

NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT OFFICE OF PEST MANAGEMENT

[M11-324]

1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:

SP 11-01: Renewal of Temporary Qualifying Party Licenses

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issue date: August 26, 2011

3. Summary of the contents of the substantive policy statement:

The Acting Director has authority to issue a renewable and revocable temporary qualifying party license to a licensed applicator who is a representative of a business licensee if the qualifying party becomes disassociated with the business licensee. If the Acting Director issues a renewable and revocable temporary qualifying party license, the license is valid for 60 calendar days and may be renewed only on approval of the Acting Director if good cause is established for delay in the procurement of a qualifying party license. This substantive policy statement sets out two non-exclusive situations, if established by the business licensee, that the Acting Director will view as constituting good cause for delay in the procurement of a qualifying party license when fewer than six months have elapsed since the qualifying party who previously qualified the business disassociated from the business.

One situation viewed as good cause is where the temporary qualifying party licensee or another licensed applicator of the business licensee has applied for a qualifying party license and has the practical experience required for licensure and (i) the qualifying party applicant has submitted a fingerprint card and the fingerprint card processing fee, but the Office has yet to receive the results of the background investigation; or (ii) the qualifying party applicant completed all requirements to obtain a license, but the Office was unable to consider the qualifying party applicant before the temporary qualifying party license expired.

Another situation viewed as good cause is where the business licensee has conducted a diligent, but unsuccessful, search for a new qualifying party in the last 60 days as evidenced by providing to the Office (i) the name, license number, and mailing address, e-mail address or telephone number of each qualifying party licensee contacted in the last 60 days regarding search and (ii) the date and time when each qualifying party licensee was contacted.

The Acting Director requests all applicants for renewal of a temporary qualifying party license to also submit a statement explaining why renewal is needed and the business licensee's contingency plan in the event the request for renewal is denied.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. §§ 32-2304(D)(15) and 32-2314(F)

5. A statement as to whether the substantive policy statement is a new statement or a revision:

New

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Jack Peterson

Address: 1688 W. Adams St.
Phoenix, AZ 85007

Telephone: (602) 542-3575

Fax: (602) 542-0466

E-mail: jpeterson@azda.gov

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

A person may obtain a free copy of the substantive policy statement in person or by e-mail by contacting the person identified in item 6.