

## PROPOSED AMENDMENTS TO

### 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 ~~issues~~activities that ~~may affect~~interfere with  
8 ~~or negatively impact~~ military ~~installation~~base testing, training, and other operations and overall  
9 military readiness, including issues related to environmental impact, noise pollution, ~~commercial~~  
10 ~~activities~~land development, competition for airspace, competition for radio frequency spectrum,  
11 and urban growth around military installations.

12 **Military impact zones.**

13 A military impact zone is a geographic zone ~~surrounding~~extending from the perimeter of  
14 each military ~~installation~~base in the state, ~~the boundary of which is at least five miles~~  
15 ~~[8.05 kilometers] but no more than twenty-five miles [40.23 kilometers] from the geographic~~  
16 ~~boundary of the military installation. The distance between the boundary of the military impact~~  
17 ~~zone and the:~~

18 ~~1. Grand Forks air force base is twenty-five miles [40.23 kilometers].~~

19 ~~2. Minot air force base is twenty-five miles [40.23 kilometers].~~

20 ~~3. Camp Grafton (South) is five miles [8.05 kilometers].~~

1 ~~4. Cavalier space force station is fifteen miles [24.14 kilometers]~~which requests the military  
2 compatibility commission to provide protection under this chapter. The outer boundary of each  
3 zone must be established by an assessment in a compatible use study and contingent upon the  
4 missions of each military base.

5 **Military compatibility commission.**

- 6 1. There is created the military compatibility commission to ~~oversee and~~  
7 ~~coordinate~~harmonize land use in military impact zones, prevent encroachment of  
8 military installations in military impact zones, and promote the sustainability of military  
9 operations in the state.
- 10 2. The military compatibility commission is composed of:
- 11 a. The governor, or the governor's designee;
- 12 b. One ~~member of the public service commission, or the member's~~  
13 ~~designee~~representative selected by the North Dakota association of counties  
14 who is a member of the association;
- 15 c. One representative ~~from each county, township, and city within the boundaries of~~  
16 ~~a military impact zone; and~~selected by the North Dakota township officers  
17 association who is a member of the association;
- 18 d. One representative selected by the North Dakota league of cities who is a  
19 member of the association; and
- 20 e. On a voluntary basis, the commander of each military installation, or the  
21 commander's designee.
- 22 3. The military compatibility commission shall:
- 23 a. ~~Specifically determine the boundaries of a military impact zone according to the~~  
24 ~~mission of each military installation within the military impact zone.~~
- 25 ~~b. Offer~~Provide oversight and guidance ~~and technical assistance to local~~  
26 governments on military-~~compatible land use~~compatibility practices in military  
27 impact zones.
- 28 ~~e.b.~~ Review land development ~~proposals~~applications in military impact zones.
- 29 ~~d.c.~~ Serve as the liaison between local governments, land developers, military  
30 installations, and other stakeholders regarding encroachment issues.

1            e.d. Establish a uniform process in accordance with chapters 11-33, 40-47, and  
2            40-48, and section 58-03-12 for all political subdivisions located in a military  
3            impact zone to coordinate with the United States department of defense military  
4            aviation and installation assurance siting clearinghouse for zoning, land use,  
5            construction, energy development, telecommunications, and siting other  
6            infrastructure projects that could impact military radar and, airspace,  
7            communications, or operational readiness.