

**JOURNAL OF THE SENATE****Sixty-seventh Legislative Assembly**

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**Bismarck, March 18, 2021**

The Senate convened at 1:00 p.m., with President Sanford presiding.

The prayer was offered by Pastor Alan L. Hathaway, Riverdale Community Church, Riverdale.

The roll was called and all members were present.

A quorum was declared by the President.

**THE SENATE RECOGNIZED THE PRESENCE OF:**

former Lieutenant Governor Wayne Sanstead.

**ANNOUNCEMENT**

**PRESIDENT SANFORD ANNOUNCED** that the Senate would stand at ease.

**THE SENATE RECONVENED** pursuant to recess taken, with President Sanford presiding.

**MOTION**

**SEN. KLEIN MOVED** that the Senate resolve itself into a Memorial Service, which motion prevailed on a voice vote.

**PRESIDENT SANFORD ANNOUNCED** that the Memorial Committee will escort Secretary-of-State Al Jaeger, former Senator Tim Flakoll and former Senator Carolyn Nelson to the podium.

**PRESIDENT SANFORD ANNOUNCED** that the Memorial Committee will escort the family and friends of each Senator to the seating in the front of the Chamber.

**SENATE MEMORIAL SERVICE****Memorial Service Committee**

Senator Robert Erbele, Chairman  
Senator Kathy Hogan  
Senator Dave Oehlke  
Senator Nicole Poolman

**Moderator**

Lt. Governor Brent Sanford

**Introduction of Guests**

LT. Governor Brent Sanford  
Escorted by Lyle Lauf, Sergeant-At-Arms  
And the Memorial Service Committee

**Invocation**

Carolyn Nelson, Former Senator from District 21

**Musical Selection**

"The Lord's Prayer"  
Senator Robert Erbele, District 28  
Accompanied by Levi Andrist

**First and Second Reading of Memorial Resolution**

Shanda Morgan, Secretary of the Senate

**Presentation of Resolutions and Memorials**

Senator Rich Wardner, Majority Leader  
Senator Joan Heckaman, Minority Leader  
Senator Randy Burckhard, President Pro Tempore  
Al Jaeger, Secretary of State

**Musical Selection**

"Ave Maria"  
Senator Mark Weber, District 22  
Accompanied by Levi Andrist

**Memorial Address**

Tim Flakoll, Former Senator from District 44

**Benediction Hymn**

"They Shall Soar Like Eagles"  
2017 Senate Chorus

**Benediction**

Carolyn Nelson, Former Senator from District 21

**DECEASED MEMBERS****Bill Bowman**

Age 75, who served in the Senate 1990-2018 from District 39.  
Interim President Pro Tempore 2001-2002.  
Died August 15, 2020, in Killdeer, North Dakota.

**Patricia "Tish" Kelly**

Age 86, who served in the House 1974-1990 and in the Senate 1990-1994 from District 21.  
Speaker of the House 1982-1984.  
Died July 12, 2019, in Fargo, North Dakota

**Lonnie Laffen**

Age 62, who served in the Senate 2010-2018 from District 43.  
Died December 23, 2020, in Grand Forks, North Dakota.

**Duane Mutch**

Age 94, who served in the Senate 1958-1966 from District 5 and 1966-1976 and 1978-2006  
from District 19.  
Interim President Pro Tempore 1971-1972.  
Served on the Electoral College in 2016.  
Died July 18, 2019, in Grand Forks, North Dakota.

**Jack Olin**

Ave 87, who served in the House 1972-1976 and in the Senate 1978-1982 from District 37.  
Served on the State Board of Higher Education 1983-1990 and  
on the North Dakota State Water Commission 1993-2013.  
Died April 23, 2019, in Dickinson, North Dakota.

**Harvey Sand**

Age 92, who served in the Senate 1992-2000 from District 10.  
Died August 11, 2019, in Bismarck, North Dakota.

**Paul Swedlund**

Age 85, who served in the House 1968-1970 and in the Senate 1970-1972 from District 7.  
Died June 13, 2020, in Bismarck, North Dakota.

**Russell Thane**

Age 94, who served in the Senate 1970-2006 from District 25.  
President Pro Tempore 1983.  
Died November 10, 2020, in Wahpeton, North Dakota.

**Irvin "Irv" Wilhite**

Age 99, who served in the Senate 1966-1972 from District 32.  
Majority Leader 1971-1972.  
Died March 15, 2020, in Costa Rica.

#### FIRST READING OF SENATE MEMORIAL RESOLUTION

Memorial Resolutions Committee introduced:

**SMR 8001:** A memorial resolution for deceased members of the Senate of North Dakota.  
Was read the first time.

#### MOTION

**SEN. KLEIN MOVED** that the rules be suspended, that SMR 8001 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal, and placed on the calendar for immediate second reading and final passage, which motion prevailed.

Memorial Resolutions Committee introduced:

#### SENATE MEMORIAL RESOLUTION NO. 8001

A memorial resolution for deceased members of the Senate of North Dakota.

**WHEREAS**, God has welcomed to their eternal home our former colleagues:

Bill L. Bowman, who served in the 52<sup>nd</sup> through the 65<sup>th</sup> Legislative Assemblies, from District 39, died August 15, 2020;

Patricia "Tish" Kelly, who served in the 52<sup>nd</sup> and 53<sup>rd</sup> Legislative Assemblies, from District 21, died July 12, 2019;

Lonnie James Laffen, who served in the 62<sup>nd</sup> through the 65<sup>th</sup> Legislative Assemblies, from District 43, died December 23, 2020;

Duane Ollen Mutch, who served in the 36<sup>th</sup> through the 39<sup>th</sup> Legislative Assemblies, from District 5, and in the 40<sup>th</sup> through the 44<sup>th</sup> and the 46<sup>th</sup> through the 59<sup>th</sup> Legislative Assemblies, from District 19, died July 18, 2019;

Jack Dale Olin, who served in the 46<sup>th</sup> and 47<sup>th</sup> Legislative Assemblies, from District 37, died April 23, 2019;

Harvey Frederick Sand, who served in the 53<sup>rd</sup> through the 56<sup>th</sup> Legislative Assemblies, from District 10, died August 11, 2019;

Paul John Swedlund, who served in the 42<sup>nd</sup> Legislative Assembly, from District 7, died June 13, 2020;

Russell Talcott Thane, who served in the 41<sup>st</sup> through the 59<sup>th</sup> Legislative Assemblies, from District 25, died November 10, 2020;

Irvin "Irv" Junior Wilhite, who served in the 40<sup>th</sup> through the 42<sup>nd</sup> Legislative Assemblies, from District 32, died March 15, 2020; and

**WHEREAS**, we now pause to mourn the passing of our former SENATE colleagues and to honor their memories; and

**WHEREAS**, these legislators rendered outstanding service to the people of the state by their contributions to public service;

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA:**

That we express our sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of our former colleagues; and

**BE IT FURTHER RESOLVED**, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the Journal of the SENATE and that the Secretary of State present enrolled copies of this resolution to the surviving families of these deceased Senators.

#### SECOND READING OF SENATE MEMORIAL RESOLUTION

**SMR 8001:** A memorial resolution for deceased members of the Senate of North Dakota.

The question being on the final adoption of the resolution, which has been read.

SMR 8001 was declared adopted on a voice vote.

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**INVOCATION BY CAROLYN NELSON  
FORMER SENATOR, DISTRICT 21**

Thank you for inviting me, it is nice to be here today after serving all those years on the Memorial Committee, I get to look out at you instead of into you.

As I looked at the names we are memorializing today and it is humbling; because I served with 6 out of 8 of the Senators. I have fun stories and memories of each of them.

It is indeed a pleasure to be here and today I chose my words from the "Hymn of Promise":

In the bulb there is a flower; in the seed, an apple tree;

In cocoons, a hidden promise: butterflies will soon be free!

In the cold and snow of winter there's a spring that waits to be,

Unrevealed until its season, something God alone can see.

There's a song in every silence, seeking word and melody;

There's a dawn in every darkness, bringing hope to you and me.

From the past will come the future; what it holds, a mystery,

Unrevealed until its season, something God alone can see.

In our end is our beginning; in our time, infinity;

In our doubt there is believing; in our life, eternity,

In our death, a resurrection; at the last, a victory,

Unrevealed until its season, something God alone can see.

**MEMORIAL ADDRESS BY TIM FLAKOLL,  
FORMER SENATOR, DISTRICT 44**

Lt. Governor Brent Sanford, President Pro Tempore Burckhard, Leaders Wardner and Heckaman and distinguished Senators past and present. Thanks, and welcome to the family and friends of those we honor today, both those who are here in person, in this wonderful Senate Chamber and to those who are viewing via computers in their homes, including Governor Doug Burgum who is watching remotely as he recovers from his recent hip replacement surgery.

I am Tim Flakoll and I served in the Senate from 1998-2016. In my first session I sat there at desk #15 where Senator Weber sits. Then I sat over to my left in the twin's section. Then I sat down in front where Sen Mike Wobbema now sits and then in front of Majority Leader Wardner in the desk were Sen. Davison now sits.

For me, and I am guessing for Senators past and present, this is the most special and most appreciated day of the Legislative Session. Albeit a bitter-sweet day. The Senate is proud of its many traditions, but the one I love best is this event to honor those whom we have lost.

It is a day where differences between the House and the Senate, east vs west, urban vs rural and between political parties are set aside and we truly become one chamber with a common purpose.

Legislative Council reported to me last week that 801 people have served in the Senate since statehood dating back 132 years to 1889.

As sitting Legislators, today is a reminder that each of us will have our turn and be placed on "the list." In my first session, I remember sitting in this service which honored my predecessor Senator Jim Berg who died in office. It was a good reminder that each person honored today had a seat in his hallowed chamber, now held by one of you. It is a less than subtle reminder that the seats that each Senator occupies, is not their seat, but it belongs to all North Dakotans including those you represent back home. For those who are currently honored to serve, today is a good reminder to make the most of your time as a Senator.

It has been my life's greatest honor to have served in the Senate for 18 years and I am sure many here today feel that same way. Being in this environment allows each Senator the ability to do great and lasting things, many which will benefit the State in perpetuity. Public service is the oxygen of a life well lived.

Being a Senator is being part of a collegial body where the people that we work with matter. The Legislators, the front desk and support staff, the committee clerks, interns and the staff at Legislative Council. Each are here because of the passion they have to make things better for current and future generations.

To the families of those honored here today, I want to share my sincere thanks and appreciation from a grateful state. Your loved one's dedication and service to the state has made a difference. Each one of them used their unique talents to do amazing things and today we celebrate their life and thank you for what they did for our great state.

If you were to pick a Mt. Rushmore or Hall of Fame of great Legislators, those we honor today would be a great place to look and they would fill up the list pretty quickly. Collectively the 9 people we honor, served a total of 168 years in the Legislature. Those we honor were not simply Legislators, but Statesmen and Stateswomen in the truest sense of the word.

As Legislators they mobilized the English language in order to rally opinions and push ideas forward. When they voted, they put their values into action. Many of their achievements are forever bookmarked in the history of North Dakota.

Achievements are nearly always a joint effort, and that effort is on display every session. Words move people, and if you can't move people you can't move ideas and legislation. If you were to put Legislative power into a pot and distill it down, what would be left would be language, the use of language, the turn of phrase and the potency of words. Power to persuade, comes from the power of those words, all lined up in an easily digestible row.

Those we honor today did not just serve, but to use a word from Homer's Iliad, they brought Kleos to the Senate. Kleos' meaning is to bring "renown" or "glory" to something.

A Greek hero earns Kleos through accomplishing great deeds and it is about what others hear about you. Kleos is the fame and glory that lives on long after you die, so in a way, those that achieve Kleos (that renown and glory), will never die. We honor them today, but I know that in the Senate, they are thought about often and they are often part of the back story when discussions and deliberations are undertaken.

But to be clear, you don't get Kleos by being elected to the Senate, but rather by the works and deeds you do as a Senator.

Yes, they had challenges and down days and times of difficult decisions and not 100% of their bills passed, but very few in North Dakota, this amazing place we call home, can say, that on their best days, they accomplished what those we honor today did when it was their time to answer the call.

They brought both individual and collective success, and for those we honor today, they have earned out deepest gratitude. They willingly traded wonderful home cooked meals with family around the dining room table for cold coffee and day old pizza and meetings at all hours of the day.

This ceremony comes at such a great time in the Legislative session. A time when bills that are important to individual Legislators are amended or not passed. A time when the most common phrase we hear is "they did what!?" March is a time filled with frustration and sometimes a little anger in the chambers. This ceremony provides the elixir to bring us all back together. It is a reminder that all who serve are important and that Senators are humans too and that the people and districts have their own unique circumstances and needs and each Senator works to represent those priorities.

Serving as a committee chair for 14 years, I always appreciated how this ceremony pulled us together and made us look at not only today, but with a longer lens, to how people many generations in the future will be impacted.

Today, I have the nearly impossible task of trying to share remarks and stories, on the impact of those we honor. But I know that everyone who served with them has countless stories they have stored away. I hope that our Senate hosts have a chance to visit with the families to share your own stories about their loved ones. Because our state is much richer because of them. Public policy can at times seem to move at a glacial pace.

Every session one of our honorees would famously remind us that it takes 12 months to get a yearling bull. A reminder that no matter how much we rant and rave and press, some things just take time to get put into action, and to produce results.

Senator Bill Bowman – 28 years from 1990 – 2018, US Army  
Senator Bowman was a force in many ways, especially in agriculture where to use his

words, he “had to protect his cowboys back home.” He was especially a force when it came to experiment stations and Agriculture Extension. Bill probably did more to strategically move North Dakota Agriculture into the 21st Century than anyone. As a result, he became the first former Legislator to have a building named after him on the campus of NDSU, one of the nation’s premier Land Grant agriculture-based colleges.

Experiment stations across the state benefited greatly from Bill’s tenacious support of agriculture, and Experiment Station Directors would often comment “thank goodness we have Bowman.”

Senator Bowman also used his skills as an auctioneer to help break up tense debates and differences of opinions. I fondly remember many times when he would break into the auctioneer’s cadence and bring a smile to everyone at the negotiation table.

If you had an agriculture bill where Senator Bowman said “My cowboys back home ain’t gonna like this” you pretty well knew the outcome of what would happen and you might want to fix it up so it did not end up in the big paper shredder.

I would also be remiss if I did not remind you that Bill’s District 39 includes 7 counties and encompasses about 9,400 square miles which is approximately 6 million acres.

That is nearly twice the size of Connecticut and the same size or larger than 9 states.

Senator Patricia “Tish” Kelly - (20 years) House 1974-1990 and Senate from 1990-1994)

Senator Tish Kelly was a trailblazer who was elected to the House in 1974 when very few women served in the Legislature.

Tish grew up as an “army brat” in a family with a long and distinguished history of military service. She moved throughout the world in her younger years, including living in the Philippines, and graduated from High School in Washington, D.C. in 1950.

Following college graduation, she began her career in Washington, D.C., working as an analyst for the National Security Agency. Thereafter, she served as a legislative aide in Washington DC.

Tish met her future husband, John D. Kelly, at a fundraising dinner in Washington, D.C. for President John F. Kennedy. Mr. Kelly often joked that his ticket to the fundraiser was the best investment he ever made.

Tish embarked on her own storied and trailblazing career in public service when she was elected to the North Dakota House of Representatives in 1974 from District 21 in Fargo.

She loved to talk with people and knew that words mattered. Words that can change lives and change history.

She served in the North Dakota House of Representatives for 9 terms and had the honor of being unanimously elected as the Speaker of the House during the 1982-1984 term, being only the second woman in the state’s history and the only woman in the United States at the time to serve in that prestigious role.

Tish finished her career in elected office by serving for a term in the North Dakota Senate, retiring from office in 1994. She was a champion of education and women’s rights, and understood the important role she played for the women who followed in her footsteps.

Senator Duane Mutch – (46 Years) served in the Senate for 46 years from 1958-1976 and again from 1978-2006. He also served in the Infantry in World War II. When he left the Senate in 2006, he had served in the Senate for 46 years..... or nearly 40% of the total years of North Dakota Statehood. When combined with Senator Ray Holmberg the current Dean of they Senate they will have 92 years of service at the end of Holmberg’s term. And to dispel a rumor....no they did not sign the Declaration of Independence.

Senator Mutch was first elected to the Senate in 1958 and started serving before I was born. He served in the Senate longer than anyone else has in the 132-year history of North Dakota.

Senator Mutch was honest and forthright in his words and actions. He did not achieve success because he was made of cotton candy.

His first years in the Senate were a different time in many ways. Freshman Legislators were not assigned to committees at that time in history. It seems odd today but in those early years, bills were typed with 12 sheets of carbon paper to allow the typing of multiple copies. And it was a time in our nation’s history when we did not even have 50 states.

President Truman liked to say that they only new things in the world are the history that you don’t know. Senator Mutch gave us the unvarnished truth and was a treasure trove of Legislative history. In 2005 session we had a bill on the wheat checkoff and as Chair of the Agriculture Committee I asked him where he was sitting on the vote. He replied that he voted for it 46 years before in the 1959 session and still felt remorse for that vote. Yes, 46 years later.

While Senator Erbele always had my favorite singing voice in the Senate, Senator Mutch

had the best speaking voice in the Senate. A deep, powerful base voice with a great cadence and intonation (inflection) to it. And it was backed by a seemingly Library of Congress memory capacity.

One day we had a bill on the floor that he opposed. Senator Mutch gets up to speak and said "well here is an old friend, I remember this bill back in 1967, 1973 and 1985..... it was a bad bill then and it is a BAD bill NOW. Needless to say after that, no one else needed to speak. It was something that only Duane could say and everyone laughed including the sponsor who knew the bill was now headed to certain defeat.

The good Senator had many quotes as Chair of the Industry Business and Labor committee including: "We will give this bill a good hearing before we kill it."

One of my favorite "Mutch" stories happened at a lunch counter in a smaller community. Someone brought in a clipboard to get signatures for a ballot measure. Well they showed it to the first person who read it and did not sign it but passed it to his right to the next person who read it and again did not sign it. The clipboard kept working its way from left to right with people reading, but not signing it. Well it went down the length of the lunch counter until the 9th person got it. He read it and promptly signed his name and passed it back to the person on his left who then in turn signed it.

They passed it all the way back, with now each one of them feeling comfortable to sign the political document. Who was the 9th person at the far end of the counter? Well of course it was Senator Mutch. After he signed it, each of the others knew it was safe to sign, and they did. That my friends, is Kleos.

Jack Olin - House (8 years) 1972-1976 and Senate from 1978 to 1982

Senator Jack Dale Olin was born Feb. 12, 1932 and beginning in December 1953, he served in the United States Army and achieved the rank of corporal. While serving in England and Germany, he learned about the concrete business.

After his honorable discharge in 1955, he returned to North Dakota and attended Bismarck State College.

He began working for the Soo Line Railroad based in Bismarck one year prior to joining the North Dakota Highway Patrol. In 1961, Jack joined the Dickinson Ready Mix Co. In 1972, Jack and Gene Fisher became partners and purchased Dickinson Ready Mix. The ready-mix business was a true passion for Jack and he was committed to the day-to-day operations until his retirement in 2001.

Jack loved to tell stories and used them with great success when telling of the importance of legislation he supported.

He was a man who liked to help people. When Senator Rich and Kayleen Wardner moved into Dickinson, Jack lived next door to them. Jack was right over and helped the Wardners move all of their belongings into their new home. It was things like that, that defined the man. Jack was devoted to his community. He was a member of St. John Lutheran Church in Dickinson, serving on the church council. Jack was a member of Dickinson Rotary and Lions Clubs as well as Elks Lodge and truly enjoyed his weekly dinners there with his family. He was a member of the Badlanders Barber Shop Chorus, volunteered as a Boy Scout leader.

Water was a special passion for Jack and he was instrumental in bringing water to southwest North Dakota. He was very proud the day they opened the spigot for the Southwest water project.

Education was of the utmost importance to Jack and he served on the North Dakota Board of Higher Education.

He was a member of the Theodore Roosevelt Medora Foundation, Associated General Contractors of North Dakota and other various civic organizations.

As a father, he looked forward to fishing, camping, and snowmobiling with his young family.

He especially loved watching bull riding and could tell you the names of all the bulls and riders. He knew the bulls tendencies to spin left or right and for this bull it was two bucks with a lot of drop and a spin to the right and told stories about them frequently.

Senator Harvey Sand (8 Years) Senate 1992-2000

For those of you who never spent time with Senator Harvey Sand, I would best describe him as a combination of TV character, Mayberry Sheriff Andy Taylor and the writer Mark Twain.

Sage, witty, insightful and thoughtful and well-paced in his floor speeches and debates on the issues.

He was not a Jack in the Box who jumped up to speak, on every bill, so when Senator Sand rose to speak everyone knew he had something important to say and it was probably something that no one else had thought of yet.

Harvey had a beautiful cadence to his comments on the floor. He would rise with microphone in his right hand and then shove his left hand in his pocket exhale deeply and begin delivering his thoughtful and insightful comments with an economy of words. His style led

your eyes toward him and your ears would latch onto his words.

While he had many successes in the Senate, his happiest times on the Senate floor seemed to be when his daughter Rosie would come down from the Attorney General's office to visit. Each time he wore a great smile and his pride in her shone like a new father on the day she was born.

Senator Paul John Swedlund – (4 years) Velva, ND – ND House 1969-1970 and in the ND Senate from 1971-1972.

Paul was drafted into the United States Army at the age of 25. Following a year of training but before he was sent to Korea, his father died, and Paul received a farm deferment and became the patriarch of the family – taking over the family farm in Velva with his mother and 7 younger siblings.

People that knew Paul, tell us that he loved to meet people and described him as “one of the kindest and gentlest people you could meet who found a friend in everyone.” Community Service was very important to him, and he served in the legislature for two terms, was a county commissioner in McHenry County, and served on the school board in Velva in addition to many other civic activities.

Paul could be described as a Renaissance Man who could do most anything, including plumbing, electrical work, mechanical projects and anything else that needed fixing.

He was also very artistic and enjoyed woodworking and painting. He loved spring as he could plan and plant his garden. That gardening concept served him well in the Legislature as he knew you harvest the crop you plant and that planting small seeds can produce great results.

The invisible something that he brought to office was the power of character. People trusted his words because they trusted him.

His passion for service was a role model to many including his grandson who currently works in the Governor's office.

Senator Russell Thane – (36 years) Served in the Senate from 1970-2006 was the quintessential “gentleman farmer.” Senator Thane led with his heart and was a person who fought and won on many issues, especially human services, agriculture and education issues – especially when it came to the North Dakota State College of Science. Senator Thane wanted to give kids and grand kids the kind of childhood and upbringing that they would not have to heal from.

He was an alumnus of the North Dakota State College of Science, North Dakota State University and Rutgers University Eagleton Institution of Politics.

Senator Thane enlisted in the U.S. Air Force and served during the Korean War.

In April of 1952, Russell was married to Betty in Amarillo, TX. The couple were blessed with two children, Ronald and Kathleen. When Kathleen passed away, Russell and Betty took on the responsibility of raising her two children, Hunter and Mason. And that was one of the greatest displays of love we will ever see and those experiences did a great deal to shape who Senator Thane was and his laser-like and tireless focus on helping people.

Senator Thane showed us that it helps to know what the people have been through to understand what they want and don't want. Senator Thane's remarks on a seat belt bill was one of the most heartfelt, impact and well-articulated floor speeches I ever heard.

In his later years in the Senate, his hearing was failing him but I often thought, that maybe, that was why he listened intently.

He listened intently to what people said, not just to hear, but to understand the complexity of their unique situation and use that information to navigate how state human services can best lift them up. His real-life challenges gave him a greater understanding and an empathy that is rarely found at his level.

I.J. “Irv” Wilhite. (10 years) was born May 29, 1920, the middle of 7 boys whose family had homesteaded in South Dakota. He passed away March 15, 2020 at the age of 99 years and 10 months in Costa Rica. He served in the military in the 1940's including serving the United States in World War II as a B24 bomber pilot. He broke both legs when he was shot down over the Libyan Desert in Africa. After which he returned to the United States to be a test pilot and retired as a Major. This was very important to him.

Sen. Wilhite served in the Senate from District 32 from 1962 to 1972. He served as the Senate Majority Leader from 1971-1972.

Irv left the Senate to run for Lt. Governor on the ticket with Richard “Dick” Larsen in 1972 but their ticket lost to Art Link and Wayne Sanstead.

Irv was exuberant in spirit. Many people never look up, but Irv not only looked up, but he reached for the stars.

Irv was an oil man involved in exploration and drilling in the days when oil was first



discovered in North Dakota with the firms Wilhite and Seay, Star Drilling and Nakota Company. He was a “wildcatter” in the oil business – not affiliated with any of the big companies. He was very proud of the fact that he drilled more than one half of the wildcat wells in North Dakota. Irv was later involved in coal leasing and real estate development in western North Dakota. One of the best, and most beautiful, laid out areas in Bismarck is Highland Acres of which Irv developed.

Irv moved to Costa Rica over 40 years ago where he was awarded “Hijo Predilecto” – which translates to “favorite son” as he was honored as the adopted son of the country. This was for his work developing the Northern Frontier there.

Irv was able to get electricity, water and paved roads to the area due to the large expansive orange groves he planted. He later spearheaded housing projects for young parents. Irv cared about helping the people in North Dakota as a Senator, and in Costa Rica as a developer.

What an interesting and amazing life!

Senator Lonnie Laffen – (8 years) Served in the Senate from 2010-2018

Pam, Lonnie's parents and his sons. This is the hardest one for me to talk about so I held it for the end. I am so glad you are here. This one hurts really bad. 62 years is far too short of a time on earth and to go so quickly and two days before Christmas tears at all of our hearts. Lonnie and I are the same age. This fall I had open heart surgery to replace an aortic aneurism, heart valve replacement and repair two major blockages. The only instructions I have given my family over the years is that I hoped they would come to the Senate memorial service if I pass early. After my friend Lonnie died I felt the weight of survivor's guilt, and let me tell you, survivor's guilt is very real.

Lonnie was in my pod sitting next to Sen. Burckhard and in front of Senator Judy Lee, Sen. Miller and myself.

Lonnie always exhibited grace under pressure. He was a fixture in the architecture community and a dedicated public servant representing Grand Forks.

His influence extended beyond his time in the Senate. As recently, the Theodore Roosevelt Presidential Library Foundation had named JLG as the architect of record for the presidential library project slated to be built near Medora. It will be a capstone of Senator Laffen's career and a wonderful legacy project that Lonnie viewed as a Halley's Comet. A once in a lifetime project not only for his firm, but for all North Dakotans.

Lonnie understood how a great design can change a community and lift them and its people up. Sometimes success is about great timing. Having Senator Laffen, one of the nation's preeminent building experts serving at a time when the state was investing heavily in facilities was perfect timing for North Dakota. It was a perfect fit and timing for his skills.

He carried over some of his work traditions to the Senate. We especially enjoyed the one about bringing ice-cream to the Senate floor for his co-workers at the end of the session. Sometimes it is those smaller acts of kindness that stick with us.

Years before school safety became a national issue, Senator Laffen sponsored SB 2278 (2013) that provided millions of dollars for school safety grants. That bill was an example of how Lonnie used his architectural training to create the art of the possible when it came to providing creative solutions and solving problems in a sequential and systematic way.

Lonnie was a proud grad of NDSU architecture and a proud supporter of UND. As much as he loved those institutions and his profession, nothing in his life matched his love for Pam and the boys.

As President and CEO of JLG Architects, he shaped how people lived, learned, did business and how they played. With his enthusiastic and visionary leadership, the firm has become the preeminent architecture firm for hockey facilities in the United States.

Lonnie had a great can-do attitude and infectious positive attitude and proof that great attitudes are not simply taught, but they are caught,

Senator Laffen in his private life and in the Senate, was always looking for the next big thing. The next mountain to climb. He is now at the top of the mountain looking down and smiling on all of us.

The amazing range and variety of talents on display in this chamber is the catalyst for all Senators to want to be better.

As I near the close of my remarks I would like to share a quote from Kenneth McFarland “If you want not only to be successful but personally, happily and permanently successful, then do your job in a way that puts lights in people's faces. Do that job in such a way that even when you are out of sight, folks will always know which way you went by the lamps left behind.”

To those we honor, your names were only on these voting boards and desk plates in the Senate for a limited number of years, but they are inscribed in our hearts and our history forever.

Often real changes can come at a slow but steady pace. People too often think that what happens on the Senate floor is the end all of the work Senators do but as families of Senators know, that is only the tip of the iceberg. The part that people easily see.

The heavy lifting of grassroots work comes in committees, and in meetings with people back home and with content experts. What they don't see is the one on one meetings over cold coffee and day-old pizza at 7 p.m. or 11 p.m. with policy experts and constituents when the cameras are not rolling.

Or their time spent reading and addressing the phone calls and literally thousands of emails that come in.

And anyone who has served knows, that there are people who want to just talk for two minutes with you at the grocery store or at church or at the weekend high school event. Conversations which are more likely to take 30+ minutes than the promised two minutes. And often when Senators might want to also be watching their own child participate in a youth activity. If you are a Senator, there is never a "pause button, as you are always in the role of Senator."

Senators are often the last ones to leave an event or meeting to join their families who are often left waiting out in the car.

So those years of service, require a lot of conciliation by the families back home.

Think of all the turning points of history that have occurred in the North Dakota Legislature:

- 1)Funding the North Dakota Heritage Center and Theodore Roosevelt Presidential Library.
- 2)Launching of the Bank of North Dakota and the State Mill and Elevator.
- 3)Water access projects across the state.
- 4)Flood protection for Minot, Valley City and the Red River Valley.
- 5)Nation leading improvements to agriculture, human services and education.
- 6)And right here in front of me is where Senator Bob Stenehjem lay in state after his untimely death in 2011.

To the current Senators and Legislative Support Staff.

Remember to take care of yourselves during these stressful days of the session.

Everything is super important until you are sick. Then you realize that the thing that allowed you to do all the other things, was your health.

But too often, we borrow from the bank of our health, taking loans on stress and sleepless nights to pay for something that has much less value. Health is your true wealth! Families and friends of those we honor we thank you from the bottom of our hearts and on behalf of the Memorial Service Committee and the 47 Senators who serve today, our most heartfelt and sincere thanks.

The loss of these great friends, leaders and family members is felt by all who knew them. Today we say thanks for the work of these nine, and we bid them a reluctant and affectionate farewell. Their work on earth has ended, but the great things they accomplished in this hallowed chamber live on.

My Prayer.

Lord help me live from day to day in a humble sort of way, to share a smile, help lift a load and make things easier for people along life's road. And to when my journeys end I come, my life I have not lived in vain, if ONE dear friend can smile and say I'm glad I met him on life's way."

May God continue to bless you the families and all who serve in this chamber and God bless the State of North Dakota.

#### **MOTION**

**SEN. KLEIN MOVED** that the Invocation by Former Senator Carolyn Nelson, and the Memorial Address by Former Senator Tim Flakoll, be printed in the journal, which motion prevailed.

#### **MOTION**

**SEN. KLEIN MOVED** that the Senate Memorial Service be dissolved, which motion prevailed.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has passed, unchanged: HB 1180, HB 1196, HB 1220, HB 1251, HB 1336, HB 1346, HB 1355.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has amended, subsequently passed, and the emergency clause carried: HB 1175.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The Senate has failed to pass, unchanged: HB 1094, HB 1143, HB 1374, HB 1376.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, unchanged: SB 2044, SB 2062, SB 2087, SB 2098, SB 2112, SB 2149, SB 2191, SB 2207, SB 2277, SB 2297.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has passed, the emergency clause carried, unchanged: SB 2237, SB 2238, SB 2291.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has amended and subsequently failed to pass: SB 2120.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The House has failed to pass, unchanged: SB 2069, SB 2172, SB 2302.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** Your signature is respectfully requested on: SB 2070, SB 2116, SB 2119, SB 2199, SB 2294, SB 2330, SB 2336.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** Your signature is respectfully requested on: HB 1041, HB 1056, HB 1218, HB 1242, HB 1357.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: SB 2028, SB 2047, SB 2107, SB 2108, SB 2136, SB 2140, SB 2147, SB 2167, SB 2196, SB 2221.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: SB 2070, SB 2116, SB 2119, SB 2199, SB 2294, SB 2330, SB 2336.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has signed: SB 2028, SB 2047, SB 2053, SB 2107, SB 2108, SB 2136, SB 2140, SB 2147, SB 2167, SB 2196, SB 2221, SB 2250.

**MESSAGE TO THE HOUSE FROM THE SENATE (SHANDA MORGAN, SECRETARY)**

**MR. SPEAKER:** The President has signed: HB 1041, HB 1056, HB 1218, HB 1242, HB 1357.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: HB 1157, HB 1230, HB 1278, HB 1316, HB 1332, HB 1343, HB 1351, HB 1381, HB 1402.

**MESSAGE TO THE SENATE FROM THE HOUSE (BUELL J. REICH, CHIEF CLERK)**

**MR. PRESIDENT:** The Speaker has signed: HCR 3013.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following bills were delivered to the Governor for approval on March 18, 2021: SB 2028, SB 2047, SB 2053, SB 2107, SB 2108, SB 2136, SB 2140, SB 2147, SB 2167, SB 2196, SB 2221, SB 2250.

**COMMUNICATION FROM GOVERNOR DOUG BURGUM**

This is to inform you that on March 17, 2021, I have signed the following: SB 2035, SB 2039, SB 2049, SB 2051, SB 2055, SB 2057, SB 2175, SB 2254, and SB 2260.

**MOTION**

**SEN. KLEIN MOVED** that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 12:30 p.m., Friday, March 19, 2021, which motion prevailed.

**REPORT OF STANDING COMMITTEE**

**HB 1028: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1028 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1075, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1075 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1083: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1083 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1107: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1107 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1188, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1188 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1198: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)** recommends **DO NOT PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1198 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1281, as engrossed: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1281 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "or home"

Page 1, line 8, remove "or home"

Page 1, line 11, remove ", or home"

Page 1, line 12, remove "education, as defined in section 15.1-23-01,"

Page 1, line 13, remove "To qualify for the credit under"

Page 1, remove line 14

Page 1, line 17, remove "or home education"

Page 1, line 20, remove "or home education"

Page 2, line 3, remove "or home"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1370: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1370 was placed on the Sixth order on the

calendar.

Page 1, line 11, replace "thirty" with "twenty"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HB 1413, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1413 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1429, as engrossed: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)** recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1429 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HB 1436: Education Committee (Sen. Schaible, Chairman)** recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1436 was rereferred to the **Appropriations Committee**.

**REPORT OF STANDING COMMITTEE**

**HB 1478, as engrossed: Education Committee (Sen. Schaible, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1478 was placed on the Sixth order on the calendar.

Page 2, line 10, replace "superintendent of public instruction" with "kindergarten through grade twelve education coordination council"

Page 2, line 11, after "and" insert "to the superintendent of public instruction for"

Page 2, line 12, remove "convene a review committee to"

Page 2, line 13, remove "to the superintendent. The review committee consists"

Page 2, remove lines 14 through 17

Page 2, line 18, remove "of each chamber, and the director of career and technical education"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**HCR 3002: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)** recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3002 was placed on the Fourteenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

**HCR 3032: Finance and Taxation Committee (Sen. Bell, Chairman)** recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3032 was placed on the Fourteenth order on the calendar.

The Senate stood adjourned pursuant to Senator Klein's motion.

**Shanda Morgan, Secretary**

