

Overview of Report and Recommendation



Complaint Nos. 22-003 - 22-010

Ethical Violation One

May 29, 2020

Rep. Dockter acquires 12.5% interest
in the Burlington property through
Stealth Properties, LLC.

2023 Legislative Session

HB 1004 contains funding
for DHHS lease at the Burlington property.

April 11, 2023

Rep. Dockter votes on HB
1004, appropriating money to
his interest in the Burlington
property.

Fall 2022

Commission adopts
conflict of interest rules.

Department of Health and
Human Services rents space at
the Burlington property.



Ethical Violation One

SECOND READING OF HOUSE BILL

HB 1004: A BILL for an Act to provide an appropriation for defraying the expenses of the public health division of the department of health and human services; to create and enact a new section to chapter 54-27 of the North Dakota Century Code, relating to the deposit of judgment funds; to provide for a legislative management report; to provide for a transfer; and to provide for an exemption.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 79 YEAS, 12 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Bahl; Beltz; Bosch; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; **Dockter**; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Hauck; Headland; Heinert; Ista; Johnson, J.; Jonas; Karls; Kasper; Kempenich; Kiefert; Klemin; Koppelman; Kreidt; Lefor; Longmuir; Louser; Marschall; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Novak; O'Brien; Olson, J.; Olson, S.; Ostlie; Porter; Pyle; Richter; Rios; Roers Jones; Rohr; Ruby, D.; Ruby, M.; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Tveit; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Christensen; Dyk; Heilman; Henderson; Holle; Prichard; Schatz; Timmons; Toman; VanWinkle; Vetter

ABSENT AND NOT VOTING: Christy; Hoverson; Nelson

Reengrossed HB 1004 passed.

- Representative Dockter failed to meet his ethical obligation to declare a potential conflict of interest in HB 1004 on April 11, 2023.
- This failure violated the Ethics Commission and the Legislative Assembly's conflict of interest rules.

2023 Session - Vote on HB 1004

Ethical Violation Two

July 1, 2019

New lease in effect between
Bismarck State College and
Marvin Darius, LLC.

2023 Legislative Session

HB 1003 contains funding
for BSC lease at 1700 Schafer St.

2019

Rep. Dockter acquires 15%
interest in 1700 Schafer St
through Marvin Darius, LLC.

Fall 2022

Commission adopts
conflict of interest rules.

April 26, 2023

Rep. Dockter votes on HB
1003, appropriating money to
his interest in
1700 Schafer St.



Ethical Violation Two

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 69 YEAS, 23 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, B.; Anderson, D.; Anderson, K.; Beltz; Boschee; Brandenburg; Conmy; Cory; Dakane; Davis; Dobervich; **Dockter**; Fegley; Finley-DeVille; Fisher; Frelich; Grueneich; Hager; Hagert; Hanson; Hatlestad; Heinert; Henderson; Ista; Johnson, J.; Jonas; Karls; Kiefert; Klemin; Kreidt; Lefor; Longmuir; Louser; Martinson; McLeod; Meier; Mitskog; Mock; Monson; Motschenbacher; Murphy; Nathe; Nelson; Novak; O'Brien; Olson, J.; Ostlie; Porter; Pyle; Richter; Roers Jones; Rohr; Sanford; Satrom; Schauer; Schneider; Schobinger; Schreiber-Beck; Steiner; Stemen; Strinden; Swiontek; Thomas; Vetter; Vigesaa; Wagner; Warrey; Weisz; Speaker Johnson, D.

NAYS: Bellew; Bosch; Christensen; Dyk; Hauck; Headland; Heilman; Holle; Hoverson; Kasper; Kempenich; Koppelman; Marschall; Olson, S.; Prichard; Rios; Ruby, D.; Ruby, M.; Schatz; Timmons; Toman; Tveit; VanWinkle

ABSENT AND NOT VOTING: Bahl; Christy

Reengrossed HB 1003 passed and the emergency clause was declared carried.

- Representative Dockter failed to meet his ethical obligation to declare a potential conflict of interest in HB 1003 on April 26, 2023.
- This failure violated the Ethics Commission and the Legislative Assembly's conflict of interest rules.

2023 Session - Vote on HB 1003

Ethical Violation Three

VERDICT FORM

We the Jury, being duly impaneled and sworn to try the above-entitled action, make the following finding regarding the Defendant, Jason Dean Dockter:

Count 1: on the charge of Speculating or Wagering on Official Action, we find the Defendant: (Mark One)

☐ Not Guilty

☒ Guilty

Verdict, *State v. Jason Dockter*, No. 08-2023-cr-03618
(N.D. South Central Jud. Dist. May 3, 2024).

- Representative Dockter engaged in a criminal violation by voting on HB 1004 during the 2023 legislative session.
- As determined by the jury, Representative Dockter's actions violated N.D.C.C. §12.1-13-02(2), speculating or wagering on official action.
- N.D.C.C. §12.1-13-02(2) is a state law related to transparency and corruption. As a result, a criminal violation of the law is also an ethical violation.