

North Dakota Farm Bureau Legislative Report – 2025

69th North Dakota Legislative Session

Standing Strong and Advocating for North Dakota Agriculture

A Review and Analysis of Key Legislation Impacting Agriculture, Rural North Dakota, and the Regulatory Climate of the State

Introduction

The 2025 Legislative Session was marked by critical policy decisions affecting North Dakota agriculture. As the voice of North Dakota farmers and ranchers, North Dakota Farm Bureau (NDFB) monitored policy and engaged with lawmakers, working on proposed legislation impacting private property rights, rural infrastructure and transportation, education, agricultural institution funding, access to critical ag inputs, and regulation of agricultural resources and infrastructure in the state. Throughout the session, our primary goal was to advocate for sound agricultural policy and to oppose legislation that imposes additional burdens on producers, agri-businesses, and related industries.

We worked to prevent policies that undermine free enterprise and harm rural communities and the broader agricultural sector, which serves as the backbone of our state.

We also opposed bills that included unnecessary government spending or reflected poor policy decisions, such as proposals for annual legislative sessions. Our efforts were focused on ensuring that agricultural resources and infrastructure are regulated in a manner that supports growth, efficiency, and sustainability across the industry.

We worked to strengthen the state's animal agriculture sector by promoting the development of pro-livestock policies and initiatives. NDFB remained actively engaged in tax reform discussions, consistently advocating for fairness and equity on behalf of our members and all North Dakotans. Our organization played a key role in shaping policy conversations around private property rights, game management, agricultural land assessments, fuel taxes, water and easement policy, and both agricultural and energy economics. These efforts, along with our involvement in other critical issues, reflect our commitment to protecting and advancing the interests of our members and rural communities across the state.

Session Highlights

- First state to sign **pesticide protection into law** - HB 1318
Ensures EPA labeling is sufficient, no state-law is necessary or helpful
- **Annual Sessions:** Failed - North Dakota will continue an every-other-year basis
- **Animal Ag: Odor modeling tool** approved for township use in zoning for animal feeding operations SB 2174
- Momentum and Attention on **Property Tax and the relief and reform dilemma**
 - **No direct Property Tax relief for ag land**
 - Maintained critical tax mechanisms for ag: **productivity formula**
 - **Property tax credit for residential property \$1,600**
 - **3% cap on local property tax increases**
- Fair tax assessment for buildings used for **commodity storage** - SB 2039
- Fairness and **uniformity in tax assessments** county to county - SB 2367
- Significant **infrastructure funding for rural roads & bridges** - SB 2012
- Support for **value-added ag & processing facilities**
 - \$15M for the **Agriculture Diversification & Development Fund** - SB 2327
 - \$30M line of credit for **potato processing** - HB 1332
 - \$5M line of credit for **milk processing** - SB 2342
 - Grants for **national grasslands grazing development** (water and fencing) - SB 2368
- Investments in **ag research & education**
- Investments in **county fair facilities** via grant funding
- **Rural Accessibility** - emphasis and grant allocation
- **Private Property Rights - Passage of NDFB Priority Issue** requiring permission for surveyors to enter private land - SB 2379
- **Cottage Food and Raw Milk** - expansion, increasing opportunities for these products
- Insurance incentive for **Farm Safety** (will be determined in an interim study) - SB 2224
- **Natural Resources, Energy and Private Property Rights Discussions**

Session Snapshot

Victories

- Property Rights: Landowners must be notified prior to surveying or accessing land to survey and Prohibitions of Drones from spying or harassing Farms and Ranches
- Pro livestock Initiatives: several bills will help to bolster the livestock sector
- Biennial Sessions Preserved
- Value-Added Processing and Infrastructure grant expansion
- Farm Homestead Tax credit and Productivity Formula Preserved
- Expansion of Cottage Foods and Raw Milk Products
- Supplemental Feed for Hunting allowed
- Pesticide Labeling Bill—First in the Nation

Disappointments

- Agricultural land excluded from direct property tax relief
- Slow to adopt Modern Livestock Development measures
- Carbon Dioxide Pipeline uncertainty

Continuing Discussions/Conflicts

- Local control and development are occasionally in opposition:
 - Carbon Dioxide Pipeline
 - Transmission Lines
 - Livestock Feeding Operations
- Property Tax

Session Review

Bills included in the Session Review **have passed unless otherwise indicated**. NDFB policy is listed on a few key issues, but many more bills pertain to NDFB policy. Please refer to NDFB 2025 Policy Book for more information. The Session Review is not an exhaustive list of all legislation tracked or testified on by NDFB. Please contact NDFB staff with any questions.

Agricultural Protections and Expansion

- **House Bill 1318 Ag Chemical labeling** - Representative Hagert (R-Emerado)
 - Harmonizes **pesticide labeling** requirements between federal and state levels, *provides clarity and consistency*
 - Aligns state law with federal standards administered by the Environmental Protection Agency (EPA), ensuring EPA-approved pesticide labels are deemed **sufficient for human health and safety**, rather than additional state law.
- **House Bill 1551 Bio Stimulants** - Representative Craig Headland (R-Montpelier)
Registration and regulation of bio stimulants for agricultural use.
- **Senate Bill 2157 Farm Safety Insurance Study** - Senator Schaible (R-Mott)
Study on the feasibility of creating a program which allows a farmer or rancher to complete a safety course to receive a discount on farm or ranch insurance.
- **Senate Bill 2050 Willful Timber Destruction** – Senator Klein (R-Fessenden)
Protects farmers in cases of accidental tree destruction [ie. operations, burning or other accidents.]

Animal Agriculture

- **Senate Bill 2174 Livestock Zoning and Odor Tool** - Senator Thomas (R-Velva)
 - Pro-Livestock initiative to allow for streamlined zoning of feeding operations
 - Setback distances may be reduced or extended based on the results of the **odor footprint tool developed by the Ag Commissioner**.
 - Odor modeling tool uses inputs such as moisture, temperature, slope, etc to calculate the odor impact a feeding operation may have on surrounding area

NDFB Priority Issue - NDFB Policy: ID # 1699/24

- **Senate Bill 2129 Veterinarian Medicine Bill** - Interim Bill
 - Updates language for **telemedicine**
 - Includes language for professional discipline for veterinarians
 - **Allows for** best-management practices routinely used by producers and provisions for other businesses
- **Senate Bill 2287 Livestock Auction** - Senator Erbele (R-Lehr)
Removes the video auction market license as it provides no protection to the livestock producer.

- **House Bill 1040 Water Assistance**
Removes the requirement that applicants requiring assistance for livestock water supply first apply to the USDA to receive assistance.

Government

- **House Bill 1408 Annual Sessions** - *Representative Bahl (R-Grand Forks)* NDFB stood alone in testifying in opposition to the measure of annual sessions in Senate Committee. North Dakota will **continue operating under a biennial legislative** framework—an outcome which aligns with our policy.
- **House Bill 1297 Ranked-Choice Voting** - *Representative Koppelman (R-Fargo)*
 - **Prohibit approval voting and ranked-choice voting in elections.**
 - The bill also addresses home rule powers in counties and cities, specifying that these local governments cannot implement approval or ranked-choice voting systems.
- **House Bill 1442 ND DOGE** – *Representative Toman (R-Mandan)*
Creation of a legislative taskforce on government efficiency. The taskforce will examine government agencies to identify cost-saving measures, target overly restrictive regulation, and find partnerships between state and private industry.
- **HCR 3003 Constitutional Amendments** - *Representative Robin Weisz (R-Hursdfield)*
Measure for the ballot to **raise the threshold** to adopt a constitutional amendment from a simple majority to **sixty percent**.
- **SCR 4008 Term Limits** - *Senator Dwyer (R-Bismarck)*
Measure for the ballot to adjust term limits to allow for legislators to **serve all four terms (16 years) in one body** instead of eight years in the House and eight years in the Senate. It also includes other language pertaining to the legislature’s ability to propose constitutional amendments on term limits.

Property Tax

Property Tax Relief:

- **House Bill 1176** - *Rep. Mike Nathe (R-Bismarck)*
The bill chosen by the legislature for property tax relief and reform. Backed by leadership in both chambers, HB 1176 was closely aligned with Governor Armstrong’s tax plan.
 - \$1600 property tax credit for **residential homeowners**;
 - **3% cap on spending** for local political subdivisions
 - Gap funding dispensed by ND Dept of Public Instruction to keep school budgets steady
 - **No direct relief for other classes of property: agricultural and commercial**
- **House Bill 1575 – DID NOT PASS** – *Representative Robin Weisz (R-Hurdsfield)*
 - Broad-based, consistent, equitable policy, which **included commercial, agricultural land, and residential property**.

- Reducing taxable values across **all property** categories and expanding the homestead tax credit and renter's credit.
- It also included a 3% cap on property tax increases, with provisions for voter-approved exceptions.
- **House Bill 1168 - DID NOT PASS - Representative Louser (R-Minot)**
 - **Addressed the funding mechanism of schools** and sought to alleviate the tax burden by addressing the root issue of education funding, with the state compensating for the lost revenue.
 - It also proposed a 3% cap on local tax increases
- **Senate Bill 2363 – DID NOT PASS - Senator Robert Erbele (R-Lehr)**
This bill aimed to provide property tax relief to agricultural landowners by offering a **property tax credit** for **agricultural properties owned by individuals or entities with ag land**.

NDFB Priority Issue - NDFB Policies: ID # 2734/25; 2653/24

Property Tax Assessments:

- Several bills were introduced to address discrepancies between counties' assessment of property tax. Currently, counties are directed to consider three factors when assessing agricultural property valuation: soil type/classification, schedule of modifiers, actual use of the property. Previously, NDFB played a pivotal role in establishing the **productivity formula**, created to assist tax assessors in determining the true value of agricultural property.
 - **Senate Bill 2039 “Potato Warehouse Bill” Interim Bill**
Corrects misapplied tax assessments on ag storage facilities, which were classified as commercial if they were located within city limits.
 - **Senate Bill 2367 - Senator Janne Myrdal (R-Edinburg)**
worked to ensure assessors tax agricultural property uniformly county to county, utilizing the existing Productivity Formula. The bill moves “land use” to the top of the modifier list.

NDFB Policies: ID#: 2653/24; ID#: 2753/25

Property Rights

- **SB 2379 Prohibition of Surveying without Permission - Senator Boehm (R-Mandan)**
Requirement for written **notice** via certified mail prior to entering private land for **surveying in eminent domain proceedings**.
NDFB Priority Issue Policy: ID#: 2745/25
- **HB 1400 Easement Termination - Representative Brandenburg (R-Edgeley)**
Allows the Ag Commissioner to terminate any conservation easement or leasehold if it is no longer necessary.

- **SB 2335 Attorney Fees in Eminent Domain** - *Senator Magrum (R-Hazelton)*
Requires payment of attorney fees in eminent domain cases associated with oil and natural gas production
- **House Bill 1429 Drones** - *Representative Holle (R-Mandan)*
Prohibits "**drone intrusion:**" remotely piloted aircraft from being used to harass or violate privacy of farms and livestock.
- **House Bill 1305 Squatter's Rights-Criminal Trespass** - *Representative Kasper (R-Fargo)*
The bill provides a way to prosecute people who trespass and attempt to live in vacant apartments, hotel rooms, or houses.
- **SCR 4002 Perpetual Easements** - *Senator Conley (R-Jamestown)*
Resolution urging Congress to enact legislation allowing a landowner to **terminate a perpetual easement** owned by the United States Fish and Wildlife Service

Checkoffs and Brand Inspection

- **SB 2161 Barley Check-Off** -- *Senator Kessel (R-Belfield)*
Increasing the barley check-off from the current level of two cents per bushel to three cents per bushel and allows for more flexibility in filling vacant seats.
- **SB 2139 Brand Fees** - *Senator Patten (R- Watford City)*
Each application for recording or rerecording a brand must be accompanied by a fee in the amount of fifty dollars (increased from twenty-five dollars).

Cottage Foods

- **Senate Bill 2386 Cottage Foods** - *Senator Desiree Van Oosting (R-Judson)*
The bill updates code to allow for interstate commerce—previously prohibited by the existing cottage food laws.
- **HB 1131 Raw Milk** - *Rep Dawson Holle (R-Mandan)*
A farm may sell raw milk or **raw milk products** directly to the end consumer for personal consumption

Natural Resources

Natural Resources - Water:

- **Senate Bill 2141 Water Beneficial Use** - *Senator Patten (R- Watford City)*
Modifies the application process for changes in purpose of use for water permits. Allows for a change in the purpose of use to livestock use or fish, wildlife, and recreational use for a reservoir authorizing no withdrawal of water.
- **Senate Bill 2210 Study on Water Authority** - *Senator Weber (R-Casselton)*
Study on management authority for the waters of the state to the area located in the naturally occurring watershed, rather than assigning management authority based on political subdivision boundaries.

- **SB 2276 Water Projects** - *Senator Luick (R-Fairmount)*
helps counties coordinate when a water management project spans into multiple jurisdictions.
- **House Bill 1280 Drainage Projects** - *Representative Brandenburg (R-Edgley)*
Maintenance of drainage projects, ensuring proper upkeep and management of these projects to prevent flooding and other related issues.
- **House Bill 1531 Irrigation Study** - *Representative Schreiber-Beck (R-Wahpeton)*
Study to look at the economic impact of increased irrigation and improved drainage have of agricultural productivity and rural economies.
- **House Bill 1218 Drainage Project Study** - *Representative Schreiber-Beck (R-Wahpeton)*
Study to reduce the burden and backlog on water management projects.

Natural Resources - Natural Assets:

- **HB 1453 Natural Asset Companies** - *Representative Dori Hauck (R-Hebron)*
Would have prohibited natural asset companies which create markets for natural, existing "commodities" like air, sun, pollination, and other ecological functions. **[Did Not Pass]**

Natural Resources - Hunting:

- **SB 2137 Deer Baiting** - *Senator Boehm (R-Mandan)*
Allows for the use of **supplemental feed on private property for hunting a big game animal.**

Natural Resources and Energy: Property Rights Discussions

Carbon Dioxide:

- The following bills regarding CO₂ capture, CO₂ Pipelines and CO₂ storage **Did Not Pass:**
 - Eliminate status as a common pipeline carrier - prevent CO₂ developers from using eminent domain (*HB 1292, SB 2322 and HB 1414*)
 - Establish liability for CO₂ Pipeline Damages (*HB 1210 and HB 1573*)
 - Remove possible tax exemptions and benefits (*HB 1295 and SB 2320*)
 - 2-year prohibition on direct air CO₂ capture (*HB 1574*)
 - Impose a \$5 per ton pore space utilization tax: aimed at taxing the use of pore space for CO₂ sequestration (*HB 1573*)
- House Concurrent Resolution 3016 **Passed** supporting enhanced oil recovery using CO₂ and encouraged both state and federal governments to support carbon capture technology.

NDFB Priority Issue Policy: ID#: 2647/24; ID#: 2746/25

Rare Earth Minerals:

HB 1459 Rare Earth Minerals - *Dick Anderson (R-Willow City)*

- A bill designed to allow ND to manage rare earth mineral resources. 14

- Updates descriptions and definitions of minerals in leases --includes a contentious retroactive application.
- Mineral owners are guaranteed a minimum of 2.5% price for rare earth minerals. If present, this royalty would come **in addition** to any existing royalty negotiated in the coal lease.

Transportation

- **House Bill 1093 CDL** - *Representative Karen Anderson (R-Grafton)*
Updates the duration for which CDLs can be issued to specific employees (of agrochemical businesses, custom harvesters, farm retail outlets and suppliers) **extends the eligibility period**, and puts us in compliance with federal regulations.
- **HB 1421 Fees for Tractors on Interstate** - *Representative Murphy (R-Grand Forks)*
The bill would have required farmers to pay a fee to drive a tractor on the interstate. It would also prohibit any debris left from the tractor as well as require the tractor to be followed by a car flashing hazard signal. **[Did Not Pass]**

Budgets and Grant Programs

- **SB 2342 Milk Processing Facility** - *Senator Thomas (R- Velva)*
Incentive to bring a value - added milk processing facility in the state. By providing up to five million dollars or five percent of the total construction cost of building or expanding business.
- **House Bill 1332 Value-Added Ag Facility** - *Representative Hagert (R-Emerado)*
Creates a facility incentive program to award grant from the agriculture diversification and development fund to value added agriculture production facilities.
- **SB 2390 Rural Catalyst Grant Program** - *Senator Wanzek (R-Jamestown)*
Allows the Department of Agriculture to award funding in areas of community and economic development, education, health and wellness, or for the purpose of preserving or reopening rural grocery stores in a rural community.
- **SB 2368 Grasslands Infrastructure Grants** - *Senator Kessel (R-Belfield)*
Funding for infrastructure on national grasslands including water development and fencing.
- **House Bill 1235 Infrastructure Assistance** - *Representative Grueneich (R-Ellendale)*
Provides for road and bridge improvements necessary to accommodate integrated agriculture businesses. Also available to support last mile utility infrastructure necessary to support projects and assist value-added ag in our state.
- **Senate Bill 2228 Rural Grocery Grant Funding** - *Senator Myrdal (R-Edinburg)*
Gives \$1 million to the department of commerce for the purpose of providing grants for the preservation of rural grocery stores and increasing food access.
- **House Bill 1591 County Fair Resiliency Program** - *Representatives Ostlie (R-Jamestown)*
\$1.5 million appropriated to the Ag Commissioner to provide grants to county fair

associations for infrastructure projects. The commissioner may not award more than \$100,000 to a county.

- **House Bill 2012 Budget: Department of Transportation Budget**
Significant infrastructure funding for North Dakota's roads and bridges including county and township infrastructure and grant funding. A \$.03 increase to the motor fuels tax to support maintenance of roads and bridges **failed**. It would have been North Dakota's first gas tax increase in 20 years.
- **House Bill 1009 Budget: Ag Commissioner**
includes the Ag Commissioner and department funding as well as funding for several programs including the agricultural products utilization commission, grasslands grazing grants, grants for food pantries to purchase meat and meat products, abandoned oil and gas reclamation and more.
- **Senate Bill 2020 Budget: NDSU Extension**
Funding for Northern crops institute, upper great plains transportation institute, main research center, branch research centers, and agronomy seed farm.