opposition – work to limit the number of groups opposed to the bill
- Communicate with others in the agencies, NGOs, private sector
- Be specific
- Know what you intend to do and anticipate results
- Be persistent, year after year
- Share mercury primer
- Communications is key
- Find legislators who care about fishing
- Build coalitions – NGOs/local government/locally owned/operated businesses/in-state stakeholders
- Demonstrate available alternatives
- Document meetings

Ideas for effectively working with stakeholders

- Bring stakeholders into discussions voluntarily [informally?] before preparing regulation
- Emphasize positive PR for stakeholders
- Hospital association may or may not be an ally
- State health association can be supportive (contact H2E for contacts)
- Get stakeholders who are the most resistant (and hard to bring to the table) into the discussions [Note: not sure what your initial draft was saying here] hard to get to get together (can get in rut)
- Form a technical committee before advisory committee – get technical information together – use outside experts
- Hard challenge to get tribal involvement upfront
- VT Advisory Committee on Mercury Pollution – brought in stakeholders, good example
- Balancing act on stakeholder process; caution – don't allow to gut the process
- ME Mercury Products Advisory Committee broad stakeholder involvement; appointed by the Governor, headed by legislators

- Share information with tribes – some tribes may set up their own groups; address them from their point of view
- Look at/focus on purchasing opportunities, mandatory procurement requirements can be very effective
- Be humble in approaching stakeholders; don't assume "know it all" answers, ask them for help solving the problem
- Think about approach taken with stakeholders
- Be careful in working with regulated community. Important to have balance and work with other stakeholders
- Be careful to listen to all stakeholders—be responsive to all needs
- Identify stakeholders that are "keyholders" – work with them based on their interests
- Build understanding that we are trying to accomplish a cultural shift on waste management
- Help bring in industry experts from beginning
- Have universities seek data
- Agenda 21 – international agreement – coordinated and changes ???

What has not worked – Challenges

- Dueling data creates distrust; get common data. State environmental agency can play role of "honest broker"
- Blunt political power – some interests have it and some don't
- Local manufacturers may belong to a larger national association that has a different agenda
- Cut law into pieces; identify challenging areas; set aside thorny issues and set up a study process for them
- Extreme views on both sides – cultural issues
- Network with other states to find out what they have done to address challenges
- Avoid Moebius loop of disagreements over data and policy (e.g., discussions that aren't productive)
- Data sharing is critical to addressing challenges
- Hard to nail down costs
- Fragmented approach
- Weak partnerships – need stronger partnerships
- International companies [what about them? – capitalize on the needs of international companies to meet the more progressive standards/requirements of other countries in which they are doing business?]

Final Ideas & Suggestions

- Identify leverage points
- National catalog – database on state legislation on website
- Go to broader group to talk about issues and anticipate issues
- Be flexible and keep big picture in mind; make some compromises to get bills enacted
- Prioritize

- Know bottom line
- Enlist support outside the agency