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COMMUNITY COLLEGE DISTRICT: Power to contract with sheriff for police services.

The board of trustees of a community college district is without authority to contract with the sheriff for police services.

Opinion No. 4823

July 22, 1974.

Hon. Gordon Rockwell
State Senator
The Capitol
Lansing, Michigan

You have requested my opinion as to whether a community college district board of trustees may contract with the county sheriff to provide for the college police protection similar to that provided by county sheriffs for townships.

The establishment and operation of community college districts is governed by 1966 PA 331; MCLA 389.1 *et seq.*; MSA 15.615(101) *et seq.* Community colleges are administered by their board of trustees, *West Shore Community College v Manistee County Board of Commissioners*, 389 Mich 287; 205 NW2d 441 (1973).

The board of trustees of a community college district is entrusted with ". . . the care and custody of all community college property . . ." 1966 PA 331, § 123, *supra*. Further, the board of trustees may "[s]elect and employ such . . . employees and engage such services as shall be necessary to effectuate its purposes." 1966 PA 331, § 124(b), *supra*. Thus, the community college's board of trustees may provide security guards to safeguard college property.

However, in a September 17, 1973, letter to Representative Joseph M. Snyder, I concluded that 1967 PA 291; MCLA 390.891 *et seq.*; MSA 15.1120(51) *et seq.*, which authorizes the state colleges and universities to enact and enforce parking, traffic and pedestrian ordinances, and to dispose of fines imposed and collected, does not apply to community college districts. Rather, pursuant to MCLA 257.961; MSA 9.2660, it is for the municipal legislative authority wherein the community college district is situated to enact and enforce such ordinances applicable to college property, at the request of the board of trustees. Thus, while the legislature has vested the administration of community college districts in their boards of trustees, *West Shore Community College, supra*, the boards of trustees must look to the state, county or the municipality in which the college property is located for general police protection.

County sheriffs may be called upon by township boards to provide police protection for their townships pursuant to MCLA 41.181; MSA 5.45(1), which provides:

"The township board of a township may, . . . adopt ordinances regulating the public health, safety and general welfare . . . provide penalties for the violation thereof, and shall enforce the same . . . townships shall have a law enforcement unit composed of at least 1 full time person, all members of which shall have at least 2 weeks

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.

740724.3

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