



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

December 2, 1975

ATTORNEY GENERAL OPINION NO. 75- 444

Mr. Richard E. Samson
Stevens County Attorney
Post Office Box 759
Hugoton, Kansas 67951

Re: Fish and Game--Licenses--Resident Owner or Tenant of
Farm Lands

Synopsis: A person who is a resident owner, manager or operator of farm or ranch lands of eighty acres or more does not cease to be a "resident owner or tenant of farm lands" as that phrase is defined at ch. 227, § 1, L. 1975, merely because there is located on said land a commercial livestock feeding operation.

* * *

Dear Mr. Samson:

K.S.A. 32-179, as amended by ch. 227, § 1, L. 1975, provides in pertinent part as follows:

"The forestry, fish and game commission is hereby authorized to issue through the office of the director of the commission at Pratt, Kansas, special permits and game tags pertaining to the hunting, taking and possessing of deer, antelope and wild turkey A resident owner or tenant of farm lands as used within this section means one who owns, manages, or operates farm or ranch land of eighty (80) acres or more. Fifty percent (50%) of such permits and game tags authorized to be issued by the commission shall

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be issued to resident owners and resident tenants of farm lands within specific management units or zones"

You inquire whether one who manages a commercial feedlot is a "resident owner or tenant of farm lands" as that term is defined above.

The raising of livestock has historically and traditionally been an integral part of farming and ranching operations in Kansas. As livestock feeding operations have become larger, more sophisticated and capital intensive, some have come to question whether such operations remain a part of the traditional agricultural sector of the economy.

This debate, if such it be, is tangential to the problem you raise. Under the statute, any person who is a resident owner, manager or operator of farm lands or ranch lands of eighty acres or more is a resident owner or tenant of farm lands within the quoted statute. A person who is a resident owner, manager or operator of eighty acres or more of farm or ranch land in this state does not cease to be a "resident owner or tenant of farm lands" as that term is defined in the cited statute merely because there is located on such land a commercial livestock feeding operation.

A person who manages a commercial livestock feeding operation and who is therefore responsible for the management of eighty or more acres of farm or ranch land on which the operation is located constitutes a "resident owner or tenant of farm lands" as that term is used in this section.

Yours very truly,



CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj