

Approved: 2-1-96  
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES.

The meeting was called to order by Chairperson Don Sallee at 8:00 a.m. on January 24, 1996 in Room 254-E- of the Capitol.

All members were present except:

Senator Tim Emert, excused  
Senator Bill Wisdom, excused

Committee staff present:

Raney Gilliland, Legislative Research Department  
Dennis Hodgins, Legislative Research Department  
Ardan Ensley, Revisor of Statutes  
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Steve Williams, Secretary, Department of Wildlife and Parks

Others attending: See attached list

The chairperson opened the floor to requests for bill introductions.

Ron Hein requested introduction of a bill asking the Secretary of KDHE to set no different schedule of fees for facilities that burn hazardous waste unless and until the federal EPA adopts a "clean fuels" specification and in that event the secretary may assess a lower fee for such wastes as the secretary determines are in compliance with such "clean fuels" specifications (Attachment 1).

Senator Lawrence moved, with a second from Senator Hardenburger, to approve the request for introduction of the bill. The motion carried.

Senator Christine Downey requested introduction of **HB 2662** due to passage in 1995 of a bill allowing development of sand and gravel pits without applying and working through the water permitting process. The bill is requested by local entities that are in charge of monitoring the quality and quantity of that same water and asks that development be allowed to take place just as the law was passed except in the following instances:

1. In areas monitored by a ground water management district
2. Within the boundaries of an intensive ground water use control area
3. When the chief engineer determines that it is necessary to manage and protect the beneficial use of the state's water, preserve the rights of priority of appropriation and to protect the public interest and use of water.

A committee member questioned whether a dialogue was going on between the water district and the aggregate people concerning this issue rather than the committee being asked to act as mediator. Senator Downey stated a meeting was scheduled and it was possible some contact had already been made with one or two areas remaining to be discussed.

Senator Hardenburger made a motion to introduce the bill. Senator Martin seconded the motion and the motion carried.

Steve Williams, the Governor's appointee as Secretary of Wildlife and Parks appeared for his confirmation hearing (Attachment 2).

Mr. Williams told committee members he was honored to be selected for the position of Secretary of Wildlife and Parks. He stated the opinion that substantial progress has been made in the past months of solving the ongoing problem of Wildlife fund diversion, progress in restructuring the way the department does business and refocusing efforts on those activities that really substantiate and contribute to the mission of the department.

Mr. Williams related his education and working experience to the committee as provided in Attachment 2.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ROOM 254-E-Statehouse, at 8:00 a.m. on January 24, 1996.

A member stated concerns about the difficulties encountered by the department concerning funds since the Wildlife and Parks had been combined and asked what plans had been or were being developed to insure the department is in compliance with the audits by the Federal Fish and Game department.

Mr. Williams stated in the past two or three years diversions occurred because of the inability to predict direct costs for Wildlife and Parks and apportion that out administratively. Changes in both organization and administration have been developed. A review request concerning reorganization was recently presented to the Governor which would split the Division of Public Parks and Lands creating a separate division of Parks and placing public lands within the division of Wildlife and should establish clearer lines of authority. The cost accounting system has been completely revised to reflect which department an employee is working for on any given date.

In answer to the question of whether the department is satisfying all government requirements Mr. Williams replied affirmatively. He stated that by the end of February all processes will be in place and the department had been coordinating with Fish and Wildlife. Mr. Williams explained steps taken concerning cost accounting and monthly reconciliation reports to account for funds expended in various areas and noted indications that good progress is being made.

A member requested Mr. Williams' vision for the department. He replied that the potential to bring hunting, fishing and camping in Kansas to the national forefront was his major vision. In terms of the department he listed priorities: 1) sorting out diversion 2) the process of refocusing on what is essential and define what should be occurring 3) reorganization suggested to the governor as a minor priority 4) looking at methods to promote opportunities in Kansas.

Another member requested Mr. Williams thoughts on the endangered species act. Mr. Williams stated that both state and federal problems concerning endangered species has come from unreasonable actions concerning private individuals. The department has drafted an operational directive that defines for the public what constitutes "intentional taking". The development of common sense, practical guides for people in the department to understand what is in the law and regulations should guide both employees and the public. It is hoped the species can be protected and still let people have their livelihood.

Another member stated difficulties caused by the state's adopting the Sharp system, namely 207K employees expected to work an 86 hour every two weeks while others work only an 80 hour schedule for two weeks. Mr. Williams told members his department had drafted a letter suggesting a way to deal with this situation but the state had replied the suggestions were unacceptable. The next step will be further recommendations. Part of the difficulty is attached to annual leave or vacation time. Mr. Williams stated he was trying to respond to the 207K employees, especially since the conservation workers were paid the same wages for working 80 hours each two weeks. Essentially the 207K employees received a pay cut.

Senator Morris moved to report favorably Steve Williams for confirmation as Secretary for the Department of Wildlife and Parks. Senator Tillotson seconded the motion and the motion carried.

The minutes for the week of January 16, 17, 18 and 19 were placed before the committee for correction or approval.

Senator Lee moved to approve the minutes of January 16, 17, 18 and 19. Senator Tillotson seconded the motion and the motion carried.

The meeting adjourned at 8:40 a.m.  
The next meeting is scheduled for January 25, 1996.



APTUS PROPOSAL FOR  
AMENDMENT TO K.S.A. 65-3431

K.S.A. 65-3431. Duties and functions of secretary; standards; permits; fees.

The secretary is authorized and directed to:.....

(x) (1) Adopt rules and regulations establishing a schedule of fees to be paid to the secretary by off-site hazardous waste treatment and disposal facilities. In establishing fees, the secretary shall give consideration to the degree of hazard, quantity of waste, costs of treatment or disposal, and estimated future receipts. Fees shall be in an amount not to exceed \$.01 per pound of hazardous waste treated, except that in no event shall the fees established under this subsection for treatment of hazardous waste exceed a total amount of \$200,000 per year for any single facility. ~~Fees shall be in an amount not to exceed \$.01 per pound of hazardous waste burned by any facility which recycles and utilizes hazardous waste primarily to recover useful energy or materials to be used in the manufacture of a product, including but not limited to the burning of hazardous waste in kilns to recover energy or materials for use in the commercial production of cement, except that in no event shall the fees established under this subsection for burning of hazardous waste by any such facility exceed a total amount of \$50,000 per year for any single facility.~~ The secretary shall not set a different schedule of fees pursuant to this subsection for facilities that burn hazardous waste unless and until the federal Environmental Protection Agency adopts a "clean fuels" specification, and in that event, the secretary may assess a lower fee for such wastes as the secretary determines are in compliance with such "clean fuels" specification.

In all other cases, fees shall be in an amount not to exceed \$.05 per pound of hazardous waste disposed of except that in no event shall any fee be established under this exception prior to July 1, 1996, and which exceeds \$50,000 in any 12-month period for the treatment or disposal of hazardous waste at any facility if such facility: (A) Operates under a permit or permits granted by the secretary pursuant to K.S. 65-3430 et seq., and amendments thereto; (B) treats or disposes of hazardous waste generated by such facility or a single generator located on property contiguous to such facility, or both; and (C) was treating or disposing of hazardous waste generated on such contiguous property as of July 1, 1991, with the knowledge of the secretary. In establishing the amount of fees pursuant to the immediately preceding exception, the secretary shall base the same upon the degree of hazard, quantity of waste, costs of treatment or disposal, estimated receipts for disposal services and waste reduction efforts of such facility.

Senate Energy & Nat'l Resources  
January 24, 1996  
Attachment 1

**SENATE CONFIRMATION QUESTIONNAIRE**

**Office of Governor Bill Graves**

Please complete and return this form to the Governor's Appointments Office. Attach additional sheets if necessary.

Name: STEVEN ALAN WILLIAMS

Home Address: 1440 UPPER BERMUDIAN RD.

City, State, Zip: GARDNERS, PA 17324

Business Address: - same -

City, State, Zip: \_\_\_\_\_

Home Phone: 717-677-9693 Business Phone: —

Date of Birth: 4/29/57 Place of Birth: BELLOWS FALLS, VT

Party Affiliation: \_\_\_\_\_ KBI Check: NA In Process Complete

Appointed as: SECRETARY OF WILDLIFE AND PARKS

Appointment Date: 4/29/95 Expiration Date: Pleasure of the Governor

Term Length: NA Statutory Authority: K.S.A. 32-801

Salary: \$65,000 Predecessor: John Strickler

Statutory Requirements: See Attached

**BACKGROUND**

1. List high school, college, or other education institution attended along with the date attended and degree conferred.

Education Institution	Dates	Degree
<u>The Pennsylvania State University</u>	<u>1981-85</u>	<u>Ph.D.</u>
<u>University of North Dakota</u>	<u>1979-81</u>	<u>M.S.</u>
<u>The Pennsylvania State University</u>	<u>1975-79</u>	<u>B.S.</u>
<u>Biglerville High School</u>	<u>1971-75</u>	<u>H.S.</u>

2. List memberships in business, trade and professional organizations for the past 10 years.

Organization	Dates
<u>The Wildlife Society</u>	<u>1979-present</u>
<u>Northeast Deer Technical Committee</u>	<u>1985-92</u>

3. List any public offices you have been elected or appointed to, along with the dates of service.

Office Held	Dates
<u>N/A</u>	

Senate Energy & Nat'l Resources  
 January 24<sup>th</sup>, 1996  
 Attachment 2

4. List any positions held with a foreign, federal or local government entity along with the dates of service.

Position	Government Entity	Dates
PA GAME COMMISSION	DEPUTY EXEC. DIRECTOR	2/92-1/95
MA DIV. OF FISH & WILDLIFE	ASST. DIR. FOR WILDLIFE	6/89-2/92
"	DEER PROJECT LEADER	2/85-3/89

5. List any lobbying activities you have been involved in during the past five years. This includes activities as a registered lobbyist or lobbying activities for which you were compensated.

Group	Compensation (yes/no)	Dates
N/A		

6. List experience or interests which qualify you for the position to which you have been appointed.

educational background - 10 yrs - Ph.D. degree  
 10 yrs of progressive administrative responsibility in career  
 actively involved in hunting, fishing, camping

7. Summarize business and professional experience. 10yrs with state fish and wildlife agencies - deer project leader (4yrs), assistant director (3yrs), deputy executive director (3yrs)

8. List any service in the United States military. Include dates of service, branch, date and type of discharge.

Branch	Discharge	Dates
N/A		

9. Provide details of any arrest, charge or questioning by a federal, state or other law enforcement authority for violation of any federal, state, county or municipal law, regulation or ordinance (excluding traffic violations for which a fine of \$100 or less was imposed).

N/A

10. List and provide details of any interests that may present a conflict of interest for this position.

N/A

I, STEVEN ALAN WILLIAMS, declare that this questionnaire is true, correct and complete to the best of my knowledge.

Steven Alan Williams  
 Signature

5/3/95  
 Date

Article 8.—DEPARTMENT OF  
WILDLIFE AND PARKS

ORGANIZATION AND POWERS

**32-301.** Establishment of department; secretary; application of K-GOAL. (a) In order to reorganize the administration, planning and regulation of the state's parks, wildlife and other natural resources, there is hereby established within the executive branch of government the Kansas department of wildlife and parks, which shall be administered under the direction and supervision of a secretary of wildlife and parks who shall be appointed by the governor, with the consent of the senate as provided in K.S.A. 75-4315b and amendments thereto.

(b) The secretary shall be fully qualified by education, training and experience in wildlife, parks or natural resources, or a related field, and shall have a demonstrated executive and administrative ability to discharge the duties of the office of secretary. The secretary shall serve at the pleasure of the governor. The secretary shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary to be fixed by the governor.

(c) The provisions of the Kansas governmental operations accountability law apply to the office of secretary of wildlife and parks and the Kansas department of wildlife and parks, and the office and department are subject to audit, review and evaluation under such law.

**History:** L. 1987, ch. 417, § 1; L. 1989, ch. 118, § 4; L. 1992, ch. 116, § 26; July 1.

**Source or prior law:**  
75-3901.

**Revisor's Note:**

The department of wildlife and parks was created by executive reorganization order No. 22, on Feb. 10, 1987 (L. 1987, ch. 417, §§ 1 to 10).

**Attorney General's Opinions:**

Department of wildlife and parks; organization and powers; secretary of wildlife and parks; qualifications. 92-16.

**32-302.** Assistant secretaries; employees; offices; wildtrust program. (a) The secretary shall appoint an assistant secretary for administration and an assistant secretary for operations. The assistant secretary for administration shall be fully qualified by education, training and experience in administration. The assistant secretary for operations shall be fully qualified by education, training and experience in wildlife, parks or natural resources, or a related field. Both assistant secretaries shall have a

demonstrated executive and administrative ability to discharge the duties of the office of assistant secretary. The assistant secretaries shall serve at the pleasure of the secretary. The assistant secretaries shall be in the unclassified service under the Kansas civil service act and shall receive an annual salary fixed by the secretary with the approval of the governor. The secretary also may appoint such other staff assistants and employees as are necessary to enable the secretary to carry out the duties of the office. Except as otherwise provided in this section, K.S.A. 75-2935 and 32-801, and amendments thereto, such staff assistants and employees shall be within the classified service under the Kansas civil service act.

(b) The assistant secretaries and such other staff assistants and employees shall have such powers, duties and functions as are assigned to them by the secretary or are prescribed by law. The assistant secretaries, staff assistants and employees shall act for and exercise the powers of the secretary to the extent authority to do so is delegated by the secretary.

(c) The assistant secretary for administration shall maintain an office in Shawnee county, Kansas. The assistant secretary for operations shall maintain an office in Pratt county, Kansas. The secretary may maintain offices and facilities to carry out the functions of the department in other locations in this state.

(d) The secretary shall supervise the wildtrust program which shall be responsible for the receipt and expenditure of moneys through gifts and donations.

**History:** L. 1987, ch. 417, § 2; L. 1989, ch. 118, § 5; July 1.

**Source or prior law:**  
75-3902.

**32-303.** Department and secretary continuation of fish and game commission. (a) Except as otherwise provided by law, whenever the Kansas fish and game commission, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the department.

(b) Except as otherwise provided by law, whenever the director of the fish and game commission, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall be deemed to apply to the secretary.



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSE

APPOINTMENT TO STATE OFFICE IS SUBJECT TO SENATE CONFIRMATION

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by each person whose appointment to a state position is subject to Senate confirmation (K.S.A. 46-247 and 46-248). Failure to complete and return this statement may result in a fine of \$10 per day for each day it remains unfiled. Also, any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 913-296-4219.

A. IDENTIFICATION:

PLEASE TYPE OR PRINT

WILLIAMS STEVEN A

Last Name

First Name

MI

WILLIAMS BETH G

Spouse's Name

1440 UPPER BERMUDIAN RD

Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

GARDNERS PA 17324

City, State, Zip Code

717\*\*677\*\*9693

Home Phone Number

717\*\*677\*\*9693

Business Phone Number

B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:

DEPT OF WILDLIFE AND PARKS

List Name of Agency, Commission or Board

SECRETARY

Position

\* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

\* 4706



**OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income in, which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here \_\_\_\_.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
PINE RIDGE PARTNERS PO BOX 208, ARENDSVILLE, PA 17303	PARTNERSHIP	70 OF CAPITAL	<input checked="" type="checkbox"/>	You 4.22 Spouse Jointly
			<input type="checkbox"/>	You Spouse Jointly
			<input type="checkbox"/>	You Spouse Jointly
			<input type="checkbox"/>	You Spouse Jointly
			<input type="checkbox"/>	You Spouse Jointly
			<input type="checkbox"/>	You Spouse Jointly
			<input type="checkbox"/>	You Spouse Jointly
			<input type="checkbox"/>	You Spouse Jointly

**GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here .

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:

**RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE \_\_\_\_.  
 If you have nothing to report in Section "E"1, check here \_\_\_\_.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	PA GAME COMMISSION	2001 ELMERTON AVE. HARRISBURG, PA 17110	GOVT.
2.			

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.  
 If you have nothing to report in Section "E"2, check here \_\_\_\_.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	BERNOLDA SPRINGS SCHOOL DISTRICT	YORK SPRINGS, PA 17372	SCHOOL
2.			

**OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section. If you have nothing to report in Section "F", check here \_\_\_\_.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	FIVE RIDGE PARTNERS PO BOX 208, ARENDTSVILLE, PA 17303	PARTNER	WIFE
2.			
3.			
4.			
5.			

**RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. *The phrase "client or customer" relates only to businesses or combination of businesses.* In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here .

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

**H. DECLARATION:**

I, STEVEN ALAN WILLIAMS, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

5/3/95

Date

Steven Alan Williams

Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES \_\_\_\_\_.

Return your completed statement to the Secretary of State, State House, Topeka, Kansas 66612.