

Sixty-ninth
Legislative Assembly
of North Dakota

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 that may affect military installation
8 testing, training, and other operations and overall military readiness, including issues related to
9 environmental impact, noise pollution, commercial activities, competition for airspace,
10 competition for radio frequency spectrum, and urban growth around military installations.

11 **Military impact zones.**

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

- 16 1. Grand Forks air force base is twenty-five miles [40.23 kilometers].
17 2. Minot air force base is twenty-five miles [40.23 kilometers].
18 3. Camp Grafton (South) is five miles [8.05 kilometers].
19 4. Cavalier space force station is fifteen miles [24.14 kilometers].

20 **Military compatibility commission.**

- 21 1. There is created the military compatibility commission to oversee and coordinate land
22 use in military impact zones, prevent encroachment of military installations in military
23 impact zones, and promote the sustainability of military operations in the state.
24 2. The military compatibility commission is composed of:

- 1 a. The governor, or the governor's designee;
- 2 b. One member of the public service commission, or the member's designee;
- 3 c. One representative from each county, township, and city within the boundaries of
- 4 a military impact zone; and
- 5 d. On a voluntary basis, the commander of each military installation, or the
- 6 commander's designee.
- 7 3. The military compatibility commission shall:
- 8 a. Specifically determine the boundaries of a military impact zone according to the
- 9 mission of each military installation within the military impact zone.
- 10 b. Offer guidance and technical assistance to local governments on military-
- 11 compatible land use practices in military impact zones.
- 12 c. Review land development proposals in military impact zones.
- 13 d. Serve as the liaison between local governments, land developers, military
- 14 installations, and other stakeholders regarding encroachment issues.
- 15 e. Establish a uniform process for all political subdivisions located in a military
- 16 impact zone to coordinate with the United States department of defense military
- 17 aviation and installation assurance siting clearinghouse for zoning and siting
- 18 projects that could impact military radar and communications.