

**State Bar of Michigan  
Marijuana Law Section  
Council Meeting**

**Monthly Meeting of January 16, 2017  
2:00 – 5:00 p.m.**

**Alane & Chartier, PLC  
403 Seymour Ave.  
Lansing, MI 48933**

**Minutes**

Meeting called to order at 2:05.

Attendance:

At A&C: Dan Grow, Mary Chartier

By phone: Bob Hendricks, Bernie Jocuns, Bruce Block, Matt Abel, Michael Komorn, Barton Morris

Absent: Karl Numinen

1. Motion made and passed unanimously to approve Agenda as amended to add Koon Jury Instruction discussion.
2. Motion made and passed unanimously to approve December 19, 2016 minutes of MLS Council meeting.
3. Treasurer reports for three months ending December 31, 2016 were reviewed and approved.
4. Dan Grow reported on a situation of a MLS member who withdrew from the MLS listserv because the member thought that some of the discussion on the listserv appeared to favor marijuana. Allen Peisner asked the MLS Council to consider whether two distinct listservs should be established, one for purely legal information, the other more broadly available for discussion of all things marijuana. Several members of the MLS Council indicated that the current structure invites a comprehensive consideration of many aspects

of marijuana legalization, and related matters. The sense of the Council is that unless posts are scandalous or attack members, the forum should remain broadly open. Dan Grow will contact the member to thank him for raising the issue and to inform him of the Council's determination.

5. Dan Grow reported that the Public Corporation Law Section asked if the MLS would be willing to allow the PCLS to contact MLS members through the MLS listserv. After brief discussion, Council agreed so long as PCLS would allow reciprocal rights. Dan Grow will report back to them.
6. Dan Grow reported that he and Matt Abel will serve on the Drafting Committee formed by MPP to draft an adult use ballot proposal for Michigan. The initial meeting is scheduled for Wednesday January 18, in Lansing.

Bob Hendricks reported that he had also been asked to join the Drafting Committee and that he will attend the meeting as well.

Dan, Matt and Bob will keep the Council informed on this process.

7. Dan Grow reported that he had been contacted by a Mark Seibon (sp?), who informed Dan that he was knowledgeable on marijuana tax issues. Dan asked the Council if a future presentation of an educational program on marijuana and taxes could be valuable to the membership. There was a discussion of the overall value of that topic, but also some members observed that there were several individuals in Michigan who claimed expertise, and that some due diligence of the capabilities should be completed before the MLS backed a particular person.

During this discussion, several members tried to identify Mark Seibon as an MLS or State Bar member, but without success. Dan will wait to see if the person contacts him again, and then try to get more information.

The discussion of this topic lead to a broader discussion of a possible Spring Workshop sometime in April sponsored by the MLS, to possibly present on the tax issue and maybe a couple other issues.

Bob H will contact Lance Boldrey to talk about Lance heading up a team to develop a one-day, or one-half day, event for Bar members and other interested participants. Possible event locations would include Ann Arbor, Lansing or Grand Rapids. Maybe a social hour after the event.

8. Doug Mains previously agreed to develop a MLS education session for new legislators to introduce the new lawmakers to the law of marijuana in Michigan. Doug has moved firms and may have let this slip. Dan Grow will contact Doug and finalize date and location.
9. Dan Grow will confirm with the MGM Grand Detroit to plan for the MLS Annual Conference on Sept 7-9. Once this confirmation is made, Dan and Bob will coordinate and contact Candace Crowley at the State Bar to advise her of the date and begin to plan for the event. At the next MLS meeting, the Council will develop a task force proposal to get other section members involved in planning this event.
10. Discussion of the draft of the MLS Journal prepared under the supervision of Michael Komorn. Council members were very impressed with the draft. Suggestions were made for a Table of Contents, a listing of the MLS Council Officers and contact info, and a page for upcoming events of the MLS. Michael will add those items.

MLS Committee chairs could be a resource for contributors and articles.

Michael will determine the anticipated cost of publishing the Journal, only via electronic form. He will report to the MLS Council at the next meeting. He will also investigate possible sponsorship and report at the next meeting.

11. Dan Grow obtained Shyler Engel's agreement to assist on the current amicus request. Dan has not had any feedback from Shyler, and no Council member has heard any other amicus requests.
12. Bernie Jocuns is interested in developing a Standard Jury Instruction consistent with the *Koon* holding. He thinks the best way is to present the proposed instruction to the Representative Assembly like the MLS did for the MRPC revisions. The deadline for submitting materials to the RA for

their Spring meeting is March 11. Bernie has drafted a proposed Jury Instruction and will contact the Criminal Law Committee to review his draft. He will submit any proposed final draft to the MLS Council for review.

13. Bob Hendricks reported on the status of a possible draft model ordinance that the Zoning and Property Committee was working on.

The next meeting of the MLS Council will be February January 20, 2017 at Mary Chartier's office at 2:00 pm.

The meeting was adjourned at 3:23 pm.

Respectfully submitted,

Robert A. Hendricks  
Sec/Treasurer