

DAKOTA COUNSEL

Watchdogs of the Prairie

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LETTER FROM THE CHAIR

DRC IS ATTENDING FARM AID 2025

AG LEGISLATIVE BREAKDOWN

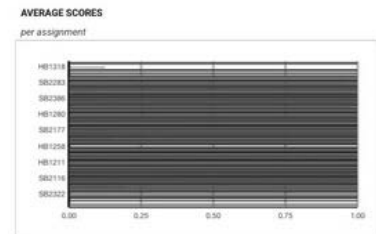
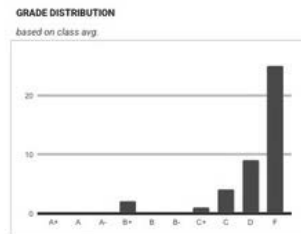
WIND AND SOLAR SCATTERED ACROSS ND

DATA CENTERS GOING TO GO BUST?

BISON GENERATION STATION HEARING

SUMMIT PIPELINE NEXT MOVE???

% Range	Grade	# of students
97 - 100	A+	0
93 - 96	A	0
90 - 92	A-	0
87 - 89	B+	2
83 - 86	B	0
80 - 82	B-	0
77 - 79	C+	1
70 - 76	C	4
51 - 69	D	9
0 - 50	F	25



Report Card Time: How Lawmakers Scored on Property Rights, Ag, and Energy

Every session, North Dakota lawmakers make decisions that impact our land, water, and way of life. And just like your high school math teacher, Dakota Resource Council believes in grading those decisions. This year's DRC Legislative Report Card is in—and let's just say, some folks need to stay after class.

We graded legislators on three categories: **property rights** (especially eminent domain), **agriculture** (small vs. corporate), and **energy** (where DRC meets big industry lobbying). Each vote counted, and no one got to hide in the back of the class.

Let's start with the good news:

Senate Democrat **Sen. Tim Mathern** earned top honors with an **A**, showing consistent support for landowners, family farmers, and common-sense energy policy. Other Senate Dems averaged a solid **C**, with strong marks on ag issues (80%) and property rights (72%).

House Democrats were a mixed bag—averaging a **D** overall. But members like **Rep. Liz Conmy**, **Rep. Lisa Finley-DeVille**, and **Rep. Lori Hager** pulled up the average with **C grades**, thanks to strong votes on agriculture and landowner protections.

Now the tough part:

House Republicans and Senate Republicans scored near the bottom, both averaging a **D overall**. The Senate GOP had an especially rough semester, flunking energy (48%), property rights (45%), and ag issues (49%). That said, a few bright spots emerged.

(CONTINUED ON PAGE 3)

Letter From the Chair



A Tale of Two Legislators

Because I was a college professor, as soon as final grades were submitted, I would examine class averages as well as individual student scores to detect trends. That habit hasn't faded. When I received the legislative scorecard compiled by DRC staff, I pored over it for patterns. On the bills where DRC supported or opposed a position, neither party in either chamber scored particularly high—no group averaged above 80%—whether overall or within the three issue areas DRC focused on: property rights, energy, and agriculture.

More surprising were the relatively small differences in average scores between House Democrats and House Republicans. The two groups scored nearly identically on property rights and energy, with Democrats performing moderately better on agriculture (+12 points). But the contrast between Senate Democrats and Senate Republicans was far more pronounced: Senate Democrats scored 24 points higher overall, and outpaced their GOP counterparts by 27 points on property rights and 31 points on agriculture.

Even when comparing Senate Democrats to House Democrats, the Senate contingent scored higher across the board: +11 overall, +20 on property rights, +6 on energy, and +15 on agriculture. So, while partisan divisions in the House were minimal, the biggest gaps appeared between chambers—particularly between
(CONTINUED ON PAGE 3)

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(BARC)**

**Fort Berthold Protectors of Water
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**McKenzie County Energies &
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(COVER STORY CONTINUED)**Top-Scoring Republicans: Breaking the Curve**

In the House, Rep. Terry Brown (District 12) stood out with a B (86%), the highest score among all Republicans. He voted with landowners on eminent domain, backed small ag, and posted a perfect score on energy issues.

Also earning a **C+ (78%)** were **Rep. Cole Maki** (District 10) and **Rep. Jayme Morton** (District 30), who both showed more balanced voting records that aligned with DRC priorities on energy and ag.

A handful of others—including **Reps. Zachary Henderson, Scott Heilman, Steve Osowski, Michael Rios, Karen Rohr, Cole VanWinkle**, and **Don Vigesaa**—hovered just under the B range. Notably, **Rep. VanWinkle** earned a **B- (80%)** and scored 86% on energy issues.

Senate Republicans: Slim Pickings

Sen. Jeff Magrum (District 8) earned a **B+ (89%)**, making him the top-performing Senate Republican by a wide margin. He voted with DRC 100% of the time on both property rights and energy—an impressive and rare combo.

Other passable scores came from **Sens. Dean Enget, Kyle Paulson, David Van Oosting**, and **Dean Luick**, who earned **C or C+ grades** and showed some independence from party-line votes.

What does this mean for you?

It means DRC members and allies have work to do. Legislators respond to pressure—especially from constituents. If your rep scored low, let them hear from you. If your senator stood up for rural North Dakota, tell them thank you.

This report card isn't just about grades—it's a roadmap for organizing and a reminder that bipartisan support for landowners, small ag, and fair energy is possible.

You can view the full scorecard, broken down by legislator, issue, and grade, at drcinfo.org/legislativegrades.

(CHAIR LETTER CONTINUED)

Senate Democrats and Senate Republicans.

	Overall	Property Rights	Energy	Agriculture
Senate Democrats	74	72	58	80
Senate Republicans	50	45	48	49
House Democrats	63	51	52	65
House Republicans	60	51	56	53

I also looked at how many legislators in each chamber received passing grades (70% or higher) overall and on each issue. Senate Democrats again led the pack in every category except energy. Their overall rate of passing grades far outstripped every other group.

	70%+ Overall	70%+ Property Rights	70%+ Energy	70%+ Agriculture
Senate Democrats	80%	80%	20%	100%
Senate Republicans	7%	17%	24%	7%
House Democrats	27%	0%	0%	54%
House Republicans	7%	2%	14%	45%

Curious about the most consistent supporters of DRC positions (85%+), I found a surprise: the Senate's most liberal and most conservative members—Tim Mathern (D-11) and Jeff Magrum (R-8)—each scored 89% overall.

	Property Rights	Energy	Agriculture	Overall
Tim Mathern (D)	100 (A+)	89 (B+)	90 (A)	89 (B+)
Jeff Magrum (R)	100 (A+)	100 (A+)	89 (B+)	89 (B+)
T. Brown (R-House)	83 (B)	100 (A+)	83 (B)	86
House Democrats	No one above 85%			

That both Mathern and Magrum landed on the same score—despite opposite party affiliations—felt like a conundrum. But it reflects a deeper trend. Both legislators are populists, though at opposite ends of the spectrum.

In my Winter 2024 column, *The Election and Its Meaning for DRC: A Vindication for Economic Populism Messaging and Organizing*, I wrote about how populism—whether left or right—centers the conflict between “the people” and some opposing force. For left-wing (or inclusionary) populism, that

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(LETTER FROM THE CHAIR CONTINUED)

conflict pits the people against economic elites. For right-wing (or exclusionary) populism, it's the people vs. the elites who are seen as favoring "others"—women, immigrants, LGBTQ+ folks, academics, and government bureaucrats.

But here's the key: while these types of populism differ in diagnosis, they sometimes converge on solutions. On legislative issues DRC supported, six right-wing populists in the Senate and 17 in the House voted with us. There is common ground—particularly on issues impacting rural North Dakota.

Journalist Rob Port has written extensively on the internal populist vs. establishment battles within the NDGOP. Similar tensions—though less public—exist in the Democratic-NPL Party, especially between metro-based centrists and those pushing for a more populist economic message. A recent poll covered by Axios found that economic populist framing significantly outperformed the so-called "abundance" messaging promoted by national Democratic strategists like Ezra Klein.

At DRC, we've long embraced a progressive populism grounded in small-d democracy, local control, and opposition to corporate overreach. Our most successful campaigns have centered these values—and even when we haven't won outright, we've built collective power and momentum in rural communities by standing up to out-of-state corporate interests and the politicians who support them.

But the voting record of Democratic-NPL legislators—especially in the House—suggests a disconnect. Rooted primarily in urban districts like Fargo and Grand Forks, they've struggled to connect with rural voters on key issues like agriculture, energy, and land use. Outside a few reservation-based rural districts, D-NPL representation in rural North Dakota is nearly nonexistent.

This isn't just a partisan problem. It's about narrative—and the failure of the traditional left to build a message that resonates beyond city limits. DRC's anti-corporate, people-first framing offers a way forward—if only more in the Democratic-NPL would pick it up. We've shown that an economic populist message can resonate in rural North Dakota. The data—and our organizing experience—suggest it's time for both parties to take note.

Agriculture

Farm Aid 40 Announced in Minneapolis — DRC Will Be There



FARM AID

SEPTEMBER 20, 2025
MINNEAPOLIS, MN

40 YEARS celebrating **FAMILY FARMERS** and **HOMEGROWN FOOD!**

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TICKETS ON SALE NOW
FARMAID40.ORG OR 1-800-U-GOPHER

Farm Aid is headed to Minneapolis September 18–20, with an all-star concert lineup on the 20th—and DRC is attending!

Discount tickets are available for DRC members and can be reserved through August 15. Email Sam Wagner at sam@drcinfo.com with the subject line **Tickets** to reserve yours.

DRC also plans to host an interactive booth and attend the Farm Aid conference before the concert. If you'd like to be on a panel or suggest a topic, email Sam at sam@drcinfo.com with the subject line **Farm Aid Conference Ideas**.

Legislative Report — Agriculture, 2025

The 2025 North Dakota Legislative Session wrapped up in early May. Unlike 2023, there was no clear agricultural agenda—except a quiet but consistent push for deregulation and public subsidies to attract value-added ag.

DRC once again fought for cattle industry reforms, including an elected beef board. While we built momentum, the proposal fell short.

Pesticides & Corporate Power:

HB1318 passed, granting more legal immunity to pesticide companies. But it gave our members an opportunity to call out Bayer and the “Modern Ag
(CONTINUED ON PAGE 5)

(AG LEGISLATURE CONTINUED)

Alliance,” an astroturf group funded by corporate checkoffs. DRC is now exploring a ballot measure campaign.

Animal Ag:

SB2174 attempted to overhaul the state’s code for animal facilities. It was nearly killed, then amended to focus on an odor footprint tool—likely a backdoor way to reduce setbacks. SB2177 would tax CAFO construction and remodeling, but only up to \$250,000.

Water:

HB1396 (opposed, killed) was a dangerous attack on water boards, proposing to track member votes and deny future state funding. HB1280 (passed) appears tailor-made to push through the controversial Drain 11 project in Sargent County—by excluding Ransom County’s vote in the watershed election.

Watershed Reform:

After years of discussion, SB2210 and SB2276 finally passed, reforming how watershed districts are set up. We expect more debate during interim session planning.

Irrigation Expansion:

HB1531 (opposed, passed) establishes a study to expand irrigation statewide. DRC will attend these interim meetings.

Perpetual Easements:

SCR4002 (opposed, passed) urges Congress to let landowners cancel perpetual conservation easements with USFWS—potentially leading to a massive rollback of wetland protections and cheap land transfers.

Local Foods & Small Ag Wins:

- **HB1132 (support):** Makes bag milk dispensers optional for school cafeterias.
- **HB1131 (support):** Legalizes raw milk for non-commercial use, with DRC-supported labeling rules added.
- **SB2386 (support):** Expands cottage food sales by removing bans on interstate, phone, and online orders.

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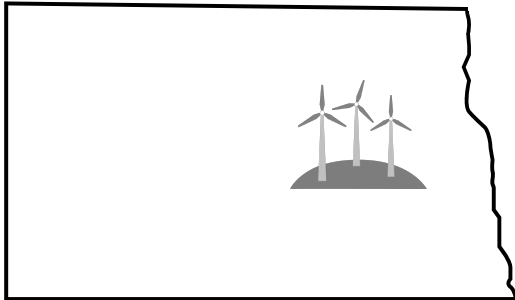


DRC Thanks You

thank you

Thank you to the members who submitted testimony and made the trip to Bismarck to speak out. Your efforts made a difference—and we'll continue to call on you as interim committees begin meeting throughout the year.

Clean Energy



Flickertail Wind – New Rockford, ND

This community-led wind project just hit a major milestone, with more to come in the weeks ahead. Months ago, we partnered with the New Rockford Area Betterment Corporation to push for a Community Benefit Agreement (CBA) between the town and the developer. Our goal? A CBA worth about 2% of operating revenue—roughly \$900,000 annually.

This week, the developer and NRABC signed a letter of intent for a deal totaling \$22 million over 30 years—an average of \$700,000 per year in community benefit. With that in place, we expect key permitting hurdles to be cleared this summer.

Flickertail Solar – Abercrombie, ND

Next up: a 3,500-acre solar-plus-battery project recently acquired by Otter Tail Power Company. This one's ripe for CBA negotiation, and we plan to reengage the community soon. We're also in talks with the developer about a potential land management partnership.

Harmony Solar – Casselton/Mapleton, ND

Fully approved and set to begin construction this fall, Harmony will likely be North Dakota's first major solar installation—2,000 acres generating 200 MW. We're in early discussions on a land management agreement here as well.

Eyes on LaMoure

Word is a developer may be scoping out land for a solar project—likely to power the Applied Digital data center in Ellendale. Given the massive energy demands, this could be a strong candidate for a maximalist CBA.

Western ND Wind Arrays

Two 200 MW wind projects are in early stages near Russo and Center, ND. We'll share updates as things develop.

If you catch wind of other projects in your area, reach out: mike@drcinfo.com

Is a Datacenter Bust on the Horizon?

After years of breathless hype around AI and crypto, it's no surprise that data centers have boomed—including in North Dakota. But the cracks are starting to show—and some major players are already pulling back.

Crypto has always carried questions—more than a decade in, with billions spent, the tech has produced few use cases outside of organized crime. Now AI may be following a similar path: lots of promise, but so far delivering much narrower results than advertised.

AI also faces structural problems. It's cheap to build, expensive to run, and easy for competitors to copy. That means firms burn through cash, rack up huge losses, and struggle to generate meaningful revenue.

There's no clear—or even plausible—path to profitability. Sure, capital-rich markets can prop things up longer than they should (just ask Bitcoin). But signs of retreat are already showing: (CONTINUED ON PAGE 7)

(DATA BUST CONTINUED)

Microsoft is cutting back on datacenter expansion and declining new investments in OpenAI.

Local communities should approach new datacenter projects with caution. **Get the money up front, and make sure everything's bonded.** Don't get left holding the bag if this bubble pops.

ELECTRIC CO-OP

Let's Say No to the Bison Gas Plant

Basin Electric is pushing forward with the Bison Generation Station, a gas plant that would lock our rural electric cooperatives into decades of expensive energy that would raise rates across North Dakota and the other states that Basin serves. There's a Public Service Commission hearing coming up in Williston, and DRC is calling upon members and community members to show up and speak out.

The meeting is:

 **Monday, June 30**

 **9:00 AM CT**

 **Grand Williston Hotel & Conference Center**
(3601 2nd Ave W, Williston, ND)

This proposed \$4 billion plant isn't about meeting local demand or keeping our lights on. Approximately 40% of its capacity is already earmarked for data centers, meaning rural co-op members across North Dakota will be on the hook for rising electricity bills while out-of-state corporations rake in the benefits. These decisions are being made in boardrooms and without member-owners' say. This is our chance to show up and tell Basin and the PSC: we don't support expensive gas plants that don't benefit us.

We know what cooperative power is supposed to mean; local control, member benefit, democratic governance. But building this plant moves us further away from that and deeper into debt. If you can make it to Williston on the 30th, we'd love to have you there. Bring a friend, bring your voice - because we as North Dakota deserve better.

Do you have questions or want to get involved? Contact Rural Energy Organizer Ishauna Jacobberger at (701)-793-0042 or email at ishauna@drcinfo.com.

CO2 CAPTURE

Carbon Capture Cash Grabs Still in Play—Here's What We're Watching

DRC organizer Zach Cassidy has recently shifted from state-level CO₂ pipeline advocacy to helping the WORC network tackle federal issues—specifically, the Budget Reconciliation bill that passed the U.S. House on May 22. WORC, BOLD, Food & Water Watch, and other allies successfully lobbied to strip out language that would have opened the door to federal eminent domain for CO₂ pipelines.

That was a big win. But the bill still includes several handouts to the CCS (carbon capture and storage) industry. The focus now is on removing those. One of the most troubling pieces? A provision that lets CO₂ pipeline companies **pay \$10 million to fast-track their federal permits**—essentially buying their way through red tape. For a company like Summit, \$10 million is pocket change.

Meanwhile, Summit's project continues to face big setbacks. Thanks to key victories in South Dakota—where they lost common carrier status and had their final permit denied—there's a real possibility they pull out of North Dakota altogether. If that happens, expect them to try rerouting through Nebraska and into Wyoming, which has available pore space.

For context: *pore space* refers to tiny pockets of air between rock and soil that CCS developers want to use to inject and store CO₂ underground. That theory assumes the CO₂ stays there long-term—which is still up for debate.

Nothing's set in stone, and DRC's staying on top of the latest.

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- ☐ Missouri Valley Resource Council

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