

COUNCIL MEETING MINUTES

December 22, 2020 – 3:00 p.m.

Meeting held by Zoom due to executive order by Gov. Gretchen Whitmer related to coronavirus.

Call to Order –Fraser at 3:05 p.m.

Roll Call (+ indicates present)

Council

Abel+

Arnold+

Block

Donovan+

Fraser+

Grow+

Hendricks+

Jocuns

Komorn+

Lavigne+

Loker+

Morris+

Peisner+

Reiser+

Thurin+

Additional Attendees:

Jennifer Hinze

Jeff, Kirkey, ICLE+

OPEN ISSUES:

Dan Grow moved to approve the minutes; Allison Arnold 2nd motion to approve minutes. The motion passed by voice vote.

New council members Donovan, Peisner and Reiser were welcomed to the group. Given the 800 plus members in the Cannabis Law Section now the number of board members lined up with similarly sized sections of the State Bar of Michigan.

Jeff Kirkey from ICLE reported on the 2020 annual conference that there are 91 registrations. Also reported that we have a final signed contract with Soaring Eagle Casino. Allison will meet with Jeff in January to prepare for the Annual Conference.

Discussion held regarding the 2021 annual conference. Hendricks reported that John Hudak from the Brookings Institute was an excellent speaker but expensive. Hendricks also reported that he saw him present at a conference and was impressed. Discussion held on inviting him in

addition to NORML leadership. Fraser suggested former congressman, John Bonier. Arnold will discuss with her political contacts in Ohio regarding contacting the former congressman.

Molly Mott the new MDARD hemp director. Reiser suggested a congressman re: rescheduling. Devin Loker said Sam Buckholster has been generous with his time. 2022 Grand Traverse? Jeff will talk in January with them. 2023 possible spots in Detroit: Crowne Plaza Hotel; NYC and DAC.

Matt suggested Earl Blumenauer – or Brenda Lawrence, co-sponsors of the MORE Act.

The Treasurers Report was reviewed. It was indicated that ICLE will soon pay proceeds from the annual conference to our account. Section is financially much better off than in prior years.

The Legislative Committee is still working on MRA's proposed drafts to repeal the MMFLA and consolidate it with the MRTMA. May be looking at mid to late January or February before a bill is likely to be introduced to consolidate the MMFLA and MRTMA to an extent. They need a super majority to amend MRTMA to add in MMFLA, which will make MMFLA subject to the 3/4 majority moving forward. Under the bill, one type of license under A-U, which will allow sales to patients/caregivers for a no tax????? If the goal is to repeal the MMFLA, then it should do it across the board. MRTMA already provides that a city must give equivalent MRTMA permit if they had given same company a permit for an MMFLA facility. Unify goal then rid of distinctions. Equal protection implications. Tom Lavigne suggested clarification that MRTMA intended to give Zoning power of ballot local initiative. John Fraser speculated this would be a heavy ask. Tom rejected Judge Columbo's Circuit opinion that Zoning Enabling Act forbids such zoning via ballot initiative. Add to agenda Duprey case.

NEW ISSUES:

Proposed Standing Committees and Chairpersons:

1. Philanthropy/social equity: Roma Thurin and Bernard Jocuns
2. Social: Allen Peisner and Michelle Donovan
3. Webinar: Barton Morris and John Reiser
4. Young Lawyers: Devin Loker and Tom Lavigne
5. Amicus: Bruce Block and Michael Komorn (People v Duprey)

Committees thus far have been unproductive. Jocuns had formed some and asked for volunteers but it never did much. Idea is to promote mission statement in our Bylaws.

Thurin inquired as to a budget. There is a budget. The Standing Committee reports will become part of the monthly agendas. If political, may need Keller approval from the SBM. Fraser put some thought into the section of Committee Co-chairs. Jenn will set up Google Group list serves for each committee. Send Fraser a short blurb describing your committee and we will send out advertisement to membership to join. Meet once every 2 months to start, or as you see fit.

People whose articles were not selected for the Bar Journal were offered to do webinars. One accepted the offer for January agreed. Also, Joe Angell offered to speak again on Sec. 280E in

February or March. Could do a tax seminar. The other authors have not responded to the offer to do a webinar.

Fridays at 3 or 4 pm to conduct webinars or perhaps during lunch hour.

Dan Grow does a ton of work including on our Legislative Committee.

Calendar of events NMU conference should be moved from May to Sept.

A ski trip was discussed by Dan Grow. Programming one day, day of arrival; then ski. Lodging in northern Michigan is tight.

Email Jeff Kirkey re: 2022 Conference forums, e.g. GP War Memorial; Detroit Boat Club

Abel moves that our section supports a Legal Milestone commemorating the John Sinclair case. Considered locations for marker/given history of John Sinclair case starting Hash Bash. Chrysler Arena, the Diag. Resolution of the Section CLS Matt can perhaps draft a formal Section Resolution. Matt sent us an email of what he already formally sent the Bar years ago, which the Bar has not acted upon yet. Matt Abel moved, Grow seconded. Unanimous yes. Matt can circulate formally proposed language for the Resolution of the Section, and we can vote by mail.

People v Duprey: Block handled case. Issue presented was whether an adult 21 years old can be convicted of the lesser included offense of OWVI? COA held yes. An Amicus should be written. Depending on argument in the briefs of the parties our Amicus may be able to present an alternative argument easier for court to adopt rather than the polar opposition party positions for example. Reiser will reach out to Block for a possible webinar, involving the parties attorneys. Perhaps 12/29 or 12/30 or near lunch.

Bob Hendricks asked group if any of us were aware of any court opinions interpreting MRTMA Sec. 6(5) MRTMA.

Law student membership should be free. Maybe scholarship app process to attend for free.

Motion to adjourn by Grow, 2nd by Abel. Motion to adjourn passed.