

STATE BAR OF MICHIGAN
ADMINISTRATIVE LAW SECTION
EXECUTIVE COUNCIL MEETING, OCTOBER 27, 2009
KELLOGG CENTER, EAST LANSING

MINUTES

1. The meeting was called to order by Chair Watza at 6:07 PM.
2. Roll call was taken. All members present, except for K. Smith, M. Ashton, G. Gordon and C. LaGrand.
3. The agenda for the meeting was approved.
4. The minutes of the May 13, 2009, council meeting and the September 16, 2009, annual meeting were also approved.
5. Outgoing Chair Burzych provided a 2009 Year in Review, indicating that there will be an annual report available on the Ad Law Section SBM web site. He presented the gavel to new Chair Watza. S. Gobbo reported that Cooley Prof. Don LeDuc recently praised the Section's events and activities. There were also introductions of new Council members Jon P. Christinidis (Detroit—DTE Energy), Michael F. Matheson (Lansing—Loomis Ewert Parsley Davis & Gotting, P.C.), Richard J. Aaron (Okemos—Fahey Schultz Burzych & Rhodes, P.L.C.) and Timothy J. Lundgren (Grand Rapids—Varnum LLP). Chair Burzych also resigned his membership to become an ex officio member and allow S. Gobbo to be appointed in his place.
6. Treasurer's Report. None. Account Balance as of 9/30/09 is \$35,241.35.
7. Committee Reports:
 - a. Nominating Committee will consist of Chair-Elect and 2 members chosen by Chair-Elect.
 - b. Program Committee R. Patterson reported that the DNR/DEQ Luncheon scheduled for 11:30 AM-2 PM on 11/18/09 at the Kellogg Center is set, and the initial glitch with the on-line sign up function on the SBM web site is now corrected. Tickets are \$20 for section members and \$40 for non-members with extra \$20 buying a section membership for the remainder of the year. Speaker topics will likely include the new wetlands program and the proposed merger. T. Lundgren recommended circulating notice of the event to the Environmental Law Section. Council is also planning a May 2010 MPSC Luncheon likely planned by former Council member R. Kehres with the help of former member L. Porter. M. Burzych agreed to assist in a planned Liquor Control Commission event possibly in Jan. or Feb.

2010. Also discussed was a possible Ad Law Primer program with Prof. LeDuc as a possible presenter.

- c. Newsletter Committee K. Breitmeyer reported on articles planned for the Fall Edition (publication in early November) and solicited article ideas and authors for the Winter Edition. S. Gobbo agreed to discuss with Prof. LeDuc the possibility of regularly contributing an Ad Law Primer article. 2010 publication dates will correspond with event dates. R. Aaron recommended an article discussing state budget crisis and its impact on licensing fee-funded agencies like MPSC, Gaming, OFIR and LCC. M. Matheson recommended an article on the recession's impact on Homeowner Construction Lien Recovery Fund and a recurring article regarding legislative updates.
- d. Membership Committee T. Lundgren reported that the Cooley State Bar Association Fair on 10/21/09 went well with moderate attendance. 7-8 other sections attended, and he had many conversations with law students about what Administrative Law is and what jobs involve its practice. Attendees took past copies of the *Ad Law Journal*, as well.
- e. Legislative Committee HBs 5527-5529 (Meadows) would impose a sales tax on all services, including legal services, with a few exceptions. Council voted to join the SBM in opposing the bill package, because it would limit access to legal services for indigent clients and impose further obstacles for individuals starting a business.

8. Other Business

- a. Unfinished Business Pontiac Food Center case. K. Breitmeyer reported that the food center decided not to pursue further appeals, so there is no need for an amicus brief.
- b. New Business
 - i. Bylaw Change: Council voted to approve Section name change from "Administrative Law Section" to "Administrative and Regulatory Law Section." S. Gobbo and M. Matheson agreed to assist in setting the process in motion.
 - ii. Section Chair Orientation R. Patterson attended the orientation session at SBM, because Chair Watza was in New Orleans. 40 other section leaders attended, and he learned a lot.
 - iii. Listserv Chair Watza will manage issues with members requesting to be added. Differences between the Listserv and Ad Law Council and Ad Law Section e-mail lists were discussed. Council members should sign up for all three.
 - iv. Cooley State Bar Association Fair—10/21/09 discussed in item #7d.
 - v. 2009-2010 Programs and Projects Discussed Prof. LeDuc doing an Ad Law Primer seminar for annual meeting or in Jan./Feb. S. Gobbo will discuss with him.
 - vi. Committee Members R. Patterson, R. Aaron and M. Watza agreed to serve on the Program Committee; K. Breitmeyer, J.

Dempsey and J. Christinidis agreed to serve on the Newsletter Committee; K. Smith was nominated to serve on the Membership Committee, and M. Watza, T. Lundgren and M. Matheson agreed to serve on the Legislative Committee.

- vii. Officer Selections R. Patterson was elected Chair-Elect, K. Breitmeyer was elected Secretary, and M. Ashton was elected Treasurer for 2009-2010.
- viii. Future Council Meeting Dates will be on Wednesdays with exact dates TBD.

9. Section Member Comment. None.

10. Meeting adjourned at 7:05 PM.

The next meeting of the Council will be Wed., November 18, 2009, at the Kellogg Center immediately following the DNR/DEQ Luncheon.

Respectfully submitted by Kim Breitmeyer, Secretary