

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

SENATE BILL NO. 2398
(Senators Barta, Castaneda, Sickler)
(Representatives Bolinske, Christianson)

AN ACT to create and enact a new chapter to title 37 of the North Dakota Century Code, relating to the establishment of military impact zones and military compatibility committees.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new chapter to title 37 of the North Dakota Century Code is created and enacted as follows:

Definitions.

As used in this chapter, "encroachment" means an action that interferes with or negatively impacts military base testing, training, and other operations and overall military readiness, including issues related to environmental impact, noise pollution, land development, competition for airspace, competition for radio frequency spectrum, and urban growth around military installations.

Military impact zones.

A military impact zone is a geographic zone extending from the perimeter of each military base in the state, which requests the military compatibility committees to provide assistance under this chapter. The outer boundary of each zone must be established by an assessment in a compatible use study and contingent upon the missions of each military base.

Military compatibility committees.

1. The agriculture commissioner may create one or more military compatibility committees to harmonize land, airspace, and electromagnetic spectrum use in military impact zones, review potential encroachment of military installations in military impact zones, and promote the sustainability of military operations in the state.
2. A military compatibility committee must be composed of:
 - a. The agriculture commissioner, or the agriculture commissioner's designee;
 - b. One representative from each county within the boundaries of a military impact zone, selected by the board of county commissioners;
 - c. One representative representing all townships within the boundaries of a military impact zone, selected by the boards of township supervisors;
 - d. One representative representing all cities within the boundaries of a military impact zone, selected by the city council or councils; and
 - e. On a voluntary basis, the commander of each military installation, or the commander's designee.
3. Except for activities subject to the United States department of defense military aviation and installation assurance siting clearinghouse established under section 183(a) of United States Code title 10 [10 U.S.C. 183(a)], a military compatibility committee shall:
 - a. Provide guidance to local governments on military-compatibility practices in military impact zones.

- b. Establish a uniform process in accordance with chapters 11-33, 40-47, and 40-48, and section 58-03-12 for all political subdivisions located in a military impact zone to coordinate zoning, land use, construction, energy development, telecommunications, and other infrastructure projects that could impact military radar, airspace, communications, or operational readiness relevant to mission compatibility.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2398.

Senate Vote: Yeas 46 Nays 1 Absent 0

House Vote: Yeas 73 Nays 19 Absent 2

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2025.

Approved at _____ M. on _____, 2025.

Governor

Filed in this office this _____ day of _____, 2025,

at _____ o'clock _____ M.

Secretary of State