

*To the*  
Testimony  
**Senate Political Sub Committee**  
*On*  
**HB 1183**

Good morning Chairman Burckhard and members of the committee. I am Lisa Clute, Executive Officer of First District Health Unit. First District provides local public health services to Bottineau, Burke, McHenry, McLean, Renville, Sheridan, and Ward counties. The geographic area that we serve primarily have on site sewers.

1183 represents years of work toward a statewide on-site code that would establish minimum standards for all Health Units to follow and assures that qualified, knowledgeable, and licensed installers are doing the work. Although this bill is not perfect it is a baby step in the right direction.

I applaud the installers commitment to develop licensing standards that raise the level of their profession. Our experience at First District has been primarily with excellent installers that do their job well and understand the science and technical advances regarding sewer installation. We often work with installers to “problem solve” unique situations that occur and it has been a good partnership. As in all professions there are “bad apples” that threaten the integrity of their profession. DEQ has chosen to not be a partner in addressing the issue. I believe that is irresponsible to ignore a prominent environmental health issue in North Dakota. The development of a statewide licensing data base that all local public health units could reference would be a very appropriate role for DEQ, as well as providing educational opportunities for on-site sewer installers. Currently local public health units have tried to “piece” together solutions to address the installers concerns. It needs to be a statewide application of licensing installers.

The State of North Dakota does not have minimum standards established for on site sewers. In the absence of a statewide code, local public health units, in cooperation with installers, have developed a code that most local public health units have chosen to adopt. However not all counties in North Dakota are served by a health unit that has adopted and enforces the code. The bill identifies a Board, that ultimately would be appointed by the Governor to review code. That Board should be represented by both installers and public health representatives. However, the makeup of the Board should not be primarily made up of installers. The consequence of that would be that installers could be writing code that regulates themselves. The installers that we have worked with would be excellent representatives on the Board, however there is opportunity for appearance of a self-serving Board.

In summary, I support the Bill and will continue to advocate and work towards a statewide code that is interpreted consistently across the state, as well as assures quality installers are doing the work. This Bill begins the work of reaching that goal. Amendments offered include a sunset clause to assure the review of the accomplishments towards the shared goal, and address problems that may be identified within the structure defined by the legislature.

Thank you for your consideration of this important bill and I would be happy to answer any questions you may have.