

INTERVIEW OF JIM DENNING BY ALAN CONROY, April 13, 2023
KANSAS ORAL HISTORY PROJECT, INC.

Alan Conroy: Good afternoon. The date is April 13, 2023, and it's at 3:00 p.m., and we're at the Senate Chambers here at the Kansas State House, Topeka, Kansas. I'm Alan Conroy, a forty-year-plus state employee with the majority of that time of state service working in the Kansas Legislative Research Department, the central nonpartisan research and budget staff for the legislature, and I'm currently working for the Kansas Public Employees Retirement System.

Today I have the good fortune of interviewing former Senate Majority Leader Jim Denning who served ten years in the legislature. He was first elected to the People's House, the House of Representatives, in 2010 and then ran and was elected for two terms to the Kansas Senate. While he was in the Senate, he was elected Majority Leader and served in that capacity for four years.

Today I'll be conducting the interview on behalf of the Kansas Oral History Project, a not-for-profit corporation created for the purpose of interviewing legislators. The interviews will be made accessible to researchers and educators, and the interviews are funded in part by a grant from the Humanities Kansas. Today the audio and video equipment are being operated by former Speaker Pro Tem David Heinemann, and the background research for the interview, I was assisted by Mary Torrance, a former Reviser of Statutes and the Kansas State Library.

Senator Denning is from Overland Park. He has been relatively recently retired, but a vice president to the Board of Directors, a former chief executive officer for an eye-care medical practice, Discover Vision Centers, and really quite an interesting background, the Dallas Eye Institute. Was it a financial analyst for the Dallas Federal Reserve Bank? A financial analyst for First International Bank Shares. He's married to Marearl and has two daughters and some wonderful grandchildren, from what I've heard. How many grandchildren?

Jim Denning: Five.

AC: Five grandchildren. So, good. Majority Leader Denning was first elected to the House in 2010, where he served one term and then was elected to the Senate in 2012, and then served in that chamber for the next eight years. He represented District 19 in the House and in the Senate, it was District 8. Both of those districts covered parts of Overland Park and Johnson County. I see about 87th down to about 127th and Metcalf?

JD: After the reapportionment, it went to 135th.

AC: Out even a little further. Of course, when he was in the legislature, he served on numerous committees—Appropriations, Health and Human Services, Tax, Corrections, Juvenile Justice, Oversight Committee, Public Health and Welfare, Commerce, Financial Institutions and Insurance, Ways and Means, Confirmation Oversight where he was chairperson, the Home and Community Based Services in KanCare Oversight Joint Committee, KPERS, a good committee there, Select Committee, Legislative Budget, Assessment and Taxation, Education Finance, Ethics Elections and Local Government, Health Care Access Select Committee, Interstate Cooperation, of course, Legislative Coordinating Council, and then Organization Calendar and Rules. As I started my research, during those ten years, there was lots of newspaper articles on your public service, and we'll talk about some of those in just a little bit.

But let's start with the background first. Was there life before the legislature? I saw you were born in Great Bend. Is that correct?

JD: Yes.

AC: Do you consider yourself really a Western Kansan?

JD: Yes, I still do. When you grow up in Western Kansas, that's your home and roots. You never leave that.

AC: So even if you're in Johnson County, you still have the affinity to it.

JD: Yes, and it spills over to the legislative work as well. Whoever lives or had lived in Western Kansas, you always try to do a little extra whenever you can for the west.

AC: Sure, that's good. Again just starting out, I knew you had a brother who was sheriff of Johnson County. In fact, you and your wife helped form the Citizens for Justice back in 2004. It must have been a successful group because he did get elected, and he served as the sheriff of Johnson County. I know your wife's been active in the Johnson County Republican Party. You said she was vice chair?

JD: Yes, vice chair.

AC: That's good. Other than those two things, was your family like your parents, were anybody involved in politics maybe out in Great Bend or any place like that?

JD: Not any organized politics. My dad would go to City Council meetings when necessary. We just weren't very political at all.

AC: What was his background?

JD: He was in the oil business, mostly in pipe repair and pipe supply.

AC: Did you help him along the way?

JD: Yes. We had a large family. We had nine children. I used to go with my dad quite a bit on jobs. I think early on he realized that I wasn't real good at mechanical-type things. He basically said, "You ought to really try to find something else to do."

But I just loved going with him, the smell of the shop and the machinery. We used to go all the time. It rained mud. Back in those days, the rigs got, when it got muddy, you got pulled in with the bulldozer, a semi-load of pipe, and a winch truck. It was fun for me, but I think he realized—

AC: It was maybe not your true calling?

JD: Yes.

AC: Where were you then in that pecking order of nine children?

JD: About right in the middle. If you come from a big family and you're in the middle, it's the worst place to be because you never get anything new, ever. You get hand-me-down shoes, hand-me-down jeans, hand-me-down ball mitts. It's good to be at the top or the very bottom.

AC: Then you went to school. You got your bachelor's from Fort Hays [State University]?

JD: Fort Hays.

AC: Then when you left Fort Hays is that when you headed towards Dallas?

JD: Yes. Marearl and I were both at Fort Hays. We graduated in 1980, and we moved to Dallas the very next day. I worked for First International Bank Shares as a financial analyst. Marearl was in graphics design.

It's kind of a funny story. She doesn't like me to tell it, but when you're twenty-two years old and somebody says that they'll live in Dallas for ten years, that's a lifetime. Ten years. When the ten-year mark came, she said, "It's time to move home. I'm getting homesick," and she was real serious.

So we lived in Dallas for ten years. That's when I did First International Bank Shares and then the Federal Reserve, and then I went from the Federal Reserve to a local community bank. There was an ophthalmologist on our board of directors. That was the connection. I joined the Dallas Eye Institute as a chief financial officer, and because I was there, that's how I came back home and started working for Discover Vision Center.

AC: Wow, that connection played out the rest of your life.

JD: So when I interview folks, especially at the executive level, I always say, "Always live where your wife wants to live. It's just going to save you a trip."

AC: That's good advice. So, you said your dad would maybe go to a City Council meeting here or there, but not D[emocrat] or R[epublican] or precinct person or going door-to-door for somebody-- like that.

JD: We were a Catholic family obviously, and other than him supporting John Kennedy, I don't remember any other political candidate or discussion in my whole entire childhood or adulthood for that matter.

AC: Interesting. So when did the political bug strike your fancy then?

JD: It took two avenues really, now that I think about it. When I was at the Eye Institute in Dallas, it was in the late eighties and early nineties, and that's when healthcare started getting politicized. Being an ophthalmologist, especially back then, 80 percent of your whole entire practice was Medicare. And Medicare obviously is a federal program. There's very little state

influence. Even to this day, Medicare has very little state influence. It's a federal program, and when you're in the ophthalmology business, that is your whole entire practice.

In 1986, it started becoming more political. We just started paying attention to that piece. It was very political. Back in those days, it was a fee schedule issue and then coverage, certain procedures—would Medicare cover it or not? That's where I got interested in politics at the federal level, just paying attention through the national societies.

At the local level, all the sheriffs for the most part—there's one county that doesn't in Kansas—but the rest of the 104 counties elect their sheriffs. My brother Frank had been in public safety, law enforcement his whole entire life. He had been at the Sheriff's Office I think for twenty, twenty-five years. The sheriff that he served under had gotten ill and had retired. So Frank decided to run for that office.

Marearl at that point in time didn't have any political experience back in Johnson County either, and certainly I didn't, but we had to get him elected. We were so green. Again, it's partisan. So it's Republicans and Democrats in the primary and in the general. We didn't know any better. So we knocked on everybody's door. We didn't know that we ought to just get the list of Republicans and go there first and spend your time as fast as you can. We knocked on every door. So he won handsomely because everybody knew him. We look back there, thinking, "My goodness."

AC: I think I've heard nowadays, of course, there's computers; D and R [political party designations on voter lists]; do they vote even, if they are registered? All that information in this big database.

JD: We just had a piece of paper and a clipboard. Marearl would tell us where to go, and we'd go.

AC: I noticed the legislative committee of the Metropolitan Medical Society in Kansas City, Missouri, I think maybe the chairperson of that or the chairperson of the Independence, Missouri Chamber of Commerce, which might have dealt with sometimes political issues.

JD: Yes, we did. We didn't have a PAC there, but we had political committees. I was chair of the Independence Chamber when I was with Discover Vision Centers. Some of the medical societies, they were political. Like I said, it started in the eighties. You were politicized, if you wanted to be or not. So I served on many committees there as well.

AC: I've got to ask. A little exposure of the politics there on the Missouri side, of course, lots of exposure on the Kansas side. Any differences once you cross that state line?

JD: Yes, it is different. It's a little more Wild West in Missouri. When I used to go to Jefferson City, and they still may—it's been a while—they were still smoking in their offices and drinking. I don't know if that has changed or not, but that was still the norm.

AC: When you were growing up, any mentor or somebody that you admired maybe in the political realm, state, local, national that you were really sort of wowed by their contributions, presence, whatever?

JD: You know, my brother, obviously being sheriff. That was probably my biggest mentor, just seeing the process, and how he handled that job and so forth. As far as being political, other than supporting Ronald Reagan because of the Iranian crisis, him solving that, other than that, it just was not.

AC: You had other things on your agenda.

JD: My world was concentrated on health care.

AC: You've certainly done well by that concentration. That's good. So around 2010, you decided you're going to run for the Kansas legislature. What happened there?

JD: That, again, we'll have to put that on Marearl. My senior partner and I had always decided that we were going to retire together. So he retired in 2010; so I retired as well. I was fifty-five, and I needed to do something. Marearl had decided that the House of Representatives would be a good run. She was actually getting grassroots involved then. I remember [Ray Merrick](#) was not Speaker. I think Ray was maybe Majority Leader of the House.

AC: He could have been Majority Leader before that.

JD: They were acquaintances and friends. Ray came over for dinner and basically told me that I would make a good candidate. I was normal. I have a business background. He and Marearl convinced me to run for the House.

AC: Maybe it was that influence as opposed to [Governor Sam] Brownback, [Tea Party](#), some of that.

JD: The Brownback era was interesting. I have history there. Johnson County before 2010 was very moderate Republicans, and the Democrats controlled the delegation. When Sam decided to run for governor, we called it the [Clean Sweep](#) because everybody was really into that change.

I think when that 2010 sweep was over, I think Republicans had won every single seat in Johnson County with the exception of one. Now it's all reversed back. Now the Republicans are the minority party as far as the delegation goes.

AC: So that first campaign, maybe you'd have some experience then helping your brother out, but in that 2010 primary, I see you beat a gentleman by the name of James Walker by over 50 percent.

JD: Walker was my primary opponent and [Dolores \[Furtado\]](#) was my general opponent.

AC: Who was the incumbent. She had served in the House since 2008. She'd also served as a Johnson County commissioner before that. So some name recognition. So to take on an incumbent, somebody, a county commissioner, but you beat her, 55 to 42. So you must have done something right.

JD: I'm a pretty severe introvert, but to win, you have to knock on doors. We just knocked on doors. But we knew which doors to knock on by then.

AC: And I noticed you spent about \$77,000 on that first campaign. I think Representative Furtado, she spent about \$33,000. But out of your \$77,000, I noticed just below \$50,000 of that came from individual contributions. I saw in the clips there the Discovery Vision Center staff were very supportive of you in terms of financial support.

So then in 2012, two years in the House, here you go, you hope to move across the rotunda, and you take on another incumbent, [Tim Owens](#), in the primary. He again was first elected in 2008 and served four terms in the House before that. He had served over twenty years in the Overland Park City Council. So again, lots of name recognition, I would think, just in terms of public service, but you beat him 60 percent to about 40 percent. And then in the general election, you beat Lisa Johnston 64 to 46 percent. I guess no fear of taking on incumbents in the House or the Senate.

JD: When you're a greenhorn, you don't even think like that. I think you probably know a little bit about my character. I'm not very political, even being Majority Leader. I wasn't very good at it. In policy, a little better. When it's grassroots, where you just knock on doors and just do that basic work, it makes a difference.

Things were different in Johnson County back then. Republicans, we were gaining momentum. Dolores Furtado was a friend of our family, and Tim Owens was as well. Again, everything I do is pretty methodical. I thought it as my time—not that I was guaranteed it, but it was just my time personally that I wanted either to do it—go big or go home.

AC: And then in 2016, no primary, and then you beat Don McGuire 53 to 47 percent. And on the 2012 senatorial race, I think you spent about \$164,000, of course, bigger territory from that \$77,000 in the House race up to \$164,000. Of course by then though, you had been in the legislature. So the Political Action Committees, you got about \$50,000 of the \$160,000 from the Political Action Committees, and a fair amount, \$64,000 from out of state.

So I guess just that whole idea of campaign financing and, of course, senatorial [races] are probably more expensive, but just that you need \$200,000, \$300,000 at least these days to run for a Senate seat?

JD: When I was running, especially my last time, things were starting to get very competitive. That was at the tail end of the Brownback era. We were losing momentum, and it was more difficult. It required more resources, financial as well as nonfinancial.

AC: Just in terms of campaign financing, whether it was out of state or Political Action Committees, individuals, no issues with that?

JD: I honestly can't remember. I'd have to go refresh. When it's out of state, it could have been from Missouri. Obviously, our headquarters was in Missouri at that time. It's in Kansas now, but we were headquartered in Missouri. I worked in Missouri quite a bit. So I had a lot of contacts there.

AC: Again, I mentioned some of these committees. The first year, you roll in, you're on Appropriations, you're on Public Health and Welfare, and they're all important, but sort of the powerhouse committees, a freshman, a House member. I noticed because of the renovation of the building, your House office, you rolled in from Johnson County, and you were over in the Docking State Office Building. That must have been sort of an eye-opener.

JD: It was pretty rough over there. Everything was getting remodeled here. So we were all housed over there. I remember there wasn't any drinking water on the floor, and the electrical outlets were basically in the middle of the floor. It probably violated every building code that Kansas and Shawnee County has.

AC: Of course, now they're in the process of tearing it down.

JD: Yes.

AC: So you roll in from Johnson County, the powerhouse committees, certainly a lot of particularly, I think in an institution like this where some people sort of have to serve their time before they can even think about being on Appropriations or Tax was another one. I guess your credentials and maybe Ray Merrick or maybe the governor?

JD: I think Ray helped me. I never got to serve with Ray. When I came into the House, Ray came into the Senate.

AC: That's right. He switched.

JD: And when I came into the Senate, he went back to the House. So we never got to work together, other than chamber to chamber.

I remember when I was a freshman, everybody said that I wouldn't be able to serve on Appropriations. I got to thinking, "But that's where I want to serve." So I just called [Mike O'Neal](#) up. He was driving someplace, and I just called him up. I just asked him, "Why can't I? I have the background, especially in appropriations and the health committee." I remember the conversation. He wouldn't commit to me, but then sure enough, I got on those committees.

AC: Again, I think back to that 2010 election, where you won the first time into the House, again, [Moran](#), [Huelskamp](#), [Jenkins](#), [Pompeo](#), [Yoder](#), Brownback, [Kobach](#), [Estes](#), [Derek Schmidt](#), [Praeger](#). The House Republicans gained sixteen seats. So there were ninety-two of you in the House. Is that too many Republicans on a team?

JD: It ended up being that, didn't it? We had probably just a little bit too much—we couldn't hardly get anything done for a while, but that was the Clean Sweep era.

AC: Lots of changes there. Maybe it is the more fiscal responsibility, and we'll talk more about general funding balances and school finance, those kinds of things. Do you think maybe over time, do you think your outlook, philosophy may have moderated some, just in terms of particularly fiscal accountability and responsibility, taxes and those kinds of things? Did the system sort of—not really co-opt you, but did you learn more about the needs of state government, whatever?

JD: I think the thing that I learned about state government is that the majority of the employees are hardworking and want to produce a good product. You get the perception when you're not in the public sector that folks aren't motivated to do good work, but that's certainly not the case. Everybody, the legislative research, KPERS, every single department that I had interactions with, hard-working, dedicated employees. So I don't think that ever changed. The political climate changed, but I don't think my ideology and structure changed.

AC: In terms of that political philosophy change, so more conservative and then starting to shift back in those ten years?

JD: The Chamber when I came in was very conservative. Then in 2016, that's when the public voted way more moderate folks to come in to repeal Sam's tax plan and Medicaid expansion and solve the school finance. The citizens sent that group up here. The pendulum just swung way back, and now it's swung the other way.

AC: Do you think it's swinging back the other way then?

JD: Yes. Certainly the '20 election, '21, it's all back to being very conservative.

AC: I noticed with some help by the State Library that you'd sponsored over 113 bills and resolutions during your ten years. The 2018 session, of course, you were in leadership, but there were eighteen introductions there. I noticed in 2011, your very first bill to have at least your name on it, the first one was the Health Care Freedom Act. It had to do with whether or not a person could be required to have health insurance or not. I think the bill eventually did pass. And the other one, I think your second bill was to phase out the income tax on corporations. I'm not sure that passed.

JD: It probably did not.

AC: And there are of course some interesting ones. Income tax check-off for the Kansas Art Commission. I think that was maybe when state funding was going to go away. So this was a way—your name was on that one.

JD: Yes.

AC: In 2014, there was a bill removing the red-belly and smooth earth snakes from the Non-game and Endangered Species and Conservation Act. Your name was on that bill.

JD: That was when my rural Kansas connections wanted me to help with that.

AC: So there's not a lot of them in Johnson County?

JD: Not that I'm aware of, nothing in my backyard.

AC: And then, of course, you get into sales tax exemption for sales of certain machinery and equipment for the use of automated ice vending machines. I'm sure there's lots of stories on prioritizing money spent on entities that provide family planning services, probating the outsourcing and privatization of any operations or facilities of a correctional institution in 2018.

JD: That was a carryover from my brother Frank. He thought that was a terrible idea. That was one of the few things that he actually had a sit-down talk with me and basically did not want me to support anything like that. He was adamantly opposed to it.

AC: In all the bills, certainly there were these themes of taxation, fiscal control, social service reform, Medicare/Medicaid, and certainly education, life issues, and really some of these I just mentioned kind of through your career, there were some big ones. Certainly the budgetary difficulties. I think in 2011 when you came in, I think the governor had to do allotments to get the General Fund balanced just to zero. So that's what you walked into in terms of the state budget in 2011. And then, of course, the Brownback tax proposal in 2012 and thereabouts. It certainly changed tax policy and hence the General Fund tax receipts as well, major reductions there. I guess just some of those major areas that you worked on, were involved in, any that I guess maybe you want to expound on a little bit, whether it's taxes, Medicaid expansion, education funding.

JD: The bills that come to mind, they're all over the spectrum. The KU cancer designation bill, I think we needed to find ten million dollars for the KU Cancer Center so they could get the highest level of certification. That was an important bill, not just because I live in Johnson County, but obviously KU takes care—they have a patient from every single county in Kansas. I doubt there was a single person that hasn't had a good friend or a family member receive care at KU. So that was an important bill to me. And the Cancer Center ended up getting the highest designation over the summer. So they actually did what they told us they were going to do. So that was important.

I remember, was it Senate Bill 9 when we funded KPERS? We finally got to the point where we were funding that actuarial required amount. Then the school finance bill, again coming from Johnson County, the union is very powerful. The citizens are very pro-school. We tried a number of ways to skin that cat and could not get it done. So I remember I chaired the Finance Committee, and then Senator [Molly Baumgardner](#) chaired that Education Committee and in '19, we finally solved the issue. The Supreme Court signed off on it, and got out of our hair. So back to business. That was a hard bill to get done. It was a tough one, but it needed to get done because it was consuming all of the oxygen in the room.

AC: Yes. I noticed in 2012, at least in their earlier versions of the Tax Reduction Bill then, from the House floor, you were quoted as saying that the tax bill must have a responsible balance to provide for an adequate liquidity for the State. Clearly, I think that's your financial hat that you're wearing there in terms of your business background, trying to—and of course, with the General Fund recently had been near zero or maybe even below water at certain points, I'm sure that may have been difficult to stand up and tell that to some of your colleagues on the House floor.

JD: The tax policy from Sam's era, it's old news now, but it went too deep, too quick, and because of the political ramifications before I came to the Senate, I thought we had an agreement with the Governor's Office that when we came back that we would clean up the tax bill and we didn't. We just left it the way it was. The word everybody uses, it was unsustainable. It was too deep.

The Governor's Office, Sam got terrible advice from his advisors, all political advice, no policy advice, and Sam needed to start—if he wanted to keep that tax policy at that level, he needed to start turning things off, shutting programs down, but he didn't. It was just cut after cut. So the whole state, the whole apparatus died by a thousand cuts. It bled to death. The public got sick and tired of it, and that's when 2016, those folks that came in, three things—repeal Sam's tax policy, Medicaid, and fix schools. They got two of the three done.

AC: Do you think on the tax plan, from the very beginning you thought it was too deep and too much, or did you think—

JD: When I came back in the Senate and when I saw that budget, it was bad news. I was really disappointed. Then I knew that this was not going to work. You don't have to have a lot of finance background to understand that it was upside down and bad.

AC: I guess the '13 session, things—

JD: It just got worse and worse. We had allotments in the House, and the Senate, the body, we didn't want to cut. We wanted the Governor to cut. So we did all of that manipulation, the sausage-making where we cut the budget.

AC: Very creative.

JD: And we told the Governor to go cut the programs. It was nonfunctioning.

AC: Then on the finance side, the state budget, 2017, the ending balance was projected to be \$87,000,000 and then \$21,000,000. So we're bouncing around at about 1 percent or less of expenditures in terms of ending balance. And then of course eventually the tax policy was changed. Do you think the package that eventually sort of replaced that or righted things was about as best as you could get?

JD: You need twenty-one votes to pass something in this Chamber. We tried a number of maneuvers that incrementally raised the taxes, and the conservative folks—I shouldn't say

“conservative” because there were some conservatives that actually helped repeal the program, but there were certain Republicans and the Kansas Chamber of Commerce that would not help at all. They just dug in.

So we tried and tried to incrementally fix the tax plan to have low tax rates, but there were certain members of the body that would not vote for a tax increase. We tried and tried and tried. When we finally realized that we didn’t have the votes, we basically went back to the tax plan before, and then all the moderates voted for it, all the Democrats, and a handful of conservative Republicans including myself voted for it. We put it right back to where it was.

If you remember the debates, we offered a flat tax, and obviously they’re having the debate this year—

AC: Here we go again.

JD: We offered the flat tax and couldn’t get any traction because it was a slight increase. We just needed to fix the plan. We didn’t need to repeal it. And the Governor wouldn’t help. The [Kansas] Chamber of Commerce wouldn’t help. Certain Republicans wouldn’t help. You have to govern. At the end of the day, if you’re up here to govern, you’ve got to govern. We ended up repealing the whole darn thing.

AC: I think on one of those votes, I think it was on one of the tax bills, your vote was one of the deciding votes.

JD: We had twenty-one to pass it, and I vote early. There’s another senator that votes last. So it couldn’t have passed without either one of our votes. I always take the heat. I always say I was the one because I was okay with that. I didn’t want anybody else to take the heat. It was an awful vote, to repeal all that work when I knew we didn’t have to, but I couldn’t get the votes, and we couldn’t keep on going. We had lost so much credibility as Republicans. It had tarnished our reputations because we couldn’t balance a checkbook. It needed to be fixed. I voted early, but I was probably the deciding vote. I was the most vocal just because of my background, and I was tired of it.

AC: Interesting. On education funding, particularly on the ’17, ’18 timeframe, as that was all sort of playing out there. I guess in ’17, President [Susan] [Wagle](#) appointed you to the Education Finance Committee I guess in response to the Supreme Court ruling as you’re probably very well aware of. That must have been a challenging time, and I know again trying to find money for education, I think Governor Brownback had floated the idea of maybe using some of the tobacco settlement money. I saw a newspaper clip that said that was a nonstarter for you. That money was already being used someplace else for children’s programs actually. Even tapping into some sort of long-term investments of the state, 300 million maybe pulling that out to try to find money for school finance.

But in the end on school finance, do you think ultimately—I guess you satisfied the Supreme Court, Johnson County was pleased with that.

JD: Johnson County schools are super important to the parents and the businesses, but schools out in rural Kansas, that is an institution that employs. Without a school in your city, it's not good. Nobody wanted to lose their school. It was important to the whole state. Trying to put band-aids on it, we were just digging the hole deeper. Again, there's a certain time when you have to govern. That was one of them.

AC: You stepped up and got it done. It looks like there were three special sessions, Hard 50, School Finance, and then COVID towards the end. Luckily, most of those were relatively short special sessions. So that's good. It did seem, just looking through some of the journals, that at least sine die and a lot of these sessions during the year kept getting later and later. I interpreted it meant longer sessions, longer sessions for later sine die. So just the length of the session, is that again just trying to find that sweet spot of the right mix that you can get a majority vote in each Chamber?

JD: I think it just reflects how difficult the sessions were. Again, when you have to get twenty-one votes, and some of those were not going to be done with Republicans. It had to be bipartisan.

AC: Certainly through the years, you just mentioned "bipartisan," I think it was you and Senator [Anthony] [Hensley](#) [who] co-sponsored legislation against private companies in terms of operation of adult or juvenile correctional facilities. That's something that you worked with him on, just as one thing, and just trying to find some common ground. Clearly I'm sure on tax policy, education funding, there was a lot of back and forth across this room to find that sweet spot on both of those.

One of the other topics, we talked a little bit about finance, taxes, budget, education, but on Medicaid. That journey certainly in your last term, you and the [Governor \[Laura Kelly\]](#) had sort of this bipartisan effort about possible expanding the coverage of Medicaid. I think your Senate President at the time was not very pleased with your efforts in that area with the Governor. I read several clips on that. I don't know whether she was so much on that issue, but I think she was concerned about a [constitutional amendment on the abortion issue](#) and wanted that before anything could be done.

JD: Obviously that's a long political journey. I'll shrink it as much as I can. I've never been a proponent of Medicaid expansion under—we'll just call it the traditional Obamacare where you just increase it to 138 [percent of the poverty level]. I think it's a lousy financial idea and a terrible healthcare idea. So I've never supported it, but I worked on a [Republican position](#) for many years.

In 2016, when the citizens sent this new group of legislators up to repeal Sam's tax plan, fix schools, and expand Medicaid, I knew that eventually we would have to do something. And this really started in 2019, the House passed a Medicaid expansion bill under straight Obamacare, House Bill 2066.

House Bill 2066 came over to the Senate in the Health Committee where it was going to die. So Hensley knew that he had the votes. He certainly had twenty-one votes. He knew that. But he thought he had twenty-four votes to pull that bill out of committee and bring it to this floor. If he

would have brought that bill to this floor, it would have passed without any amendments. That means that bill would have gone into law.

So it was Rule #11 that Hensley moved. When he did Rule #11, he needed twenty-four votes to bring it out of committee, and he ended up getting twenty-three. The reason why he only got twenty-three was I was Majority Leader.

So my office is back there. I had a lot of rural legislators come by and say, "I'm going to have to vote when he brings that up because my community and my hospital need it." I basically said—Ray Merrick taught me this. You always vote what your community wants. No matter how unpopular it is with your colleagues, when you get in a tough spot, you always vote for what your community wants. He called it "your district." I told the folks that came back there, "If you've got to vote for it, do it. But if you want to wait until next year, I promise that I will have a Republican position that will be way, way better than what you're going to be voting on," and that's what kept it from passing.

I think when we closed the session out, I think I had even said from my desk that we will have a Medicaid expansion bill discussion, debate next year. And I worked all summer putting the bill together. I had about, I estimate almost 2,000 hours. I had worked on it for many years.

So the bill, it ended up being Senate Bill 252. It had thirty-three sections. Only 5 percent of the bill was Medicaid; 95 percent of the bill was health care reform on the commercial side. It was all the things that I wanted over thirty years of knowing what needed to be fixed.

So I had twenty-one sponsors on that bill. I thought it was going to be a slam dunk. Everybody did. That's why a lot of people got on it. But the 2020 session, when I thought it was going to be a slam dunk, in this business, you never know from day to day what's going to happen. Sure enough, the Republicans wanted a constitutional amendment on the abortion issue, and [Bishop Naumann from Kansas City, Kansas](#) basically stopped Medicaid expansion.

So if you were an opponent of Medicaid expansion, then he's your guy. If you were a proponent, you're mad at him. He singlehandedly torpedoed the bill because he said, "You can't vote for Medicaid expansion until the abortion amendment passes with the public." So he killed it. It never came out of committee.

So all that work was all down the drain. It may never come back unless the legislature changes like it did in 2016. But I don't think anybody would take the effort that I did to build Senate Bill 252. If it ever does happen, it won't be robust like that. It was very comprehensive. It still stings a little bit.

AC: I'm sure it does. At that point, last year, I guess the decision not to run again, did that play into it? You'd done your ten years. You served your time, and it was time to move on.

JD: Yes. Ten years was plenty. I had always told Marearl that I'm good for ten. Ten's plenty. I wanted to be relevant. I wanted to do things, and I think I accomplished what I came up to do. It was just time.

AC: Through the research, I don't know whether the rankings ever mean anything or if you ever attach any real importance to them. Maybe you don't even look at them. The Policy Institute, for example, in 2018, you had a 29 percent rating from them, but in 2019, you had a 72 percent rating. In Mainstream Coalition, 50 percent in '19, 23 percent in 2020, NRA 93 percent, Family Voice 100 percent.

JD: I don't pay any attention to that. Obviously everybody has their beliefs. My family being from Western Kansas, my brother being law enforcement, the Second Amendment is just second nature to me. I'm a Second Amendment person. Pro-life, again, growing up in a Catholic family, I've never made it front and center, but I've always voted [prolife] for the most part. The constitutional amendment, I tried to talk the leadership out of bringing that to the floor because it was written terribly, and it was written to eliminate abortion. Again, the public doesn't want that. I didn't want to bring that amendment to the floor because I knew exactly how it would turn out.

The Kansas Policy Institute and the Mainstream, they're political hacks. I don't really have any interest in what they do.

AC: Reapportionment. I guess in 2012, the legislature couldn't reach agreement. So your federal friends at the court decided to do it.

JD: My map wasn't great. I wanted my map a little to the west. I think if we would have drawn it, if I could have taken it a little to the west, it certainly would have made my district easier. But, yes, my district was fine. They went way south, and I wanted it to go west.

What the feds did, I'm sure that there was some political favors maybe in this county, but we did fine back in Johnson County.

AC: When you were in the House, Speaker O'Neal, and then of course, so much interaction with O'Neal once you got in there for that two years or maybe as a freshman.

JD: Mike was a good leader. Even though I was a little older than a lot of the freshmen, he would take time I think on Fridays and have a meeting with all the freshmen that wanted to meet. We had such a huge freshmen class. The room was full, and he would take time to talk about procedures. That's half the battle. If you know how to do things, you can get things done. And he was very helpful. I liked working for him.

AC: And then Governors. Of course, we mentioned Brownback and then [Colyer](#) and then [Governor Kelly](#). And, of course, Colyer and Kelly, you were the Majority Leader. So you probably had more opportunity for interaction with the Governor, the Governor's Office then.

JD: I had plenty of interaction with all the Governors. Maybe it was the committees I served on. Jeff Colyer's from Johnson County and in health care. So I'd known Dr. Colyer for a long time. I've always had that line of communication. And Governor Kelly, she was always the ranking Democrat. We served on every committee together, and I was the Vice Chair.

AC: Conference committees and all that.

JD: So we worked together a lot. It wasn't a stretch.

AC: So ten years in the legislature, two in the House, eight in this chamber. Maybe I should stop there and say, between the two chambers, any preference?

JD: No doubt. I've said this many times. I liked the Senate better. If you're a bit of an introvert, and I'm a big introvert, it's more structured here. Things are in boxes.

AC: Less so over there?

JD: And in the House, it was wild. That's the design though. You throw stuff on the wall, and if it sticks, it sticks. If it doesn't, just go back and get another handful.

AC: Something else.

JD: It was interesting, but my brain worked better here.

AC: So particularly in your time as Majority Leader, if you had the biggest challenge, if there was only one, would it have been taxes? Would it have been Medicaid expansion?

JD: Being the Majority Leader, it's a great leadership spot to be in because I kept a lot of bills that nobody wanted to take a vote on, I just kept them away. That's half the battle. When the Chairman brings a bill out, most of the time, he or she wants it heard. Some of them were too stinky, and I just wouldn't do it.

AC: Did your drawer get pretty full of bills that were pigeonholed there?

JD: Below the line got pretty deep. I loved that job. President Wagle let me do it. She wasn't happy with Medicaid, but I think she wasn't happy with Medicaid because politically she wasn't supposed to be. We never could get a hard work requirement. The feds wouldn't let us put [in] a hard work [requirement]—I think if we had had that in there, she would have maybe even supported it. We got sidetracked on that because it was super political, and I had worked with the Governor and made a lot of people mad.

Again, I had twenty-one sponsors. I just thought it was going to be a slam dunk. I was kind of excited because it had so much health care in. It would have been a model bill for Republicans in the US.

AC: So it's not necessarily the biggest disappointment, but maybe it is that in terms of something you hoped to get accomplished in your ten years here that you just didn't quite get to the finish line,

JD: Certainly, that health-care bill—I always refer to it as the health-care bill because it was 95 percent commercial and 5 percent Medicaid and having to revert back to the tax policy. We had a chance. We had the Governorship. We certainly had the votes. We could have had a very good tax policy. We have a lousy tax policy now. It's terrible for citizens and companies. It's bad.

AC: Have you reviewed the current discussion on tax policy changes much?

JD: No. I'm just going to leave it alone. I've been there, done that.

AC: Certainly taking on tax policy, education funding, Medicaid, or health policy is certainly some big issues.

JD: Another backroom story, the Governor used to come over in 2019. She was really adamant that I work Medicaid. I told Laura, "My bandwidth is full. I've got school finance. I can't work on it." She was really mad at me. I think she cracked the door one time when she slammed it.

AC: She made her point though.

JD: I didn't have the bandwidth to do it. I really thought Hensley was going to pass that bill. The folks that came to my office, he would have had two to spare, and it would have been law.

AC: I noticed, I guess it was probably in the announcement in May of 2020, when you announced that you weren't going to run again. You had stated you had seen too much hyper-partisan gamesmanship, and the legislature should not allow such partisanship to continue in this pattern, and there was a dire need for legislator to focus not on singular goals but rather on the big picture of every policy we are presented. It sounds like some words of wisdom there.

JD: It was personal experience. That was a pretty rough year for me. Being a Majority Leader, taking that much heat from your own caucus and being the Majority Leader and having to push back against quite a few. It was a rough year. That flowed pretty easy from my mouth.

AC: Perhaps from the heart in that case. There's one question that we ask all of our people that we interview or visit with. It's a required personal identity question. It's several lines long here, but I'll just read it to you: "Personal identity is loosely defined as gender, age, race, class, sexual or gender orientation, marital status, etc. Did you experience during the time you were in the legislature where you believed your personal identity influenced your ability to pass policy, work with fellow legislators, or provide constituent services? Were you ever given committee assignments or tasks that you believe were functions of your personal identity?"

JD: Alan, if I understand the question, I think both chambers when I served in the House when I was a freshman and certainly in the Senate, none of that ever came into play. Everybody was treated fair, no boy, girl. I never saw that and certainly wasn't treated in that manner and didn't treat anybody in that manner as well. Everything was very professional.

Just kind of a funny side story, being from Johnson County, you take a lot of heat because they think we live in some sort of bubble, and maybe we do, but we always take heat just because you're from Johnson County. My nickname on Appropriations was The Walking Calculator.

AC: I think I experienced some of that. Staff knew never to challenge your numbers.

JD: I think those issues, thank goodness they're not here that I experienced or—I wasn't the recipient, and I certainly didn't give out. I didn't see it.

AC: So maybe just reflecting on the ten years that you were in the legislature, did the institution, the House or the Senate, did it change over the ten years? How the institution functioned, maybe how it interplayed with the other branches of government, how it was organized or conducted its business. Ten years maybe isn't a long time for an institutional change.

JD: The caucus has changed a lot in my tenure, the pendulum swings back and forth. But I think the institution is very solid. Everything from an institution functioned as it should have. The secretaries and the department heads of certain organizations all functioned correctly. I was pretty pleased with it.

AC: So I think then, I guess you feel good about your ten years of service and that the policy has been improved, and that you left your mark in certain areas better than maybe you found it when you arrived, and you were sitting over there in the Docking state office building?

JD: Certainly certain areas. Your department, KPERS, we really shored KPERS up. When we did the bonding, we took a lot of heat from that. Now we look like the smartest people in the room, 3 percent arbitrage. That's easy. Debt's debt when you're saving 3 percent. The KU cancer [center], solving the school [finance issue], just getting the Supreme Court back into their lane. Tax policy, a super disappointment. We could have had a genuinely very good policy that possibly could have actually attracted folks to Kansas. We muffed it.

AC: So never's a long time. Would you ever see yourself returning to elected office?

JD: I don't think so. I'm going to be sixty-seven. I've got a few things in the private sector that I'm winding up that are time-consuming and fun. I don't think so. Never say never. I wouldn't mind serving on the KPERS committee if I ever had the chance. But other than that, I don't think I'd come back into the Senate.

AC: Let's say you're at the grocery store and somebody comes up and says, "Hey, I'm thinking about running for the legislature." What advice would you give that person?

JD: It's hard work, and you're gone from your family for three or four months. If you want to be relevant, it's full-time work.

AC: You need to be here. Did you stay here or did you drive back and forth?

JD: I did both. Marearl's health for a couple of years was not good, and I drove home every night. Obviously, KU saved her life. But when I was the Majority Leader, her health was stable, and I would stay up. Again, if you want to be relevant, your day ends around 9 or 10 p.m. So driving even home an hour, an hour of sleep is way better.

AC: Then coming back the next morning pretty early.

JD: I stayed. The camaraderie when you stayed, it's just—I did both.

AC: So you lived representative government. You saw state policy. Do you think overall the process works even with its bumps and side turns?

JD: It does work. At the end of the day, we do make it better. It's hard getting there, but I think the process works. It's long. Sometimes it gets ugly. Sometimes it gets mean. But at the end of the day, it does work.

AC: That's good. Maybe it's like asking which one is your favorite child, but did you have a favorite committee that you served on that you really enjoyed?

JD: I loved Ways and Means, especially when I was Vice Chair because in the end, you get to control lots of stuff, and you know what's going on. So I loved that. I really liked the Confirmation Oversight just because you got to see who was being appointed where. That was a fun committee. But Ways and Means was good, just because of those numbers, very comfortable. The numbers were big and fun.

AC: Anything that I didn't touch on that you'd like to share with us?

JD: We worked together for many years. You obviously were really good at legislative research and helping me actually understand the budget when I was on Appropriations. You were almost a mentor. You probably didn't even know it.

AC: I didn't know it.

JD: I enjoyed working with you, and I'm glad you were the interviewer today.

AC: Thank you. I've enjoyed it. Somebody from Great Bend, Kansas, you did well. Anyway, I think that concludes our discussion today. I appreciate Senate Majority Leader Denning's time and comments today.

JD: Thank you, Alan. Thank you.

[End of File]