

**2021 HOUSE GOVERNMENT AND VETERANS AFFAIRS**

**HCR 3010**

# 2021 HOUSE STANDING COMMITTEE MINUTES

## Government and Veterans Affairs Committee Pioneer Room, State Capitol

HCR 3010  
2/19/2021

Relating to removing a provision that negates other provisions in the Constitution of ND
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**Chairman Kasper** opened the hearing at 8:02 a.m.

Representatives	Roll Call
Representative Jim Kasper	P
Representative Ben Koppelman	P
Representative Pamela Anderson	P
Representative Jeff A. Hoverson	P
Representative Karen Karls	P
Representative Scott Louser	P
Representative Jeffery J. Magrum	P
Representative Mitch Ostlie	P
Representative Karen M. Rohr	P
Representative Austen Schauer	P
Representative Mary Schneider	P
Representative Vicky Steiner	P
Representative Greg Stemen	P
Representative Steve Vetter	P

### Discussion Topics:

- Supremacy clause removal

**Rep. K. Koppelman** introduced and testified in favor, #6996.

**Rep. Kempenich** testified in favor.

**Rep. Vetter** moved **Do Pass** and **Rep. Hoverson** seconded.

Representatives	Vote
Representative Jim Kasper	Y
Representative Ben Koppelman	Y
Representative Pamela Anderson	N
Representative Jeff A. Hoverson	Y
Representative Karen Karls	Y
Representative Scott Louser	Y
Representative Jeffery J. Magrum	Y
Representative Mitch Ostlie	Y
Representative Karen M. Rohr	Y
Representative Austen Schauer	Y
Representative Mary Schneider	N
Representative Vicky Steiner	Y
Representative Greg Stemen	Y
Representative Steve Vetter	Y

**Motion passes.** 12-2-0. **Rep. Louser** is the carrier.

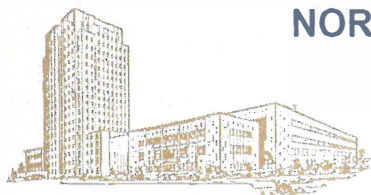
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**Chairman Kasper** ended at 8:17 a.m.

*Carmen Hart, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HCR 3010: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)**  
recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR  
3010 was placed on the Eleventh order on the calendar.



# NORTH DAKOTA HOUSE OF REPRESENTATIVES

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## **Representative Kim Koppelman**

District 13  
513 First Avenue NW  
West Fargo, ND 58078-1101  
B: 701-492-7317  
[kkoppelman@nd.gov](mailto:kkoppelman@nd.gov)

## **Speaker of the House**

2-19-2021

## **Testimony in Support of HCR 3010**

### **Before the House Government and Veterans Affairs Committee**

Mr. Chairman and Members of the Committee,

Like all of you, I am an avid supporter of our Constitutions, both our US Constitution and our North Dakota Constitution. Years ago, before many of you were here, I chaired the Constitutional Revision Committee. Its work was later added to the Judiciary Committee's workload, so I've been watching proposed changes to our Constitution very carefully, over the years.

I'm not sure if you're aware of it, but a little noticed, but very dangerous provision was recently slipped into the North Dakota Constitution, as part of a larger measure, which threatens to negate the rest of the very Constitution we all take an oath to support. It is so brazen that it seeks supremacy over all the rest of the Constitution which been crafted since statehood.

Yes, you heard correctly. Our Constitution contains a recently-added Supremacy clause!

The audacity to insert a provision in our Constitution which claims supremacy over the rest of it is not only shocking. It is a violation of everything we hold dear. When we take our oath of office, it is to support the Constitution, as a whole, not to bow at the alter of someone's pet provision.

This phrase, this concept does not belong in the North Dakota Constitution. HCR 3010 seeks to remove it and I hope that you'll join me in supporting that common-sense effort to give our entire Constitution the respect that it deserves and to keep it on level ground. Thank you, Mr. Chairman and Committee members.

**2021 SENATE GOVERNMENT AND VETERANS AFFAIRS**

**HCR 3010**

# 2021 SENATE STANDING COMMITTEE MINUTES

**Government and Veterans Affairs Committee**  
Room JW216, State Capitol

HCR 3010  
3/26/2021  
9:30 AM

<b>A concurrent resolution relating to removing a provision that negates other provisions in the Constitution of North Dakota.</b>
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**Chair Vedaa** opened the hearing at 9:30 AM with Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

**Discussion Topics:**

- Supremacy clause
- Severability clause

**Rep Kim Koppelman** introduced the resolution #10844

**Additional written testimony:**

**Mitchell Sanderson - opposed #10593**

Adjourned at 9:42 AM

*Pam Dever, Committee Clerk*

**NORTH DAKOTA HOUSE OF REPRESENTATIVES**

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360

**Representative Kim Koppelman**

District 13  
513 First Avenue NW  
West Fargo, ND 58078-1101  
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[kkoppelman@nd.gov](mailto:kkoppelman@nd.gov)

**Speaker of the House**

3-26-2021

**Testimony in Support of HCR 3010****Before the House Government and Veterans Affairs Committee**

Mr. Chairman and Members of the Committee,

Like all of you, I am an avid supporter of our Constitutions, both our US Constitution and our North Dakota Constitution. Years ago, before many of you were here, I chaired the Constitutional Revision Committee. Its work was later added to the Judiciary Committee's workload, so I've been watching proposed changes to our Constitution very carefully, over the years.

I'm not sure if you're aware of it, but a little noticed but very dangerous provision was recently slipped into the North Dakota Constitution, as part of a larger measure, which threatens to negate the rest of the very Constitution we all take an oath to support. It is so brazen that it seeks supremacy over all the rest of the Constitution which been crafted since statehood.

Yes, you heard correctly. Our Constitution contains a recently-added Supremacy clause!

The audacity to insert a provision into our Constitution which claims supremacy over the rest of it is not only shocking. It is a violation of everything we hold dear. When we take our oath of office, it is to support the Constitution, as a whole, not to bow at the altar of someone's pet provision. No single portion of the Constitution should reign supreme over all else in the Constitution!

This phrase, this concept does not belong in the North Dakota Constitution. HCR 3010 seeks to remove it and I hope that you'll join me in supporting this common-sense effort to give our entire Constitution the respect that it deserves and to keep all of it on level ground. Thank you, Mr. Chairman and Committee members.



**Senator,**

Section 4 Article 2 in this bill is not being followed by the Ethics commission!

If the legislature does not fix this joke of a commission we will be filing legal action on it.

This SCR should not be passed.

The people of ND voted this in because we know we need accountability in the ND Government.

**Now we need the Ethics Commission to follow its initiated mandate by the people and send these cases to the AG and BCI!!!!**

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**Mitchell S. Sanderson**

# 2021 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee  
Room JW216, State Capitol

HCR 3010  
3/26/2021  
10:24 AM

<b>A concurrent resolution to amend and reenact section 4 of article XIV of the Constitution of North Dakota, relating to removing a provision that negates other provisions in the Constitution of North Dakota.</b>
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**Chair Vedaa** called to order 10:24 AM with Sen Vedaa, Meyer, Elkin, K Roers, Weber, Wobbema, and Marcellais present.

## Discussion Topics:

- Committee Work

**Sen Meyer** moves **Do Pass**

**Sen Wobbema** seconds

**Roll Call Vote 5 -- YES 2 -- NO -0-ab Motion Passed**

Senators	Vote
Senator Shawn Vedaa	Y
Senator Scott Meyer	Y
Senator Jay R. Elkin	Y
Senator Richard Marcellais	N
Senator Kristin Roers	Y
Senator Mark F. Webber	N
Senator Michael A. Wobbema	Y

**Sen Wobbema will carry the bill**

**Additional written testimony: None**

Adjourned at 10:30 AM

*Pam Dever, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**HCR 3010: Government and Veterans Affairs Committee (Sen. Vedaa, Chairman)**  
recommends **DO PASS** (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR  
3010 was placed on the Fourteenth order on the calendar.