



February 15, 2010

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***CONFIDENTIAL COMMUNICATION
ATTORNEY-CLIENT PRIVILEGE***

DENNIS R. POLLARD
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Re: ***Adair v State of Michigan
Status Report***

Dear Participating School Districts:

This is to provide you with an update on the status of the recommendations of the Legislative Commission on Statutory Mandates. As you may recall, I participated on the Commission as the appointee (one of five) of the Speaker of the House and the Senate Majority Leader. Our two years of reviewing the State's actions in ignoring its funding obligations for mandates imposed by it through legislation and administrative rules/regulations, following the adoption in 1978 of the Headlee Amendment to the State Constitution, was the subject of the Commission's report. Our Report was rendered on December 31, 2009. You should have received the printed report that I sent by mail in early January, 2010. I also sent you an electronic version of the Report in January, 2010.

There are several positive things occurring that are very encouraging relative to the recommendations contained in the Report. Most importantly, a bill was introduced in the House last Friday by Representative Kowall (R., 44th District, Oakland County) to adopt the bills that we drafted and are contained in the Report. The Legislative Service Bureau has made some changes to the verbiage contained in our drafts of the bills. We are presently trying to reconcile those to our drafts working with Representative Kowall and the Bureau. We anticipate that these will be fully reconciled to the underlying intent of our drafts.

A second development is that a press conference was scheduled yesterday for February 24, 2010 at 9:30 a.m. at the Capitol. Speaker Dillon and Majority Leader Bishop are scheduled to attend and participate. We anticipate that they will speak in support of the recommendations in the Report during the conference. Both have previously expressed their support. A fellow Commissioner and I will speak as well and be available to answer any questions posed by the press. Representatives of several of the associations for local units of government, including schools, will also be in attendance.

Participating School Districts

February 15, 2010

Page Two

While it has not yet coalesced, we are hoping to get these associations to come together with school associations to promote our common interest in seeing this legislation move forward to enactment. Perhaps more importantly, we are seeing considerable interest in promoting this legislation at the local municipality level. For example, I have been requested to be a principal speaker, along with a fellow Commissioner, on this subject at the annual meeting at the Michigan Association of Counties in March.

While these developments remain a long way from securing enactment, it is an auspicious beginning of that process. As I indicated in my email in January, we need to have the support of members of the boards of education and community supporters working with local legislators and candidates for the election to the Legislature this November. This grass root support is critical to success. The theme of this effort should be very compelling; follow the State Constitution after 31 years of ignoring it.

As a final point, the Michigan Supreme Court has not issued an opinion as of yet on the *Adair* suit that I argued last October 6, 2009.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis R. Pollard". The signature is written in a cursive, flowing style.

Dennis R. Pollard

DRP/jec

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