

## SECOND ENGROSSMENT

### 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 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 interferes with or negatively  
8 impacts 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 from each county within the boundaries of a military impact
- 2           zone, selected by the board of county commissioners;
- 3           c. One representative representing all townships within the boundaries of a military
- 4           impact zone, selected by the boards of township supervisors;
- 5           d. One representative from each city within the boundaries of a military impact
- 6           zone, selected by the mayor; 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 guidance to local governments on military-compatibility practices in
- 11       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.