February 1, 2023

Senate Business, Industry and Labor Committee
Senate Bill 2256

Good afternoon Chairman Larsen and Members of the Senate Business, Industry and Labor Committee:

My name is Tom Schimelfenig. I've been in the onsite wastewater industry for 45 years, and I've been licensed by the N.D. State Plumbing Board for 35 years.

I also currently serve as chairman of the Onsite Wastewater Technical Review Committee (OWRTC) referenced in SB 2256.

I am here today to urge a do not pass on SB 2256.

The purpose of the OWRTC when it was established in 2021 was to create a uniform statewide code for onsite wastewater systems and clearly define how industry professionals will be licensed and how their work will be evaluated.

I oppose this bill because changing the make-up of the committee tips the scales in favor of the regulatory authorities and away from the professional contractors in the industry. This is an unfair practice.

Chairman and members of the committee: What purpose does it serve to change the make-up of a committee that was established by the legislature one session ago?

The benefit is to public health, state employees who would have an unfair advantage just as the uniform statewide code for onsite wastewater systems is being implemented.

The majority of the current OWRTC membership has brought forth SB 2253, which is also before this committee. SB 2253 effectively replaces the OWRTC with a permanent onsite wastewater board effective August 1, 2024. This is modeled after other industry regulatory authorities, including the State Plumbing Board and State Electrical Board.

Again, I urge a "do not pass" on SB 2256.

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