

MSBA Environmental, Natural Resources & Energy Law Section
Council Meeting Minutes
8:00 a.m. Wednesday, January 5, 2011
Minnesota State Bar Association

- I. **Call to Order.** Katie Roek, Eldon Kaul, Greg Korstad, Joe Maternowski, Tim Rudnicki, Betsy Schmiesing, Dale Thompson, David Zoll, and Kim Basting were in attendance. Alex Klass, Thad Lightfoot, Steve Nyhus, Sara Peterson, Aleava Sayre, Dan Schleck, Ann Seha, Jeff Sepesi, Michael Welch, Jacob Woodard, and Charles Nauen participated by phone.
- II. **Review and approve Minutes of December 2, 2010 meeting.** The minutes from the December 2, 2010 meeting were approved.
- III. **Financial Report:**
 - A. **Monthly report.** The state of the finances is good. For the five months ending November 30, 2010 the ending balance was \$9,537.30 and charges related to meeting expenses and law student reception.
- IV. **Continuing Initiatives:**
 - A. **Newsletter and Website Enhancements.** Sub-committee plans to meet in the next week or two to discuss this in more detail. A link to the revised format of the section's website was provided in advance of the meeting. Requests from council members that the case summaries (and other content) be made searchable and to explore possibility of including an RSS feed from our website. Case law summaries will include both published and unpublished. Discussion regarding potential cooperation with Bench & Bar summaries of environmental law cases.

Newsletter will be hosted and available on the website
 - B. **One-hour CLEs.** Chair has received an inquiry from the chair of the public utilities section regarding possibility of a joint-CLE. Ann Seha has made contact with the public utilities section to discuss this with thought of addressing the Connecticut v. AEP litigation. The public utilities section typically meets over the noon-hour so we may need to consider an alternate time/location for the meeting. Goal remains to have two additional CLE's this year.
 - C. **Environmental Institute.** Scheduled for April 22. Things are moving along very well. Virtually all speakers are set and brochure likely will be sent to publisher by mid-February. John Abram from the University of St. Thomas will serve as the keynote speaker (has taken upon himself the role of attempting to depolarize the debate regarding whether climate change is occurring).
 - D. **Social Events.** Looking at the second week of February for a happy hour at the Local. Continuing plan to host a family day at the arboretum in May or June. Possibly want to seek law student involvement – perhaps move away from exam times to make it more attractive to students. Sara Peterson will solicit possible dates from the arboretum and circulate to the council.

V. Old Business:

- A. FTC Green Guides CLE.** Very good presentation addressing proposed amendments to Green Guides and how it affects industry. Attendance was typical of most one-hour CLEs.
- B. Annual Agency Update.** Fairly well attended (60-65). Four speakers addressing various issues and informal feedback indicates that many attendees were exposed to new issues/topics. Discussion regarding extending an invitation to new commissioners to make presentation to the section or appear for reception in conjunction with Environmental Institute.
- C. Legal Writing Competition.** Flyer will be distributed to the sub-committee in the next few days with the hope to distribute the flyer to students in the next month with plans to have submissions due on May 15 (to coordinate with papers being written for classes). Plan to provide an award of \$500 for first place and \$100 for second place.

VI. New Business

- A. Distinguished Service Award.** Eldon Kaul and Greg Korstad are heading this subcommittee and will begin the process of soliciting nominations. Plan is to contact the sponsors of past nominees to see whether they are willing to re-nominate for this year.
- B. Legislative Proposal Regarding Legacy Amendment Funding for Civic Education.** Civic education committee of MSBA seeks a statement from MSBA that it supports the funding of civic education drawn from the arts and cultural heritage portion of the Legacy Amendment. This is a position statement by the civic education committee (not an MSBA-wide position statement or a ENRE position statement) rather than a specific request for funding. There has been prior funding of approximately \$500,000 for civic education from the Legacy Amendment (during the 2009 legislative session) for Kids Voting Minnesota, the YMCA's Youth in Government, and the Learning Law and Democracy Foundation. Unless specific concerns are raised, Eldon Kaul will report to the legislative committee that the section does not have any objection to the position statement.
- C. Section Profile Report.** We presently have 258 members which represents a decrease of 26 people. There was a prior inquiry from the MSBA marketing group whether it would be appropriate to send an e-mail to former members asking to renew membership.

VII. Adjourn. The meeting was adjourned at 9:00 am.