

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 140

HOUSE BILL 2516

AN ACT

AMENDING TITLE 32, CHAPTER 22, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2308; RELATING TO STRUCTURAL PEST CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

STATE OF ARIZONA
SENATE

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 22, article 1, Arizona Revised Statutes,
3 is amended by adding section 32-2308, to read:

4 32-2308. Joint responsibility; business licensee; qualifying
5 party or applicator

6 A. A BUSINESS LICENSEE, QUALIFYING PARTY OR APPLICATOR MAY BE HELD
7 JOINTLY RESPONSIBLE FOR THE ACTS OR OMISSIONS OF ANOTHER PERSON WHO IS UNDER
8 THE SUPERVISION OF THE BUSINESS LICENSEE, QUALIFYING PARTY OR APPLICATOR IF
9 THE SUPERVISING LICENSEE FAILS TO PROPERLY TRAIN, EQUIP OR SUPERVISE THE
10 OTHER PERSON OR FAILS TO MAINTAIN RECORDS OF PROPER TRAINING, EQUIPPING OR
11 SUPERVISING.

12 B. FAILURE TO TIMELY AND FULLY RESPOND TO COMMISSION REQUESTS FOR
13 INFORMATION RELATING TO TRAINING, EQUIPPING AND SUPERVISING IS A PRIMA FACIE
14 SHOWING OF A FAILURE TO PROPERLY TRAIN, EQUIP OR SUPERVISE. THE SUPERVISING
15 LICENSEE HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE THAT THE
16 BUSINESS LICENSEE, QUALIFYING PARTY OR APPLICATOR HAS FULFILLED THE REQUIRED
17 DUTIES AS PRESCRIBED BY THIS CHAPTER, RULES ADOPTED PURSUANT TO THIS CHAPTER
18 OR A WRITTEN ORDER OF THE COMMISSION.

APPROVED BY THE GOVERNOR APRIL 18, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2005.

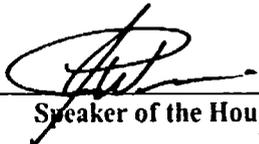
STATE OF ARIZONA
LEGISLATURE

Passed the House March 8, 2005

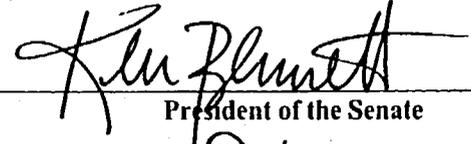
Passed the Senate April 6, 2005

by the following vote: 48 Ayes,
10 Nays, 2 Not Voting

by the following vote: 28 Ayes,
0 Nays, 2 Not Voting



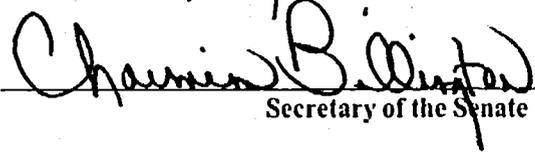
Speaker of the House



President of the Senate



Chief Clerk of the House



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
_____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____,
_____, 20____,
at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this _____ day of _____, 20____,
at _____ o'clock _____ M.

Secretary of State

H.B. 2516

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 12, 2005,

by the following vote: 49 Ayes,

10 Nays, 1 Not Voting


Speaker of the House
Pro Tempore
Herman L. Tyore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

13th day of April, 2005

at 12:00 o'clock P. M.

Jennifer Whatta
Secretary to the Governor

Approved this 18 day of

April, 2005,

at 1:00 o'clock P. M.

Jon R. Ryznar
Governor of Arizona

H.B. 2516

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18 day of April, 2005,

at 11:42 o'clock P. M.

Janice K. Brewer
Secretary of State