



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

July 14, 1975

ATTORNEY GENERAL OPINION NO. 75-285

Mr. Gerald D. Jensen
Post Office Box 309
Herington, Kansas 67449

Re: Bonds--Recreation Commissions

Synopsis: A recreation commission organized under K.S.A. 12-1901 et seq. has no authority to issue revenue bonds to finance construction of a building.

* * *

Dear Mr. Jensen:

I have your letter of July 8, concerning authority of the Herington Recreation Commission to issue revenue bonds for the construction of a proposed permanent building to house year-round recreational activities. You advise that the Commission, which was created by the City of Herington and U.S.D. 487 acting jointly pursuant to K.S.A. 12-1901 et seq., has decided to establish a fund into which approximately \$2,000 to \$3,000 would be deposited per year. The Commission presently has a budget of approximately \$17,000 which is derived from its two-mill tax levy. The Commission inquires whether it has authority to issue revenue bonds, the proceeds from which to be used for construction of the building in question, the bonds to be retired from the \$2,000 to \$3,000 fund as described above.

I have reviewed the statutes concerning recreational commissions established under K.S.A. 12-1901 et seq., as well as other authorities cited in your letter, and I find no authority for such commissions to issue revenue bonds. It may be, of course, that other avenues for financing the project may be explored with the city

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governing body. However, the Recreation Commission itself has no authority to issue either general obligation or revenue bonds.

Yours very truly,

A handwritten signature in cursive script that reads "Curt Schneider".

CURT T. SCHNEIDER
Attorney General

CTS:JRM:jj