



STATE OF ARIZONA

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July 8, 1992

Mr. D. Rand Henderson, Esq.
Deputy County Attorney
Navajo County Attorney
P.O. Box 668
Holbrook, Arizona 86025

RE: 192-006 (R91-049)

Dear Mr. Henderson:

We have reviewed your November 22, 1991 advice to Mr. John Anderson, President of Northland Pioneer College, that the Navajo County Community College District may contract with the Board of Directors of the Navajo County Free Library District, for the Community College District to operate a free library system for Navajo County.

In that letter you also advised that the Navajo County Board of Supervisors could organize an improvement district to establish a community center that would provide a free library system for Navajo County. Your letter suggests that the Navajo County Community College District could contract with the new improvement district for the community college district to operate the library system that would be part of the community center.

Pursuant to A.R.S. § 15-1448(H) we revise your opinion. We conclude that the Navajo County Community College District is not authorized to operate a county free library system under contract with another county authority.

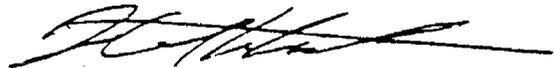
A political subdivision has only the powers expressly granted to it by the legislature and the powers necessarily implied from the powers expressly granted. Associated Dairy Products Co. v. Page, 68 Ariz. 343, 206 P.2d 1041 (1949); School District No. 69 of Maricopa County v. Altherr, 10 Ariz. App. 333, 458 P.2d 537 (1969). A.R.S. § 15-1444 enumerates the express powers and duties of a community college district board. Nothing in the statute authorizes the district

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to organize or operate a library system for a county. We note that § 15-1444(A)(1) requires a district board to maintain each community college in its district. Because a library is important to the proper operation of a community college, a community college district clearly may operate a library as part of the community college system. However, the authority to operate a library as an integral component of a community college does not necessarily include the authority to operate a county library system. A community college district board would be authorized to operate a county library system only if doing so were necessary for the community college district board to carry out its statutory responsibilities. We do not see that operating a county library system will assist the community college district in operating the community college.

In the absence of statutory authority granting it the power to operate a county library system, a community college district is not authorized to enter into an agreement with another county agency or entity under which the community college district would undertake to operate a countywide free library system.

Sincerely,



Grant Woods
Attorney General

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