

Approved March 25, 1986
Date

MINUTES OF THE Senate COMMITTEE ON Local Government

The meeting was called to order by Senator Don Montgomery at
Chairperson

9:00 a.m. ~~xxx~~ on March 24, 1986 in room 531-N of the Capitol.

All members were present except: Senators: Allen, Bogina, Steineger and Winter who were excused.

Committee staff present: Theresa Kiernan, Mike Heim, Emalene Correll, Lila McClaflin

Conferees appearing before the committee:

Representative Marvin Smith, 50th District, Topeka
Darold Main, Intergovernmental Coordinator, Shawnee County
Ed Nichols, Bond Counsel for Shawnee County
Representative Clint Acheson, 52nd District, Topeka
Tom Pickford, Shawnee County Engineer
Richard Maginot, Fire Chief of Soldier Township
Vernon Evans, Treasurer, Soldier Township
Lyle Eckhart, Kansas Highway Patrol, EMS, Topeka
Tom Hanna, Board of County Commissioners, Shawnee County
Winifred Kingman, Board of County Commissioners, Shawnee County

H.B. 2762 - concerning the Topeka Public Building Commission, relating to the transfer of title and issuance of bonds for the financing of the Shawnee County Jail.

Rep. Marvin Smith was present and explained to the committee the Shawnee County Jail issue and why this legislation was necessary. He asked that the committee consider favorably H.B. 2762. (Attachment I)

Darold Main stated we are here today to request your favorable consideration of H.B. 2762, which would allow the Shawnee County Commission to issue up to twenty million dollars in general obligation bonds, for the purpose of paying off bonds which have been issued by the Topeka Public Building Commission, and allow Shawnee County to take title to the new Shawnee County Jail. His written testimony includes a brief historical review of the Shawnee County Jail issue and why the legislation is needed. (Attachment II)

Ed Nichols, Shawnee County Bond Counsel, spoke in support of the bill and stood for questions.

Shawnee County Commissioners, Tom Hanna and Winifred Kingman were present and stated they supported the bill.

Senator Gaines moved to pass the bill favorably. Senator Langworthy seconded the motion. The motion carried.

H.B. 2921 - concerning public building commissions, relating to petitions in opposition of revenue bond issues.

Rep. Marvin Smith stated the bill was needed to amend Kansas statutes to provide property owners, who are qualified voters an opportunity to approve or reject all bond issues initiated by resolution by a public building commission. Also, included with his testimony is an item from the Topeka Capital-Journal, dated January 23, 1983. (Attachment III)

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Local Government,
room 531-N, Statehouse, at 9:00 a.m./~~p.m.~~ on March 24, 1986

Darold Main presented testimony in support of H.B. 2921.
(Attachment IV)

Senator Gaines moved to pass out favorably H.B. 2921. Senator Langworthy seconded the motion. The motion carried.

H.B. 2725 - concerning certain township and fire district fire departments; relating to rescue service and emergency care.

Rep. Marvin Smith presented testimony in support of the bill, this legislation would give townships and fire districts authority to provide rescue services and amends statutes to permit taxes to be levied for these services. (Attachment V)

Richard Maginot stated this bill would allow Soldier Township's Fire Department to continue their first responder program, which is a vital service to their community. (Attachment VI)

Vernon Evans was present and stated his support for the bill.

Lyle Eckhart stated it is important for rescue personnel to be medically trained to properly care for patients until an ambulance arrives. Early response can save lifes. (Attachment VII)

Senator Gaines moved to pass the bill favorably. Senator Mulich seconded the motion. The motion carried.

H.B. 2781 - dealing with the maintenance and construction of township roads in non-county unit road system counties. The bill amends language regarding petition procedures regarding elections on the issue of a township turning over road responsibilities to the county.

Rep. Clint Acheson spoke in support of the bill. He stated the Shawnee County Counselor's office had recommended the bill and that it is cleanup in nature.

Tom Pickford testified in support of the bill. He stated the new legislation corrects and clarifies the law. (Attachment VIII).

Senator Gaines moved to report the bill favorably. Senator Mulich seconded the motion. The motion carried.


S.B. 678

A proposed amendment to S.B. 678 was presented by Senator Gaines, this amendment would prohibit counties from imposing any fee or charge for the drilling or production of oil and gas wells. (Attachment IX)

Senator Gaines moved to adopt the amendment as presented. Senator Daniels seconded the motion. The motion carried. Senator Gaines moved to pass the bill as amended. Senator Mulich seconded the motion. The motion carried.

Senator Daniels moved to adopt the minutes of the March 19 and 20th meetings. Senator Langworthy seconded the motion. The motion carried.

The meeting adjourned until 9:00 a.m., March 25, 1986.


Senator Don Montgomery Page 2 of 2

MARVIN E. SMITH
 REPRESENTATIVE, FIFTIETH DISTRICT
 SHAWNEE AND JACKSON COUNTIES
 123 N.E. 82ND STREET
 TOPEKA, KANSAS 66617-2209



TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER ASSESSMENT AND TAXATION
 EDUCATION
 TRANSPORTATION

March 24, 1986

TO: SENATE LOCAL GOVERNMENT

RE: HOUSE BILL 2762

Mr. Chairman and Members of the Committee:

I appreciate the opportunity to appear before the committee in support of House Bill 2762.

The intent of this proposed legislation is to transfer title of the property for the Shawnee County Adult Detention facility to the Shawnee County Commission.

As the jail financing has become the total responsibility of the Shawnee County Commission, it appears they should have and hold title to the property; therefore, they may exercise all options for financing and/or re-financing.

As many of you know, the jail issue has become a very confusing and complicated situation.

1. A lease agreement signed in 1981 between the county and Topeka Building Commission has become a blank check.
2. After the original bond issue resolution of \$15,937,000.00 passed the time protest, the plans were changed and escalated.
3. When the bids came in 1985, the costs were much greater than available monies.
4. The county commission and their legal counsel presented testimony before the judge that is responsible for implementing the court order for the jail. They ask for a change order in the design and also that bid alternates be granted. They were denied reducing the plan.
5. Thus the county must provide an additional \$4 million, regardless.

Your favorable consideration for passage would be appreciated.

(Attachment I) S. LG
 3/24/86

A II

INTERGOVERNMENTAL

PHONE
295-4196

COOPERATION

DAROLD D. MAIN
COORDINATOR

COUNTY COURTHOUSE
ROOM B-25
TOPEKA, KANSAS 66603

COUNCIL

March 21, 1986

CITY OF TOPEKA • SHAWNEE COUNTY • UNIFIED SCHOOL DISTRICTS • WASHBURN UNIVERSITY

Chairman Montgomery and Members of the Senate Local Government Committee:

My name is Darold Main, Intergovernmental Coordinator for Shawnee County. We are here today to respectfully request your favorable consideration of House Bill 2762, which would allow the Shawnee County Commission to issue up to twenty million dollars in general obligation bonds, for the purpose of paying off bonds which have been issued by the Topeka Public Building Commission, and allow Shawnee County to take title to the Shawnee County Adult Detention Facility; perhaps more commonly known as the new Shawnee County Jail.

Perhaps a brief historical review would help clarify our need for this legislation.

In 1974, the Legal Aid Society brought a class-action suit against Shawnee County, on behalf to the inmates of the Shawnee County Jail, claiming the Jail was greatly overcrowded. After years of litigation, Shawnee County and Legal Aid entered into what is known as a Consent Decree. A portion of that Decree required the County to build a new Jail, along with an interim agreement to make certain improvements in the current Jail.

Meanwhile, in May of 1978, the City of Topeka adopted an ordinance creating the Topeka Public Building Commission, with the avowed purpose of building a Joint City/County Law Enforcement Center. When it became apparent that Shawnee County needed to greatly enlarge the space for holding inmates, the County Commission made the decision to utilize the Topkea Public Building Commission as the funding mechanism for construction of a new Jail. (Resolution 81-205, November 18, 1981.)

In August, 1983, the Topeka Public Building Commission

(Attachment II) S. 46
3/24/86

approved a resolution of intent to issue bonds in the amount of \$15,937,000, which was the estimate at that time to cover the cost of acquiring a site and building a new Facility.

When the final specifications were completed and the bids let in June 1985, all bids exceeded available funds, in spite of alternates designed to reduce costs.

On August 1, 1985, Judge Robert Gernon, who is in charge of the case and the Consent Decree, held a hearing and ordered the Shawnee County Commission to reject most alternates, prohibited re-bidding, and to fund the short-fall "by any lawful means available."

The Topeka Public Building Commission adopted a resolution for an additional \$3,988,000 in bonds. This resolution was protested successfully, and the Topeka Public Building Commission, feeling that an election would fail, withdrew its resolution.

On November 15, 1985, the court refused the County's request to reduce the cost of the Jail or to lift the County's mandate to fund the short-fall.

Provisions of H.B. 2762

House Bill 2762, as amended, is the result of many hours of research and labor on the part of a sub-committee of the House Local Government Committee, and we wish to acknowledge our appreciation for their excellent efforts and cooperation.

Section 1 (2) calls for transferring the title of the Facility and the land to the Shawnee County Commission. While the Topeka Public Building Commission has turned over to the County Commission the authority to manage the Project, the turning over of title would clear up any question of duplication of authority to own and operate the Jail. Clearly, in the eyes of the Court, the County Commission is fully responsible for the Facility and its operation; the suit is against the County, not the Topeka Public Building Commission.

Sub-section (b) is the recommendation of bond counsel, and is inserted in this bill to make it clear that Shawnee County is assuming full responsibility and obligations for the bonds that have been issued.

Sub-section (c)-A sizeable portion of the Jail site went through condemnation proceedings, and is currently on appeal. Sub-section (c) is to assure that the final settlement is the responsibility of Shawnee County.

Sub-section (d) is to assure that the responsibilities assumed by Shawnee County in Sub-section(b) and (c) are recorded as a matter of record with the deed.

Section 2 (a) authorizes Shawnee County to issue general obligation bonds, not to exceed \$20 million to pay off the bonds which have been issued by the Topeka Public Building Commission and to complete the financing of the balance of the Project.

We need to point out that the Topeka Public Building Commission bond issue was for Revenue Bonds, the only kind they are authorized to issue. The County would issue General Obligation Bonds, which have a more favorable interest rate than Revenue Bonds. Bond Counsel tells us that the savings in a re-issue could amount to a million or a million and a half dollars over the life of the issue.

Section 2 (a) also provides for the cancellation of the existing lease between the County and the Topeka Public Building Commission.

Sub-section (b) of Section 2, exempts the bond issue from the bonded indebtedness limitations of the County.

Section 3 would make the effective date upon publication in the Kansas Register, hopefully in time to take advantage of a favorable bond market, as far as interest rates are concerned.

Shawnee County looked at other funding alternatives, and believe the provisions in H.B. 2762 to be far superior to any other means. We respectfully request your consideration of what we consider our most important local legislative request this year.

With every good wish,



Darold D. Main
Secretary, Topeka Public
Building Commission

DDM:dr

STATE OF KANSAS

MARVIN E. SMITH
REPRESENTATIVE, FIFTIETH DISTRICT
SHAWNEE AND JACKSON COUNTIES
123 N E 82ND STREET
TOPEKA, KANSAS 66617



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER ASSESSMENT AND TAXATION
EDUCATION
TRANSPORTATION

March 24, 1986

TO: SENATE LOCAL GOVERNMENT COMMITTEE

RE: HOUSE BILL 2921 PUBLIC BUILDING COMMISSION

Mr. Chairman and Members of the Committee:

A sound principal for societies that espouse and promote the private ownership of property as their agenda has been a tradition of our Republic. Historically, bonds indebtedness for ad valorem tax has given the voters an opportunity to approve or reject those bond proposals.

Ironically, home-rule resolutions and creation of the Metropolitan Airport Authority, Metropolitan Transit Authority and the Public Building Commission are just a few of the examples that are created under names of "authority" and/or "commission" to make an "end run" on property owners for bonded indebtedness on both real and personal property.

During the 1983 Session, I sponsored HB 2035. That proposed legislation, concerning public building commissions, would have amended the statutes by adding to Section 1, Subsection (b) as follows: Prior to entering into any leases, the board of county commissioners of any county shall submit the proposal to enter the lease for approval by a majority of the qualified voters of the county voting at an election thereon. The election shall be called and held in the manner provided by the general bond law.

On January 26, 1983, a hearing was held on HB 2035 before this committee. Testimony was presented before the committee emphasizing county residents outside the city did not have a voice in an obligation. Opponent of HB 2035 were Darold Main, Shawnee County Intergovernmental Coordinator, who said the proposed legislation is not needed and is discriminatory. (See attached article from the Topeka Capital Journal, dated Thursday, January 27, 1983.)

After a successful petition drive, on September 19, 1986, for an election for an additional \$4 million dollars of revenue bonds to be issued by the Topeka Public Building Commission, the Attorney General opined only the City of Topeka could call and pay for the election since the Topeka Public Building Commission was a creation of the City of Topeka. County taxpayers outside the City of Topeka, including the cities of Auburn, Rossville, Silver Lake and Willard, could not vote on the bond issue but still pay the tax on the bonds, if issued.

Therefore, I contend that to insure all property bond liability created by a PBC, we need a change in the Kansas statute. HB 2921 intent is to

(Attachment III) 3/24/86 S. LG
(over)

provide property owners, who are qualified voters, an opportunity to approve or reject all bond issues initiated by resolution by a Public Building Commission.

Would appreciate your favorable consideration for passage.

Bill requiring vote on building jail criticized

Opponents of legislation designed to force a countywide referendum on construction of a new jail here sharply criticized the bill Wednesday during testimony before a House committee.

Darold Main, Shawnee County intergovernmental coordinator, said the proposed legislation is unneeded and discriminatory.

Fred Allen, executive director of the Kansas Association of Counties, told the House Local Government Committee the legislation raises a number of questions and that his organization opposes the measure.

The bill was sponsored by Rep. Marvin Smith, R-Topeka, whose legislative district is comprised of one township in Shawnee County plus territory in Jackson County.

It would require a mandatory countywide referendum on any proposed leases between a county and a public building commission.

Main told the House committee, "This bill is zeroed in on Shawnee County and it's zeroed in on the jail."

Smith said he introduced the bill to give county residents a voice in whether they should be taxed to build a new jail.

He said the Shawnee County Commission has adopted a resolution stating it will use the Public Building Commission as the entity to issue revenue bonds to construct a new jail.

The North Topeka legislator said that because the building commission was created by the city, county residents have no opportunity under the law to try to force a referendum on a new jail

Continued on page 2, column 1

Bill requiring

Continued from page 1

by launching a protest petition drive.

He said the building commission could issue bonds for the jail, the county could then lease it and residents of Shawnee County outside the city limits would be forced to pay taxes to help retire the revenue bonds.

Jean Hrenchir of Berryton, a supporter of the bill, urged the committee to pass it and provide rural Shawnee County residents protection from an unwanted tax increase.

"Lately we've heard prices of \$14 million for a jail. Ours is only 18 years old," she told the House panel.

"The city in effect could build a jail and then make everybody pay for it. County residents wouldn't have any way to protest it."

Main contradicted Smith and Hrenchir on their interpretation of the public building commission statute.

He said the city passed a new charter ordinance several years ago amending its original creation of the public building commission here to require involvement in its activities by county officials and county residents.

He noted the Topeka Public Building Commission is comprised of one county commissioner, one city commissioner, an architect and two members of the general public.

He noted the jail advisory committee has 20 members from all over the county.

Main said unequivocally that Shawnee County residents outside Topeka will be allowed a voice in whether a new jail will be built and the issuance of bonds to construct it.

Main noted the primary assignment of the Topeka Public Building Commission since its creation in May 1978 has been to assess public building space needs in the city and county.

He said the need for a new county jail rose to the top of that space needs list and asserted, "We have an unconstitutional jail here and have had since 1970 when the standards were changed."

He said there is only 20 square feet of space per prisoner in the present county jail and that 57 square feet is required.

INTERGOVERNMENTAL

(ATV)
PHONE
295-4196

COOPERATION

COUNCIL

DAROLD D. MAIN
COORDINATOR

COUNTY COURTHOUSE
ROOM B-25
TOPEKA, KANSAS 66603

March 21, 1986

CITY OF TOPEKA • SHAWNEE COUNTY • UNIFIED SCHOOL DISTRICTS • WASHBURN UNIVERSITY

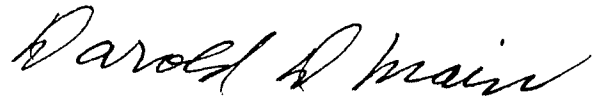
Chairman Montgomery and members of the Senate Local Government Committee:

I am Darold Main, Intergovernmental Coordinator for Shawnee County.

The Shawnee County Commission endorses and wholeheartedly supports H.B. 2921. This bill provides for protest petitions throughout the area being affected by a Public Building Commission bond issue, be it city, the entire county, or a school district.

The City of Topeka and Shawnee County included a similar provision in the city ordinance creating the Topeka Building Commission, but the Attorney General ruled the City of Topeka did not have authority to do so. This bill would remedy that problem, and is a very necessary addition to the Public Building Commission statute.

With every good wish,



Darold D. Main
Secretary, Topeka Public
Building Commission

(ATTACHMENT IV)
3/24/86

S. LG

AV

MARVIN E. SMITH
REPRESENTATIVE, FIFTIETH DISTRICT
SHAWNEE AND JACKSON COUNTIES
123 N E 82ND STREET
TOPEKA, KANSAS 66617-2209



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER ASSESSMENT AND TAXATION
EDUCATION
TRANSPORTATION

March 24, 1986

TO: SENATE LOCAL GOVERNMENT COMMITTEE

RE: HOUSE BILL 2725

Mr. Chairman and Members of the Committee:

Last summer our township fire department was confronted with the question of whether they legally could provide rescue service. One board member could not find that authority in the statute book.

A month later, the board, by a vote of 2 to 1, voted to continue the service if the volunteer would agree to continue without pay.

Legislative Research indicated that counties and cities do have statutory authority, but not townships and fire districts.

Your support of HB 2725 would be appreciated. "Rescue Service" is very important to the township's fire departments.

(Attachment V)
3/24/86

S.L.G

E. LIVE
COMMITTEE:

FRED THORP, Chmn.
4234 N. 109th St. Terr.
K. C., Kansas 66109
(913) 573-5550

DAN MORABITO, V-Chmn.
Belleville (913) 527-7149

JOANN KNAK, Sec.
Marion (316) 382-3271

RICHARD KINSMAN, Treas.
Manhattan (913) 539-3535

KANSAS
ASSOCIATION of  EMS ADMINISTRATORS

January 11, 1986

Rep. Marvin E. Smith
Kansas House, 50th Dist.
123 N.E. 82nd
Topeka, Kansas 66617

Dear Representative:

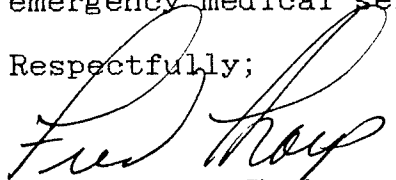
Following the Bureau of Emergency Medical Services Council meeting in Topeka, January 10, 1986, our association voted to take the following position:

We whole heartedly support legislative action to protect volunteer fire departments who choose to provide "first responder" emergency medical services to their communities.

Those departments that do provide this service are considered valuable by many of our organization who rely upon the rapid initial response to sustain life until greater levels of expertise is available at the scene of a medical emergency.

Thank you for your interest on behalf of the fire service and emergency medical services.

Respectfully;


Fred Thorp, Chairman

Testimony on HB 2725 offered by Richard Maginot, Chief
Soldier Township Fire Department

In 1939, when Statute #80-1903, under which the Soldier Township Fire Department was organized, was written, fire protection was the main purpose for a fire department. Over the years, the public has come to expect more and better services from the fire department. Even the National Fire Protection Association has re-defined the objectives and purposes of a fire department.

Among the services offered by a modern-day fire department are: fire suppression; fire prevention; education; hazardous materials incidents; rescues from wrecks, floods, tornadoes; emergency medical services.

Our Emergency Medical First Responder Program consists of sending trained personnel with equipment to the scene of an incident. There they provide rescue and basic life support services to those in need until an ambulance arrives. At that time, our personnel assist the paramedics as they begin advanced life support and prepare the patient for transport.

For more than eight years our fire department has had an Emergency First Responder Program. Recently a question has arisen over whether or not we have the legal authority to run such a program.

This is a vital service to our community. At the present time, the ambulance service in Shawnee County must meet a 12-minute response time for an emergency run in the county. They have met this requirement since they began serving Shawnee County. However, a patient often must receive help within the first few minutes of an incident. With a First Responder Program, we endeavor to fill the gap that exists and provide life-saving service to the patient.

Cost to our community would be approximately \$100,000 or more per year to staff and equip an ambulance full-time. In 1984, our department spent less than \$5,000 on our First Responder Program.

(Attachment VI)

3/24/86

S. LB

With these reasons in mind, we offer our support to HB2725. We feel that this bill will clearly give us the legal authority to continue to provide these services to our citizens.

I wish to thank the members of this committee for listening to my testimony and I would be glad to answer any questions you might have.

SUMMARY OF TESTIMONY
BEFORE THE SENATE COMMITTEE ON LOCAL GOVERNMENT

HB 2725

PRESENTED BY THE KANSAS HIGHWAY PATROL

MARCH 24, 1986

The Kansas Highway Patrol and the State Emergency Medical Services Council support HB 2725. The legislation will provide for quality rescue services in Kansas.

It is important for rescue personnel to be medically trained to properly care for patients until an ambulance arrives. Early response of trained personnel can be life saving and can prevent the aggravation of existing injuries.

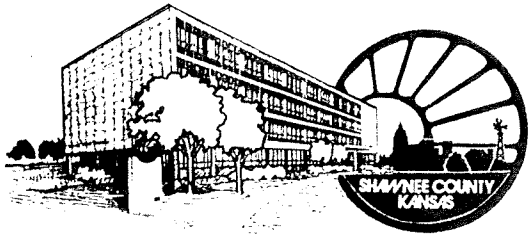
We therefore encourage your favorable action on this bill.

(Attachment VII)

3/24/86

S. L. G.

AVIII



Shawnee County Department of Public Works

TOPEKA, KANSAS 66603
COURTHOUSE ROOM B-11 913-295-4138

THOMAS M. PICKFORD, P.E.
DIRECTOR OF PUBLIC WORKS

Chairman Montgomery and Members of the Senate Local Government Committee:

I am Tom Pickford, Director of Public Works for Shawnee County. I am here in support of House Bill 2781. As KSA 68-560 is currently written, it is not easily understood and could be interpreted in several different ways. This leads to the possibility of legal challenges should a Township attempt to turn over to the county its road system for maintenance repair and construction. The new legislation corrects and clarifies the law.

There are several reasons why Townships should be able to petition counties to take over the maintenance, repair and construction of their roads; primarily, the erosion of small and rural Township tax bases has led to lower road budgets in the face of constantly rising equipment, labor and material costs. This situation in many townships has led to a reduction in road maintenance which is causing the roads to deteriorate at an ever increasing rate. The result is unsafe roads.

As an example, Shawnee County has 12 townships, with road budgets ranging from \$20,000 up to \$375,000. Those townships with budgets less than \$100,000 can not adequately maintain their road systems. Under current tax law, these townships are finding it impossible to raise enough funds to carry out their responsibilities to provide safe roads. Several of the Townships have asked to have their roads placed under county maintenance, and this act will allow the voters to accomplish this transfer. Your favorable consideration of HB 2781 will be greatly appreciated.

Sincerely,

(Attachment VIII) T. M. Pickford, P.E.
3/24/86 DIRECTOR OF PUBLIC WORKS

S. LG

TMP/jlb
cc

A-IX

PAS678jl

Proposed Amendment to Senate Bill No. 678

On page 3, by striking all in lines 104, 105 and 106 and inserting:

"(21) Counties may not regulate the production or drilling of oil and gas wells in any manner which would result in the duplication of regulation by the state corporation commission and the Kansas department of health and environment pursuant to chapter 55 and chapter 65 of the Kansas Statutes Annotated and any rules and regulations adopted pursuant thereto. Counties may not require any license or permit for the drilling or production of oil and gas wells. Counties may not impose any fee or charge for the drilling or production of oil and gas wells.";

(Attachment IX)
3/24/86

S. LG

The Honorable Don Montgomery, Chairperson
Committee on Local Government
Senate Chamber
Third Floor, Statehouse

Dear Senator Montgomery:

SUBJECT: Fiscal Note for Senate Bill No. 678 by Committee
on Local Government

In accordance with K.S.A. 75-3715a, the following fiscal note concerning Senate Bill No. 678 is respectfully submitted to your committee.

Enactment of this bill would amend K.S.A. 1985 Supp. 19-101a by adding a new paragraph that limits a county's home rule power. This paragraph would prevent a county from regulating or restricting or requiring any permit or license or imposing any fee or charge on the drilling of oil and gas wells.

This act will take effect upon publication in the statute book.

At this time, it appears this act will have an immediate impact solely on Leavenworth County and will prohibit their imposition of a \$200 permit fee on companies drilling an oil or gas well. Since the imposition of this fee in October 1984; 16, 183, and 15 permits have been issued for calendar years 1984, 1985, and 1986, respectively. However, as the fiscal impact will depend on the number of wells to be drilled in the future, a reliable estimate is not possible.



Gary L. Stotts
Acting Director of the Budget

GLS:KLS:sr