

**SECOND ENGROSSMENT
with House Amendments**

REENGROSSED 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 military impact zones and military compatibility
3 committees.

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

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

7 **Definitions.**

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

13 **Military impact zones.**

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

18 **Military compatibility committees.**

19 1. The agriculture commissioner may create one or more military compatibility
20 committees to harmonize land, airspace, and electromagnetic spectrum use in military
21 impact zones, review potential encroachment of military installations in military impact
22 zones, and promote the sustainability of military operations in the state.

- 1 2. A military compatibility committee must be composed of:
- 2 a. The agriculture commissioner, or the agriculture commissioner's designee;
- 3 b. One representative from each county within the boundaries of a military impact
- 4 zone, selected by the board of county commissioners;
- 5 c. One representative representing all townships within the boundaries of a military
- 6 impact zone, selected by the boards of township supervisors;
- 7 d. One representative representing all cities within the boundaries of a military
- 8 impact zone, selected by the city council or councils; and
- 9 e. On a voluntary basis, the commander of each military installation, or the
- 10 commander's designee.
- 11 3. Except for activities subject to the United States department of defense military
- 12 aviation and installation assurance siting clearinghouse established under section
- 13 183(a) of United States Code title 10 [10 U.S.C. 183(a)], a military compatibility
- 14 committee shall:
- 15 a. Provide guidance to local governments on military-compatibility practices in
- 16 military impact zones.
- 17 b. Establish a uniform process in accordance with chapters 11-33, 40-47, and
- 18 40-48, and section 58-03-12 for all political subdivisions located in a military
- 19 impact zone to coordinate zoning, land use, construction, energy development,
- 20 telecommunications, and other infrastructure projects that could impact military
- 21 radar, airspace, communications, or operational readiness relevant to mission
- 22 compatibility.