



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

March 17, 1976

ATTORNEY GENERAL OPINION NO. 76-95

Mr. Gerald E. Williams
Breyfogle, Gardner, Martin,
Davis and Kreamer
Court Square Building
110 South Cherry
Olathe, Kansas 66061

Re: Aircraft and Airfields--Municipal Airports and Fields--
Special Facilities Revenue Bonds

Synopsis: Special facilities revenue bonds may be issued for the
construction of manufacturing and warehousing facilities
to be located on airport property pursuant to K.S.A.
3-154.

* * *

Dear Mr. Williams:

You have requested an opinion on behalf of the Johnson County Air-
port Commission inquiring whether that body is empowered via K.S.A.
3-154 to issue special facilities revenue bonds for the construction
of "non-related aviation facilities."

K.S.A. 3-154 provides:

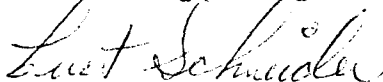
"Any municipality which is authorized
to own and operate an airport is hereby
authorized and empowered to issue special
facilities revenue bonds for the acquisition,
construction, alteration, improvement, or
enlargement of any revenue-producing facility

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located on such airport, subject to the
terms and conditions of this act."
[Emphasis added.]

It is apparent from the foregoing that the Legislature by employing the phrase "any revenue-producing facility" intended to empower municipalities owning or operating airports with the capability of financing a wide range of facilities. We find no restrictions either specifically provided in the language of the act or implied therefrom that would restrict the interpretation and application of this statute to exclude facilities which would not be related to airport activities as required by K.S.A. 3-114. Chapter Six, Laws of 1974. Accordingly, it is the opinion of this office that the express language of K.S.A. 3-154 does not prohibit the use of funds derived from the sale of special facilities revenue bonds for the acquisition, construction, alteration, improvement, or enlargement of "facilities" which are unrelated to aviation operations at an airport.

Yours very truly,



CURT T. SCHNEIDER
Attorney General

CTS:JPS:kj