

**March 13, 2025**  
**House Government and Veterans Affairs Committee**  
**SB 2308**

Good afternoon Chair Schauer and Members of the Committee:

My name is Tom Schimelfenig. I've been in the onsite wastewater industry for 47 years, and I've been licensed by the N.D. State Plumbing Board for 38 years.

I also currently serve as chairman of the Onsite Wastewater Recycling Technical Committee (OWRTC), established in N.D. Century Code during the 2021 legislative session. This is one of the committees that stand to be removed from service should this bill pass.

I am here to testify IN OPPOSITION to SB 2308.

I have been licensed through the North Dakota State Plumbing Board since 1987, the year the North Dakota Sewer and Water Service Code was first adopted. That document, 43-18.2 Rules and Regulations of Sewer and Water Installation, continues to guide our industry's practices today. It was derived from the Uniform Plumbing Code (UPC), which has been in existence for 80 years. The UPC was established by the The International Association of Plumbing and Mechanical Officials, a technical expert on plumbing and mechanical issues since 1926.

The OWRTC was tasked with developing a similar uniform code, this one to guide the design and installation of onsite wastewater systems across the state of North Dakota. The legislature also asked us to build a licensing program for installers. There is still work to be done, as there is no code in place or licensing program established.

I understand and respect that there may come a time when this committee is no longer necessary, and at that time I would support legislation such as SB 2308. After all, I support the sponsors' aim to lessen our tax burden and minimize bureaucracy. However, as it stands, the bill does not have a fiscal impact; therefore, there is no money to be saved or efficiencies to gain. Rather, SB 2308 is designed to minimize citizen input and instead put state government employees in control of licensing professionals and managing programs.

Right now, the State Plumbing Board, Board of Water Well Contractors, North Dakota Electrical Board and others pay inspectors to ensure that work done by professionals in their industry meets standards. All of these positions are now self-funded by the boards, with no funding from the state government!!

What will happen in two years, or even four years, once the task force established by this bill has met and made recommendations as directed by the governor? How many more boards will disappear, further reducing citizen input? And who will take over the responsibilities currently held by these citizen boards to advance their industry and the state as a whole?

I anticipate that the state agencies now tasked with these new responsibilities will ask you, the legislature, to increase their budgets so they can hire staff to fill in the gaps. Therefore, what are now privately funded positions, i.e. inspectors for water well contractors, plumbers, etc., will become a burden on taxpayers.

As an example, in a previous discussion with Director David Glatt of the Department of Environmental Quality on March 6, Glatt told me directly that he did not want to manage the onsite wastewater recycling licensing program or establish the statewide code for onsite wastewater treatment without receiving at least \$350,000 per biennium from the state legislature.

Is putting state agencies in charge of industries and turning private occupational governing board members into state employees in North Dakota's best interest? I think not.

I urge a "DO NOT PASS" on SB 2308.

I appreciate your time and consideration, and I am willing to answer any questions you may have.

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