

Some Suggestions for Dealing with Local Legislators Who are Not Representing the Rights of their Constituents

In general, where there is some resistance by local legislators to act in the best interest of their constituents, it is due to one of two reasons:

- a) **They have been misinformed.** This will happen more often when there is a complex technical issue like industrial wind energy. Since they know little about the topic, they are inclined to listen to the first story they hear: [the developer's](#).
- b) **They are acting in their own self-interest.** Wind developers frequently choose leaseholder properties to be those owned by local legislators, their relatives, etc. They do this as they know that greed is a powerful motivator.

The best strategy is to assume that the problem is “a” – even though there may be substantial evidence that it is not. It's recommended to take the high-road, and to **publicly** take a non-confrontational approach. The points below are meant to compliment the organizational ideas found in “[Winning a Community Challenge](#)”:

- 1) Make sure to do a careful and professional [local net financial analysis](#). Since wind developers have sold your representatives on the local economic benefits, it's up to citizens to correct the impression that a wind project is a net financial benefit. (For further explanation why economics is the winning strategy, see this [document](#).)
- 2) Be very clear as to what your end objective is: to get a proper protective wind ordinance passed. This would include the [Five Key Regulations](#). To make it very easy for your local legislators, we have drafted a [model wind ordinance](#).
- 3) Don't treat legislators as a homogeneous group. Rather identify the legislators who are the most sympathetic and try to win them over. The most effective strategy is for a few knowledgeable citizens privately meet with those legislators. Getting one or more allies on the inside, is very helpful.
- 4) A few knowledgeable citizens should meet privately with the local legislators' lawyer. If you can win that attorney over, they can be an extremely valuable asset.
- 5) Meet with the editor(s) of the most well-read local newspaper. The idea is to show the editor that this project will be a net liability to the local community, both environmentally and economically. Having media on your side is critically important.
- 6) Use social media to your advantage. A website, Facebook page, Instagram postings, Twitter, etc, can all be helpful. Keep it simple, and on point! Don't attack problematic legislators, but praise those who are acting more responsibly.
- 7) Arrange to show the [Windfall](#) movie at a convenient local spot (e.g. a church meeting room). Make sure that it is well-publicized, but specifically invite local legislators. [There is a token \$100 charge to show it publicly.]

- 8) At local legislators' meetings, it's a good idea to make your own video of what transpires. This can help avoid misunderstanding, and also to document what transpired if a future lawsuit is necessary.
- 9) Following all local legislators' meetings, someone should document all statements made by legislators that are inaccurate or questionable. (Double check on the video to make sure what was said.)
- 10) Then send a certified letter to the head local legislator, asking for the documentation they have to support each of the erroneous or questionable legislator statements. This record trail will be very helpful if a future lawsuit is required.
- 11) For the important issues that seem to be misunderstood by local legislators, plan polite, 3-minute talks to correct these misunderstandings. These should be given during the public comment time-period at the next local legislative meeting.
- 12) For examples of good talks on frequently misunderstood topics – and a wealth of other information – see WiseEnergy.org.
- 13) Bring a few printed copies of any planned citizen talks at legislator meetings, and give them to local media in attendance. This will minimize misunderstandings and result in a more thorough reporting of your position.
- 14) It's ordinarily not necessary for citizens to hire an attorney during the negotiation stage. However, if you have the money, and you want additional reinforcements regarding inaccurate statements by local legislators, an attorney may be helpful.
- 15) When hiring an attorney it's VERY important to engage one who is involved with wind energy as a matter of principle – as *vs* a lawyer who is involved because it is an attractive business opportunity. [It is recommended that at least four attorneys be interviewed. We have two pages of suggested questions to ask.]

For another tactic, please review "[What Not To Say](#)."

Please let us know any questions on this, or suggestions for improvements to any of these documents, by emailing [john droz](mailto:john.droz).

6-10-19 (rev 2-2-22)