STATE OF KANSAS

Office of the Attorney General

1st Floor, State Capitol Bldg.   (913) 296-2215   Topeka, Kansas 66612

Curt T. Schneider
Attorney General

April 8, 1976

ATTORNEY GENERAL OPINION NO. 76- 44a

The Honorable Norman E. Gaar
State Senator
3rd Floor - State Capitol Building
Topeka, Kansas   66612

Re: Counties--Home Rule--Bonds

Synopsis: A county may by charter resolution exempt itself from
          K.S.A. 19-1878, and provide substitute and additional
          provisions in lieu thereof, and general obligation bonds
          issued pursuant to such charter resolution will be
          approved by this office as issued under lawful authority.

*   *   *

Dear Senator Gaar:

In Opinion No. 76-44, I responded to your inquiry whether the Lyon
County Board of County Commissioners may, in the exercise of its
statutory powers of self-government under K.S.A. 19-101a *et seq.*,
by charter resolution exempt the county from K.S.A. 19-1878, and
enact substitute and additional provisions in lieu thereof, whereby
hospital revenue bonds might be issued under the authority of that
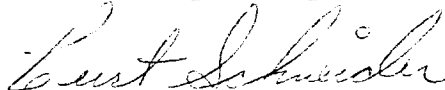resolution.

I responded that the proposed charter resolution was fully within
the statutory power of the board under K.S.A. 19-101a, and that
obligations issued pursuant to the authority of this duly adopted
resolution would be approved by this office as based on lawful
authority therefor.

Mr. Winn of your firm has contacted us, advising that general
obligation bonds are proposed to be issued under the authority of

that resolution, rather than revenue bonds. Reviewing the
resolution, it is my opinion that the proposed resolution
provides lawful authority for the issuance of general obli-
gation bonds thereunder, and such obligations would be approv-
ed by this office as being within the lawful authority of the
board based on such a resolution.

Yours very truly,

CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj

cc: Mr. James W. Winn
     Stinson, Mag, Thompson,
       McEvers & Fizzell
     TenMain Center, Suite 2100
     Kansas City, Missouri 64105