



THE STATE OF WYOMING

# Attorney General

MIKE SULLIVAN  
GOVERNOR

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ATTORNEY GENERAL

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May 6, 1994

Bill Gentle, Director  
Department of Agriculture  
Smith Building  
Cheyenne, WY 82002

RECEIVED

MAY 09 1994

WYO. DEPT. OF  
AGRICULTURE

Dear Bill:

You have asked me to help you determine if your interpretation of W.S. § 11-16-120 is correct.

According to W.S. § 11-16-120 three of the five conservation district supervisors must be "rural residents." Because a least two statutes, W.S. § 11-16-113 and 11-16-119, provide that when a district is formed two supervisors must be landowners, you are curious to know if that requires also applies to W.S. 11-16-120.

The answer to your inquiry is no. General principles of statutory construction provide that statutory language is to be given its plain and ordinary meaning absent some contrary indication by the legislature. Schulthess v. Carollo, 832 P.2d 552 (Wyo. 1992). The term "rural resident" simply means one who lives or resides in a rural area. Therefore, it is not necessary for a conservation district supervisor to be a landowner.

I hope that this has addressed your concern.

Sincerely,

Mary B. Guthrie  
Senior Assistant Attorney General

Mike Sullivan, Governor  
on Rolston, Director



Wyoming  
Department  
of Agriculture

2219 Carey Ave., Cheyenne, Wyoming 82002-0100 (307) 777-7321 Fax (307) 777-6593

April 28, 1994

TO: Mary Guthrie  
Attorney General's Office

FROM: Bill Gentle, Director  
Department of Agriculture



RE: What is the qualifications of a rural board member for Conservation Districts?

The Wyoming Department of Agriculture has received inquiries from Conservation Districts requesting an Attorney General's opinion clarifying the qualifications of a rural board member.

In section 11-16-119 of Conservation District Law, it is specified that when a District is formed, the initial supervisors shall be owners of land.

However, in section 11-16-120, it states that at succeeding elections three of the supervisors elected shall be "rural residents", but no mention is made in reference to the landowner requirement. For many years we have interpreted this law to mean that rural supervisors do not have to be owners of land, but only reside in rural areas. Recently many rural supervisors are not landowners. Are we interpreting the law correctly?

Please clarify on whether a rural supervisor must be a land owner and what constitutes a "rural resident".

Thank you in advance for your assistance in this matter.

BG/lms

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Board Members

Peter John Camino  
Buffalo

Michael J. Dalles  
Laramie

Wayne Korell  
Lingle

Elaine Moore  
Douglas

Hight Proffitt  
Evanston

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Ronald Vore  
Beulah



**Wyoming Association of Conservation Districts**  
2505 E. Fox Farm Rd. - Cheyenne, WY 82007 - Phone: (307) 632-5716

April 21, 1994

Mr Grant Stumbough  
Dept. of Ag  
2219 Carey Ave.  
Cheyenne, WY 82002

Dear Grant,

As per our discussion on April 19, 1994, I would like to request that the Department obtain a written Attorney General's opinion clarifying the qualifications of a rural board member.

In section 11-16-119 of Conservation District Law, it is specified that when a District is formed, the initial supervisors shall be owners of land.

However, in section 11-16-120, it states that at succeeding elections three of the supervisors elected shall be "rural residents", no mention is made in reference to the land owner requirement.

We would appreciate a clarification on whether a rural supervisor must be a land owner and what constitutes a "rural resident".

I appreciate your assistance with this matter.

Sincerely,

A handwritten signature in cursive script that reads "Bobbie K. Hallwachs".

Bobbie K. Hallwachs  
Executive Director

bd

cc: Margie White, Deputy Secretary of State

APR 27 1994