

**February 2, 2023**

**House Energy and Natural Resources Committee  
House Bill 1407**

Good morning Chairman Porter and Members of the House Energy and Natural Resources Committee:

My name is Tom Schimelfenig, owner of Schimelfenig Excavating in Bowdon. I've been a self-employed heavy equipment operator for 45 years.

I am here today in support of HB 1407, which would add a member to the North Dakota One Call Board.

This bill is about offering self-employed and very small excavating companies a voice on the One Call board. We are the ones who must call before we dig, and remain abreast of rules imposed by this board, so it's important that we have the opportunity to provide input regarding changes as they are considered.

As noted, the current ninth member would continue to represent larger employers, and the newly-added 10<sup>th</sup> member would represent excavating companies with fewer than five employees.

The current excavator representative on the One Call Board is Carey Burke, chosen by the Association of General Contractors (AGC).

I am not aware of any self-employed excavating companies that are members of AGC, and therefore we are not likely to be chosen to serve on the One-Call board as it stands.

In closing, I urge a do pass on HB 1407. I am willing to answer any questions you may have.