

FINAL
Minutes of Open Session
Legislative Council Meeting
Wednesday, September 26, 2018 at 9:00 a.m.
Rooms 402/403 • State Capitol Building

ATTENDANCE

Present:

Speaker Tom Leonard, *Chair*
Representative Thomas A. Albert, *Member*
Representative John Bizon M.D., *Member*
Representative Christine Greig, *Member*
Representative Beth Griffin, *Member*
Senator Wayne A. Schmidt, *Member*
Representative William J. Sowerby, *Member*
Senator Jim Stamas, *Member*

Absent/Excused:

Senate Majority Leader Arlan Meekhof, *Alternate Chair*
Senator Jim Ananich, *Member*
Senator Morris W. Hood III, *Member*
Senator Tory Rocca, *Member*
Senator Steven M. Bieda, *Alternate Member*
Senator Ken Horn, *Alternate Member*
Representative Larry Inman, *Alternate Member*
Representative Jim Lilly, *Alternate Member*
Representative Leslie Love, *Alternate Member*
Senator Tonya Schuitmaker, *Alternate Member*

ITEMS I and II. Call to Order and Roll Call

Pursuant to Legislative Council Rule Chapter 1, Rule 5, Speaker Leonard called the meeting to order at 9:00 a.m. and asked the clerk to call the roll. A quorum was present. **Senator Stamas moved to excuse absent members. There was no objection. The motion prevailed by unanimous consent.**

ITEM III. Approval of the Proposed Minutes of the May 2, 2018 Legislative Council Meeting

The Chair directed the members' attention to the proposed minutes of the May 2, 2018 Legislative Council meeting included in the members' information packet. **Representative Greig moved to adopt the minutes of the May 2, 2018 Legislative Council meeting as proposed. There was no further discussion. The motion prevailed by unanimous consent.**

ITEM IV. FY 2019 Legislative Council Budget and Allocations

The Chair asked members to review the proposed FY 2019 Legislative Council Budget and Allocations. Legislative Council Administrator Jennifer Dettloff was available to answer questions. Representative Bizon and Representative Griffin raised, and Legislative Council Administrator Jennifer Dettloff responded to, questions about the funding for the Legislative Information Technology Systems Design Project. **Senator Stamas moved to approve the FY 2019 Legislative Council Budget and Allocations as proposed. There was no further discussion. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the Council, voting as follows:**

Yeas—8

Speaker Leonard
Representative Albert
Representative Bizon
Representative Greig
Representative Griffin
Representative Sowerby

Senator Schmidt
Senator Stamas

Nays—0

Proposed FY 2019 Legislative Council Budget Allocations

Line Item	PA 207 of 2018 FY 2019 Appropriations	Proposed FY 2019 Legislative Council Allocations	Total FY 2019 Budget
Legislative Corrections Ombudsman	987,200		987,200
Worker's Compensation - Legislative Council	151,400		151,400
Legislative Service Bureau Automated Data Processing	1,740,700	477,000	2,217,700
Legislative Council	12,381,900	(12,381,900)	
Legislative Council (use to transfer to Capitol Donations) Private-Gifts and Bequests Revenue	400,000		400,000
National Association Dues	454,700		454,700
Michigan Veterans' Facility Ombudsman	309,000		309,000
Legislative Council Administrator		450,000	450,000
Michigan Law Revision Commission			
Michigan Manual Fund		11,000	11,000
State Drug Treatment Court Committee			
Legislative Service Bureau		11,443,900	11,443,900
Legislative Information Technology Systems Design Project	750,000		750,000
Criminal Justice Policy Commission Study			
Criminal Justice Policy Commission			
TOTALS:	17,174,900		17,174,900

V. Appointment to the Michigan Law Revision Commission

The Chair noted that the Honorable William C. Whitbeck has served as a public member on the Michigan Law Revision Commission since his appointment to the Commission in January 2000 and Judge Whitbeck does not wish to be reappointed when his term expires on December 31, 2018. The Chair announced that Brian LaVictoire has expressed interest in serving on the Commission and that a biography and a resume for Mr. LaVictoire is in the meeting packet beginning on page 8. **Senator Stamas moved to appoint Brian LaVictoire to serve on the Michigan Law Revision Commission for a 4-year term beginning January 1, 2019. There was no further discussion. The motion prevailed by an affirmative vote of a majority of the members appointed to and serving on the Council, voting as follows:**

Yeas—8	Speaker Leonard	Senator Schmidt
	Representative Albert	Senator Stamas
	Representative Bizon	
	Representative Greig	
	Representative Griffin	
	Representative Sowerby	

Nays—0

ITEM VI. Public Participation

The Chair asked for public participation. There was none.

ITEM VII. Adjournment

The Council having no further business, Representative Albert moved to adjourn the meeting. Without objection, the motion prevailed by unanimous consent. The meeting was adjourned at 9:05 a.m.

Respectfully submitted,

Jennifer Dettloff, Secretary

(Minutes approved at the October 15, 2019 Legislative Council meeting.)

BRIAN A. LAVICTOIRE (P74052)
3169 Traci Lane, DeWitt, MI 48820
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EDUCATION

Michigan State University College of Law East Lansing, MI
Juris Doctor – Magna Cum Laude May 2010

- Michigan State University Journal of Medicine and Law – Editor
- Jurisprudence Awards
 - Business Enterprises
 - Criminal Trial Advocacy III – Post Conviction Remedies

Admitted to practice in Michigan, including both the Eastern and Western Federal District Courts and their respective Bankruptcy Courts

Michigan State University, James Madison College East Lansing, MI
Bachelor of Arts, Political Theory & Constitutional Democracy August 2006

LEGAL EXPERIENCE

Municipal Employees' Retirement System of Michigan Lansing, MI
Deputy General Counsel for Investments & Compliance 10/2015 – Present

- Review and negotiate all investment-related agreements and ancillary documents for the \$11 billion public retirement system, including limited partnership agreements, limited liability company agreements, nondisclosure agreements, and collective trust agreements
- Monitor compliance with federal and state securities laws and advise the retirement system accordingly
- Monitor foreign and domestic securities class action litigation and coordinate with outside counsel regarding both direct and indirect participation in said litigation
- Provide oral and written advice regarding all aspects of public retirement system plan administration and statutory compliance (e.g., Public Employee Retirement System Investment Act, Open Meetings Act, etc.) regarding the system's various retirement benefit plan products, including its defined benefit plan, defined contribution and 457 plans, and health care savings plan
- Represent the retirement system in administrative proceedings involving its municipal employer members and individual employee participants under the Administrative Procedures Act, and all subsequent state court appeals
- Act as the retirement system's Freedom of Information Act coordinator, responding to all FOIA requests received by the system

Michigan Department of Attorney General Lansing, MI
Assistant Attorney General 11/2010 – 10/2015

- Provided oral and written legal advice regarding both defined benefit and defined contribution retirement plan administration to the State's public retirement systems administrator, the Office of Retirement Services, which manages and administers benefits for the State's multiple retirement systems with assets in excess of \$60 billion
- Represented the State's various public retirement systems in state administrative proceedings under the Administrative Procedures Act, as well as in both state and federal court

Brian A. LaVictoire

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- Advised the State's Social Security Administrator for purposes of maintaining compliance with the State's 218 Agreement with the Social Security Administration, in light of applicable state and federal law and regulations
- Defended the State in complex contract litigation involving multimillion dollar public construction projects
- First chaired civil litigation of varying complexity in state court for various other State agencies, including the Michigan State Housing Development Authority, Secretary of State, Michigan Land Bank, Michigan Film Office and Department of Technology, Management and Budget

McLellan Law Offices, PLLC

Lansing, MI

Member/Attorney

5/2010 – 11/2010

- Researched and drafted legal memoranda on a wide range of topics including election, Native American, international, corporate, and education law
- Prepared and managed applications and filings for new non-profit corporations and their applicable tax-exempt status with the Internal Revenue Service
- Managed the creation of a public interest law firm within a 501(c)(3) exempt organization
- Facilitated the start-up of a new law office, handling multiple managerial and administrative tasks

PUBLIC POLICY EXPERIENCE

Michigan House Republican Constituent Relations

Lansing, MI

Regional Field Representative

6/2005 – 7/2007

- Advised legislators on legislative strategy and implementation
- Created and implemented incumbency plans for legislative members
- Organized and managed various constituent contact programs including phone, mail and door-to-door campaigns
- Authored and edited press releases and direct mail pieces
- Planned and directed various constituent events including town hall meetings, senior days, veterans' benefits fairs and summer reading contests

House Republican Campaign Committee

Lansing, MI

Campaign Consultant

6/2005 – 1/2007

- Managed regional candidate recruitment
- Constructed and actualized campaign plans for candidates and incumbents
- Designed and carried out fundraising plans for candidates and incumbents
- Composed and proofed direct mail, radio and television copy

OTHER AFFILIATIONS

Institutional Limited Partners Association

National Association of Public Pension Attorneys

References Available Upon Request

Brian LaVictoire - Biography

Brian is the Deputy General Counsel for Investments and Compliance for the Municipal Employees' Retirement System of Michigan (MERS). Brian advises the organization on all legal matters pertaining to MERS' \$11 billion portfolio, including reviewing, drafting and negotiating various contracts pertaining to MERS' investments in both public and private markets. Brian also assists MERS in maintaining its compliance with applicable state and federal laws and regulations.

Before coming to MERS, Brian was an Assistant Attorney General for the Michigan Department of Attorney General where his practice focused on advising the State regarding its administration of the various state retirement systems, and representing the State in all stages of litigation involving the systems. Brian also represented the State in complex multimillion dollar construction contract litigation.

Brian was one of the founding attorneys of McLellan Law Offices, PLLC, a boutique law practice led by Richard McLellan, the former managing member of Dykema Gossett's Lansing Office and one of the most prominent and respected lawyers in Michigan.

Before earning his law degree, Brian worked in the Michigan Legislature as a caucus liaison and regional field representative for the House Republican Caucus under then-Speaker Craig DeRoche.

Brian graduated from Michigan State University's James Madison College with a B.A. in Political Theory & Constitutional Democracy, and graduated magna cum laude from Michigan State University College of Law.

Brian is a member of the State Bar of Michigan, the Institutional Limited Partners Association, the Association of Corporate Counsel, as well as the National Association of Public Pension Attorneys.

Brian lives in DeWitt, MI with his wife, Jennifer, and their two boys, Carter and Emmett.