

## 2012 Kansas Statutes

**76-815. Revenue bonds; terms; disposition of excess funds.** (a) The board is hereby authorized to provide for the issuance, from time to time, of revenue bonds of the board in an aggregate principal amount not exceeding \$22,000,000 for the purpose of paying all or any part of the cost of the project. The principal of and the interest on the bonds shall be payable solely from the funds herein provided for such payment. The bonds shall be dated, shall bear interest at a rate not to exceed the maximum rate prescribed by K.S.A. 10-1009, and amendments thereto, shall mature at such time not exceeding 20 years from their date, as may be determined by the board, and may be made redeemable before maturity, at the option of the board, at such price and under such terms and conditions fixed by the board prior to the issuance of the bonds. The board shall determine the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination of the bonds and the place of payment of principal and interest, which may be at the office of the state treasurer as fiscal agent of the state, or at any bank or trust company within or without the state. In case any officer whose signature or a facsimile of whose signature appears on any bonds or coupons ceases to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery. The board may also provide for the authentication of the bonds by a trustee or fiscal agent. The bonds may be issued in coupon or in registered form, or both, as the board determines, and provision may be made for the registration of any coupon bonds as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest and for the interchange of registered and coupon bonds. The board may sell such bonds in such manner, and upon such terms as it determines to be in the public interest and advantageous to the medical center and the state, at public sale at not less than par and accrued interest by competitive bidding, with sealed proposals, after the notice provided in K.S.A. 10-106, and amendments thereto. Any and all bids may be rejected. If no bid acceptable to the board is received, the board may sell the bonds without competitive bidding at private sale in such manner and upon such terms and conditions the board determines will be in the public interest and advantageous to and for the best interests of the medical center and the state.

(b) The proceeds of the bonds, except such as may be made available to secure or pay bonds, shall be used solely for the payment of the cost of the project or portion thereof for which such bonds have been issued, and shall be disbursed in such manner and under such restrictions, if any, as the board provides in the resolution authorizing the issuance of such bonds or in the trust agreement securing the same. If the proceeds of the bonds, by reason of increased construction costs or error in estimates or otherwise, shall be less than such cost, additional bonds, not exceeding with other bonds issued hereunder the maximum amount authorized to be issued, may in like manner be issued to provide the amount of such deficiency, and, unless otherwise provided in the bond resolution or in the trust agreement, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of the bonds of any issue exceed such cost, such excess shall be deposited to the credit of the sinking fund for such bonds, or if provided in such resolution or trust agreement, may be deposited to the credit of any reserve fund established to secure the bonds.

(c) Prior to the preparation of definitive bonds, the board may, under like restrictions, issue interim financing receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The board also may provide for the replacement of any bonds which are mutilated or are destroyed or lost.

(d) Bonds may be issued under the provisions of this act without obtaining, except as otherwise expressly provided in this act, the consent of any department, division, commission, board, body, bureau or agency of the state, and without any other proceedings or the happening of any conditions or things other than those proceedings, conditions or things which are specifically required by this act and the provisions of the resolution authorizing the issuance of such bonds or the trust agreement securing the same.

**History:** L. 1973, ch. 380, § 6; L. 1983, ch. 49, § 97; May 12.