



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 27, 1977

ATTORNEY GENERAL OPINION NO. 77-141

Mr. Phillip H. Schuley
Assistant City Attorney
8500 Santa Fe Drive
Overland Park, Kansas 66212

Re: Cities--Bonds--Elections

Synopsis: Under K.S.A. 12-1737, no election is required for the issuance of bonds for the construction of a vehicle maintenance facility, for under that section, an election is required for the issuance of bonds only for the construction of city offices, public libraries, auditoriums, and community or recreational buildings.

* * *

Dear Mr. Schuley:

You advise that the City of Overland Park is considering the construction of a vehicle maintenance facility for the care of city-owned vehicles, at a proposed cost of approximately \$4,000,000, to be financed through the issuance of general obligation bonds of the city.

You inquire whether an election would be required under K.S.A. 12-1737, which authorizes the city to use various sources of funds for the construction of public buildings, including proceeds from the issuance of bonds of the city. Subsection (h) provides thus:

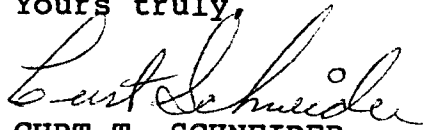
"An election upon the issuance of bonds under the authority of this act shall be required for the purpose of acquiring or constructing

Mr. Phillip H. Schuley
Page Two
April 27, 1977

city offices, public libraries, auditoriums,
community or recreational buildings."

Inferentially, no election is required for the issuance of bonds for the purpose of constructing any public buildings of the city other than those recited above, and in my judgment, no election is thus required under this section for the issuance of bonds for the construction of a vehicle maintenance facility.

Yours truly,



CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj