

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
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~~~~interferes~~ with or  
8 negatively ~~impact~~~~impacts~~ military base testing, training, and other operations and overall  
9 military readiness, including issues related to environmental impact, noise pollution, land  
10 development, competition for airspace, competition for radio frequency spectrum, and urban  
11 growth around military 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.

- 1       2. The military compatibility commission is composed of:
- 2           a. The governor, or the governor's designee;
- 3           b. One representative ~~selected by the North Dakota association of counties who is a~~  
4           ~~member of the association~~from each county within the boundaries of a military  
5           impact zone, selected by the board of county commissioners;
- 6           c. One representative ~~selected by the North Dakota township officers association~~  
7           ~~who is a member of the association~~representing all townships within the  
8           boundaries of a military impact zone, selected by the boards of township  
9           supervisors;
- 10          d. One representative ~~selected by the North Dakota league of cities who is a~~  
11          ~~member of the association~~from each city within the boundaries of a military  
12          impact zone, selected by the mayor; and
- 13          e. On a voluntary basis, the commander of each military installation, or the  
14          commander's designee.
- 15       3. The military compatibility commission shall:
- 16           a. Provide ~~oversight and~~ guidance to local governments on military-compatibility  
17           practices in military impact zones.
- 18           b. Establish a uniform process in accordance with chapters 11-33, 40-47, and  
19           40-48, and section 58-03-12 for all political subdivisions located in a military  
20           impact zone to coordinate with the United States department of defense military  
21           aviation and installation assurance siting clearinghouse for zoning, land use,  
22           construction, energy development, telecommunications, and other infrastructure  
23           projects that could impact military radar, airspace, communications, or  
24           operational readiness.