



STATE OF KANSAS

## Office of the Attorney General

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

**Curt T. Schneider**  
Attorney General

March 15, 1978

ATTORNEY GENERAL OPINION NO. 78- 116

The Honorable Charlie L. Angell  
State Senator  
3rd Floor - State Capitol  
Topeka, Kansas 66612

Re: Forestry, Fish and Game Commission--Oil and Gas Leases--  
-1978 House Bill 2840

Synopsis: 1978 House Bill 2840 provides authority for non-drilling leases to be executed by the State Forestry, Fish and Game Commission. Such authority is permissive only, and does not conflict with the existing authority for oil and gas leases under K.S.A. 74-3315.

\* \* \*

Dear Senator Angell:

Section 1 of 1978 House Bill 2840 provides in pertinent part thus:

"The forestry, fish and game commission is hereby authorized to lease any of the lands under its control, the title of which is vested in the state, for the non-drilling of oil and gas."

You advise that committee discussion of the bill has prompted your request, as chairman of the Senate Committee on Energy and Natural Resources, concerning such non-drilling leases "in accordance with the provisions of K.S.A. 74-3315." The referenced

The Honorable Charlie L. Angell

Page Two

March 15, 1978

section authorizes the Commission to lease any of its lands, title to which is vested in the State of Kansas, for the production of oil, gas and other minerals. This authority is permissive only, and we have not construed this statute to authorize non-drilling leases. The additional authority for non-drilling leases does not conflict with the existing authority, but merely supplements it.

I cannot determine from your letter what other questions may have arisen concerning the bill. If, however, further questions remain unanswered, please feel free to contact this office for clarification or a supplemental opinion.

Yours truly,

A handwritten signature in cursive script that reads "Curt Schneider".

CURT T. SCHNEIDER  
Attorney General

CTS:JRM:kj