

Testimony in Support of HB 1183
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Good afternoon Chairman Senator Burckhard and members of the Senate Standing Committee on Political Subdivisions, contractors and guests. I am Tom Schimelfenig, a contractor from Bowdon, N.D. and the president of the newly established North Dakota Onsite Wastewater Recycling Association. I am the spokesman for a core group of experienced installers and regulators in our North Dakota onsite wastewater treatment industry.

In North Dakota there is a long overdue need to address onsite wastewater recycling. A full 30 percent of North Dakota's population use onsite wastewater recycling systems, or septic systems, in their homes and therefore are impacted by our industry. We have districts and counties that are at various stages of regulating but as a state we are not consistently and agreeably aligned unanimously with our practices. This sets up confusion, unfair practices and undue frustration for contractors and homeowners alike attempting to construct facilities and yet satisfy sometimes shifting or indefinite rules.

During the 2019 legislative session, the N.D. Legislature passed SB 2241, which directed the study of onsite wastewater system regulations. We are here before you today with HB 1183, the culmination of those efforts over the past two years.

HB 1183 establishes a technical governing board and a uniform licensing system for installers in the onsite wastewater industry. This bill effectively levels the playing field for all involved, including regulators, installers and homeowners. The primary purpose of the technical board is to implement a uniform statewide code for installers and regulatory departments. Whether the demand be for residential, commercial or industrial, our first duties must be to protect the environment and build dependable, durable and fail-safe infrastructure.

This bill is patterned after the regulatory framework already in place for many other industries, including plumbers, engineers, water well contractors and others. Therefore, the board must be staffed by experienced, competent individuals. There are qualified people in our industry available and willing to serve in this capacity.

What's much needed now is the support of the State Legislature. We recommend a "do pass" on HB 1183 to begin the process toward the presentation of a practical government for onsite wastewater treatment.