Rex Buchanan: This is December 5, 2019. I'm Rex Buchanan, former director of the Kansas Geological Survey. With me today is former representative David Heinemann acting as videographer. We're at the home of Ken Grotewiel in Lawrence to conduct an interview that is part of the Kansas Oral History Project series examining the development of water policy during the 1970s, ‘80s, and ‘90s. In these interviews, we learn about policy development through the eyes of legislators, administrators, environmentalists, and others who were involved during those decades.

Today, I'll interview Ken Grotewiel who was elected to the Kansas House from Wichita and served from 1983 until 1994. While in the Legislature, Ken assumed leadership roles in the development of water policy and related environmental and utility issues. Ken chaired the House Committee on Energy and Natural Resources for one term, from 1991 to '92. After his service in the legislature, he was Assistant Director of the Kansas Water Office. While there, he was involved in various aspects of development and implementation of water policy. He was also responsible for communicating with the Kansas Congressional delegation on natural resource issues involving federal agencies. He was appointed by President Clinton to chair the Kansas Oklahoma Arkansas River Compact Commission in the mid-1990s. Ken's other responsibilities at the Water Office included coordination of the state's water efforts to encourage the use of dispute resolution in water and natural resource conflicts.

The Kansas Oral History Project is a not-for-profit corporation, created to collect oral histories of Kansans involved in shaping and implementing public policy during the last half of the 20th century. Recordings and transcripts of these oral history interviews are accessible to researchers and educators through the Kansas Historical Society and the State Library of Kansas. Ken, thanks for being here today and agreeing to contribute your perspective and to do this oral history.

Ken Grotewiel: I appreciate the opportunity.

RB: Let's start with how do you go from—what were you doing prior to the legislature when you were elected to the legislature?

KG: Well, prior to that, and when I was first elected, I owned a used record store in Wichita. I started that in '76. That was a business I had. During the course of that, I got involved with people who were fighting the construction of the Wolf Creek [Nuclear Power] Plant [(Wolf Creek)]. That's really where my political involvement started. I did that for really from '77 to '80.

RB: Were you from Wichita originally?

KG: No, I grew up in Missouri, but I had a high school and college friend from Garden Plain, west of Wichita. So, I ended up in Wichita and stayed there for twenty-five years.

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RB: What was the impetus then to take that next step? The Wolf Creek thing, obviously there was some controversy about the power plant that was eventually built, went into operation in the late ’70s, early ’80s, and you're elected again in 1983. How did you make that transition?

KG: Well, the part of opposing nuclear power, since we didn't have that many people and no money, is that you demonstrated a lot. I remember, we were in Missouri, and I was on the front lawn [of the capitol] at a protest. We were throwing frisbees. I looked up at the windows, and I thought, “Boy, I bet I could get more done if I was inside the building than outside.” That's not always the case, but that was the thought. Then about a year or so later, a friend of mine suggested that I might think about running for the legislature. That's what got me going in it.

RB: Had you had any political experience prior to that?

KG: I had done some canvassing for the local Democratic Party, but other than that, no. I've always had an interest in politics. I followed it, but no practical experience.

RB: What part of Wichita were you living in that you wound up—

KG: I lived in Midtown, which is right next to Riverside, right along the river, both rivers. That's the area primarily.

RB: What was that first election process like for you as somebody who sort of came into it as a novice?

KG: Well, you make a lot of mistakes. One is just how you dress. [laughter] I was a guy that owned a used record store. I tried to dress up, but I never really did it properly. It's also about messaging. It's also about your materials, and it's about having a big enough base. In those days, I was unsuccessful the first year, but I ran two years later. It was before computers. The only computer was the Sedgwick County Election Commissioner who gave us lists to work from. We had like 200 people work for us in the second campaign.

That was the kind of difference. I learned from my mistakes and then put together a campaign two years later that rectified some of those, some of which included getting some L. L. Bean shirts as opposed to secondhand store shirts. Everybody always said, “You learned so much!” I always said, “I think a lot of that is just an L. L. Bean shirt.” You give the impression that you know something.

RB: A higher level of professionalism.

KG: Right.

RB: So, who did you run against in those two campaigns?

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KG: Well, both times against Belva Ott. She was actually a very progressive Republican. She had been a former precinct person. I ran and lost, and then I ran again and won the second time. I never had anything personally against Belva. It was something I wanted to do. So, I did it.

RB: So, you arrive at the legislature at that point. Is your interest in environmental issues because of Wolf Creek? What did get you on to that? Was it the Energy and Natural Resources Committee at that time? I guess it was.

KG: I had an interest obviously in Wolf Creek. That was a priority of mine. But I had always had an interest in water issues. In Springfield, Missouri, I helped organize the first Earth Day activities. So, I had a long history of this, but I never really worked on it directly.

So, I came to the Legislature, my experience was more in the utility area and not so much in the water issue. I came in, my first session was '83, the [State Water Plan [Water Plan]. The process was passed in '84. Then things started rolling from there in terms of legislation.

RB: What was your reaction as somebody who comes from Missouri then Wichita, and then comes up to Topeka that has probably not been, and from an urban area, probably not intimately involved with a lot of water issues that are facing the state. What was the reaction when you first got on that committee?

KG: Well, the legislature as a whole and particularly that committee, I did a lot of work. It's really quite a learning experience. You learn about the politics and what's going on in Garden City, a lot of rural towns, many towns that I'd never heard of. It's really like a Master of Education about life in Kansas. So that was good. That was interesting, but in the Energy and Natural Resources Committee, particularly on water issues, there was not so much a partisan divide, but a rural/urban divide. It was very real then, but not as pitched as it might be today.

RB: I would think trying to wrap your arms around all the agencies and all the organizations that are involved in Kansas when it comes to water, when you're coming at it relatively new would be like drinking water out of a firehose. Is that how it felt?

KG: Yes, it did. There's not only the committee that you were on. I was on a couple of other committees. So, you're learning all of that stuff. You're learning about the legislative process. One day you wake up and you go, "Oh, that's a deadline I should have known about." So, you're learning everything. It's just overwhelming, but it's a great experience from anybody from anywhere in the state to learn about the whole state. Yes, it was overwhelming, but you have other people who have been doing it for a while. You have all of this history, both legislative and administratively that comes before you. So, you're a bit of a babe in the woods but you learn, and you learn from other Democratic legislators about appropriate behavior and what to do and not to do. That was a good two years because you learned all of those things.

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RB: As you began to learn about water issues and how it was dealt with in the legislature, what was your reaction? Did the way Kansas approached water made sense to you? Was it just something you accepted? Did you have questions about it? Think back on how you first reacted as somebody who was sort of inserted in the process as opposed to somebody who had spent their whole life in it.

KG: I think the first year when the Water Plan was passed, I was just so overwhelmed. Last week, I'd been thinking about this. I remember really very little about it. Then in '85, that's when I really remember the most about the Water Plan because I remember that it was a big darn deal. This was a big effort by rural people, urban people, governors, the governor. So, we had these hearings that were in the old State Supreme Court Room. Outside of our kind of squished meeting—it was a big deal. It was staged. Joe Harkins was there with the Water Office staff. We started hearing about all of their proposals. They had gotten right with it. They didn't create a lot of those policies out of thin air. There had been things working on—what they did is put them in a piece-by-piece scenario, where you go from one to the next and explain why they're important.

That's the first time in '85 when I met Carl Dean Holmes. That was his first year. He was a Republican. I remember him. I was a grizzled veteran, two years, and here's Carl Dean Holmes asking a lot of questions. I thought, "Who is this guy? He's a freshman." I was barely past being a freshman. So that was the beginning of a relationship between Carl Dean and myself over the years. Eventually he was the Chair [of the Energy and Natural Resources Committee]. Then I was the chair, and then he was the chair again of the committee. We always had a good working relationship, particularly on water. So that was really beneficial, I think, to me and to him that we were able to work together that way.

RB: Who chaired that committee when you were initially on it? Do you remember?

KG: When I first came there, it was Ron Fox, either the first year or '86, I checked. He left the legislature in '87. I remember him quite well. He was from Johnson County and a Republican. Democrats were in the minority. He was a very moderate Republican and really cared about environmental issues. And then [Rep.] Dennis Spaniol, I think, was the vice chair. He was from Wichita, from West Wichita. We used to call it the "hunting and fishing" part of Wichita. He was very strongly about doing something about water and funding it.

I was there. I was in the minority. There were these Republicans who really made a lot of this possible in the legislature. When you're the minority—I don't know how many seats we had at that time, probably in the high forties, the low fifties—you're pretty much out of the picture.

RB: When does Carl then become chair of that committee?

KG: I don't know exactly.

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RB: We can check, obviously.

KG: I think he came in '85 and '86. That was his first two years, and Ron left in '87. Then Dennis Spaniol was the chair after that, but I think only for a couple of years or so. Then I guess you get into the late eighties when Carl Holmes became the chair.

RB: That's interesting. You developed this relationship with him. One of the reasons he is so knowledgeable about the issue is that he's from Liberal. He's out in the heart of the part of the world where Ogallala issues are of paramount importance, and Carl always did his homework. You're right. He was one of those people who lived to ask questions and hold hearings and be a legislator, as far as I could tell.

KG: He took it all pretty seriously. I had kind of a reputation for being a tree-hugger environmentalist, but I was always a very practical person, always thinking about "What's the best I can do?" in a particular session. I think both Carl and I were the same in that way. We just wanted to get things done.

RB: I will come back [to] the discussion of water planning and funding. Before we do that though, how did it feel to have the reputation of being an environmentalist and being a member of the Kansas Legislature That pretty much made you a party of one at that point, didn't it?

KG: Yes, I think I was the only one who came out as one, but I didn't really emphasize it much. Usually when you're a freshman, you often get a reputation, whether it's deserved or not. So, I was kind of considered a tree hugger. I'm sure they called me that somewhere. But some people get monikers, and sometimes it's really hard to work past a moniker. It pigeonholes you. So, I think it took a long time probably, at least four years, for people to stop thinking of me in that way. Then I was involved in tax policy. I was in Democratic leadership. At some point, they gave up.

But that was not easy. If you're a practical person and a very moderate person on almost all things except maybe the environment, but even then, I was because you can't always get what you want. So, you get what you can, and then you come back the next year to get more.

RB: In that process, you would have worked with—I was going to say the environmental lobby, to whatever extent that it existed in Kansas. Is that what took place? Were you involved in other issues? And we'll go back to water in a second. For example, low-level radioactive waste showed up as an issue.

KG: Yes, that was a little later. You know, at that time, there were very few environmental groups. Sometimes people would come in as individuals. I don't really recall a very active group. So, I was kind of a party of one. It interested me. That's the thing about the legislature. If you

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have an interest in something and you're persistent, and you're reasonable, and you keep pushing along, you can change things. I think that's kind of my approach.

What's different about that period was that Governor Carlin and the leadership in the House and the Senate, when I first came in, of course, I didn't really know this, but they were all behind the Water Plan. So, when it came to water, you didn't need any outside people supporting you. It was a moment where people had said, "We're tired of fighting. We're tired of having things on our desk talking about irrigation and stuff. So that's what made that different.

But other issues like underground storage tanks, which became part of the water funding bill at one point, there were a lot of natural gas issues. Natural gas at that time was very high. That took up a lot of time as well. But you just sort through what you know. There are some of the business groups that come and talk to you. I always talked to everyone. Sometimes I think it's hard for [them] to do with a straight face, telling me things, but I understood that and went from there.

Lobbyists kind of have a bad name, but in my day, lobbyists were very good about [not] telling you anything that wasn't true, and also they did tell you things that were helpful about the situation. That doesn't mean you necessarily agreed with their solution to the situation, but at least it broadens your context. In my first and second year, I benefited from that. We were never taken out to dinner, the Democrats, and it wouldn't have made any difference with me. We just kind of knocked around and hoped for the best.

RB: What are the major water issues that you remember appearing during that period when you first show up or during those first two terms?

KG: I think in those hearings, one big one was about tying down some of the water in the reservoirs, the federal reservoirs, so they could be used for municipal purposes, primarily. We did that to some extent, but not nearly as much as the Kansas Water Office [Water Office] wanted.

RB: Basically, purchasing storage in those reservoirs so water was going to be available.

KG: Right. So that no one else would purchase it. That was one big issue. Then there was another thing called "minimum desirable stream flows," which was kind of a mystery, well, even probably to me to some extent. I didn't have at that point any experience with irrigation. It was really a very far-reaching, progressive piece of legislation. It said that some people have to turn off their irrigation pumps if a river doesn't have a certain amount of water in it. A river without water is not a river.

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That passed, and we kept passing designated streams, one after another, year after year. At some point, people just said, “Oh, no. Not another one of those!” By that time, we'd gotten down to some fairly small streams. The benefit of that law still goes on.

RB: It basically in effect sort of establishes water rights for rivers. It's a point in time in which it says, “This reach of a river is entitled to x amount of flow,” and that then has seniority for water rights that come after that. So it doesn't guarantee that there's going to be that minimal amount of flow in the river, but it does put a point in time, saying for now on, this is a senior water right, or this is a date of water right for a river.

KG: As I recall, there's senior water rights and there's junior water rights. I've been away from this stuff. But most of the minimum desire of stream flow impacted people with more junior rights.

RB: Where did that idea come from? It is a pretty progressive idea. In effect, it's giving a river a water right, which as opposed to an irrigate or a municipality or industry.

KG: That's why I say it's very progressive. I think maybe one of the most significant things we did, but I didn't know any difference. I had no context about how much this was changing even one part of the irrigation support. Years went on, and later at the Water Office, I really became aware of how all the issues involved with that. Again, that was just my third year.

RB: Do you remember where that idea came from?

KG: I don't.

RB: Was that a staff idea that came to the community do you think?

KG: I think pretty much everything we did were bills that were proposed by the Water Office. I can't recall us having an initiative on our own. There were a lot of bills that came out that year and the year after. They were rolling stuff by us pretty regularly. It was mostly just trying to look at the bills and trying to sort through them as legislators do, both on policy and politics.

RB: Before we go then on to the Water Plan funding, any other—and I think you're right about that minimum desirable stream flow process. I think that was a big deal and remains a big deal. Any other things like that that come to mind?

KG: Another issue was called interbasin transfer. The City of Wichita, they had some water needs, and they wanted to—there was a proposal to run a pipeline from Milford [Reservoir] which has the biggest of all of the reservoirs in terms of capacity--and they wanted to run that to Wichita. So, I and Rep. Henry Helgerson in particular, even though we were from Wichita and wanted Wichita to have water, we were very opposed to that.

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I think at that point, there was a transfer bill that dealt with interstate—I can't remember all of the—but then there was a bill that would allow intrabasin transfers. That's what Wichita wanted to do. It wanted to take water and store it in the Equus Beds north of Wichita.

RB: But it would have been a transfer from the Kansas River Basin down to the Arkansas River Basin, and that's a basin transfer, but there probably wasn't any process or mechanism, regulatory mechanism to approve or disprove a transfer like that at that time, right?

KG: I can't recall if interbasin transfer was there. I think we amended some bill that allowed us to do interbasin.

RB: I think that's right.

KG: But it's another case of all the businesses, the big businesses there and Republicans and Democrats, we worked out a bill so Wichita could have additional water but not going too far for it.

RB: Is that why you were opposed to the idea of a pipeline from Milford was just the distance?

KG: I think that once you start that, then there's no end to it. Even since then in the last five years, there's been proposals for pipelines to western Kansas to irrigate crops. So, taking it out of the basin wasn't necessary. But I was always a practical person. If the only choice had been Wichita is going to dry up and blow away, then you think about interbasin transfer, but the city had this plan and what they wanted to do, and they worked with us. So, it wasn't necessary.

RB: And that machinery for interbasin transfer is still in place today. The city of Hays is going through that process to pick up water from down by Kinsley to move it up to Hays. That's really the first triggering of that procedure. I'm sure that machinery is what was put in place that you're talking about.

Did you get any local blowback from people in Wichita? The view that I think the rest of the state has is that Wichita is this big gorilla, sitting down there, wanting to soak up water. Did you get any blowback from people in Wichita when you took that position on not transferring water from Milford?

KG: Oh, yes. They expressed their displeasure, the Chamber of Commerce, etc., but as a Democrat, you were kind of out of the mix anyway in a lot of ways in terms of official positions and things. But Henry Helgerson and I just thought it was a bad idea. We just didn't say, “No, we're not going to do it. We oppose it.” Then we, I think, amended the [interbasin] transfer [law] to [create a different process for allowing] intrabasin transfers, and then the city got what they wanted. That's a long time ago. They still have really adequate water supply. But that's an example of people working together. I liked that. It appealed to the moderate, practical side of me. It wasn't easy, but we did it.

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RB: Probably also, if you're going to have any influence as a Democrat in a heavily Republican conservative legislature, you're going to have to work with people.

KG: Oh, you have to work with people all the time. In our day, as I said, I worked with a lot of Republicans, but there are Republicans that cared about water, cared about the environment. We often disagreed on utility issues. That was a bridge you didn't cross. But that was fine, even though I cared a lot about that. Just to have Republicans to work with on these kinds of issues was fine. So that's what I did. You work with what you've got.

If they hadn't had those—say we had a Republican-dominated legislature that really hated the Water Plan and all the things they were proposing, then it would have been an entirely different story. Then we wouldn't have been working with people to make things work. We would have been throwing stink bombs at the whole thing. It's what you do. It's kind of your job often as the minority is to kind of disrupt the process, and then they'll give you openings to do things.

In this case, with the water, we didn't have to do that. I think that's due to the governor and a lot of the Republican leadership, and just not some of the members.

RB: Let's talk about one of those issues where everybody sort of coalesced and something that we've talked about a lot in this series, which is the passage of Water Plan funding. It's one thing to develop a plan. It's easier to develop a plan than it is then to put money behind it to actually accomplish the goals that are established by the plan. Talk about your experience there with Water Plan funding and how that worked from your perspective.

KG: I came in in '84. Then by '87, '88, it was clear that there wasn't enough money for the Water Plan. So, there was an interim in 1988, and Dennis Spaniol was the chair of that. I think he must have been chair of the Energy and Natural Resources committee. Anyway, we had an interim on putting together a funding source. That was my first experience about the really strong opposition of the farm groups and irrigation groups against paying anything. They wanted the city people, anybody but me, which is not unusual in tax policy. I was on the tax committee. But this is more than just about money. It was just about an ethic.

So, it was pretty cantankerous in there. It was clear. So when the legislature started that year, I remember going to Dennis Spaniol's office and sitting down with him and saying, “Do you want to do this?” because it was a steep, uphill battle, and he said, “Yes.” I said, “Okay.”

We started working—that would be in the middle of January. After that, that's when Governor Hayden. I think there's probably a bill that came out of the interim. We talked about specifics. Then Governor Hayden had a bill that he proposed probably sometime in early February, I guess, or somewhere in there, but that was defeated as well.

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So, as you talk about this from a legislative point of view, and this is not unusual, but this because I was so involved in it, it had a thousand deaths. There were a lot of places that it could have been beat. One of the places was we had a governor, and not John Carlin, but a Republican governor, Mike Hayden, proposing something. It could have got beat, I forget exactly where, but that would have maybe been the end of it.

But it wasn't, and so it just continued on towards that whole session.

RB: So, the bill that eventually passes, did it originate as a House bill, or a Senate bill? Do you remember?

KG: We finally got a bill to the House floor. I recall it was a Friday or a Thursday, I can't remember. It failed. That was on the House floor. I thought that was the end of it. But then on the following Monday, there was a Republican who had spoken to the bill. They made a motion to reconsider it. They had [said] something that was inaccurate. In today's world, to think back that somebody made a motion to reconsider—she was on the prevailing [side]—even as I think of it, it's kind of astounding. I was kind of astounded then. But they did, and then she made this admission, and we had the debate all over again, and then it passed. I think maybe people had the weekend to think about it. I don't know what was happening. That was shocking. Then that [bill] passed out of the House, but then the Senate didn't want anything to do with it.

RB: Yes. As it goes to the Senate side, there's a whole another set of drama that occurs in order to pass it there. From the House side, did you have anything to do with that? Was that just something that occurred separately from where you were?

KG: I think we followed it all the time, but you know, the legislative session is short. I don't know when that went over to the Senate. Then it was pretty much the break. What happened was that—this was due—I give a lot of credit to Speaker Braden, who had been beat up quite a bit that year by both the Democrats and the renegade conservative Republicans. He didn't have a lot of control. He was from a rural area. He could have had a lot of spite about this. But what he did was he took that bill, the version the House passed, and put it in a bill dealing with underground storage tanks, which was a federal mandate, and we were dealing with funding it and dealing with that. Since that bill had passed the Senate, then it goes to conference committee. So, it wasn't a gut and go. It was pretty much “add this important bill to it.” Then it went there, and the Senate still wasn't very happy with it.

So then, there was a lot of opposition there. They didn't have the votes. Again, I thought we're probably finished. Then a couple of things happened. One was [that] somewhere in there, there was a motion [on what to do with the amended Senate bill]. I've been thinking about this, if you have a conference committee, you make a motion to concur, which means you have a vote on it. Then immediately you have a substitute motion, which is kind of an unusual procedural motion that's in the legislature, and then you have a motion to nonconcur, and that's how it

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goes. It's easier if you're in part of the leadership to vote to nonconcur and send it away. It's a lot different than voting on a bill.

Well, for some strange reason, this is how I recall it, they made the motion to nonconcur first, and then Doug Walker, who was a Democratic Senator from Osawatomie, made a motion to concur. Once you make a motion, then you stay on that motion until you're not. So that created quite a stink. He was under a lot of pressure to withdraw his motion. But, again, it shows how much enthusiasm, just not from him, but from others that are willing to do to make something happen. I think in the end, he relented, but he certainly made his point. I doubt if they made that procedural mistake again, and I think I have the procedure right. The idea is that he stood up and really made a difference. It really provided some visibility.

[End of File 1]

RB: We're back with Ken Grotewiel, and we were just finishing up the process of talking about the passage of water plan funding. At the point you were describing procedural issues, mostly taking pace, the interaction between the Senate and the House. When this finally passes the Senate, in effect, it's done. Did that feel like as momentous a thing as it clearly was in retrospect? I would assume that people at the time understood its significance.

KG: Yes, there were a lot of House members in the Senate chamber, including me. So, we were watching all of the final things that went on. It was much more dramatic than more final votes on bills, but Gus Bogina, who was a senator from Johnson County, had had I think some heart surgery. So, he wasn't there, and the vote was—they had twenty votes for, and they need twenty-one. So, they brought him back by a trooper, a Highway Patrol car going really, really fast, and he shows up. We're there about an hour or so, waiting for Gus Bogina to come. He came in, and he clearly enjoyed the moment. He was smiling big, and they just said, “How do you want to vote?” and he said, “Yes,” and then it passed.

That was really the most dramatic vote that I probably saw, and it was one that was very important to me and important to a lot of people that I'd worked with that this happened. It was a big moment.

RB: Everybody describes it with a certain theatricality that is unusual for the legislature to begin with, but as you just said, it's really unusual when it comes to the natural resource and water world that most people regard as one of the sort of technical worlds that doesn't inspire a lot of the kind of drama that obviously came with that.

KG: Absolutely.

RB: That must have felt pretty satisfying though to have that accomplishment.

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KG: It was satisfying. What had happened was they had put the Water Plan funding bill in the conference committee. They put the underground storage bill, and then in a very strange twist, then there were Wichita senators wanted the Citizens' Utility Ratepayer Board [CURB] to be in the bill as well. They were holding off votes on the Water Plan until they got the CURB bill in there. So that happened all before the Gus Bogina thing, which for me, was kind of interesting. I had introduced the first Citizens' Utility Ratepayer Board bill back in 1984—probably my freshman year. So, this is '89. That had been percolating around for six years. In those days, if it didn't pass in five or six years, it was done for. All of a sudden, it came out of the blue, and then it's in the bill, and then they're debating it, and we're waiting for Gus. I remember Anthony Hensley leaning over to me. He says, "Grotewiel, you're in the catbird seat." He could see that two of my biggest efforts as a legislator were in the same bill, waiting for Gus Bogina to come and do that. So that added another personal touch to the whole thing that I remember quite well.

RB: Both those things came out in the same bill, which were both significant, long-lasting effects. I didn't realize the CURB was part of that same bill. Everybody talks about the Water Plan funding.

KG: That's right. It's a legislative process that's commonly referred to as "logrolling." The more things you put into a bill, you pick up support, but you risk losing support. That time, they put in CURB, and it solidified the Wichita senators, and then that was it.

RB: At the end of the day, that passage of that bill was an example of that kind of bipartisan effort that you were talking about. It's one that really wasn't determined by a political party of any sort, I would assume.

KG: Yes, there was never any partisan tones to this. Like I said earlier, it's mostly rural/urban splits. It was a different era. This is more dramatic perhaps than some, but in the day, 95 percent of everything we passed was by consensus. You had all of these committees and all of these bills. I think there was just a sentiment among Republicans and Democrats, even though we didn't agree all the time obviously, but they believed in making government work. And when you believe that government can work and should work better, then I think there's more ability to compromise and do things to make it work.

RB: You talk about this urban/rural divide. You're coming from Wichita, the biggest city in the state. Did you in that process then get blowback from the rural types that are concerned about where you're coming from in this process? A lot of people that we've been talking about here like Carl Holmes and Mike Hayden are from little places out west. Liberal's bigger, but these are rural legislators. Was coming from Wichita a problem in that sense for you?

KG: Well, it generally wasn't a problem. In Wichita, there were seventeen or eighteen representatives, and so you were kind of anonymous. Nobody really knew who their

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representative was, and in a bill like this, it certainly didn't affect anyone. They had no reason to try to look into it. So, there was no blowback.

The only blowback I would get in the legislature was mostly with my fellow Democrats who were from rural areas. it was on this bill but other funding issues and other tweaks that are trying to get through in legislation. It was pretty clear that they liked me, and I liked them, but they weren't going along with it.

So that was the blowback internally, whereas with the Republicans, of course, I had—like I said, the people I mentioned already, but we were more in agreement, and I didn't talk to the rural Republicans. I had no reason to.

That was hard. You're talking about blowback. That was hard. We had a very tight-knit caucus, and we liked each other, but you've got to do what you've got to do sometimes.

RB: It was hard in terms of basically your own party as much as anything else.

KG: It was hard for me personally, just my makeup as a person, whereas another person might just think of it as a sport.

RB: Partly because, as you develop relationships, those disagreements sometimes can spill over and feel personal as opposed to—

KG: Right, and you never want that to happen.

RB: Right.

KG: I don't know what the issue was, some kind of a funding thing. I think George Teagarden told me, “This is going to come up tomorrow.” So, I showed up at 7:00, and It happened just as he said it was probably going to happen. I just wanted to be there to say, “I'm going to watch you do it because you're crossing me, not in a personal way, but in a policy way.” But those I think—we didn't generally get a lot of blowback from our districts again because we were urban legislators, and the dynamics are totally different than if you're a legislator and you're in two-and-a-half counties. Everybody knows you. You're in the paper every day. I'm sure it's still that way.

RB: I would imagine for the most part if you're representing an urban part of Wichita, and if you're off dealing with issues that are primarily water issues for the western part of the state, your constituents probably don't really care a whole hell of a lot as long as it doesn't affect them too directly.

KG: And if they pay three cents for every thousand gallons they use. I had a very modest district.

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RB: It wasn't a big deal.

KG: It wasn't a big deal, and it didn't affect them, but that's not unusual that people don't know all the details in any era of politics, but that's why we need elected officials that can sort through the politics of something and still keep their mind on the policy. When you just are a policy wonk, then you can't sell that. If you're just talking about the politics of it, well, there's a reason not to do everything.

RB: So, the municipal users in Wichita, that increased the Water Plan funding. It was small enough. It wasn't that big of a deal. To propose having done something similar to the irrigation community, that was pretty much a nonstarter, wasn't it? You talked about that before.

KG: It was tough sledding, but eventually it happened. It's a little bit different because the farmers and irrigators, this was a tax they paid on something they saw, but with water, you have it. It's on your bill. But in the end, if you look through the Water Plan funding, a lot of the benefits go to rural areas in terms of managing watersheds, distributing water from the reservoirs to rural water districts. All of these things benefit rural life, but we all have our things where we just feel a certain way, and that's how it is. In the end, that's what the legislature does. It sorts through all of that stuff, one way or another.

RB: So post-Water Plan funding, you're still in the legislature. You served several more terms, and then you become chair of that committee in the early nineties.

KG: Well, '91 and '92. Water Plan funding passed in '89. Carl Holmes and I spent a lot of time, especially amendments on the House floor trying to fight off people wanting to take money out of the Water Plan fund and clean up some waste sites somewhere. But once something has passed and you walked on hot coals to do it, there's a lot of people who remember that and try to keep up the agreement. As time goes on, then people who weren't in the fight don't remember it, and it's not as important to them, and then there's no keeper at the gate, so to speak.

RB: And that happened in terms of Water Plan funding over time, that pieces of it got moved around.

KG: Talking about that, it happened immediately. When I was there, I didn't know this, that there were things that were paid for by water agencies, paid out of State General Fund money. What the people on the [House] Appropriations Committee did, is take some of this new money from the State Water Plan and paid [for] those [expenditures]. So, it wasn't a new effort. It was subsidizing an old effort. There were a lot of new things as well. But when I was there, I just didn't pay much attention to the appropriations process, and I should have. I thought if I ever go back to the legislature, which I don't plan on, I would be all over the

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appropriations process all the time because that's where the legislature decides what the priorities are long after the policy decisions have been—

RB: I remember Bill Hambelton talking about the agreement on that Water Plan funding was that none of it would go towards agency salaries. Then over time, some of it sort of worked its way into various nooks and crannies.

KG: I think it happened almost immediately.

RB: I remember Bill coming back one day being pretty irritated that the thing that everybody had agreed on was happening—in effect, the impact of that funding was getting diluted because it was being used for already-existing purposes.

KG: I'm somewhat connected here to different policymakers. Whenever they talk about a tax for a specific purpose, I tell them this story. That's exactly what happened.

RB: Right. So how did you become Chair of the Energy and Natural Resources Committee, then? How did that work?

KG: We had a ranking Democrat on the Committee who didn't run again in the '84 election. So that spot opened up. Because I'd been so active, I guess it was probably—I forget who appointed me, but I guess I was the logical person. Then in '91, when the Democrats were in charge of the House, then I was the logical person to be that.

At that time though, I was just worn out after ten years. I deferred being in the leadership, which would have been an interesting challenge, too. In the minority, I was in leadership, but you just were kind of working with what you've got. But I deferred on that. I wanted to concentrate on the committee, and Carl Holmes was the vice chair.

There were two years where there were no natural gas issues. Wolf Creek wasn't rearing its head. There were probably some water plan bills, but they'd been passing those since '85. There were no issues coming from out here. I just kind of managed whatever was there. There's things I probably could have done. If I had had something, I would have done it. I didn't have any big things, and I was tired. The legislature, it's a grinding process. I enjoyed that, but it was good to be on the other foot. Even though there weren't big things, being a chair is a different role.

RB: It was probably interesting to be a chair with [Rep.] Carl [Holmes] who was the vice chair, given his level of knowledge and interest and everything else. I assume you had a good working relationship.

KG: We had a good working relationship. I remember one day; I'd not eaten any lunch. Those days, I would just get really lightheaded. We were working on a bill. I'm sure I wasn't making

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any sense. That would have been an opportunity for the minority at that time to start making motions and ram something through. Somebody on the Republican side said, “You know, Ken, I think we ought to just adjourn.” I said, “All right.” Maybe if it had been a bigger bill, maybe not.

RB: What happens after that two-year period that you're chairing that committee then?

KG: Well, then we're back in the minority, but just barely. I think we had 58 seats. Even though I wasn't involved in leadership, I was doubly tired after being in leadership. We pushed a lot of things through. It's like things now that—branch banking that the bankers had always opposed. We did that. That's when we were in the majority including school finance and all of that.

Then in '92, we had accomplished a lot. I ran again. Then I was tired. I knew I had to get out. So, I did. In '94, I didn't run again.

RB: Was that the primary reason that you didn't run again?

KG: I think I was tired, and the legislature doesn't pay very well. There were days we'd be talking about programs to help people meet certain income guidelines, and I'm thinking, “If I were just on my own, I'd be meeting them all.” I grew up in a poor environment. I'm a good money manager, particularly good, if I don't have much to work with. But I was just tired of it. So, I just had to retire. That was a bad year for Democrats. '94. I'm sure I could have done—when you lose your enthusiasm, then you shouldn't be there.

RB: Just from somebody who would watch that behavior, the days are long, and you have to sit there and listen to what would strike me as an awful lot of hearings on bills that are not the most inherently interesting in the history of the world.

KG: Yes.

RB: That takes a certain kind of individual to pay attention to do that. If you're not enthusiastic, I think it would be about impossible. It would sort of be painful.

KG: And then bigger issues come up, and then you're in a grinder. Then there's a lot of just general political pressure. So, when I retired, I know I went home. I was just sitting in my office at home. I could just feel the weight—literally feel the weight leaving my body because you do carry it around all the time because you're a state legislature, but you're always dealing with county officials, local officials, the federal government, all the interest groups, and your job, as I view it, was to try to make the best out of this. Well, make the best out of something instead of just saying things because it sounds good is really hard work. So, anyway, it was a relief not to be in the legislature but not because of any ill feelings. It was just, “That's nice not to have to think”—

RB: To deal with that.

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KG: Now, of course, that knowledge follows me. It's been twenty-five years now. That basic knowledge still follows me around, and really things aren't that much different. It's like going to school, and I can actually remember things.

RB: When does the time at the Water Office come in?

KG: It came in at—when Kathleen Sebelius got elected [Governor] the first time. That was 2002, I think. I was the Assistant Director there.

RB: Who was director at that time?

KG: Clark Duffy was the initial director. He wasn't there long. Then Joe Harkins came back. He came out of retirement at some cost to him to lead the Water Office again. So, to work with him, somebody with big ideas. He wasn't a hands-on management person. He had big ideas, and it was fun just pushing those ideas.

At that point, administratively and the products that we were developing and things, there was a lot of—I spent a lot of my time as the assistant director just cleaning up messes—contracts we had that we were about ready to lose our funding on, some things you don't want in the news. Plus, if you've got contracts, that means money. So, I spent a lot of time doing that. Then the first year, because Joe had confidence in me that he could send me over to the legislature and I wouldn't say stupid things, so then I was a liaison for the Water Office.

That was a very tough job for me, but I did it. Things were starting to break down, some of the collegiality, civility, the rumor mill, and chairs that I felt like didn't really know how to be a chair. Chairs that didn't even know what the Water Office did. It was all about, like one chair said to me, “You don't have any people coming in for these things the Water Office is doing.” I said, “Well, that's true.” “You don't have any Farm Bureau people. You don't have any of this. Well, you're right.” I couldn't disagree with her. But the thing is, there was not even understanding about the role of the Water Office was and what it had been. It's just a total lack of—people didn't pass along that. But it's a different time.

So, I worked with that, and then thankfully I didn't have to do that job the next year.

RB: What major issues come out of the Water Office at that time when you're there as assistant director?

KG: I think probably, some of the bigger issues were dealing with irrigation. There were issues out in western Kansas. We had some federal money that we were trying to propose with a match that would buy out some water rights along the Arkansas River, which made it eminently, a lot of sense to us but that failed. Then there was Rattlesnake Creek, which was like the Equus Beds, has a fairly high water table, but it was over appropriated. [Former] Governor

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[Mike] Hayden [while he was serving as Secretary of Wildlife and Parks in the Sebelius administration] wanted to buy some of the land and turn it into a preserve. That would diminish the emphasis on the water coming out.

That was just like walking straight into a bulldozer. I was in some of those subcommittees on the appropriations. We were discussing that. It was just like I should have brought my flak jacket.

RB: He wanted to buy that property that basically winds up where the city of Hays is now. Basically, they were going to stop irrigation and try to increase some return flow to the Ark River. Basically, the idea of the state purchasing additional land was I think, to say it was a nonstarter is an understatement. He was pretty determined to do it, and obviously it didn't work.

KG: I don't know if it was Governor Hayden.

RB: He was Secretary at that time, Secretary of Wildlife and Parks.

KG: Sebelius would have been the governor.

RB: I also remember the Ark[ansas] River buyback discussions that went on at that time, too.

KG: Talking about pushback, that's when I really felt a pushback of the Irrigation Committee community. Everything that we tried to do, trying to say that cities have got to buy up enough water rights, so you can have more economic development. You've got the water. It just seemed like everything fell on deaf ears. That got tiresome.

RB: Let me ask you about this. One aspect of your career that's very different is this sort of reconciliation process effort. I remember that coming out of the Water Office. You can see the need for it for exactly what you're talking about because the irrigation community is not always the most receptive to want to change their practices.

KG: And for good reason.

RB: Right.

KG: I mean, I don't dispute their reasons.

RB: So, were you the source of that attempt to try to sort of develop processes that were ways for people to talk to each other about those kinds of things?

KG: I think the Water Office from the early days of Joe Harkins, they—I think what happened there, we were always doing that. We were always out and about, always looking for

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opportunities, always trying to find a way to get people to see reasons to do something they didn't want to do, which is really hard to do. So, it wasn't me so much, but I fit into that kind of thinking and worked with people as much as I could.

One of my jobs later on was—well, for several years, I was the liaison to Congress. There were some funding issues we had with Congress. I would work on those issues diligently. We got some studies funded and stuff. It wasn't always easy. There were days of continuing resolutions and finding anybody who could make a decision in DC is pretty hard. So, I did all of that anyway, but it was all part of things that I thought were for the good of the cause.

RB: Virtually everybody we've talked to in the process of doing these interviews talks about the increasing—the bipartisanship effort that you talk about in the eighties is maybe not existent, but it doesn't miss it by too much today, that today these party line splits are much more evident. As you look at it from the outside, do you agree with that? Could you pass that Water Plan fund today in this kind of environment?

KG: I think even if you wanted to increase the Water Plan fund, then you've got the basic structure there, that would be nearly impossible. But your question was about bipartisanship. I think it was very real. We were not perfect though. When people talk about the good old days, it doesn't mean we were perfect. But as a whole, I think everybody, Republicans and Democrats were, like I said earlier, were trying to make government work, even if you disagreed.

But disagreeing is fine. I don't have any problem with that. That's kind of fun, actually. It's when people don't want to work together, and they're focused on ideology and talking points, well, it would be very hard for me to go back to the legislature at this stage. I [once] thought, "If somebody gave me a seat there, that might be kind of fun." Then I thought about it, I'm going, "No." It's not consistent with who I am as a person at all, and you have to adapt when you're a politician, when you're in the legislature, but it's too much adaptive behavior.

RB: Because people are more concerned about scoring political points than they are to accomplish the things that they're to accomplish.

KG: I'm not that involved. I really can't speak to it. I just know in the paper, the Lawrence Journal World, if they talk about a bill that had bipartisan support, it's like shocking. But it still happens. I think that is what people have to remember. In life, we're all in a certain position. It's what we make of it. It's not easy over there, if you're looking to be moderate or bipartisan, but sometimes it does, and you have to take that in that area where you had an agreement, and put it in the next step, or take that and go to another step. I think you just have to keep at it. I don't think at my age and my perspective, I would be very good at it. I might become a demagogue, which is the last thing—that's all you can do is shout from the mountaintops.

RB: As you look back then at this point at those activities from the eighties, primarily from a legislative point of view, what are your—how do you judge what you accomplished, and by you,

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I mean both individually and in a broader sense. Were you successful at accomplishing the things that you think you should have?

KG: I think compared to a lot of things you start out with; I think it was a great accomplishment. And like I say, then there is the battle each year about the funding in particular. But I think overall it was good. I got some information about the Water Plan fund this year. Actually, it looked healthier than I'd seen it when I left the Water Office in 2007. I guess always I'm an optimist, and you just keep plugging away and keep working at what you've got and trying to build relationships and try to look at people for what they are and really determine what their interests are. What drives them? They have a position, and it's easy to say, "I just don't like them. They're full of it." But it's better to say, "Why do you feel that way?" You may get to issues where you agree a little bit, and you build a relationship so the next time you talk, then you can do this.

I think that's all possible, but I think the legislature has to deal with it. Nobody from the outside, it doesn't matter how much somebody studies this, they're going to have to say, "Is it important that we worked together?" And if it's important, you do the work.

RB: As we talked to Joe Harkins about this, Joe talked about an arc of overall interest in water issues that by his perspective sort of peaks in the eighties, and then you see less gubernatorial leadership in terms of identifying as a priority later on. So, water doesn't become manifest as much as it was when you were in the legislature. Is that a perspective that you'd agree with?

KG: I've heard Joe Harkins talk about the arc of many things. I would agree with him. I think that even though Governor Sebelius as a whole was very supportive of the Water Plan Fund and for a couple of years, it [the funding] was really good, the pressures of the economy and everything then, it just wasn't possible.

But now if we can have some more stable funding and then there's not so much pressure on the state general fund, the lottery funds, then I think if we have that amount of money, then I think it's enough to do something, short of dredging a federal reservoir or something. I think you don't want to give people too much money. If you double the Water Plan Fund, I don't know if we'd be any better. But it's better to have the 16 million each year that you can count on and then have projects that you can do.

RB: So, in some respects, water is a certain amount of a victim of what is going on in the financial picture of the state as a whole.

KG: Right. Especially with the state Water Plan Fund. But you can talk about consistent effort year to year in the Water Plan Fund, but you can also say the same things about highways. You can say the same thing about outpatient mental health stuff. I think it's just normal that you're going to have things out of your control. But Sebelius, that was in 2008 and all of that, I forget all the details. That's a real problem. You don't have any room. We're close to a giant great

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Depression. So that's more understandable. What I don't like is people going out of their way to shoot themselves in the foot and just dry up revenue for no particular reason other than they want to, which is some of what we've seen. I would understand if people want to reduce the amount of money, but how do you do that? Do you get rid of some programs? Instead when they reduce money, they just put everybody on life support. We didn't have that much courage sometimes either, but there certainly are people today that say, "Well, we need to reduce the amount of government taxes," and I'd be for that, but there has to be a reason and a method, and you're just not going to get that. I'd like to lower taxes, but if it penalizes every agency in the state and gives them nothing to work with, nothing to plan for, well, that's not good.

RB: So, as you look back, is it that Water Plan funding that you're more proud of that you were a part of? Is it minimum desirable stream flow? Is it CURB? Is it something else? What would it be?

KG: I don't know what else it would be other than funding for the state Water Plan, and then the other things that came with it that I was for. But most of the time, you're just working on issues that come to you. That was something the legislature and the governor at the time moved forward on. So, it's a little bit different.

I remember the natural gas issue when I first got there in '84, '85, '86. Prices were going up. Those were big issues. We just worked on them, and I have to put in a plug for [re-creating] the Energy and Natural Resources Committee because you aren't going to have big issues in energy every year. You're not going to have big natural resource issues every year, but they're all energy and natural resources. They're all tied together. So, members, legislators, aren't perfect, but one year, you learn about utility issues, and then the next year, you learn about water and about impoundments that utilities have access to and water rights. So, there's at least a chance that over six years you have a little bit of an idea of energy and natural resource issues because they're very, very tied together.

RB: That's a really good point, Ken. I don't think there's any question that water, to try to consider water in exclusion to everything else that's going on doesn't make any sense, and particularly water and energy issues overlap so much that it's really necessary to have somebody that has a good sense of both of those things as opposed to just viewing them separately.

KG: Right. And then if you talk about environmental issues, they don't fit in anywhere. They used to have this Environment Committee in the House, which I thought was a joke. You send stuff there to die. But I think if you have energy and natural resource issues, a part of natural resources are environmental issues and wetlands and traditional things, habitat, and those kinds of things, but they can kind of fit into this. That would be one change in the energy and the water world is they just bring back the old Energy and Natural Resources Committees, and then put some good people on it.

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RB: As opposed to separate Utilities Commission.

KG: Oh, yeah. Then what happens is that nobody knows anything. I shouldn't say that. This is towards the end of the interview. I may be saying less than judicious stuff. But people don't know as much as they should, and then they're just talking to one set of lobbyists. It's just the same thing over and over. Again, it's nothing against lobbyists, but I think context and history are important things. I think both those things in the energy and natural resource world are just lost. It's just one pitched battle after another.

RB: That's a good point. I think you're right. As you separate those things, you just get informed—it's really easy not to know something by process of exclusion, and that isn't good for anybody at that point. Well, anything else we should touch on this morning.

KG: I just appreciate the opportunity, that somebody remembered me after all these years. At my age, that's nice. I say that sincerely. I'm really honored, and I think Joe Harkins used to always say public service is the greatest service you can provide to your country and your state. I still believe that. I still believe it for the state as an elected official, but also all of the people that work in agencies. You've worked for an agency, and you know how hard it is to move forward on all of these things. So, I'm just making a plug that my public service is very dear to me. I'm pleased I did it, and I encourage others to do public service but not necessarily elected service. There's all kinds of ways at every level of government they can do it.

RB: Well, I appreciate you doing it this morning, Ken. It's been a good visit. Thank you.

KG: That's good.

[End of File 2]

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