

**\*CONFIDENTIAL\***

*Via Email Only*

October 23, 2023

John Bjornson  
Director  
North Dakota Legislative Council  
600 East Boulevard Ave  
Bismarck, ND 58505  
jbjornson@ndlegis.gov

Re: Complaint Nos. 22-003 – 22-010 and 23-012 Request for Information

Dear Director Bjornson:

The North Dakota Ethics Commission ("Commission") is conducting an investigation into complaints against Representative Jason Dockter related to the lease and renovation of property located at 1720 Burlington Drive in Bismarck, North Dakota by the Office of Attorney General. At this time, the Commission respectfully requests information from your office to continue its investigation.

The Commission specifically requests any and all email communications from January 2016 to March 2022 within the state legislative account of Representative Jason Dockter that relate to: (1) C.J. Schorsch, Stealth Properties, LLC, or Parkway Property Management, LLC; (2) the lease and renovation of the building located at 1720 Burlington Drive, Bismarck, North Dakota; (3) Senate Bill 2003 from the 66<sup>th</sup> Legislative Assembly in 2019; and (4) House Bill 1003 from the 67<sup>th</sup> Legislative Assembly in 2021.

The North Dakota Constitution grants the Commission the authority to conduct the above investigation in Article XIV. The authority of the Commission for requesting Representative Dockter's emails lies under this constitutional provision and N.D.C.C. § 54-66-08(3), which states:

The commission may require the testimony of a witness or the production of a book, record, document, data, or other object at any of the commission's investigator interviews or proceedings held in connection with the investigation of a complaint.

While we understand legislators' emails are excluded from open record requests under N.D.C.C. § 44-04-18.6, the authority of the Commission under Article XIV and N.D.C.C. § 54-66-08(3) takes

precedence over the open records law because of its specificity and the Legislature's intent to give the Commission broad authority to conduct its investigations. Accordingly, we look forward to you providing the requested records at your earliest convenience.

Pursuant to N.D.C.C. § 54-66-12(1), this request for documents, data, and any other information you provide is a confidential record as defined in N.D.C.C. § 44-04-17.1. Thank you for your anticipated cooperation. If you have any questions or concerns, please feel free to contact my office.

Sincerely,



Rebecca Binstock  
Executive Director, North Dakota Ethics Commission