



ARIZONA STATE SENATE
Fifty-First Legislature, First Regular Session

FACT SHEET FOR S.B. 1143

golf course pesticide license; fee

Purpose

Transfers the regulation of not for hire golf course pesticide application to the Arizona Department of Agriculture (ADA).

Background

The Office of Pest Management (OPM) is a 90/10 state agency that regulates the structural pest management industry by licensing nonagricultural pesticide applicators, businesses and qualifying parties. A qualifying party is a person who is licensed to ensure the supervision and training of employees of business licensees (A.R.S. § 32-2301). The OPM also conducts inspections, investigates complaints and disciplines licensees that have committed violations. Its predecessor, the Arizona Structural Pest Control Commission (SPCC), performed the OPM's functions prior to 2008, but the Legislature did not continue the SPCC beyond its July 1, 2008 statutory termination date. Instead, the Legislature passed Laws 2008, Chapter 309, which established the OPM within the Arizona Department of Administration (ADOA) to succeed all regulatory, licensure, financial and administrative functions of the SPCC. Laws 2011, Chapter 20, transferred, through December 31, 2013, the administrative supervision of the OPM to the Director of the ADA.

The ADA has three main divisions: Animal Services, Plant Services and Environmental Services. Among its responsibilities, ADA regulates agricultural pesticides, fertilizer and seeds, and maintains worker safety and environmental standards. ADA issues a variety of permits, licenses and certifications for pesticide use on agricultural land.

Current law includes golf course pest control application under the OPM if the application is done by the golf course on a for hire or not for hire basis.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Specifies that pesticide applications done on a not for hire basis on golf courses are not subject to OPM regulation and transfers their regulation to ADA.

FACT SHEET

S.B. 1143

Page 2

2. Clarifies that the management on a for hire basis of health-related pests, aquatic pests, household pests, wood-destroying organisms or other pests, including weeds, on golf courses is subject to OPM regulation.
3. Allows the Director of ADA to set a fee by rule for a license or certificate for pesticide use on golf courses.
4. Makes technical and conforming changes.
5. Becomes effective on the general effective date.

Prepared by Senate Research

January 25, 2013

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