

Alan Conroy: Good afternoon. Today is April 16, 2021, and it's 1:30, and we're in the House Chambers of the Kansas State House in Topeka, Kansas. I'm Alan Conroy, a forty-year state employee with the majority of that state service working in the Kansas Legislative Research Department, the central non-partisan research and budget staff for the legislature, and I'm currently with the Kansas Public Employee Retirement System.

I'm very pleased today to be interviewing Speaker Mike O'Neal who served twenty-eight years in the legislature, fourteen elections, twenty-eight years all together. He was Speaker of the House from 2009 to 2012, if my research is correct, and ultimately Speaker O'Neal decided not to run for re-election. He left the [House] Chamber to become the Chief Executive Officer of the Kansas Chamber. After four years at the Chamber, he retired sort of to open his own legal consulting and governmental relation firm, O'Neal Consulting, LLC.

I'm conducting this interview on behalf of the Kansas Oral History Project, Inc., 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 Humanities Kansas. The audio and video equipment is being operated by former House Speaker pro tem David Heinemann.

We'll go ahead and start then. Mr. Speaker, in doing the research, you were born in Kansas City, Missouri. I don't know whether that's a well-known secret or not, given your crimson and blue blood thumping in your veins, but you were actually born on the Missouri side.

Mike O'Neal: Yes, I was actually given up for adoption as an infant. I was born at a maternity hospital in inner-city Kansas City. I wasn't there very long because a wonderful family from western Kansas adopted me, drove me home, I'm told, during the Flood of 1951. So in order to get from Kansas City, Missouri to Scott City, Kansas, they had to go south to Oklahoma and come across Oklahoma and then up north through Garden City and get me home. I'm told I've been a little bit of a problem ever since.

It's a great story because I think one of my earliest memories is knowing from my parents this story. It was great. And needless to say, that experience has sort of molded some of my political views over the years. When I had time to think about it, when I was a little bit more mature, it suddenly dawned on me perhaps how close I was to not being around. That would have had an impact on not only me but my son and daughter, and now my two grandkids. That's one of the blemishes in my history that, yes, I was born on the Missouri side. That's a cross I have to bear.

AC: You lived initially on a farm near Manning, Kansas.

MO: Yes, my parents actually farmed outside of Manning. My dad went to Manning High School.

AC: I looked on the map, trying to find Manning, Kansas. Is it still there?

MO: Not to my knowledge.

AC: Not incorporated maybe?

MO: But I will tell you a little. My father's banker was Robin Jennison's grandfather. It was the Jennison Bank. I played baseball against Jennisons when I was growing up.

AC: How was he as a baseball player?

MO: I never played against him. He was so much younger. But I played some of the Jennisons.

AC: That's neat. That was near Scott City. You moved to Colby for a little bit then actually to Scott City. Is that right?

MO: Yes. It's kind of a sign of the times. My dad had several brothers, and as luck would have it, there was not enough farm ground for that many sons. Dad made the decision at one point in time to get out of farming and move to town and get into business. Primarily his career was in sales. He had a bread route. And the story there is that he delivered bread in Scott City and then Leoti and Tribune and had that route.

Then years later, he actually bought a dairy, not a working dairy, but actually Fairmont Dairy in Garden City packaged milk under his label, and he had a truck and an employee. They delivered milk door to door. We were kind of the Staff of Life family. I learned that the bread route paid the bills, and eventually the milk route sent me to college.

AC: Did you get to deliver bread and/or milk?

MO: I did both. I stocked shelves of bread, and I took milk. I delivered milk out to the church camp out at Lake Scott. I didn't do any of the door-to-door type of delivery, but I do remember taking five-gallon containers of milk out to the church camp.

AC: I noticed again—you graduated from Scott Community High School in 1969, and I noticed there was a reference that you graduated #2 in your class.

MO: Yes.

AC: Was it close between 1 and 2?

MO: It was.

AC: Do you know what happened to #1?

MO: No. Mike Aytes was his name. He was a personal friend. We played basketball together. He was tough. He was tough. He earned the valedictorian spot. I was a close second. I was happy to be in the same company with him. He was smart. He went on and had a career in teaching and did quite well, I think.

AC: That's great. Although you must have done well because you got a National Science Foundation scholarship to go to the University of Kansas.

MO: I did.

AC: You got your BA in English, and then of course you went on to law school. But while you were in law school, you had the opportunity to intern with the Office of Legislative Counsel here in I guess this building. Was it your second and third year of law school you actually were here in this building as part of that?

MO: And actually I was not in this building so much because the office itself was across the street in the Merchants Building, where I office now as a matter of fact. I officed with my best friend in the world. We went to law school together, Brad Smoot. I interned for two years. Brad interned the second of my two years. We were fortunate enough to get involved in some very interesting litigation. One was Brown vs Wichita State University, coming in the aftermath of the tragic Wichita State University plane crash. Back then we had governmental immunity. The question was, has that outlived its usefulness?

First it was struck down, and then the Supreme Court in large part due to some briefing that we did reconsidered and basically made it possible for the legislature to come in in the interim and fill in the gap and create a Tort Claims Act. Even though I wasn't in the legislature at the time of the creation of the Tort Claims Act, we can claim a little bit of credit for at least getting the ball rolling.

Then another fascinating case was Leek vs Theis, and it was a struggle between an outgoing governor appointing to the Parole Board and the incoming governor appointing the same position. And the question arose, who gets to make that appointment? That was a fun one to work on. It was a great experience for a law student.

AC: What an opportunity.

MO: Bob Coldsnow—

AC: I was going to say.

MO: What a gentleman he was. We would work all day, work real hard, and then he would take Brad and I over to Robbie's, do you remember Robbie's?

AC: Yes.

MO: And we would have raspberry pie. Bob loved raspberry pie. It was always a treat for us. That was our reward for a hard day's work.

AC: That's great. You graduated from law school, and then you headed to Hutchinson.

MO: Yes.

AC: Joined the law firm of Gilliland and Hays. Is that right? Did you go on your own?

MO: No. I actually started with Hodges firm. It was Frank Hodges's law firm. Of course, Frank might have been the Majority Leader in the Senate at the time. There was a legislative history there, and I went with that firm. I kind of had in the back of my mind that I might be interested in politics, and I worked for that firm. I became a partner after three years and then worked for that firm for twelve years and then moved over to Gilliland and Hayes.

Of course, Hays was John Hays who was House Majority Leader. He chaired Judiciary. He chaired Insurance. He served in the 104th District for fourteen years. Then there was a couple of Democrats in between, and then I won in 1984.

So I worked for two firms that had a strong support for public service, and both firms were very accommodating.

AC: They'd have to be.

MO: They'd have to be, as it turns out. I feel very blessed to have gotten in that situation. A lot of firms don't support public service. Very quickly, when John Hays was in the legislature, the Judiciary Committee was made up of however many lawyers there were in the legislature. It wasn't necessarily a twenty-one member committee or a twenty-three member committee. Dave will remember this. It's how many lawyers.

By the time I got to be Chairman, we had to count a law student I think in order to get to 50 percent of our membership, and now today, you're lucky if you have more than two or three on the committee. As you know, the Senate for the first time in the history of the State of Kansas didn't have an attorney on the Judiciary Committee. So the Chairman was not an attorney but an awfully capable gentleman, a very dear friend of mine, Rick Wilborn, but that was an odd situation. To me, it's sad. I'll toot the lawyer's horn for a little bit. I think lawyers are—you shouldn't have a legislature made up of only lawyers, but I think they do add something, and I think we lose something when firms don't support that kind of public service. I think the state and the legislature are better off when you have some people with legal training involved.

AC: Yes, absolutely. You were a Reno County precinct person, if I remember correctly?

MO: Yes.

AC: And then you were on the Executive Committee of the Republican Party for Reno County?

MO: Yes.

AC: But never any interest in City Council or School Board or any of that?

MO: No. I did get involved fairly early in Chamber of Commerce work there in Hutchinson. I was in the Ambassador Club. But then I did want to be involved in the Republican Party. We had an election where the incumbent, a Democrat in the south part of town, the 102nd District was running unopposed again. They said, "Well, we really need a challenger there." I got recruited for a bit of a kamikaze mission.

It was John Meyers who went on to be the Meyers of Augenblick and Meyers in the school study. John was a Boy Scout exec, a nice guy. We had probably the nicest campaign imaginable because we both liked each other. I worked hard and basically got beat by the same percentage as the Democrat Republican registration. I had a great time. I enjoyed going door to door. I lost in November. By February, I'd moved into the 104th District, a little bit further north that was more of a Republican-friendly district. I had the good fortune of running and winning then two years later.

AC: Yes. Your district was part Hutchinson but then out into the county, Buhler. Did it change through reapportionment through the years?

MO: Through reapportionment, redistricting. When I first got started, it was all city, and Hutchinson was pretty much divided north and south along 17th Street. Then during the next redistricting, which would have been I think '92, the incumbent from Buhler decided to announce his retirement. Of course, during redistricting, we can talk about this all day long—during redistricting, one of the first things you want to know is "Who's retiring?" If you know somebody's retiring, there's nobody to protect. You can use that real estate if you need to to move boundaries. That was Jess Harder, a fine gentleman, educator, but Jess made it known that he was going to retire. They literally drew my district in such a way that I then picked up the northeast corner of Reno County, which was just a gift. I picked up Buhler. I picked up Prairie Dunes County Club and the area down there. It was just an area that I thoroughly enjoyed representing there for the rest of my career. I felt blessed to have the district I had.

AC: We talked a little bit about your family, but was there anybody like a parent in terms of very politically involved? Were you exposed to any of that while you were growing up or maybe even in college?

MO: I suppose when I was again a second-year law student, I decided to clerk for a very small firm out in northwest Kansas because I wanted to know what it might be like to return to western Kansas and have sort of a small town law practice. I didn't think that that's what I wanted, but I didn't want to rule it out either. Jim Milliken and then Norm Wilks were partners

out in northwest Kansas. Of course, Norm went on to become a Kansas Association of School Board's attorney, but great guys. And Senator Christy from Scott City was the gentleman who gave me my first set of statute books. Not that that necessarily piqued my interest in politics because I was involved in student government and I always ran for Student Council and whatever. It's probably in my blood.

But to answer your question more directly, I wasn't necessarily interested by parents or anybody in my family. I guess I grew up ambitious, and I liked government. I liked civics. I liked history, and I think I knew when I was in seventh grade that I wanted to go to law school. My dad would have liked to go to law school, but there just wasn't the money, and he went to Simpson College in Iowa for a while and then basically had to come home to work. But I knew that he had a bit of an interest and so did I.

I maybe should have looked a little bit broader, but I was pretty focused. From the time I was in seventh grade, I knew that that's what I wanted to do. And then it was kind of like, "Oh, except you've got to score fairly high on the LSAT, or it doesn't happen," and it's like, "Oh, well, there's a little hurdle here to clear." Fortunately, the LSAT turned out okay.

I was able to—but I was in the School of Education at KU as Plan B because if that wasn't going to pan out, then I wanted to teach. And the good news about that was I finished law school, and I go out to Hutchinson. Well, the community college needed evening college instructors in police science and the corrections and their legal assistants program. I taught for eight years at Hutchinson Community College, evening college, and just loved it. I got to do a little bit of both. And Ed Berger who later became a senator was the president at the time for most of that time. It was a great experience.

AC: Was there somebody maybe who you admired in local, state, national politics to kind of role model or aspire to or somebody who really—

MO: This will come as no shock. Bob Dole. But my personal story about that was he actually wrote me a personal letter when I got my Eagle Scout award, and that was when he was congressman at the time of the first district. I still have it. I still have that letter. I just thought that was so cool that he would take the time. That was before they stamped the signature on everything, but this was a personal one.

One of my favorite all-time pictures is my first election, Kansas State Fair, and Bob and Elizabeth are at the fair, and I get my picture taken with them. So it's a very young Mike O'Neal and a pretty darn young Bob Dole and Elizabeth Dole. I just cherish that photo.

AC: How special. That's neat. So you decided you were going to run for the legislature in 1984. Of course, you ran that year. That was the year you were elected.

MO: Yes.

AC: You beat an incumbent Democrat.

MO: Yes, Steve Ediger.

AC: And, of course, '84 was a presidential election year. Ronald Reagan, [Nancy] Kassebaum, Jan Meyers all won. The House, the Republicans gained four seats that year in that election, so up to seventy-six then. Vern Chesbro was the State Republican Party Chair. Eric Rucker was the Executive Director of the Republican Party then.

MO: Yes. Dave Kerr and I came in the same night. He ran against an incumbent, Burt Chaney, for Senate, and I ran against the incumbent Steve Ediger, and we were backed by the local Chamber because that was sort of the front end of the economic development movement. We kind of came in on the—I wouldn't call it a wave. We've had much bigger waves since then, but that was sort of the issue of the day was economic development, trying to get some incentives and that sort of thing going. Dave and I actually came in the same night and sworn in the same day.

AC: So you won with 52 percent of the vote over an incumbent. That's pretty good.

MO: Yes, I was behind the whole night, but it's either the 10th or the 11th precinct in Hutchinson is made of primarily of Wesley Towers retirement community. I think their rate of voting is like 99.5 or something. Everybody votes. And they were primarily, if not almost exclusively Republican, North End Republicans. It didn't look too promising because I didn't really understand how that precinct, how that worked. Then they came in like gangbusters late in the evening, and I pulled it out, and they were a great precinct to have from there on out. They were very kind to me.

AC: Was that campaign a lot of door to door?

MO: Yes. One of my favorite legislative stories actually came out of door to door. You just never know what you're going to run into. If we've got a minute, I'll tell you.

AC: Sure, yes. This is your time.

MO: It was the Alphabet Tax. I'm going door to door, and I come up on the doorstep of a gentleman. You're always saying, "Is there anything that you would like to share?" And it wasn't my first election. I'd already had some experience, but I think it was my first re-elect, and he said, "I'm paying more taxes than my neighbor whose name is in the first half of the alphabet." I'm thinking to my myself, "No, no, it can't be." But I indulged him. Thankfully, I did. I said, "Explain it to me."

&That was back in the time, you may remember this, when we were paying our automobile property taxes. So the first half of the alphabet paid during one period of time, and then the second half of the alphabet paid at a different time. He was convinced, and he said he'd done

the math, and those in the first half of the alphabet were paying less or conversely his half of the alphabet was paying more. He said, "I want you to look into that for me." I go, "Well, okay." It just doesn't seem very plausible to me.

&Lo and behold, I get back, and I check with the legislative research and have them look it up, and lo and behold, they did the calculations, and they said, "He's right." We ran a bill and fixed it. From then on, I'm going, "Door to door, you never know because there's going to be a gem in there someplace where they really do"—constituents know stuff, and they experience stuff."

&If it wasn't door to door, it was the Dillons store on 30th Street. I'd go there on the weekends. The joke around the house was I'd go there on the weekend to buy a gallon of milk, and it would take me two, two-and-a-half hours because there was always somebody there who wants to bend your ear, and I loved it. I never got tired of that.

AC: That's good. Like we said, you were elected fourteen times. You never had any primary opposition.

MO: Never had a primary.

AC: Was it two elections, no opponents; two elections, a Libertarian opponent but no Democrat. Does that sound about right maybe?

MO: Yes. I thought there were more uncontested than that, but it might be including the Libertarian who by the way was a very interesting gentleman. Bennie Ferguson was his name. He was—I'm probably not going to use the right term in terms of today—but he was a cross-dresser but just an absolute gentleman and had a lot of respect for me, and he would come to these debates, and he would instead of attacking or talking about how terrible things were, he would basically espouse the libertarian views. Some of the things I believed in, he believed in, other things not. He was one of the more delightful opponents I think I ever had, just a real interesting fellow and had an interesting website. That's all I'm going to say.

AC: You came here to this Chamber in 1985. Of course, not all of these were elected in '85, but this was the body you joined. Just looking down some of the names—Denny Apt, Ginger Barr, Gary Blumenthal, [Bill] Buntin, [Rochelle] Chronister, [Sandy] Duncan, [Wanda] Fuller, [Duane] Goosen, [Mike] Hayden, [Henry] Helgerson, [Dave] Heinneman, David Miller, [Gayle] Mollenkamp, [JoAnn] Pottorf, [Joan] Wagnon, Burr Sifers, [Vince] Snowbarger, [George] Teagarden, [Bob] Vancrum, Donna Whiteman, Bob Wunsch. That was really quite an interesting and distinguished body, when you think about those kinds of people in public service.

MO: It was a great group. I felt very privileged to be sitting in the back row with my friends. One of my favorites in my class was Martha Jenkins, a really, really smart daughter of a military family, funny as could be. I really enjoyed the people I served with.

AC: Do you remember the first time you came to the well and were standing at that podium right there or close to one?

MO: You know, I do not.

AC: They didn't haze you too bad or anything?

MO: I know that was the tradition, and I know probably when I first carried a bill, there was something, and you'd think I'd remember that. I do not. I do not.

AC: I noticed you served on some interesting committees through the years.

MO: Yes, I did.

AC: Clearly, Judiciary, Education, Transportation. You were never on like Federal and State Affairs?

MO: I was not.

AC: What about Appropriations?

MO: No.

AC: I guess maybe by choice? I assume you had your requests, and you were more interested in Judiciary, Tax, and Transportation?

MO: Yes. It was called Labor and Industry back at the time. I had an interest in employment issues and workers comp. So Arthur Douville was the Chair. I enjoyed that committee. Joan Wagnon and I were just joking about being on Public Health and Welfare with a chain-smoking chairman, which I thought was really odd. I was interested in those issues, but I didn't necessarily enjoy serving on that.

Once I became Chair of Judiciary, I didn't have to have the workload, just a full component of committees. I was okay with that. I remember taking a sabbatical from being Chair of Judiciary one year, and Speaker [Tim] Shallenburger made me Chair of Education. I remember going, "What did I do? Was it something I said?" It was an extremely interesting year because then I went on after that to have an incredible amount of interest in education, school finance, things of that nature, and that two-year tutelage I thought was very helpful, as it turned out. I guess I owe him thanks. But then I went back.

Then we were in the minority for two years, and so my ranking minority member was John Solbach became Chair. What a delightful person. We're friends to this day. I was blessed to have him as a ranking minority member. I think he appreciated me. We got along great, and that's not always the case as you know, but that was a good experience.

AC: You mentioned the speaker. I was just looking back through the speakers you served under during the time. So Hayden, [Jim] Braden, [Marvin] Barkis, the Democrats that you mentioned; Robert H. Miller, of course, Shallenburger, [Robin] Jennison, [Kent] Glasscock, [Doug] Mays, and then [Melvin] Neufeld.

MO: Yes.

AC: Then of course, you decided to run for Speaker against the incumbent Speaker?

MO: Yes, it wasn't the first time I ran for Speaker.

AC: Right. You were successful.

MO: I would mention that in case you were thinking about mentioning that. But I have a reason for saying that. There was a time when I thought it was my time, and it wasn't because your time is not determined by yourself. It's determined by your colleagues.

AC: Sure.

MO: I was getting the "Well, if you're Speaker, who's going to be Judiciary? You do a good job as Judiciary." At first, it was kind of like, "You mean, I can't do this because you want me to do that?" But anyway I remember when I got elected Speaker, and it was either my first speech or my retirement speech, and I think it was my retirement speech. Basically I was thanking my colleagues for having a better sense of what my time was than I did because if I would have done it when I first thought about it, I would have been gone a long time ago. I wouldn't have experienced all the things that I experienced since. So it really worked out for the best, but it's kind of like, well, if you run and lose, then it's kind of a bummer. You kind of feel sorry for yourself, a little bit. It worked out very well.

It's not every day that you run against an incumbent Speaker. Melvin Neufeld and I in many ways, we were both by then pretty conservative leaning. I did have some issues which we don't need to go into, and I also thought the clock was ticking on my tenure in the legislature, and I really did want—if I had the opportunity to retire as Speaker, then I would like to do that. So I took that on. Fortunately, I was able to win. Melvin was very gracious. He asked for, and I gave him the Federal and State Affairs chairmanship. We remained friends for the rest of his life. I attended his funeral here recently, which was an awesome celebration of his life. So it was not acrimonious. It was a little bit philosophical even though it was running against a conservative. It was what it was.

AC: So were you surprised at the outcome once the votes were counted?

MO: Anybody running for leadership, their surprise is that they didn't win by more than they did because they thought they had this many promises, and they ended up having x - y. That

was the case although I had plenty of margin. But, yes, it's always closer than you think. The thing is, you just get obsessed by this. I can remember, in Hutchinson, I'd walk the dogs. I had two Labs. I'd walk them every night. And every night was the same process, only it would change every night from working in the western part of the state to the eastern part of the state and counting votes. And then the next night you'd start at the eastern part of the state and work to the western part of the state and see if the votes add up to the same number of votes that you had the night before, and it just became—it's a counting game, as Dave Heinemann knows very well, as you know very well. You see every part of the state.

AC: A lot of miles.

MO: Lots and lots of miles. It takes a whole lot more time than what you thought you would, and even then you wish that you spent more time on it. But, yes, it was worth it. I would have done it again. I'm glad I had the opportunity to be Speaker.

AC: So all those Speakers that we just mentioned there, were there any of those in terms of a leadership style that you thought was really effective?

MO: They all were. I thought they were all effective in their own way. Kent Glasscock is a good friend of mine, although we don't get to see each other very often. I don't know whether I coined this, or it was coined and I stole it, but he was a "build your own salad" Speaker. That actually could be a criticism, but I considered it to be more of a compliment. He didn't just set an agenda and then just say this is the way it has to be. It was, "We've got a smorgasbord here. We've got a salad bar. We're going to see who signs up for this." He wasn't afraid to put things out on the floor even if they might fail. He wasn't afraid to have issues fail.

Mike Hayden on the other hand, and I respected Mike as a leader. My only criticism of Mike Hayden was when he left from the third floor to the second floor, he forgot a lot about what he learned on the third floor. I wish he'd have been a little more friendly towards the legislature. But Mike was one of those that didn't want to lose, ever. We would actually caucus back in the Speaker's room. It wasn't big enough to have everybody. We'd caucus in two separate groups, and it was—you counted noses. This was the calendar, and you have to get to 63 or 63 plus, and sometimes if he didn't get there, it was like, "We need you today." I remember being one of those that needed to have a different point of view about a bill. But that in its own way was efficient. You'd get out there, debate, and you'd pretty much, you knew what the outcome was going to be.

I'm kind of dancing around your question because I thought each speaker had their own unique style, and in many ways, it worked, or the caucus found a way to help it work.

AC: That kind of leads me to my next question. When you were Speaker, in terms of your leadership style, kind of how you ran the House or attempted to run the House.

MO: Right or wrong, I did something that none of my prior Speakers had done before. We actually had a retreat in Wichita before the session, and it was the old-time retreat where you had the big pieces of paper, and you'd tape them to the wall, and you'd put ideas. Everybody in the caucus got to have input, and we would by process from the beginning of the day until the end of the day developed a legislative agenda. I don't know whether it was a Newt Gingrich Contract with America type of exercise, but it succeeded because caucus members felt like they were being listened to. They felt like they had input. At the end of the day if their idea didn't make the list, they knew why because they didn't have enough—so we literally started the session with an idea of what the priorities for our caucus were. I thought that worked pretty well.

Of course, the other thing was, pick your best chairs, not necessarily based on seniority although that is important, but the ones that you think will lead well and then let them. We did have chairman's' meetings every week that were—I wanted to make them more than just social gatherings. I really wanted to know what was going on and whether they needed help and this and that. So I don't know necessarily what I did that worked or what I did that didn't work, but I had a great caucus to work with.

I remember, my first term as Speaker, Kathleen Sebelius was governor for one year. Mark Parkinson who was a friend of mine was the governor the next year. I had a caucus for seventy-six Republicans. And it was tough sailing. In a Senate that—we didn't agree on a lot of things back then. And then my second term was when Brownback got elected. My caucus went from seventy-six to ninety-two. My joke was, overnight, my jokes suddenly got funnier, and I was more handsome. The tide was turning, and all of a sudden, things got a little bit easier.

But then I realized that I'd spent two years looking over my left shoulder at what was going on, and then I spent my next two years having to look over my right shoulder because my problems weren't on the left anymore. My problems were in my own caucus, to the extent that there were problems. Sometimes you can have too many friends. You can have too many of one, and it became a little bit like herding cats. That's just what's beautiful about democracy. I mean, it's messy, but it works. What's the saying? It beats whatever the heck comes in second?

AC: Ninety-two out of a hundred and twenty-five, that's quite a caucus.

MO: Yes.

AC: Just in terms of the conservative and doing some of the research, some of the materials I read talked about between '92 and '98, there was a conservative insurgency within the Republican Party in two philosophies, important areas. One was, of course, fiscal conservatism. State government was too big. Taxes were too high. We're spending too much, borrowing too much. There was sort of that group. In fact, I'd forgotten it, but I guess in 1987, there was a Republican Reform Caucus of twelve legislators built around that fiscal conservative—David Miller, Kerry Patrick, Gayle Mollenkamp, that list, and you weren't a member of that caucus?

MO: No. I came in before there were the labels as far as I was concerned, as far as I recall, and there might have been except the Rebel group, and that's what it was referred to at that time. If you would have labeled me when I came in, I was a social conservative and a fiscal moderate. Over the course of my representation of my district in Hutchinson, I saw my own constituents go from being fiscally moderate to fiscally conservative. I remember one prominent family in particular who were very moderate and over time became very conservative. There's an old saying, "If you're young and not liberal, you have no heart, and if you're over fifty and not conservative, you have no brain." That is sort of the same.

But in real terms, JFK was one of my heroes when I was growing up. I wasn't just sort of a dyed-in-the-wool Republican. I respected leadership. One of the first presidents I met was LBJ, and I thought that was fabulous. I would like to say that I came by my shift to conservatism naturally and not as a politically expedient—where's everybody headed because I want to go in that direction.

My constituency did become more conservative over time. My social conservatism never really changed. As you know my history in terms of being pro-life and that sort of thing, that pretty much started the day I was born, pretty much, my first memory. That was never an issue. But my politics, my fiscal politics did change over time. So I was not a part of that group initially.

By the time I was Speaker, we had three Republican Parties, if we're playing the label game. We had a group of moderates. We had a group of conservatives, and then we had what you would call the ultraconservatives, not necessarily meaning that in a disparaging way, but they were more conservative on issues. I remember one story in particular. As Speaker, your only obligation is to pass a budget. There's a lot of other things you do, but constitutionally you got to pass a budget. I remember not having enough votes to pass a budget. I had a group of my far right individuals—very principled. I respect that—come to me and say, "Mike, we can't vote for the budget."

One of them was my Vice Chair of the Appropriations Committee. I had to actually switch out—a dear friend—and had to switch out my Vice Chair. I said, "I respect that, but do you understand, you're no longer relevant. We don't need to have any more conversations. I respect you. You told me where you stand, and I respect that. But you know I'm going to get sixty-three votes, and you know now where I have to get them. If I can't count on any of you, then I'm going to have to go over here. The budget is going to get bigger. And if it needs to get sixty-three votes, it's going to get bigger."

I remember two of them in particular who will remain nameless come back to me the next day. They said, "You know, we thought about it overnight. We don't want to be irrelevant." I said, "Well, I really didn't think you wanted to be irrelevant." It was like having kids. It was like your kids would rather you be mad at them than disappointed. It was like, "Yeah, our parents are always mad at us." It was like, "Okay. How can we help?" I said, "That's what we need. We need buy-in from everybody, from this side of the caucus to that side of the caucus, and we'll end up with a better product."

That was sort of the management that had to go on because we had some that were so principled that it was like even if we end up doing something that we really hate, we can wash our hands of it because we weren't a part of that. I said, "Well, if that makes you feel better," but that's not the way it ought to work.

AC: The other part of that sort of conservative insurgency was the pro-life movement.

MO: Yes.

AC: Of course, as that took off, the whole Summer of Mercy in Wichita in the early nineties and then, of course, David Miller became State Party Chair. Todd Tiahrt and [Sam] Brownback were elected to Congress. Shallenburger became Speaker. I guess this term, and I read it in just some of the research, this conservative insurgency, do you think that's a fair term? Do you think it was just reflecting, kind of like what you were saying to me, the mood of the state?

MO: Again, I'm so admittedly biased on the subject. I'd say I was pro-life before it was popular, before it was a political tool, if it is a political tool of some sort. We have a conservative state, particularly with regard to that issue. It's strongly held beliefs on both sides. IT kind of depends on what your definition of insurgency is, whether that's a negative term or whether it's a positive in terms of organization and having an organized effort succeed as a movement. Maybe it was more of a movement than an insurgency.

We've seen the pendulum swing back. I've served with as many Democrat governors as I have Republican governors, I think. Kansas is an interesting state in terms of pretty red, and yet when it comes to governors in recent history, as many Democrats as Republicans. And odd in terms of the geography, Kansas is kind of a microcosm of the country. When you look at where the blue is in the state, it's concentrated in urban areas. When you look at the country, the blues are concentrated in those areas. It is what it is.

The thing I regret, I'm maybe going astray from what you're asking, is the loss of the middle. The Democrat, more conservative or more moderate-leaning Democrats that I've served with that I just loved, they're not there anymore. If they're in a Republican-leaning district, the movement, if you will, eventually defeated them. That seat is now held by probably a conservative Republican rather than a more conservative Democrat. I miss that. As we've gone more conservative in this direction, more liberal in this direction, we've lost some of the middle ground where there maybe is more opportunity to reach across the aisle and get things done. I see that less so here. We're blessed I think in Kansas for the most part. But we're seeing it countrywide where we've just lost that kind of reasonable middle.

AC: Of course, in 2010, the Tea Party and that whole movement, that pendulum kind of swinging back from that insurgency maybe, and then moderates, and then back to the Tea Party movement in 2010, and of course, Brownback and Huelskamp were all elected, and

Pompeo and Yoder and Kobach, Estes, and on down the list. That's, of course, 2010, got those sixteen up to that ninety-two as you were talking about.

MO: Bless his heart, the moment in time during that election that I knew it was going to be a mini tsunami was when Benny Bowman from Wichita got elected. I remember—Benny, a wonderful guy, but he was always the dog chasing the car, and he would be the first to admit this. He ran in a lot of elections. He just loved being involved. I remember being in Wichita, and my Chief of Staff calling me and said, “Boss, Benny Bowman's going to win,” the exit polling on that, and I'm going, “If Benny Bowman wins this election tonight, this is going to be a big night.” And then it just continued, kind of the mini tsunami just continued.

I think Benny only maybe served with us one term, a delightful guy, enjoyed history. He lived his dream, but that was quite a shift overnight.

AC: Kind of looking back over your legislative history, doing a little research, you introduced—your name was on, during those twenty-eight years, 470 bills and resolutions, so lots of legislation.

MO: I was hoping nobody would actually count.

AC: Four hundred and seventy of them. Lots of bills. I noticed our very first bill was on crimes and punishment related to criminal procedure. It was cosponsored by Clyde Graeber and Denny Apt and Jayne Aylward, and it didn't pass. That was your first bill. But clearly you've had lots of successes. That same session, you did sponsor a bill, the Emergency Farm Credit Relief Act with Max Moomaw and Harold Guldner and Hayden and others, and then there's property tax and school finance, a lot of judiciary ones, some pro-life ones, Senator Clark, pregnancy maintenance initiative program, those kinds of things. There's certainly some themes, budget, taxes, death penalty, of course, school finance, lottery, and casino gambling was of course in there, a big thing. Medical malpractice caps. Liquor laws, of course, abortion with criminal sentencing, transportation, and gun rights, the involuntary commitment of sexual predators, kind of starting down that road or that sort of treatment.

MO: If I recall correctly, that was the first time we had done a repeal/reviver statute. I think it was the civil commitment of sex predators that got challenged, and the Kansas Supreme Court struck it down, and then we came back and passed a fix. That case was on appeal to the United States Supreme Court. We put in a provision that would strike the new law if the Supreme Court reversed the Kansas Supreme Court. So we'd go back to the prior law, and that's what happened. The United States Supreme Court actually reversed the Kansas Supreme Court.

That was a little bit of an experiment in drafting. It might have been done before, but if it had, it hadn't been done in a long, long time. I was involved in a lot of the various DUI laws, getting from .1 to .08 and then the zero tolerance, which ended up being .02. You had to measure something for the younger kids and ignition interlock devices. All that was interesting.

That was back when in the House, Judiciary took everything—civil and criminal. Now they've, I think correctly so, and I think Speaker Mays was the first one to split those committees up. There's just so much of that work. I had one year, a carryover year, where we had 200 bills resting in committee. That's 150 too many. It's ridiculous. But I enjoyed working on a lot of the crime bills, a lot of the civil bills. I enjoyed that committee a lot, needless to say.

AC: I noticed there was a four-lane highway from McPherson to Hutchinson in one of the transportation—

MO: Actually that was the second comprehensive transportation plan I was involved in. The first one was the Wichita Hutch segment. Then we were fortunate enough—we thought that was great. Then we were fortunate enough to come back and be able to get the four-lane between McPherson and Hutch. From a standpoint of local interest in my community, very proud. Dave Kerr and I worked very hard on both of those programs. Those were good victories.

AC: I bet. All those issues, twenty-eight years, are any of the topics, I guess you touched on some of them, in terms of legislative accomplishment that you really feel extra proud of? Maybe it's that. Maybe it's a couple.

MO: One of them is kind of a combination of my legislative job and my other job. It might have been 2002 was the first time I learned about this nefarious procedure in the legislature called “fee sweeps,” where the legislature needing money would look out with lustful eyes at a trust fund sitting over here that's accumulating money and say, “Well, why don't we reach out? They don't need all of that money. Let's reach out and pull all that money in.”

I remember that happening to the Workers Compensation Fee Fund in 2002 and thinking that wasn't right. Then two years, later I was able to get an amendment on the floor that turned that sweep into a loan, and I may have my years wrong. But then we never paid it back.

Then it happened again in 2009. I was Speaker at the time. I knew the rules, and maybe some others didn't. There's actually a procedure that says if you're an attorney and you're in the legislature, if you file a constitutional challenge to a law, thinking it's unconstitutional, you could actually be involved in litigation to strike that law down. And that's what I did. It didn't go over very well with some of my opposition. But the Reviser's Office signed off on it. Ethics signed off on it. Kansas Bar signed off on it. I'd done everything right.

I had seven years of litigation against the State of Kansas to try to reverse fee sweeps and finally won. Then that same year, I was able to get legislation passed. This was actually after I was out of the legislature, to get legislation passed that fixed that, not that we still didn't have to keep our eyes on it to make sure that those things don't happen. In term of something that I thought helped the process, we shouldn't be—trust funds ought to be trust funds. So I was proud of that.

AC: You, of course, made it through several redistrictings.

MO: Yes.

AC: You kind of mentioned that. The 2002 one, you even went to federal court to defend what the legislature had done in terms of the maps or was part of that?

MO: I actually was in court two redistrictings in a row. One was a little bit more unusual than the other. The 2002, I actually appeared in federal court on behalf of the legislature to defend the maps, and we were successful.

Then in 2012—

AC: I was going to say, “What happened in 2012?”

MO: 2012 was really interesting. There could be a book written about the dysfunctional redistricting process there, but I might have a different take than some on this. I'll share it with you, since you asked. We were in a situation where the House and Senate just could not—we couldn't agree on the time of day. We couldn't agree on School Board, Congressional, Senate, House. Historically, the Senate had signed off on the House. The House had signed off on the Senate. That wasn't happening. Congressional was fascinating from the standpoint that the big issue there was the First District needed to gain 50,000. The Third District needed to shed 50,000, and they're noncontiguous. So does that mean that you basically have to go into the Fourth and Second and disrupt districts that really didn't need a lot of disrupting?

There were efforts to try to join the First District and the Third District, which then doesn't make for a very pretty map, admittedly so, not very pretty. A long story short, as you know, we didn't pass any map. So all of them the went to federal court. A three-judge panel redrew those maps.

Paul Davis was my Minority Leader, and he and I worked very closely together, very cooperatively, and we had a House map that passed with I think 109 out of 125 votes. It worked. It was very bipartisan. We go to court thinking that, well, of all of the chaos, surely the federal court will sign off on the House map. The court didn't.

Thursday night, about 9:00, the Thursday before the Monday noon deadline for filing for office, the federal court releases its opinion, its decision, and lo and behold, there are districts that now have no incumbents, and there are districts that have two incumbents, and in one or two cases, three incumbents. There was already sort of a movement afoot to target four senators. All of a sudden, now we have friendly House members who don't want to run against each other. What are we going to do? Run against the senator.

That night, nine incumbent senators lost including the President of the Senate. My moral of the story is, for a court that seemed to want to be as disruptive as possible or to just not respect this idea of incumbency, we're generally incumbent friendly. If a Democrat's in the district, we

protect, meaning we leave it up to the constituents to decide whether the incumbent stays or goes. We're not going to draw an incumbent out of the district. So we generally have that.

The federal court said, "Nonsense. They don't need protecting." And in many cases, it looks like they went out of their way—remember I told you that Hutchinson was divided north and south on 17th Street? Jan Pauls was the Democrat representative in the 102nd. She lived on Baker Street, a half a block from 17th. The court came in from Harvey County into the city limits of Hutchinson, went a block away from her house, drew the boundary line in such a way that she was now in the 104th District, which was the district I was retiring from, leaving no incumbent in the 102nd. They said that they didn't care where the incumbents lived. I defy you to explain why they did that.

Anyway, that was just one example, and I think that some of my colleagues can tell you about other examples, but if they wanted it to be disruptive to conservatives, for example, it backfired because then we have House members running against Senators, and they never dreamed they'd be doing that.

And the recruiting that went on, I was with the Chamber at the time. The recruiting that went on between Thursday night and noon on Monday was just a circus. I mean, literally, going out and trying to find people on the street that would want to run for the legislature and talking to incumbents. "Okay, we've got three House members in this district. Who's going to run for the Senate?" It was incredible.

I was disappointed that the court decided to be as disruptive. Particularly Paul and I were both very disappointed that there wasn't more respect shown for a House map that passed with overwhelming bipartisanship. I wouldn't say that there needs to be a nonpartisan commission, or the court needs to do it. That's an example of—I mean, there may be a better way, but I don't know that that's the best way of map drawing.

AC: We're kind of running low on time here, but I've got to ask you. Of course, you've worked with a lot of different governors.

MO: Yes.

AC: I mean, Carlin, Hayden, Finney, Graves, Sebelius like you said, then Parkinson, then Brownback, and those last couple, three I guess, when you were Speaker, were some governors easier to work with? Or maybe was it that legislative experience maybe on the third floor when they did transition to second? You mentioned Hayden may have forgotten some of that.

MO: I really liked Mike. He was my daughter's first overnight house guest. She was an infant. We lived in Hutchinson right on the boundary of the state fair grounds. When Mike and Patty came into town, they actually stayed with us. I really liked him, but I thought his legislative experience, Appropriations, Speaker, would translate better for the legislature than it did. But I always got along with him.

My first governor was Carlin. I had a lot of respect for John. I thought he was a gentleman. I thought he treated Republicans and Democrats very well. I felt respected as a freshman legislator. I'll have to say that Kathleen Sebelius and I did not get along very well. That probably goes back to the days when she was the lobbyist for the Trial Lawyers Association. I was on the tort reform side. Almost everything she was involved in, until she got into the insurance department, and then there was sort of a calm during that period of time. We didn't get along very well. Of course, Sam and I had a good relationship going back to the days when he was Secretary of Ag.

I had a lot of respect for Joan Finney. Everybody's got Joan Finney stories, but I was amazed, a populist governor, and I respected that, her relationship with the tribes in particular, and the fact that I don't think Joan Finney has ever forgotten somebody's name. She had an incredible memory, a talent for remembering names.

AC: So twenty-eight years in the legislature, as an institution, was it stronger? Did it improve? Was it better from when you walked in the door the first time until you left the Chamber as a member?

MO: My disappointments are probably the—I don't think it's as civil as it used to be. COVID has been a culprit here. I feel very sorry for the new folks because what was really important were the days when we'd have these receptions where our constituents came to town. Our constituents always had an interest in some organization that had a presence here. They'd come, and they'd see us. There was more interaction with the constituents and more of an ability to get together after hours and have free and open discussion. I don't see that as much anymore, and I think we are lesser for that because of that. A lot of partisan bickering, not that there hasn't always been, but for my observation—not that it's worse, but it's one of the things that I've noticed, that I wish there were—I know that there are now efforts afoot to kind of have the Civility Caucus and try to focus on what we can do.

We're all friends here. In fact, I've often thought about this. I would imagine the representative that I got along the least with in the body. If I were traveling with my family and ran into them in North Carolina, what would my reaction be? My reaction would be, "Hey, how are you?" because they're Kansans, and they're colleagues, and they're fellow Kansans. We get back home, and we may not agree on the time of day, but knowing that that's how I would feel about them if I were someplace else. "You know, we're a lot more similar than it appears when we're back at work."

AC: This is a required question that we're doing for all individuals that we're interviewing. Personal identity is loosely defined as gender, age, race, class, sexual or gender orientation, marital status, etc. Did you experience times during your time in the legislature where you believed your personal identity influenced your ability to either pass policy, work with fellow legislators, or provide constituent services? Were you ever given, for example, committee assignments or tasks that you believed were functions of your personal identity? And maybe it's

even broader than that. Were you pigeonholed as a conservative? Were you pigeonholed, and then you were sort of locked into that perception I guess through your career or not?

MO: I think my identity was sort of a House lawyer. I think that's where—and I obviously embraced that, and then of course, my—most of my colleagues knew of my background being an adopted only child and how that influenced my thinking. So with that, not that I was ever the face of pro-life legislation, but I was always involved in that.

Of course, I was kind of a tweener in terms of philosophy. I've already explained about my journey from coming in as socially conservative, fiscally moderate, and moving over to the conservative, never straying as far as I know. Maybe some perceived that I did. Anyway, I don't know if I'm answering your question or not.

AC: That's fine. And then finally—so you became Chief Executive Officer of the Chamber. Certainly that's an accomplishment. Making that transition from being Speaker to being the executive of a major organization in the state, how did that go?

MO: I actually appreciated the timing. I really didn't know. I knew when I became Speaker that I could go out on the calendar and put an X knowing where the end was going to be, even after one term or after two terms. I wanted to respect tradition that you serve two terms. No rule. Obviously in the current situation, we've got a three-term Speaker, but I never really gave that some serious thought. So I knew that there was going to be an end to the service, and didn't know whether I would go back and continue to practice law in Hutch, or if the office had other offices.

I knew I wanted to end up back in Lawrence at some point in time, maybe even just in retirement, and when the Chamber came calling, it was such a perfect fit. It gave me an opportunity to stay connected with the legislature, which I wanted to do. Going cold turkey would have been hard for me. I was ready to leave the body, but I wasn't ready to leave the camaraderie and be involved in public policy. That gave me a chance to do that.

I had never run an organization before. I had never been an association boss before—a ten-member executive committee, a fifty-member board of directors—I had no idea. The days that I thought I would be over here doing my thing, I was doing human resources work back over at the office. Believe me, I had a good time. I loved all of my employees, but it was different. I gave it four years and enjoyed it. I enjoyed being involved in the issues and in the politics and the people that I worked with. Eventually I wanted to do what I'm doing now.

I don't practice with my partners anymore, even though I was of counsel for a while. Now I get to do like administrative law. If we've got professionals and licensees and that sort of thing who have issues with state agencies or whatever, the Administrative Procedures Act types of things. That's what I do, and I love it. Then I have a dozen clients that—

AC: And some good ones, Walmart, the National Football League, Greyhound Association.

MO: The menagerie of different issues that I get to be involved in is very humbling and very gratifying. I'm enjoying every minute of it.

AC: That's great. One of the big industries, probably particularly from your Chamber experience, like Koch Industries, a major industry. Of course, there's lots of major industries within our state, but certainly I guess a player in terms of helping to formulate policy in a good way, if you think of how that whole relationship works from a major industry in setting policy or being involved in helping to set policy.

MO: I actually respected that, that they had an arm because they had the resources. #1, a fabulously diverse company and a big success story for Kansas. I wish everybody who has this preconceived idea of what Koch is could hear the presentation that they give every year to Leadership Kansas because you come away—you go, “We had no idea that Koch was involved in that or this or that or whatever.” Criminal justice reform. Most people go, “I just thought they were a conservative-learning think-tank that funded conservative ideas.”

They're involved in a lot of things. Some of them draw controversy. You can't go big without drawing controversy. Obviously some would say an outsized player in the state. We're a state of 2.9 million people, and then you've got one of the biggest global companies in the world right here. So, yes, they're a big fish in a slightly little pond. Yes, very influential and very helpful financially to fund a lot of things that the Kansas Chamber was involved in. So, yes, I'm a fan, but I know they have their detractors. In particular, I'd just invite the detractors to look a little bit deeper into what they're involved in. They might be surprised.

AC: Well, twenty-eight years of public service here in this very room and then public service really beyond that whether through the Chamber or now through consulting, quite a storied career even if you did start out on the Missouri side. But I guess your two children are both graduates of the University of Kansas. Maybe they didn't have a choice.

MO: I remember very well daughter Haley coming home from school one day. She said, “Dad, I've got a problem.” I'm going, “Oh, no.” The parent's worst nightmare type of thing. She goes, “You know, I've told you that I kind of have an interest in someday being a veterinarian. I said yes. She said, “I just learned today that you kind of have to go to K State to do that. Is that going to be a problem?” I'm thinking, “Oh, man, have I brainwashed this poor child so badly that she's afraid to make independent choices?” I recovered quickly though, and I said, “K State has a great veterinary school. It's a grad school. So as soon as you graduate from KU, I'd be more than happy to send you over to the vet school at K State.”

Anyway she went on to get her master's in athletic training at KU and is an ICU nurse at St. Louis University doing great. My son is a behavioral analyst. He got his PhD. I'm very proud of both of the kids and glad that they didn't follow in my footsteps and get political or go to law school. They got their own careers out there, and they're doing just fine.

INTERVIEW OF MIKE O'NEAL BY ALAN CONROY, APRIL 16, 2021

AC: That's great. Anything else that I didn't touch on or any other thoughts you want to share?

MO: We covered a lot of ground today, Alan. Some things I'd forgotten.

AC: I appreciate that. Thank you for your time. Thank you for your public service. The Oral History Project certainly appreciates you participating. Now it will be available for researchers and historians down the road.

MO: I'm honored to have been invited. This has been a great journey. I appreciate it.

AC: Thank you very much.

[End of File]