

prior police work experience or its equivalent as approved by the township board or may by resolution appropriate funds and call upon the sheriff of the county in which the township is located to provide special police protection for the township. It shall be the duty of the sheriff, when so called upon, to provide special police protection for the township and to enforce all local township ordinances, to the extent that township funds are appropriated therefor. Special township deputies appointed by the sheriff shall be under the jurisdiction of and solely responsible to the sheriff. . . ."

Thus, the county sheriff would be the principal agent for the enforcement of ordinances within the township. In effect, the county sheriff becomes the local police force for the township and its residents, including community college districts.

It is, therefore, my opinion that the board of trustees of a community college lacks authority to contract with the county sheriff to provide for the college police protection similar to that provided by county sheriffs for townships.

FRANK J. KELLEY,  
*Attorney General.*

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**CONSTITUTIONAL LAW:** Title to Act, embracing more than one object.

A statute appropriating funds for the department of corrections, which contains a provision creating the office of legislative corrections ombudsman, violates Const 1963, art 4, § 24.

Opinion No. 4824

July 24, 1974.

Mr. Perry Johnson  
Director  
Department of Corrections  
Mason Building  
Lansing, Michigan 48913

You have requested my opinion on questions pertaining to the creation, function and authority of the Legislative Corrections Ombudsman created by §19 of 1973 PA 107.

Your first question, when rephrased, reads:

Does Section 19 of 1973 PA 107, which creates within the structure of the Legislature the Office of Corrections Ombudsman, violate Const 1963, art 4, § 24?

Const 1963, art 4, § 24 provides:

"No law shall embrace more than one object, which shall be expressed in its title. No bill shall be altered or amended on its passage through either house so as to change its original purpose as determined by its total content and not alone by its title."

The object of the legislature in the enactment of 1973 PA 107, as expressed

in its title, is to make appropriations for the department of corrections; to provide for the expenditure of such appropriations; and to provide for the disposition of fees and other income received by said state agency.

Section 19 of said act provides:

"The office of corrections ombudsman funded in HB 4159 of 1973 is created within the structure of the legislature.

"The head of the office of corrections ombudsman shall be appointed by the legislative council. The office of corrections ombudsman shall be responsible for receiving inmate grievances as well as grievances from the general public concerning state correctional policy, procedures and practices concerning inmates of its correctional institutions. Upon receipt of grievances, the office of correctional ombudsman shall investigate each complaint received and work with all parties concerned relative to satisfactory solutions to such grievances.

"An annual report of the functions and experiences of the office of corrections ombudsman shall be issued to the legislature. The legislative council shall hold periodic meetings with the head of the office and determine policy and functions of the office.

"The department of corrections shall cooperate fully with the office of corrections ombudsman, shall revise its inmate grievance procedures to recognize and publicize the office of corrections ombudsman and permit the office to have full access to all requests and complaints filed by inmates with the department of corrections under its inmate grievance procedure and corrective action taken in each case."

House Bill 4159 of 1973, which became 1973 PA 130 when signed by the Governor on August 26, 1973, refers in Section 50 to the office of corrections ombudsman. It provides:

"The sum of \$50,000.00 appropriated in this act for the office of legislative corrections officer is for the same office as that created in Senate Bill No. 126 of the 1973 regular session as the office of corrections ombudsman. The office of corrections ombudsman so created shall be known as, and designated as, the office of legislative corrections and the head of the office shall be designated as the legislative corrections officer with all the powers and duties designated in Senate Bill No. 126 of the 1973 regular session."

Section 50 clearly indicates that the legislature created the office of corrections ombudsman in Senate Bill 126 of 1973, which became 1973 PA 107 on August 19, 1973, when signed by the Governor.

The purpose of Const 1963, art 4, § 24 is to put legislators and others interested on notice of the object of the law thereby assuring them that only matters germane to the object noted in the title will become law. See: *Continental Motors Corporation v Township of Muskegon*, 376 Mich 170; 135 NW2d 908 (1965). Recently the Michigan Supreme Court reaffirmed this principle by noting in *Advisory Opinion re Constitutionality of 1972 PA 294*, 389 Mich 441, 465; 208 NW2d 469, 473, 474 (1973), that:

"An act may include all matters germane to its object. It may include

all those provisions which directly relate to, carry out and implement the principal object. . . . [T]he purpose of this constitutional limitation is to insure that both the legislators and the public have proper notice of legislative content and to prevent deceit and subterfuge."

The title of 1973 PA 107 reads as follows:

"AN ACT to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending June 30, 1974; to provide for the expenditure of such appropriations; and to provide for the disposition of fees and other income received by said state agencies."

Nothing in the title of 1973 PA 107 would even suggest that an office of corrections ombudsman was created. Therefore, I must conclude that 1973 PA 107 embraces more than one object and it contains an object not expressed in its title. It is my opinion that Section 19 of 1973 PA 107 is unconstitutional in that it violates Const 1963, art 4, § 24.

Inasmuch as 1973 PA 107 makes appropriations for the department of corrections, it is clear that said act would have been enacted without Section 19 being made a part thereof. OAG, 1965-1966, No 4,575, p 389 (December 23, 1966). See also: OAG, 1963-1964, No 4,156, p 79 (April 11, 1963). Lacking evidence that the legislature desired 1973 PA 107 to be nonseverable, I would conclude that the remaining provisions of said act were valid.

Having concluded that Section 19 of 1973 PA 107 is unconstitutional, your remaining questions need not be answered.

FRANK J. KELLEY,  
*Attorney General.*

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**CONSTITUTIONAL LAW:** Title to statute

**GUARDIAN:** Commissioner of Revenue as public guardian

Statute providing for Commissioner of Revenue to serve ex officio as the public guardian of every patient admitted to mental institution continues to be unconstitutional, although cited subsequent to an earlier determination of unconstitutionality.

Opinion No. 4821

July 26, 1974.

Mr. Sydney D. Goodman  
Commissioner of Revenue  
Department of Treasury  
Treasury Building  
Lansing, Michigan 48922

You have requested an opinion as to the constitutionality of 1923 PA 151, § 11b; MCLA 330.21b; MSA 14.811(1).

An opinion of the attorney general concluded: