



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL

January 5, 1979

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ATTORNEY GENERAL OPINION NO. 79- 9

Mr. H. David Starkey  
Thomas County Attorney  
Post Office Box 408  
Colby, Kansas 67701

Re: Counties--County Building--Public Building Bonds

Synopsis: Counties are authorized pursuant to K.S.A. 19-15,114 *et seq.* to acquire a site for, construct and equip a television translator station.

\* \* \*

Dear Mr. Starkey:

You request the opinion of this office whether the County Public Building Act (K.S.A. 19-15,114 *et seq.*) permits your county to issue general obligation bonds for the purpose of acquiring a site for and constructing and equipping a UHF television translator station in Thomas County. You advise such a facility will improve the television reception for county residents. It will require the acquisition of property and the construction thereon of a cinder block building to house the translator and a four hundred fifty foot tower. Apparently two such sites and facilities will be required. You indicate that the proceeds from the bonds would be used for purchasing the land, constructing the block buildings and tower, and providing the necessary equipment.

Mr. H. David Starkey  
Page Two  
January 5, 1979

County commissions are given wide authority under the Act. In Kansas Attorney General Opinion No. 77-254<sup>1</sup> we concluded that under the definition of "public buildings," as provided at K.S.A. 19-15,114(a) the use of the term "structure" conveyed considerable latitude in identifying the projects authorized thereunder. In that opinion we held that an asphaltic runway fell within the supplied statutory definitions. The same rationale appears clearly apposite to the block buildings, towers and required real estate, assuming the board of commissioners make the necessary determination that this project is ". . . necessary to the county for . . . [a] public county purpose." K.S.A. 19-15,114(a).

As for the equipment needed to complete the facility, once again we point to the broad provisions of the definitions provided in K.S.A. 19-15,114. Subparagraph (b) thereof states:

"'Improve' shall mean and include alteration, repair, reconstruction, remodeling, furnishing, equipping, extending, adding to, enlarging or any other work which will enhance, extend or restore the value or utility of the public building." [Emphasis supplied.]

The above definition appears plain and unambiguous. The emphasized term "equipping," while not defined within the definition<sup>2</sup> itself, is generally understood to mean to furnish for service. As such it is reasonable to conclude that machinery and equipment necessary to complete this television translator facility

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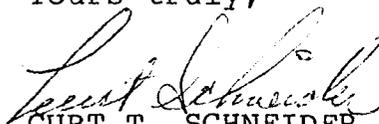
1. XI Opinions of the Attorney General 70, dated July 21, 1977 and addressed to Donald A. Bell; a copy of which is attached for your convenience.

2. See, *Lakeview Gardens, Inc. v. State*, 221 Kan. 221, 214, 557 P.2d 1286 (1976), for rules of statutory construction applicable to words in common use. See also, *Roda v. Williams*, 195 Kan. 507, 511, 407 P.2d 471 (1965).

Mr. H. David Starkey  
Page Three  
January 5, 1979

and bring it to a state of operational readiness properly falls  
within the authority of the Act.

Yours truly,

  
CURT T. SCHNEIDER  
Attorney General

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