INTERVIEW OF JOHN SOLBACH BY ALAN CONROY, JUNE 11, 2021
Kansas Oral History Project, Inc.

Alan Conroy: Good afternoon. The date is June 11, 2021, and it's about 3:00 PM, and we're in the Senate chambers of the Kansas State House in Topeka, Kansas. There's some work going on over in the House Chamber, so we're conducting this interview in the Senate Chamber. So the question is whether or not, does this ever fulfill a dream of yours to be sitting in this Chamber in one of the Senator seats?

John Solbach: I never did have that dream, no.

AC: Maybe a nightmare. I'm Alan Conroy. I'm a forty-year-plus state employee with the majority of that state service work working in the Kansas Legislative Research Department, the central nonpartisan research and budget staff for the legislature, and I'm currently with the Kansas Public Employees Retirement System. And today I'll be interviewing the former representative, John Solbach, who served fourteen years in the legislature. He first served in the 1979 legislature and then serving for the next seven terms representing, I think it was the 45th district the whole time.

JS: 45th district, yes.

AC: And it was in Douglas County, I think some Lawrence, or was it all—

JS: Some was Lawrence, and some was the rural area, usually western Douglas County, all of western Douglas County. But it changed from time to time. The last reapportionment was an attempt to get rid of me. By the numbers, I shouldn't have been re-elected, but I was.

AC: I'll be conducting this interview on behalf of the Kansas Oral History Project, Incorporated, 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 Speaker Pro Tem David Heinemann.

So we'll just start off and have a little visit here. Former Representative Solbach grew up in Central Kansas. Is that correct?

JS: I did. I was born in Clay Center, Kansas.

AC: Clay Center.

JS: We lived north of Morganville at the time. Morganville is about ten miles northwest of Clay Center.

AC: All right. Then you attended Kansas State [University].

JS: I went to Kansas State for about a year.

AC: And then what happened?

JS: I joined the Marines for three years.

AC: And it sounds just like reading about some of your experience, the readings, you led a nineteen-person combat unit in Vietnam.

JS: Yes.

AC: Received a meritorious battlefield promotion.

JS: Yes.

AC: Was wounded in action.

JS: Yes.

AC: And all that in terms of the information I thought was sort of interesting, all before you were able to vote.

JS: That's right. David Heinemann was one of those who introduced legislation to lower the voting age, when you got to the legislature, didn't you, David? Yes.

AC: And then after, was it three years of military service?

JS: Three years.

AC: You returned back to K-State, and, of course, completed that degree. I read that while you were there, you helped established a facility for international students at Kansas State, and then after graduating from K State, you decided to go down the road aways, and you went to graduate school in political science at the University of Kansas.

JS: Yes.

AC: Then you got that degree, and then you thought—

JS: Well, I didn't get that degree. I went for a year. I was working on a master's degree, and I had the opportunity to continue with the master's degree or put it on hold and go to law school. My advisor said, “If you're going to law school, forget about the political science degree.” So I did.

AC: Yes. Of course, you served on the legislature. You certainly had a successful career in the practice of law in Lawrence. Of course, lots of different things, but one of them, the governmental ethics commission.

JS: Right.

AC: You served on that.

JS: I continue to serve on that, and I'm sort of informally appointed as its hearing officer. So we've done some Zoom hearings and some in-person hearings.

AC: I'm sure you've heard some interesting subjects through the years.

JS: We have.

AC: And then while you were in the House, you served on numerous committees, Elections, Commercial and Financial Institutions—

JS: No, I was never on that.

AC: Not on Commercial and Financial Institutions?

JS: No, I was on Energy, Elections, Agriculture, and Ways and Means, and Judiciary, which I chaired the last few years.

AC: That's right, as chairperson on Judiciary. And then Ways and Means/Appropriations and then it morphed into that.

JS: It was Ways and Means when I came to the legislature. I think Jim Braden [Speaker of the House] changed that to Appropriations because Ways and Means in the Congress at least is the Taxation Committee.

AC: Very good. Let's go back before you were in the legislature. Why don't you just tell me a little bit about something about your life before you entered the legislature. You said you were born in central Kansas. Had your family ever been involved in politics before you ran for the House?

JS: My great-great grandfather was elected to the House in 1890. That was the first time the Republicans lost the majority. He was a Populist. He had served in the Civil War and had always been a Republican. His first cousin served in the Kansas legislature in 1870, and then his nephew served in the legislature in the 1880s. His nephew, he came back from serving in the legislature, he said, “I ain't ever going back there again.”

He said, “That legislature is bought and sold by the railroads.” They were in the milling business. The Hoffman’s had the Hoffman Mills in Enterprise Kansas. They depended upon those low freight rates to get their product to market. The freight rate was set by the Congress. The US senator at that time was selected by the Joint Session of the [Kansas] House and Senate, and our US senator was—his name escapes me. [John J. Ingalls] He was a longtime US senator. They used to say Kansas had two US senators, a Union Pacific senator and a Santa Fe senator. But the senator would get together with their lobbyists and give them the name of the legislators that he wanted them to support so that he could get another six-year term. John Ingalls was the senator's name, and John Ingalls did that in 1890.

But the Farmers Alliance was rising. C. B. Hoffman, my great-great grandfather’s nephew helped to finance that. They first were going to try to influence the election, and then they decided, “What the hell? Let's run for the legislature.” Ninety-two of them got elected in the House. They defeated ninety-two Republican candidates, and they had a clear majority. When they met to determine who they would nominate to the United States Senate, ninety-two House members and I think six members of the Senate all voted—they called themselves the Dauntless Ninety-Eight—they voted to remove Ingalls and to replace him with William Peffer who was a lawyer and a newspaper publisher from Fredonia and Topeka. William Peffer was a bearded guy, and Teddy Roosevelt had unkind things to say about him, as did William Allen White.

But that was the end of John Ingalls's career. Not only was Ingalls in the pocket of the railroads, but he also said some negative things about farmers and their ability to raise corn. He also was adamantly opposed to giving women the right to vote. But it took them about thirty-two ballots to decide on William Peffer, and I still have the little notebook that my great-great grandfather used to tally the votes. William Peffer finally got a majority, and they stuck together. He became our United States senator.

AC: So clearly a long lineage of public service.

JS: Well, I've learned a lot about Michael Senn. He was a prolific writer. When he came to this country at age fifteen, he had read the book Uncle Tom's Cabin, which was published in 1852 and translated into about twenty different languages. He read it in [a] German version when he was fourteen in 1854. When he came here, he was very anti-slavery. When the Civil War broke out, he joined a Union unit though—he had gone to western Kansas to work in the silver mines out there. Western Kansas at that time went all the way to the Continental Divide. But when he joined the Union army, that had become Colorado territory. He was part of a Colorado unit.

AC: So your personal interest in politics, was that high school or college or after you came back?

JS: I probably secretly wanted to run for public office since I was a small boy.

AC: Your parents, any encouragement there?

JS: No, not really. Not my parents. When I ran, Russell Getter was my political advisor. He had been my professor at KU [Kansas University], political science professor at KU, and actually he had called up Betty Jo Charlton because he was going to be out of town. He told her, "Make sure that John Solbach files for the House." She called me and asked me to do that. She was not in the legislature then.

So I filed. I didn't know anything about what I was doing, but he did, and he helped us formulate a plan and lay out that plan. We executed that plan, and we got elected. He told me, he said, "You know, no Democrat has been elected in this seat as far as we know forever," but he said, "The Republican candidate is going to get about 4,000 votes, and there's nothing you can do to take them away from him. He's going to get them. It's just going to happen. He's a young lawyer like you, and he's a credible candidate, and he's going to get those votes, and you can't take any of them away from him. And you're going to get about 3,000 votes or 3,100 votes, and there's nothing he can do to take any of those votes away from you." But he said, "You need to go out and find an extra 1,000 people to go to the polls and vote for you, and you can win this seat."

So that's what we did. On Election Night, my opponent had, I think, 3,800 or 3,900 votes, and that was enough to win any House seat in Kansas that year. But I had 4,200 votes.

AC: Was that in the primary?

JS: No, that was in the general.

AC: But there was a primary.

JS: There was a primary, and I won the primary.

AC: Against Mike Taraboulos or something, and that one, I think you got 69 percent of the vote in that primary.

JS: Yes

AC: And then Ken Whitenight.

JS: Ken Whitenight was the—he had a primary also. He defeated two other Republican candidates. Ken was a nice guy. He and I got along well. He told me about listening to the debate that we had on one of the radio shows. I said, "I hadn't listen to that." He said, "I got it on tape. Come to my house, and we'll listen to it." During the campaign, I went to his house. We drank wine and ate cheese and listened to that debate. He didn't think that I could win, and he kind of felt sorry for me.

AC: You surprised him.

JS: But that's not how it turned out. Ironically, he went to work for my largest political contributor after the election, the guy that owned the Chuck E. Cheese, what was his name? He took 100 million dollars and went to Texas. He was going to double or triple it, and he lost 100 million dollars in Texas. But Ken Whitenight stayed down there. He's still living in Texas. Evidently he's had a successful career.

AC: In 1980 then, I noticed you were unopposed in the primary, and then for the next five elections, you never had a primary opponent.

JS: Yes. Right. That was the only primary that I had. Forrest Swall did approach me one time and said, “I'm thinking of running in the primary against you. I don't expect to defeat you. I just want to have a forum where I can say some things that I want to say.” I said, “Forrest, that's the worst idea I've ever heard in my life.” I said, “Please don't do that,” and he didn't.

AC: And then in the general election 1980, it was Kent Snyder, and you won with 57 percent of the vote in that one. In 1982, you were unopposed even in the general election. So you must have been doing something right, at least with your constituents.

JS: Maybe. I don't know.

AC: But then in 1984, 1986, and 1990, a person by the name of Martha Parker ran against you three different times on the Republican side of the course, and you beat her with 60 percent, 56, 52 percent.

JS: Martha is a nice lady. She had a talent for snatching defeat from the jaws of victory. She was a very forceful person, and she made enemies very easily. She thought that was her district, and she should have it, and she should have won in 1990 because the way that it was redistricted. We looked at the numbers. If I got all the vote that I got in the precincts that I kept and all the votes that a quality Democratic candidate got in the areas that were given to me, I shouldn't have won that election. But we thought we would win. I didn't want to let down my colleagues. We were close to getting the majority.

But we thought about not running because of that and other factors. We worked very hard in the new areas. I didn't win any of those precincts. I lost every single one of them, but I came so close, it didn't make any difference. We still won.

AC: That very first campaign, do you remember how much you spent?

JS: I spent $1,000. It was probably more than that. It was probably a couple thousand dollars. But we put $1,000 of our own money into it.

AC: And a lot of door to door? Is that the secret?

JS: A lot of door to door.

AC: To get elected, at least in Kansas.

JS: We knew, we did our research and we knew who we were going to be talking to before we ever knocked on that door. We knew who lived in that house. We knew who was registered to vote, what they were registered as, how many times they had voted in the last several elections, and that helped us to target the people we needed to target to get extra thousand people to vote, to the polls, and that's what we did.

AC: So you got elected.

JS: I did.

AC: Came to the State House.

JS: Yes.

AC: Rolled into town. One of my favorite questions, of course, is do you remember the first time you went to the microphone at the well of the House on a bill to carry a bill?

JS: I don't remember the first time, but I remember the first time I thought of going to the microphone. John Sutter from Wyandotte County was my seat mate. They were debating some bill, and I had something important to say. I reached up and pushed my white light, and John Sutter reached over, and he pushed my white light off. I said, “I've got something that I want to say.” He said, “You need to be watching what's going on.” He said, “If you have something important to say, somebody else will say it. You haven't been here long enough to make a fool of yourself yet.” So that was the first time I thought of going to the microphone, and I didn't.

AC: You took his advice then?

JS: I took his advice. John Sutter was not someone that I thought was a great legislator or someone that I respected highly, but that was good advice from him.

AC: We talked a little bit about some of the committees, like Judiciary, Appropriations, Ways and Means, and so forth, and Agriculture. Was your favorite one Judiciary?

JS: Judiciary was really my favorite.

AC: Of course, you got to chair that at one point.

JS: I was ranking Minority Member many times. I worked with Mike O'Neal [former House Speaker and Judiciary chair]. I saw the nice comments that he made about me in his interview. He called me a friend, which disturbed me a little bit because I came over here not to make friends among legislators and staff and lobbyists but to represent my constituents. I enjoyed

the collegiality. These were colleagues, and we shared a lot, and we knew a lot about each other. But I wouldn't, I don't think I'd call Mike O'Neal if I had a flat tire on the highway and ask him to come and help me.

On the Ethics Commission, we actually had Mike O'Neal in front of us one time. I did not recuse myself. I felt I could be fair. And we determined that he hadn't committed an ethical violation, and we did it based upon the evidence, not upon friendship. The House later tried him on the same thing under their rules, and they came to the same conclusion we did. That was—it didn't necessarily look right or smell right; he'd walked up to the line, but he hadn't crossed it.

But I know Mike real well. We did lots and lots of conference committees together. I think I said one time that I know him so well I can tell you what he's going to say before he even says it. There weren't a lot of partisan things that came before the Judiciary Committee. We worked well together. He's a very bright guy.

AC: I guess that raises the question—you talked about coming from your district to represent them. Were there times during your legislative service, I guess that whole thing of "Are you voting what you think is best, or maybe what you've heard and you think this is what your constituents want?

JS: [Former representative] Betty Jo Charlton used to say, "I was elected to go to Topeka, develop good judgment, and then to use that good judgment for my constituents, to benefit my constituents." I never did surveys because I'm here to study the issues. The surveys aren't answered by people who study the issues. I'm supposed to use my good judgment, and I'm supposed to know my constituents well enough to know how I should vote on a particular thing.

A good example is we had, we were dedicating the Lane University in Lecompton, and we needed $4,000 for furniture. David Eisenhower was going to come and be the keynote speaker. Jane Eldredge was the senator, and I was the House member, the representative of that area. It was our job to get that $4,000. Jane Eldredge had it put into the Senate bill, and it came over to the House. Mike Hayden took it out. I called up Mike Hayden and I said, "You know, we need that $4,000." I said, "How come you took that out?" He said, "John, we've got to have something to bargain with the Senate on." I said, "Are you saying that you'll see that it gets in there?" "It'll get in there." I said, "Are you asking me not to come down to the floor of the House and try to put it in as an amendment?" "I'd appreciate it," he said.

Mike Hayden never as chairman of the Ways and Means Committee ever allowed an amendment on the floor of the House that he didn't support. But I knew he would keep his word. He's a Republican; I'm a Democrat. He's probably a lot more conservative than I am, but I knew he would keep his word.

When it came to the floor of the House, the gallery was full of people from Lecompton. They were calling me, and they were asking me to take an amendment down there. [Former

representative] Jessie Branson was on me. She said, “If you're not going to do it, I'm going to do it.” I said no. I said, “This is what's going to happen.” I said, “We're not going to do that. If we go down there and screw with Mike Hayden, we won't get it.” I said, “It will be taken care of.” I explained that to my constituents from Lecompton. They accepted it, but they didn't really believe me.

Later, the Senate omnibus bill was being negotiated down in the Senate committee room. Jessie Branson called me. “Your friend Mike Hayden is down here. Every time the Senate offered the $4,000, he would take it out.” I went down there, and I sat in the back of the room. Hayden was on one side of the room with his two conferees. Senator Bogina was on the other side of the room with his two conferees. Jane Eldredge was standing behind him. Gus Bogina offered an amendment that included the $4,000, and Hayden without blinking an eye, without consulting with his conferees, rejected it and made a counteroffer.

Evidently this had been going on for some time. Gus Bogina said, “We need a break.” He took his two conferees and Jane Eldredge back to his office. They were gone for quite a while. Finally they come back out. You could see that Jane had been crying. They evidently told her, “Hayden's not going to accept that. We're not going to offer it again.” She had to accept that. She had been in tears. You could tell.

Bogina sat down with his conferees. He makes an offer of an amendment. Hayden reaches over and grabs his two conferees around the neck and spits into his spittoon that he's got there. He's chewing Redman. They consult a little bit. Hayden makes a counteroffer, including the $4,000.

AC: And did it stay in?

JS: It stayed in. David Eisenhower, when I was a little boy, I went hunting with my grandfather one weekend, and we were hunting pheasants and quail. We went out on his farm, and we hunted all day long. We didn't get a single pheasant or a quail. We were about to go back to the house, and he said, “Let's walk down this waterway.” So we walked down that waterway, and a rabbit jumped up, and we shot the rabbit.

We got back to the house, and my grandfather comes inside. We had been walking all day. We're tired. He turns on the TV, and the news is on. On the news that day is that David Eisenhower and his grandfather had gone hunting at Camp David, but they didn't get anything. And my grandfather said, “Well, at least we got a rabbit.”

Well, I told David Eisenhower that story, and he said, “I remember that hunting trip!”

AC: That's good. You mentioned with Hayden that his word, that you could count on that.

JS: When he gave his word, he kept his word.

AC: So over your time here, the fourteen years—

JS: That was the case with most people. You give your word; you keep your word. If you go back on your word, your credibility as a legislator is down the tubes. I never traded one vote for another vote. I know they did it in the Senate all the time. That's one of the reasons I didn't have any dreams of coming to the Senate. I don't think that I ever did in the House. You voted how you need to vote, and if something had merit, you voted for it. If it didn't, you voted against it, and you didn't tell one legislator, “I'll vote for this if you'll vote for that.”

In '92, I think it was, Wint Winter was chairman of the Senate Judiciary, and I was the chairman of the House Judiciary. We were both statutory members of the Uniform Laws Commission, and we had brought back the Uniform Conservation Easement Law. It should have been uncontroversial, and we worked it through the House Committee, and I carried it on the floor of the House, and it didn't get as many votes as I thought it should get, but it passed. It went through the Senate. I called up Wint Winter. I said, “When you have a hearing on that bill, give me a call. I want to come over and testify.” He said, “Sure, John. What is it again?” I told him.

He calls me back the next day, and he said, “That bill didn't come to my committee.” I said, “Where did it go?” He said, “It went to [former Senate President] Ross Doyen's committee on Easements and Utilities.” I said, “It's not that kind of an easement.” He said, “I know it isn't.” I said, “You call him up, and you tell him that it needs to be in Judiciary. It's a complicated issue.”

Wint Winter called me back the next day. He said, “Doyen isn't going to let that bill go.” I said, “Well, I'll call him.” So I called up Ross. I said, “Ross, you don't want this bill in your committee. It's a complicated judiciary issue, and it needs to be in the Judiciary Committee. Surely you've got enough work to do without having to worry about this.” He said, “No, I think I'll keep that bill.” And I said, “Well, why?” He said, “Well, there's this lawyer from Lawrence who's chairman of the Senate Judiciary Committee, and there's this lawyer from Lawrence who's chairman of the House Judiciary Committee, and I may want something from those lawyers before this session is over.” I said, “What do you want, Ross?”

Ross used to be my senator from Clay County, Kansas. He said, “There's this little bill that puts all the pesticide regulation underneath the Secretary of Agriculture, and it needs to pass. You get me that bill through the House, and I'll get your conservation easement bill out, and we'll get it passed in the Senate.” I've never traded votes, but I looked at the bill that he wanted us to pass. It needed to pass. Pat Ross is a farmer over in Douglas County, I think, and farms in eight different jurisdictions. He'd have eight different sets of regulations for the pesticides that he used. Even though many people didn't like the Secretary of Agriculture at that time—it wasn't Brownback. Well, maybe it was Brownback. But it needed to be under one authority.

So I didn't pay much attention to it. It went through another committee, came to the floor on general orders, no big deal. Then it came on final action. I was over, talking to some other legislator, and it came up for a final vote, and I looked up there. I was the only one who wasn't voting. I couldn't help myself. I had to call Ross Doyen and tell him what was going on. I asked the legislator that I was talking to if I could use his phone. I called up Ross Doyen. I said, “Ross,

your pesticide bill is on the floor of the House on final action." He said, "What's the vote?" I said, "It's 62-62." He said, "How are you voting?" I said, "I haven't voted yet." He said, "Well, you get that passed, and I'll get the conservation bill through the Senate." So I raised my hand and voted yes and it passed the House.

Ross did keep his word. He got it out of his committee. He got it on the floor of the Senate. But Gus Bogina put an amendment on it on the floor of the Senate, just made one up like legislators sometimes do, and it wasn't necessary as an amendment, but where he put it screwed up the whole thing. If he had put it a couple words earlier, it would have been okay. So we got it over to the House, and I moved not to concur, and that a conference committee be appointed. I called up Ross, and I told him what the problem was. I said, "I don't like his amendment. It's not necessary, but we can leave it in there, but we've got to move it a couple words over." I think Mike Davis, former dean of the Law School, came and testified about why we needed to do that. And Ross agreed. All six members signed the Conference Committee Report. Ross could not get it through the Senate. He said, "John, I tried. I did what I said I was going to do. I kept my word," but he said, "I can't get the votes again."

So I called up Wint Winter and I said, "Do we have a little bill in Judiciary Conference committees that we really don't need that we can gut and amend this into?" He said, "Yes, Senate Bill 202" or whatever it was. So that's what we did. The Senate wasn't willing to correct a bill that hadn't passed, but they were willing to correct one that had passed. I went ahead and moved to concur on the Senate amendment finally. We sent the flawed bill to the Governor's Office. I called up Governor [Joan] Finney, and I said, "Don't sign that bill. We're going to send up a correct bill. Sign the corrected bill. Veto this bill, but don't veto it right now."

They said they would, and we passed the corrected bill, and I was home in the shower. The phone rang. I went out soaking wet, picked up the phone. It was the Governor's Office. "Now which of these bills do we sign? Which do we veto?" I said, "Sign the Senate bill and veto the House bill." That's how we got the conservation easement. It's been a marvelous piece of legislation. It's been used so many times by so many people.

AC: You mentioned the leadership speakers and Senate presidents. I was thinking, when you were on the House side, Wendell Lady [Speaker] and then Fred Weaver was the minority leader.

JS: Yes.

AC: And then [Mike] Hayden was speaker, and then it was Fred Weaver and Marvin Barkis as minority leader. Then [Jim] Braden and Barkis and then Barkis, of course, was speaker. Then Robert Miller as the minority leader.

JS: Yes.

AC: Just your relationships with any of those, style of management?

JS: Wendell Lady was reputed to—he wasn't a forgiving person, but I found him to be one of the most liberal members of the Kansas House. He was a Republican from Johnson County. He was an engineer. Robert Miller was chairman of the Energy Committee when I first got elected. One of the first things that they did was we had this Wolf Creek bill. A bunch of rural electric cooperatives got together, and they decided they wanted to buy a piece of Wolf Creek. Some rural electric cooperatives wouldn't join them. They cut them off from reusing any of their lines to wheel cheap electric power from hydroelectric dams from Missouri. The head of my electrical cooperative, he was apoplectic. They were going to take the nuclear power plant out from underneath the Kansas Corporation Commission.

Miller determined that if we can maintain control of that bill and handle it right, we could amend it so that the wheeling of the power by these non-members of KEPCO [Kansas Electric Power Cooperative] would continue to get power, and we could also keep Wolf Creek under the jurisdiction of the Kansas Corporation Commission. But we had two Democrats on that committee that were problematic—Irving Niles and Anita Niles. Robert Miller told me, “If we have any anti-nuclear folks come over here and testify, we're going to lose their votes.”

So he sent me around to talk to every anti-nuclear group in the state and asked them not to come to testify, and none of them did. We got those two Niles votes, and we kept control of that. KEPCO got a lot of what they wanted, but Wolf Creek continued to be under the Corporation Commission, and my little electric cooperative got to wheel that power.

When we took the majority, we had it by one vote. There were some contested races. Elaine Wells had changed from being a Democrat to a Republican. She said, “I'm tired of being in the minority.” So she became a Republican.

AC: Timing is everything.

JS: Her vote was, I think, one or two—one vote separated her from her opponent, and we had one—they appointed a committee—myself and Mike O'Neal and some others served on that committee. There were two votes that were in contest, and one of them, the voter had written in next to Mike Hayden's name “a boob with nuts,” and he had written in next to Joan Finney's name “a nut with boobs.” We ended up throwing that ballot out. I think that was for Elaine Wells' opponent anyway.

&Then there was a faxed-in ballot from a soldier I believe in Iraq. It was not legal, but it was clear what his intent was, and the fax was the only way he could get it in. We went ahead and counted that. Elaine Wells won. And she was still in the minority.

&But some of the Republicans believed that they could siphon off a couple of Democratic members by giving them committee chairmen or something like that, and they could retain the majority. R. H. Miller in a meeting with his Republican colleagues, he was the minority leader,

and he said, “No, we're not going to do that. They won the majority fair and square, and we're going to play by those rules.” There was a statesman.

AC: Yes. Wow. That's interesting. I did a kind of a count. It looked like over your career, your name was on a little over 200 on bills and resolutions, concurrent resolutions, and, of course, resolutions honoring Fred Weaver, Harold Dick, one I noticed was commending the Sunshine Biscuit Incorporated for producing Kansas-style wheat crackers. Your name was on that.

JS: I'm glad I was a co-sponsor of that one. I will tell you that.

AC: And then, of course, the usual Lawrence High School girls basketball team went in there.

JS: Yes.

AC: 1984, the Six A State title

JS: Those are things that you forget about. I sent over one time for a list of bills that my great-great grandfather had sponsored or co-sponsored. The State Library sent me those. Several of them were very similar to bills that I had sponsored or co-sponsored, one of them having to do with classifying property for taxation purposes we actually passed, but it took us almost a hundred years to get it done.

AC: Yes. And your first bill with your name on it, maybe some others, but it was abandoned railroad property and acquisition by the State. I don't know if that was early Rails to Trails.

JS: It was. It probably was.

AC: And then, of course, a lot of other ones and certainly I think in areas or subjects, adult care home qualifications and wages of employees, residential landlord tenant act.

JS: I was in the minority for twelve years. If you're going to get anything done in the minority, you have to be a guerilla fighter. You've got to find the Republicans that will take the credit for it, even though it might be your idea. You have to amend things on to things. The worst thing that you can do is put your name on a bill. People, if they don't like it, will attach tin cans to it.

Mike Glover was known as a marijuana smoker. He introduced a little juvenile bill one time, and it got over to the Senate, and they amended it to a drug bust bill. It still had his name on it. Later in my legislative career, I learned that the best thing to do was to go to a committee and ask the committee to introduce the bill or to introduce it as a Judiciary Committee bill when I chaired the Judiciary Committee.

AC: Looking through your sessions in, whether it was taxation or education, of course, budget, gaming, lottery, children's trust fund, community corrections, all the—are there a couple of

topics, highway plan, any that really stick out as maybe accomplishments, not just for you but for the body?

JS: I think—I haven't researched this for sure, but I think that the two years that I chaired the Judiciary Committee are probably two of the most productive years of that committee in Kansas history.

AC: Wow.

JS: We got our 70th bill when the Agriculture Committee got its first bill. My secretary used to stay late and lock herself into a closet to listen to those committee hearings so she could produce the minutes for the meeting the next day. I had some very remarkable people on that committee. They should be given credit for a lot of what we accomplished. I believe that [former representative and later, Governor] Kathleen Sebelius was on the committee to begin with. I think she later went off the committee. You don't think she was? You don't think she was ever on the Judiciary? You were on Judiciary?

DH: Yes.

JS: But Kathleen was on there, wasn't she?

DH: She was chair of Fed and State.

JS: I know she was. That's why she left the Judiciary. Anyway, one of my members ran for governor and one was secretary of Administration, right over here. Several of my members got elected to the Senate. One became minority leader. One became majority leader. One became speaker of the House. One became secretary of Labor. One became lieutenant governor. One became governor. One was elected to Congress. These were very, very accomplished people.

I remember I was sitting—Mary Jane Johnson was my seat mate on my left. She'd never been left to me on anything, but she chaired the Health Committee, I think. She got the ADA, the Kansas version of the ADA, and she said, “Would you take that bill?” She said, “It's too complicated for me.”

So we agreed to take the bill. It was referred to Judiciary. I turned it over to [former representative and later, Governor] Mark Parkinson and two other members to serve as a Subcommittee. Maybe you were one of those. They did a marvelous job working on that bill. We got it out of the committee and passed the legislature and it became law.

AC: So clearly you kept the Reviser's Office very busy. It was two years cranking out that many bills.

JS: Yes, we probably did.

AC: You mentioned reapportionment. You worked through two of them. Is that right?

JS: I think at least two of them. I was on the Reapportionment Committee [1979]. I kind of cut my teeth on the legislative process because they divided up the state, and they gave so many districts to each member of the committee. I was working on reapportioning Robin Leach's district, Ambrose Dempsey's district, and the three districts in Lawrence, then it would be four districts in Lawrence. Robin Leach used to lobby me day in and day out. He wanted Kickapoo Township. He said, "I've got to have Kickapoo Township." I said, "Look, Ambrose Dempsey can't get elected without Kickapoo Township." But he kept at me and kept at me and kept at me. We ultimately gave Kickapoo Township to Ambrose Dempsey, and in the next election, he was elected only because he had Kickapoo Township. Robin Leach didn't have any trouble.

The last reapportionment I was not part of. I had no idea what was going on in that I was busy with other things. But when I looked at the final map, it was clear that they were trying to get rid of me. My wife and I did the numbers. I shouldn't have been able to get re-elected, but we did.

AC: Do you think that reapportionment process, does it work?

JS: We dealt with the requirements that they be within 0.5 percent or something like that and they be contiguous and compact. That has some beneficial effect on reapportionment, but it probably ought to go to an independent commission. With the first reapportionment, there was a new district in Lawrence. There was my district. There was [Mike] Glover's district. There was John Vogel's district, and then there was a new district. It was the only new district in the state. Wendell Lady was livid that Lawrence got the new district, but there wasn't anything that could be done about it. That's just where the numbers—

AC: Just the numbers.

JS: I designed that district so that either a Republican or a Democrat could get elected. I was trying to be fair. Morris Kay stepped in and got a hold of John Vogel and said, "No, we're not going to do that. This is going to be the Republican district." He gave John Vogel a map, and John Vogel went to the floor of the House. If John Vogel takes something to the floor of the House, it passes.

That became the new district, and it was supposed to be a district designed for Wint Winter Jr. Wint Winter Jr. ran in that district, but the Democratic candidate was Jessie Branson. Jessie Branson was married to Vernon Branson, a pediatrician who delivered almost everybody who is in that district. There were several powerful women that Arnold Berman and Wint Winter got crosswise with—Jessie Branson, Petey Cerf and several others. Even though Jane Eldredge was a Republican, they didn't oppose her. They may have helped her a little bit, and so Berman lost that seat to Jane Eldredge, and Winter lost that seat to Jessie Branson.

AC: I know Jessie Branson[1] was sort of the energizer bunny when it came to constituent services. Oh, my goodness.

JS: She was. Jessie Branson didn't feel that anything was worthwhile unless she worked hard to get it. She insisted on working hard. She'd stay late. She was real proud of the fact that at 2:00 in the morning, she was stuck in an elevator that malfunctioned that proved that she was there.

Jessie would work on things. Jessie, she would lobby on behalf of KU, and Jack Shriver was on the KU subcommittee. She was in Jack Shriver's office every day, wanting to increase KU's budget. Jack Shriver pigeonholed me and he said, “If that woman comes to my office one more time, I'm going to cut a million dollars out of the KU budget.”

AC: You mentioned, of course, Governor Finney. You would have worked in some manner with Governor Carlin and, of course, Governor Hayden. Governor Finney, over those fourteen years, any, much interaction?

JS: The big piece of legislation we worked on in '92 was sentencing guidelines. We had research that showed that there were two justice systems in this state—one for white people and one for people who weren't white. I think once you find out that that’s the case, you have an obligation to try to do something about it under the Constitution. So sentencing guidelines was what we tried to do about it. They weren't implemented exactly how I thought they should have been. They weren't perfect in every way. The Senate tightened them up more than I thought they should have been tightened up.

But I wanted to make sure that the governor was on board. So I scheduled a meeting with her. I had an hour to meet with her, and I spent the hour talking about the sentencing guidelines and why we needed them, and what they were, and yadda yadda yadda. She sat and listened to me for an hour. Then when my hour was up, her staff came, and she stood up, and she came over and she grabbed me by the hand. She pulled me in real close and she said, “If you repeal the criminal abortion statute, I'll veto the whole thing.” I said, “Governor, I appreciate you telling me that. If we do that, we'll do it in a separate bill.”

She told me in that meeting that she was opposed to the death penalty, and she said, “They aren't going to pass the death penalty. They don't want it. They know if they pass it, I'll sign it. They aren't going to pass it.” I kind of shook my head and I thought, “I'm not sure you're right.” We never had the death penalty when I was in the legislature. When I left, Governor Finney got it on her desk, and she signed it. It's not as broad as some. It's a narrow death penalty, but it's still there.

[1] Jessie Branson is credited with getting mandatory seatbelt legislation passed in Kansas which has saved hundreds of lives, according to John Solbach.

Bob Frey used to go down to the floor of the House. He used to carry the death penalty bill. He would always give a lawyerly speech about why it should be passed. It was passed in the House, but it would either stall in the Senate or Governor Carlin would veto it.

Hayden campaigned on, “Elect me, and I'll sign the death penalty.” In his first term, it got through the House and went over to the Senate. Bob Frey then was a senator, and he was the chairman of the Senate Judiciary Committee. He had taken up with Wanda Fuller from Wichita, Kansas. Both of them ultimately divorced their spouses. Before she died, they got married, like the day before she died. She had quite an influence on him, and she was opposed to the death penalty, and Bob came around to that way of thinking. Hayden called up Bob Frey and said, “Bob, I need you help on this,” and Senator Frey said, “Governor, it's taken me a long time to get to where I am, but I am where I am, and you can't have my help on this.” Hayden never got the death penalty while he was governor.

AC: Maybe you kind of touched on it, but if you look over your fourteen years, your biggest legislative success would be? Or that you were involved in, maybe not specifically.

JS: I really wouldn't want to say one thing. There was many, many, many things, and some of them I've talked about.

AC: What about on the other side? Maybe fourteen years, and your biggest disappointment, something that you maybe worked hard either upfront or behind the scenes, trying to get something passed that never got quite across.

JS: I can't recall. We got most things passed that we wanted passed either through subterfuge or amendments or when we were in the majority, it wasn't that difficult to get things passed. When you're in the minority, you can say anything because it doesn't make any difference. Nobody listens to you. But when you're in the majority and you're committee chair, you've got to be careful about what you say. It could end up in the statute, as you know. “Didn't the chairman say this?”

AC: This is this required personal identity question that I kind of mentioned. So I'll just read it, and however you'd like to respond. Again, this is a question we're asking all the people that are being interviewed. So 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 pass policy, work with fellow legislators, or provide constituent services? Were you ever given committee assignments or tasks you believe were functions of your personal identity?

JS: I don't think so.

AC: Okay. And then maybe kind of looking back over the fourteen years, I guess were there changes in the legislative institution over those fourteen years, either operating more

efficiently, maybe less harmoniously? Did the person's word really mean something in that first session, as in that last session?

JS: I didn't notice any remarkable changes. I really didn't. It changes every time you get a new legislator, but it was—I know the legislature changed over time. Who was the legislator[2] from—he chaired the Judiciary Committee before I did. His father, Paul Wunsch, Paul Wunsch was a senator, and people used to talk about, "Did you know Paul Wunsch?" They used to talk about him going over here and sitting down in the lobby of the Jay Hawk Hotel and playing cards. And people would come up to him and whisper in his ear about what they wanted, this done or that done. That's how he ran the Senate. We didn't have, I don't think, much of that.

I found the social gatherings to be very beneficial. That's how I got to know Marvin Littlejohn. We're very different people. He's a conservative liquor store owner from Phillipsburg, Kansas, and I was a more liberal lawyer from Lawrence, Kansas, but we got along. We shared some experiences, and we respected each other, but we had very different constituencies and very different political philosophies. It was the social functions that allowed us to do that, and I think that that is important. I don't know if that continues today the way that it used to.

Now R. H. Miller, he was the type of guy that if you did something for him, he felt like he had to do something for you. He felt that so strongly that he refused to go to those social functions unless he paid his own way. And he didn't go to any of them unless there was one he felt he should go to, then he found out what the cost was. He paid the cost, and then he went to it. That's just the way he was.

When I first came to the legislature—who was the speaker before Wendell Lady?

AC: Let's see. Carlin?

JS: No, before Carlin. He was a Republican. McGill, Pete McGill. I was talking to Pete McGill one time. We had a little family corporation, and we had a standing mortgage on a farm out in the Riley County, and when we needed money for a project, we'd go to the bank and based upon that mortgage, they put the money in our account, and we'd do the project. We'd pay it back. And my brother had a project out in California, and I went to the banker and asked—we were borrowing $25,000 or something like that. Usually the money was in there within a few days. Well, the money didn't get into the account, and we were dealing with a banking bill, a branch banking bill, and he comes over to my office, and he comes in and talks to me. He said, "How are you going to vote on that banking bill?" I said, "Well, my constituents in my banks in Lawrence want me to vote in favor of it." He said, "We're an independent bank, and we wouldn't be doing the things for you that we do for you if we weren't an independent bank, and this bill will change that. I'm hoping that you'll vote against that bill."

[2] Bob Wunsch

I was very disturbed by that. I ushered him out of my office, and I went to Pete McGill, and there was another bank lobbyist—I can't remember what his name was right now—and told him about that. They said that I had a couple of choices. They said they could talk with him privately because that's not the way it's done. I said, “Go ahead and handle it privately.” Pete McGill said, “You know, around here, you drink their wine and you eat their food and you screw their women.” I said, “I'm not sure my wife would understand that part.” “Well, that's mostly in Washington,” he said. “And then you vote the way you want to vote.” Did I answer your question?

AC: Yes, you did. So, fourteen years, and of course you've done a lot of things since then. Would you ever see yourself, any inkling of ever returning to elected office?

JS: I doubt if that's going to happen. I'm seventy-four years old now. That's too old to run for just about anything. I did my duty. I was here for fourteen years.

AC: So if somebody came to you and said, “Hey, I'm thinking about running for the legislature, what would you tell that person?”

JS: I'd tell them, “Good luck.” People run for lots of different reasons. There's a lot of work to be done over here. Again, I felt I was elected to come over here and do work for my constituents. I wasn't here to make friends with lobbyists and staff and legislators, and I tried not to do that, but I did enjoy the collegiality of lobbyists and staff and legislators.

AC: Well, it's got to be I think from your perspective very fulfilling to look back over those fourteen years and all the issues that you touched or dealt with, the policy you helped set.

JS: I still have people, it hasn't happened to me recently, but as many as twenty years after I left, people would come up to me and tell me that I was doing a good job, and I hadn't been there.

AC: You've certainly done a great job in terms of public service, and certainly Kansas is better off for your efforts.

JS: We hope so.

AC: Any other topics or issues maybe that I didn't raise or anything that you would like to maybe share? Again, this will be saved for researchers and educators going forward.

JS: I think that as Winston Churchill said, “Democracy is the very worst form of government except for all the others that have been tried.” Democracy is hard work. For many periods of history, people don't pay much attention. They vote for who they've always voted for. Things get done and so on and so forth. Once in a while, you have issues that come up. But if we have people running for office and holding office for the right reasons to actually serve their constituents and people study the issues and respect the Constitution—when you take an oath

to uphold the Constitution, it should mean something. In democracy, there's plenty of opportunities to make mistakes, but there's plenty of opportunities to correct those mistakes.

And we talk about term limits. I've never been a proponent of term limits. When you don't want it so bad that you can taste it, it's time to leave.

AC: Very good. Thank you for your service. Thank you for spending some time with us today, and we wish you all the best going forward.

JS: Thank you.

[End of File]