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40

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE 2/9/89
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

RES
FIN

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE 2/23/89

1/9/89

Mr. President:

L&C

Committee considered SB 40

creating the Resource Development Dispute Resolution Task Force; efd

and recommended:

replace with CS SB⁴⁰ (L+C) same title

attached amendment(s) and new title

_____ letter of intent adopted

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

FISCAL NOTE(S) attached zero
 appropriation no FN attached

fiscal impact
 Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Handwritten signatures]

[Handwritten signature]
Chairman signature and recommendation

Committee backup attached



STATE OF ALASKA
OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT Fish and Game	DIVISION Habitat	BILL NUMBER SB40	SPONSOR Szymanski and Eliason
SHORT TITLE OF BILL Resource Development Dispute Resolution Task Force			
DEPARTMENT POSITION Neutral			
PREPARED BY Frank Rue, Director	DATE 2/16/89	COMMISSIONER'S SIGNATURE <i>[Signature]</i>	DATE 2/17/89

SUMMARY

OTHER AGENCIES AFFECTED BY BILL Other state agencies	CONSTITUENT GROUP(S) AFFECTED BY BILL Unknown
ORGANIZATIONAL SUPPORT FOR BILL Not familiar with extent and nature of support	ORGANIZATIONAL OPPOSITION TO BILL None known
FISCAL IMPACT: <input type="checkbox"/> NONE <input checked="" type="checkbox"/> FISCAL NOTE ATTACHED	

BACKGROUND/LEGISLATIVE INTENT

This bill would create a task force to develop legislation or other ways of establishing and operating project-specific industry/public advisory groups that would prevent or resolve conflicts, disputes, or concerns during various phases of industrial development.

ANALYSIS OF BILL/PROGRAM EFFECTS

None for SB40. However, see Analysis section of attached fiscal note.

AMENDMENTS PROPOSED

None

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS.

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Dept. of Fish & Game
 Title: Resource Development Dispute BRU: Habitat
Resolution Task Force
 Sponsor: Szymanski Components: _____
 Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		79.5				
TRAVEL		2.0				
CONTRACTUAL		1.5				
SUPPLIES		-				
EQUIPMENT		-				
LAND & STRUCTURES		-				
GRANTS, CLAIMS		-				
MISCELLANEOUS		-				
TOTAL OPERATING		83.0				
CAPITAL		-				
REVENUE		-				

FUNDING: (Thousands of Dollars)

GENERAL FUND	83.0				
FEDERAL FUNDS	-				
OTHER	-				
TOTAL	83.0				

POSITIONS:

FULL-TIME	1½				
PART-TIME					
TEMPORARY					

ANALYSIS : (Attach a separate page if necessary)

Cost estimate assumes: 1) legislation implementing the intent of SB40 (i.e. development of project-specific advisory groups) passes in FY90, and 2) participation in up to 5 advisory groups by staff in Habitat Division HQ and three regional offices.

Prepared by: Frank Rue, Director Phone: 465-4105
 Division: Habitat Division Date: 2/16/89
 Approved by Commissioner: [Signature] Date: 2/17/89
 Agency: Fish and Game

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: 2-16-89
Title: Resource Development Dispute
Task Force
Sponsor: Senator Szymanski
Requestor: Senate Labor and Commerce

Agency Affected: _____
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL	0.0	0.0	0.0	0.0	0.0	0.0
REVENUE	0.0	0.0	0.0	0.0	0.0	0.0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

It is anticipated that task force participants will fund their own expenses and interim legislative staff will provide administrative support.

Prepared by: Senator Mike Szymanski
Division: Legislative Affairs

Phone: 465-4978
Date: February 16, 1989

Approved by Commissioner: _____
Agency: _____

Date: February 16, 1989

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: Dispute Resolution Task Force
Sponsor: Senator Szymanski
Requestor: Senate Labor and Commerce

Agency Affected: _____
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL						
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

ANALYSIS : (Attach a separate page if necessary)

It is anticipated that task force participants will fund their own travel expenses and interim legislative staff will provide administrative support.

Prepared by: Senator Mike Szymanski Phone: 465-4978
Division: Legislative Affairs Date: 2-28-89

Approved by Commissioner: _____ Date: 2-28-89
Agency: _____

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DIVISION OF GOVERNMENTAL COORDINATION

STEVE COWPER, GOVERNOR

P.O. BOX AW
JUNEAU, ALASKA 99811-0165
PHONE: (907) 465-3562

February 16, 1989

The Honorable Richard Eliason
Chairman
Senate Labor and Commerce
Committee
P.O. Box V
Juneau, AK 99811

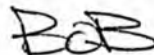
Dear Senator Eliason:

At your request, I am writing regarding the Administration's position on Senate Bill 40. The Administration is supportive of conflict resolution efforts to enhance development opportunities in the State. The State's present permitting process, enacted five years ago, has made substantial progress at providing an effective forum to bring parties with disparate interests together and reduce conflict between them. The task force as envisioned by the legislation might find new ways to resolve conflict between potential project developers and the interested public.

Given the State's success with its present permitting process and the natural concern that might arise regarding any potential changes to that process, we recommend the inclusion of the language in the attachment. This section would lay to rest any concern one might have regarding possible changes to the permitting process brought about by passage of SB 40.

Thank you for the opportunity to comment. Please call if I can answer questions.

Sincerely,



Robert L. Grogan
Director

Attachment

AMENDMENT FOR SB 40:

Add a new Section 3; renumber current Sections 3 and 4 as Sections 4 and 5.

*Sec. 3. The establishment of the task force is not intended to limit, modify, supercede, or in any other manner affect the authority of the state to render consistency determinations under 6 AAC 50.

STATE OF ALASKA
THE LEGISLATURE

POUCHY STATE CAPTION
JUNEAU, ALASKA 99811
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

February 15, 1989

SUBJECT: Bidder's preference--constitutional
question (SB 58, Work Order No. 6-0200A)

TO: Senator Dick Eliason

FROM: Theresa Bannister *TB*
Legislative Counsel

You have requested an opinion on the constitutional questions raised by the legal counsel for Dames & Moore regarding the bidder's preference in AS 36.30.170 as it presently applies to partnerships. The position in the letter is that the bidder's preference discriminates against partnerships. It is my understanding that you do not want this opinion to address the constitutionality of resident bidder preference in general.

I agree with Mr. O'Donnell that the differing treatment of entities under AS 36.30.170 can produce some results that undermine the purpose of the statute and discriminate unreasonably against partnerships. If handled under the state's equal protection provision, a challenge to the treatment of partnerships on this basis would have a good possibility of being successful. It is my opinion that the state equal protection provision is the appropriate provision to consider in this case, since this is a question of differing treatment within the statute, not the extent to which resident preference may be required by the state. However, since art. 1, sec. 23 of the state constitution states that resident preference is to be allowed to the extent allowed by federal law, a court may apply the more lenient federal equal protection clause. In that case, although I believe that the present statutory treatment of entities is not completely rationally related to achieving the statute's goal, it would be more difficult to find the provision unconstitutional because the rational basis test under that provision is nearly a presumption of constitutionality.

Senator Dick Eliason
Page 2
February 15, 1989

With regard to the issue of subcontracting, I do not view this as a significant problem since a prohibition against subcontracting could be inserted in the contract between the state agency and the contractor.

If I may be of further assistance, please advise.

TB:kb
wkk2/006



Alaska State Legislature

Senator Mike Szymanski

While in Session:
P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-4978/4979

Interim
3111 C Street
Suite 510
Anchorage, AK 99503
(907) 561-7617

February 7, 1989

165 E. Parks Hwy.
Suite 105
Wasilla, AK 99687
(907) 376-MIKE

MEMORANDUM

TO: Senator Dick Eliason *Mike*
FROM: Senator Mike Szymanski
RE: Scheduling Hearing of SB 40, Resource Development
Dispute Resolution Task Force

I wish to request a hearing of SB 40, a bill creating a dispute resolution task force to mediate disputes surrounding resource development projects.

Attached is a copy of the bill and a briefing paper describing the concept and implementation of a dispute resolution task force. A fiscal note from the Governor's Office should be ready by the end of the week.

BRIEFING PAPER

SUBJECT: PROPOSED LEGISLATION ON RESOURCE DEVELOPMENT

DISPUTE RESOLUTION

Submitted by Senator Mike Szymanski

PREFACE

For some time now, I've been interested in finding ways that Alaska can encourage the development and safe operation of large commercial/industrial projects while minimizing, or eliminating, the conflicts that have traditionally arisen between industry, the public, the State, and special interest groups.

This has led me to examine possible systems for promoting a sense of cooperation between diverse, and often conflicting groups, and providing a forum for reaching consensus. Such a system could alleviate the confrontations and help to avoid the litigation which often occurs between opposing groups - usually at a high cost to all parties.

For the purpose of clarification, the term "industry" is herein used in a broad sense to include any commercial enterprise.

Within the arena of environmental/industrial dispute resolution, there are certain assumptions which I believe can be made and generally accepted:

- * it is in the State of Alaska's best interest to encourage responsible economic diversification.
- * economic development and diversification may occur in a context which is compatible with environmental protection. Recent technological advancements enable industry to promote our economic well-being while at the same time protecting a healthy, clean environment and protecting our renewable resources.
- * conflicts between industry, the public, and the State are costly and time-consuming. Resolution of problems through consensus and cooperative agreements is preferable to adversarial methods.
- * for any dispute resolution legislation to be truly effective it must be developed cooperatively, through consensus with representatives of all the diverse interests that would be affected.

The following briefing will be divided into three sections:

A) THE CONCEPT: I will be presenting a concept which will provide for the establishment of project-specific industry/ public advisory groups. These groups will serve to prevent and resolve conflicts, disputes or concerns which may arise during phases of industrial development. This function would facilitate and enhance the responsible development of industrial projects in Alaska.

B) INTERIM TASK FORCE: I will recommend the introduction of "temporary act" legislation to create an interim Task Force in 1989.

The task force would be charged with looking at ways of implementing the above concept. It would be the responsibility of the task force to deal with the specific questions of how to create a structure such as an alternative dispute resolution system.

The task force would be only as effective as the participants who compose its membership and any legislation which is recommended would be the result of consensus on the part of all members. This is why it is important for industry, and the public and private sectors to be equitably and fully represented.

C) INTRODUCTION OF DISPUTE RESOLUTION LEGISLATION: The findings of this interim task force, together with its recommendations, would result in permanent legislation which would be introduced in 1989. This legislation would establish in statute a formal mechanism for resource development dispute resolution.

A) CONCEPT FOR FORMATION OF PROJECT-SPECIFIC INDUSTRY/PUBLIC ADVISORY GROUPS

OVERVIEW

For each industrial project that is planned in Alaska, there would be formed an advisory group composed of representatives from the industry(ies) involved; the local government entities and state and federal agencies affected; the university and scientific communities; tourism groups; environmental groups, and other affected parties.

It is important to stress that this core group would exist from the time that the PROJECT WAS FIRST ENVISIONED, through the siting and permitting processes, through construction, and into the project's operational phases. The advisory group would, therefore, be an ongoing and permanent working group for the life of the project.

Each group would act in an advisory capacity and not be technical in nature. However, a group would have the latitude to recommend the undertaking, by experts, of particular research, studies fact-finding which would enhance the project's overall development.

FUNCTIONS OF THE ADVISORY GROUPS

- 1: to provide an open forum for the exchange of information between the industry; affected and interested citizens groups; special interest groups, and the state and federal governments.
- 2: to provide a mechanism whereby industry may address the concerns of interested groups and individuals on a factual basis BEFORE such concerns escalate into confrontation.
- 3: to encourage a trusting relationship between the public and industry. The advisory group would also help to short-circuit industry-citizenry conflicts by providing factual information on operational and regulatory compliance to all affected groups on a regular basis.
- 4: to freely form task forces or subcommittees to identify potential problems; gather information on the regulatory process for report to the core group, and investigate the need for research in environmental and socio-economic areas.

AREAS OF EFFECTIVE UTILIZATION OF ADVISORY GROUPS

1. Mariculture: At this point, there are both proponents and opponents of introducing a finfish mariculture industry in Alaska. If an advisory group such as described above had been formed before any legislation had been introduced, there might have been a more cooperative effort to reach a compromise rather than the polarization which has occurred.

2. Chase III Land Disposals: The state has spent many thousands of dollars on this issue which was ultimately litigated through the court system. Again, an advisory group representing all interests may have been able to resolve the problem through consensus before it became confrontational.

3. Greens Creek Mining Project, Juneau: Greens Creek is a mining project which is taking place within a national monument. While no formal advisory group was formed to mediate differences between interested parties, a representative of the company spent a great deal of time and effort working with various groups and individuals to discuss problems and concerns before the project was started. The project's effort to share information and invite input from various groups created an atmosphere of trust and open cooperation between the industry and the public.

4. The Hatcher Pass Management Plan and Advisory Group: The Hatcher Pass advisory group was formed by the Mat-Su Borough to deal with the development of the Hatcher Pass area. The group consists of representatives of industry and state and local government, and invites input from various organizations such as the Miners and Trappers Association and recreation groups. The Department of Natural Resources prepared the Hatcher Pass management plan in cooperation with the advisory group. The advisory group continues to be active in the operational phases of the plan.

WHAT HAS BEEN ACCOMPLISHED IN OTHER STATES?

There are several examples of project-specific dispute resolution systems and legislation which have been proposed or are currently in place (see attachments). Of these, the Arizona Groundwater legislation and the Wisconsin Hazardous Waste Siting Legislation are landmarks of successful dispute resolution systems which were developed in cooperation with many diverse interests.

In both cases, the final outcome mandated a certain process and resulted in strong legislation. Industry supported and agreed with the restrictions outlined by the regulations and the legislation withstood court challenges.

I posed the following question to Gordon Meeks, of the National Council on State Legislatures; Gerald McCormick, of the Mediation

Institute, in Seattle, and to former Montana Speaker of the House, Dan Kemmis: "What do you believe is the primary reason for the success of the dispute resolution legislation which has been implemented in Wisconsin and Arizona?"

Without hesitation, all three individuals credited the process of developing the legislation as the key factor in the success of the legislation itself. All the individuals and groups who were directly or indirectly involved in the projects were included in the negotiations and the drafting phase of the legislation - a great deal of time was taken to see that all concerns were met.

However, while Arizona and Wisconsin have developed legislation to deal with specific environmental concerns, no state has established a mechanism for institutionalizing an industrial/environmental dispute resolution system intended to cover all types of situations and satisfy many diverse groups. A great deal of interest has been generated to see what type of legislation Alaska intends to propose that would specifically develop this type of system.

QUESTIONS WHICH MAY BE POSED IN CONSIDERING THIS CONCEPT

1. "Why do we need to create more advisory groups? we already have advisory groups for major projects in the state."

The advisory groups which currently exist in Alaska do not meet the various criteria that need to be present for the industry-environmental advisory groups. Based on the evaluation of what has been done in other states, the following criteria must be present if these groups are to be effective. A successful dispute resolution advisory group must be:

- * project-specific;
- * equitably composed of all individuals/groups who are involved in the project, either directly or indirectly;
- * formed and established at the beginning stages of project -- even prior to the permitting process;
- * ongoing and permanent;
- * and actively involved with the mediation and mitigation of environmental and socio-economic impacts.

The Senate Advisory Council has prepared a report cataloging the various advisory groups which exist within State government. The responses from agencies indicate that while there may be industrial "advisory groups" in Alaska, they do not meet all of the above criteria. Often, groups are not created at the incipient stages of the project, or they are created for some specific and limited phase of development (e.g., siting/permitting advisory groups which work with Governmental Coordination).

2. What industries would be considered for the formation of such groups?

The concept could be applicable to all industrial projects (e.g., mining, timber, oil/gas, fishing and tourism).

3. How would dispute resolution advisory groups relate to existing structures or mechanisms established to facilitate industrial development? Would they replace what we already have?

The concept of industrial/public advisory groups is not intended to replace other forums or institutional mechanisms. Rather, it would provide additional ways to effectively deal with situations and solve problems and disputes which are bound to occur.

For example, the Office of Governmental Coordination has a viable, though complex, mechanism for state/federal/local input with regard to the permitting process. To enhance representation in the industry/public advisory group, a representative from the OGC would be included (at least for the portion of the project devoted to permitting) to provide input and inform the group of problems and areas which might need more research or study.

4. Would the group have any function with regard to the State's regulatory powers?

No. The State has certain regulatory powers which are mandated. The concept of these advisory groups is in no way intended to dilute, weaken, or interfere with these mandates.

CONCERNS ABOUT STRUCTURE AND IMPLEMENTATION OF ADVISORY GROUPS

As I approached different individuals, agencies and organizations about the concept of dispute resolution advisory groups, some very specific questions were asked about how such groups would be created and utilized. For example:

1. Who would decide what projects should have dispute resolution groups?
2. Would the advisory groups be mandated or would they be optional?
3. Where would this concept "fit" into our present state structure? Do we need a specific Office of Dispute Resolution to facilitate the formation of such groups?
4. What project size/scope would trigger the need for such a group?
5. What role would a mediator/negotiator play in such a process?

6. What would be the cost and who would bear it?
7. What would be the situation for those projects which are already ongoing. Would the concept of a project-specific advisory group be applicable for such endeavors?

All of these questions are extremely important and serve to accentuate the complexity of the issues and the need for time and input from many different sources. The primary responsibility of the Dispute Resolution Task Force would be to address these types of concerns and determine, by consensus, the most reasonable and effective methods for resolution.

B) CREATION OF AN INTERIM TASK FORCE

OVERVIEW

During the First Session of the 16th Alaska Legislature, legislation will be introduced to establish an interim environmental/industrial dispute resolution task force.

The task force would be composed of representatives of many diverse groups and interests. The following are some, though not necessarily all of the groups which would have membership on the task force: timber, mining, oil/gas, fishing, tourism, environmental, local government entities, native groups, state agencies, federal agencies, legislative delegations.

TASK FORCE GOALS

The ultimate goal of the Task Force would be to develop legislation along the lines of the industry/public advisory group concept which has been outlined previously. This legislation will be introduced at the beginning of the First Session, Sixteenth Alaska State Legislature, 1989.

However, I also see the possibility that a different concept for institutionalizing a dispute resolution system might emerge as the result of the task force work. I think it important to keep the forum as flexible as possible; whatever emerges will be based on a great deal of time, effort and consensus, and will be tailored to meet Alaska's needs.

RATIONALE FOR THE CREATION OF A TASK FORCE

My decision to recommend the creation of a task force to develop the legislation was based on the following:

1. the development of a dispute resolution system in statute takes time - time for the legislation to evolve and to "educate" those who will have good reason to be apprehensive about it; it takes time to resolve specific questions of implementation, some of which I have already outlined.
2. The experiences of other states have demonstrated that the process of developing the legislation is as important if not more important than the legislation itself. The task force will put the concept "on the table" and will set the stage for the specific work which will subsequently occur.

Legislation establishing a dispute resolution system must be developed by the individuals and representatives of groups who will be using the legislation. It requires consensus of all the "stake makers". If certain interests are inadequately represented or not represented at all, the legislation is doomed to failure.

It quickly became apparent that approaching each group/ interest one at a time was inefficient and I felt that bringing the diverse interests together to really brainstorm and deal with the issues would be much more productive.

3. The task of creating a mechanism which would be relevant for all industrial projects requires a very fine balance between structure and flexibility and will take time and energy.
4. Choosing to create the task force with legislation (rather than just appointing one) provides for input from many sources, as a part of the committee process. This will "formalize" the existence of the task force. The ultimate legislation will then, hopefully, have the formal approval of the Legislature, the Administration, and the public and private sectors.

C) INTRODUCTION OF ENVIRONMENT/INDUSTRY DISPUTE RESOLUTION LEGISLATION

The third and final step will be the introduction of dispute resolution legislation during the first session of the Sixteenth Alaska State Legislature.

The legislation itself will have been developed by the Task Force and will thus incorporate its recommendations. Because the process of developing the legislation will have been the result of consensus and negotiation among many diverse interests, the legislation will, hopefully, have the support of those groups who will ultimately be directly and indirectly affected by it.

SUMMARY

In conclusion, it is my hope that with this briefing paper, the reader will be "sparked," as I have been, by the idea of introducing industrial/environmental dispute resolution legislation.

Given the economic environment in Alaska and the State's encouragement of private enterprise, I believe that such legislation is appropriate and well-timed.

As I have indicated at several points, it is of the utmost importance that all the various groups and interests which

would be impacted by such a dispute resolution system be directly involved in the development and implementation of such a concept. With this in mind, I hope that the readers of this briefing paper will share their thoughts and concerns with me.

INITIAL CONTACTS WHICH HAVE BEEN MADE REGARDING THIS CONCEPT AND THE PROPOSED LEGISLATION.

Staff has met with representatives of the Office of Governmental Coordination, the Departments of Environmental Conservation, Natural Resources, Fish and Game, and the Office of the Attorney General. The reception was very positive.

Gordon Meeks of the National Council on State Legislatures has been contacted. He expressed enthusiasm for the concept and has provided a wealth of material on what has happened in other states. He has also indicated that funds may be available to provide technical assistance to the task force.

Gerry McCormick, Mediation Institute, Seattle. His firm has worked previously in Alaska and he is very familiar with the type of legislation we are considering. His institute has provided some of the enclosed material.

The Resource Development Council has been consulted prior to meeting with industry.

Copies of the briefing paper will be sent to environmental groups, local government entities and other special interest groups with a request for their input.

Dan Kemmis, Former Speaker of the House of Representatives for the State of Montana was involved in this type of legislation and is presently working with Northern Lights Consulting Services. Much of the work they are doing is in the area of environmental/industrial dispute resolution.