

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2398

Introduced by

Senators Barta, Castaneda, Sickler

Representatives Bolinske, Christianson

1 A BILL for an Act to create and enact a new chapter to title 37 of the North Dakota Century
2 Code, relating to the establishment of the military compatibility commission.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

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

6 **Definitions.**

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

12 **Military impact zones.**

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

17 **Military compatibility commission.**

- 18 1. There is created the military compatibility commission to harmonize land use in military
19 impact zones, review potential encroachment of military installations in military impact
20 zones, and promote the sustainability of military operations in the state.
21 2. The military compatibility commission is composed of:
22 a. The governor, or the governor's designee;

- 1 b. One representative selected by the North Dakota association of counties who is a
2 member of the association;
- 3 c. One representative selected by the North Dakota township officers association
4 who is a member of the association;
- 5 d. One representative selected by the North Dakota league of cities who is a
6 member of the association; and
- 7 e. On a voluntary basis, the commander of each military installation, or the
8 commander's designee.
- 9 3. The military compatibility commission shall:
- 10 a. Provide oversight and guidance to local governments on military-compatibility
11 practices in military impact zones.
- 12 b. Establish a uniform process in accordance with chapters 11-33, 40-47, and
13 40-48, and section 58-03-12 for all political subdivisions located in a military
14 impact zone to coordinate with the United States department of defense military
15 aviation and installation assurance siting clearinghouse for zoning, land use,
16 construction, energy development, telecommunications, and other infrastructure
17 projects that could impact military radar, airspace, communications, or
18 operational readiness.