

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
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~~ impact zones and
3 military compatibility 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 ~~commission~~ committees to provide
16 assistance under this chapter. The outer boundary of each zone must be established by an
17 assessment in a compatible use study and contingent upon the missions of each military base.

18 **Military compatibility ~~commission~~ committees.**

19 1. There is created the The agriculture commissioner may create one or more military
20 compatibility ~~commission~~ committees to harmonize land, airspace, and electromagnetic

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