



Arizona Department of Agriculture

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Meeting Minutes for the Task Force on the Regulation of Structural Pest Management

The minutes for the meeting are as follows:

1. Call to Order (10:06 A.M.) Roll Call – Jack Peterson, Chairman & OPM Acting Director

Present: John Boelts, Dave Burns, Ken Fredrick, Phil Hemminghaus,
Kirk Smith, Will Rousseau, Lin Evans

Absent: Jimmy Fox

2. Current Status of the Office of Pest Management and coordination with the Department of Agriculture, including:

- Listserv Signup – <http://listsrv.azda.gov/> - Jack Peterson
- Changes, updates or other items out of the ordinary

Mr. Peterson stated that at the Pest Management Advisory Committee (PMAC) Meeting the reduced budget was discussed and that there will be excess funds. He indicated that a possible plan of action may be to lower TARP fees to balance accounts so that the legislature will not sweep the funds.

- License renewal final numbers – Robert Tolton

Mr. Tolton stated that the Business License and Qualifying Party License renewals has concluded as of January 30, 2012. He explained that any license not renewed as of yet is now expired and to acquire a new license individuals will have to start over as new applicants. Mr. Peterson stated that any licensee that changes their mailing address should update the agency immediately as to not miss any mail the agency sends out.

3. Summary of Town Hall Meetings Sponsored by AzPPO – Courtney Levinus

Mrs. Levinus stated that she was a representative of the Arizona Pest Professionals Organization (AzPPO), she explained that AzPPO is a statewide trade association. She stated that AzPPO represents about 100 members and the organization was founded in 2004. She stated that more information about AzPPO can be found online at www.azppo.org. She read aloud the AzPPO mission statement. She explained that there have been two town hall meetings held so far. She elaborated that one was held in Tempe on December 14, 2011, approximately 20 companies were represented, and the other was held in Tucson on January 26, 2012, approximately 22 companies were in attendance. Mrs. Levinus also stated that a virtual town hall was being conducted through the AzPPO website. She explained that she felt the representation at the town hall meeting was a very good cross section of the representation of the industry as there were many small companies as well as medium sized and large multi-national companies represented. Mrs. Levinus stated that Mr. Peterson, Mr. Burns, and Mr. Fredrick were in attendance at the town hall meetings. She explained that the three main topics discussed at the town hall meetings were the background checks, the Qualifying Party, and the TARP fees. She explained that there was not a lot of discussion about the background checks due to the Task Force already making the decision to eliminate the background checks going forward once the merger is complete. She explained that the general feeling of those in attendance was that even though conducting background checks through private businesses was more expensive it would level out the cost with the amount of time that is saved. She stated that not 100% of attendees agreed with doing away with the background investigations, but the majority of attendees were. She explained that the most time in both meetings was spent discussing the Qualifying Party. She stated that in general the attendees supported keeping the Qualifying Party in some form. She explained that a total of 3 to 5 attendees in both meetings were not in support of keeping the Qualifying Party at all. She stated some of the concerns of the attendees to the Task Force about the Qualifying Party. She stated that there was a general agreement that TARP fees should be eliminated or at least reduced. She explained that there is a use for the system, however the data quality issues need to be corrected. She stated that AzPPO does intend on holding more town hall meetings as additional issues come up for discussion from the Task Force.

4. Topic discussions and possible actions

- **Recommendations to date from the TF:**
 - i. *no inactive license requirements – all licenses whether active or inactive have to maintain CEUs and pay to continue licensure and certification,*
 - ii. *continue holding OPM CEU classes dealing with laws, rules and keeping persons in compliance, and*
 - iii. *discontinue state required criminal background investigations*
- **Review of paper comparing OPM licensing requirements to ADA licensing requirements, discussion and recommendations as appropriate.**

Mr. Peterson stated that the reason for the comparison was to see if there was a link between the Qualifying Party and the custom applicator. Mr. Burns stated that he felt the comparison of the custom applicator and the Qualifying Party made it much clearer and easier to understand the agricultural side. Mr. Burns laid out a scenario in order to explain how he saw the custom applicators roll to verify that it was correct. Mr. Burns' scenario was if he had a farm and there was a pest on his farm, he would first call a Pest Control Advisor (PCA) who would identify the pest and recommend a treatment, procedure, and product for it. He went on to explain that from his understanding the recommendation then gets handed to a Custom Applicator, or if as an individual you own the farm you may then treat the pest as a Private Applicator. Mr. Peterson stated that if you own or operate the farm you can be a Private Applicator. Mr. Burns questioned if the Custom Applicator made any type of decision about the treatment on the farm or if they simply read and follow the recommendation of the pest control advisor and fills out a 1080 form to complete the process. Mr. Boelts stated that both the PCA and the Custom Applicator are both legally liable for what happens during the application. Mr. Boelts explained that it is the Custom Applicators' duty to contact the PCA if the weather conditions change to discuss how to modify the plan of action. Mr. Peterson clarified that the PCA recommendation does not override what the label says.

Mr. Burns stated that from his understanding the requirements to be a Custom Applicator an individual is required to fill out the necessary forms and pay the associated fees, as well as pass the required tests. He also stated that a Custom Applicator cannot make pest control recommendations or claim to be an advisor on any pest or pest conditions. Mr. Boelts stated that the grower also holds some liability for the pest control. He explained that each grower is registered with the Department of Agriculture for the property that they are farming. He stated that the farmer hires the PCA and normally directly hires the Applicator. Mr. Boelts stated that in the structural pest control side a lot of non restricted use pesticides are used, and many of the non restricted use pesticides can be used on a farm without a 1080 recommendation from a PCA. Mr. Burns stated that the requirement to become a PCA under the Department of Agriculture are an individual has to have a bachelors degree in agricultural sciences, biological sciences, or pest management with 45 semester hours of college level criteria. He stated that according to the requirements the Pest Control Advisors are held to a higher responsibility. Mr. Peterson commented that if a private applicator is using a non restricted use pesticide they do not have to be certified. Mr. Burns compared the similarities of the process of hiring an individual for pest services for agricultural reasons versus structural reasons. Mr. Burns clarified that there are differences between the agricultural pest control and the structural pest control, but he feels that the two are not very far off from each other.

Mr. Boelts stated that about 7 years ago the PCA requirements were restructured, and this change made it mandatory for a PCA to obtain more Continuing Education hours. They are also required to obtain a certain amount of credit hours in a certain area. However, prior to the change the PCA was only required to pass the core exam and any category in which they might be making a recommendation. Mr. Peterson commented that the change Mr. Boelts was explaining was an industry driven change. Mr. Burns stated that just as there is a minimum standard set for PCA requirements, the Qualifying Party also needs a minimum standard set that is reasonable.

Mr. Smith asked what the difference between a custom and a commercial applicator was. Mr. Peterson responded that a commercial applicator is the individual that sprays and the custom applicator is the business license. Mr. Smith asked if there are companies that hold all three licenses and do the entire process. Mr. Evans stated that there used to be mostly individual Custom Applicators and PCAs but there are some businesses that have all three licenses.

Mr. Schnieker asked if his understanding of if an individual was to spray non restricted use chemicals that they do not have to speak to a PCA first is correct. Mr. Boelts replied that Mr. Schniekers' understanding is correct in most cases. He explained that the property being treated cannot be owned or be rented by anyone else at the time of treatment. Mr. Schnieker asked if that applied to both Commercial and Private Applicators. Mr. Boelts responded

that in that circumstance the license is irrelevant. Mr. Schnieker stated that Mr. Burns had stated at a previous meeting that for structural pest control 99.9% of all applications are made by an applicator with no reference to a Qualifying Party. He stated that the applicator making those applications is expected to have the knowledge dependent of anybody else. Mr. Burns stated that is not what he said in the previous meeting. Mr. Smith stated that in structural pest control an individual does not need a license to apply pesticides on a property that they own and occupy.

- **Qualifying Party – Discussion of QP draft language for obtaining and broadening - a general discussion on QPs of the future to come to recommendations for what the requirements should be.**

Mr. Peterson briefly reviewed the Qualifying Party draft language and the possible options for the Qualifying Party License requirements in the future. He explained that the categories were separated by what was believed to have the greater risk. He stated that B1, B2, B4, and B9 are the higher risk categories and he believes that for those categories an individual should be required to be certified for 24 months in the categories applied for and then they can take the required tests to become a Qualifying Party. He stated that the other option that could be allowable to qualify to test for a Qualifying Party license would be to be certified for 12 months with 12 college credit hours in certain areas. Mr. Peterson also explained that the language will be changed to reflect the term certified, which is what EPA recognizes, instead of licensed. Mr. Peterson stated that if this option was chosen for the requirements to obtain a Qualifying Party certification the only thing the agency would be verifying would be that the individual has been certified for 24 months. Mr. Fredrick stated that he could not see an individual obtaining their certification and not using it for 24 months. Mr. Burns stated that he did not feel comfortable with 24 months being the measuring tool to allow individuals to test for their Qualifying Party, but the more he thought about it he feels that the 24 months is acceptable and that the key to obtaining the Qualifying Party license is how an individual tests. He stated that he feels if a proper test is created that it would properly test the skills and knowledge of the individual.

Mr. Connolly asked if the requirements would be 24 months total or 24 months per category the individual is applying for. Mr. Peterson responded that an individual would have to be certified for 24 months in each category applied for. Mr. Connolly asked if the 24 months time frames could overlap. Mr. Peterson stated that the 24 month time frame could overlap and that the time begins when the individual becomes certified.

Mr. Miller, with The Beekeeper Total Bee Control, Inc., stated that from experience as a business owner he has had many individuals come and work for him for a 3 month period and then leave. He explained that his concern is that someone like those individuals who have worked for him could potentially be certified for 24 months with little or no experience. Mr. Peterson stated that he agreed, and that is why the agency needs to review the quality of the current Qualifying Party exam and work toward creating a better exam that would require a higher level of knowledge.

Mr. Denny, with Metro Institute, stated that he feels the CE hour requirement should be raised for a requirement of the Qualifying Party. Mr. Elkins is concerned that individuals will obtain their license and not acquire any experience in the field. He feels that knowledge gained in the field is very different from knowledge gained from books. Mr. Burns agreed with Mr. Elkins. However, Mr. Burns explained that just because an individual is working for a Pest Control Company for 24 months does not mean that they are well trained. He stated that an individual's knowledge and experience is an unknown. He explained that for those reasons he believes that testing is the key. Mr. Smith agreed with Mr. Burns and stated that he feels the exam should be rewritten to reflect the experience and knowledge expected of a Qualifying Party.

Mrs. Hubbard spoke on behalf of her husbands' business and stated that due to the large costs of holding and maintaining a Termite license, it has stopped her husband from providing termite services. She stated that she does not feel the fees are fair.

Mr. Smith spoke on the second section of the Qualifying Party draft language regarding the B3, B5, and B8 categories. He stated that he felt that 6 months should not be enough experience. He explained that he does not feel that these categories are a safer form of pest control and believes that they should have the same requirements. Mr. Boelts agreed with Mr. Smith and added that he feels that an individual inspecting for termites should be certified to eliminate them as well. Mr. Rousseau stated that he is all for lessening the qualifications for the Qualifying Party for these categories.

Mr. Burns stated that he feels a lot of the issues come from the golf courses. He questioned if there is a way to separate the golf courses from the structural pest control and possibly incorporate it with the Department of Agriculture. He also stated that he has never been a fan of the separate B2 and B8 categories. He feels that a consumer dealing with termites wants an individual who can find and fix the termite issue. Mr. Burns stated that a

home inspector provides an inspection for the consumer. He explained that a pest control company does not provide an inspection for the consumer; it is done primarily for the Mortgage Company or realtor. He stated that the consumer does benefit from the inspection, however they are secondary.

Mr. Rousseau stated that he does see the validity of separating the categories. He stated that he feels the job of the inspector is purely to identify if the termites are present or not. He explained that once an identification is made then it is up to the home owner or mortgage company to seek treatment. He feels that combining the categories presents a barrier to entry. Mr. Boelts feels that it is incorrect to believe that the home owner is the secondary beneficiary of the inspection. He stated that the state should have a system that is easy for a consumer, mortgage company, and realtor to read. Mr. Burns stated that it was not his intent to say it does not have value to the consumer, but to state where the inspection request originates from.

Mr. Logan, with Western Exterminator Co., believes the B2 and B8 categories should be put together. He stated that his concern is who is responsible for the warranty if the categories stay separate. Mr. Peterson stated that his goal is to move the categories toward being similar to what the Federal Government currently uses. Mr. Peterson feels that inspections required to be done to sell a house should be covered under home inspectors with the Board of Technical Registration (BTR). However, if an individual goes into a home to do a treatment or to determine if a treatment is needed they need to be licensed by the Office of Pest Management. Mr. McClure explained the reasons that the categories were separated in the past. He agreed that the license categories should be combined. Mr. Peterson asked how the change would affect the industry. Mr. Burns responded that in industry most companies have both licenses. He explained that while most companies do have both licenses, there are companies in the industry that specialize in doing only inspections and the change would most likely put them out of business. Mr. Peterson asked why those companies could not simply be licensed under BTR. Mr. Burns responded that the forms that are filled out are Federal forms that state that the form can only be filled out by a licensed pest control company. He feels that currently individuals are required to become certified in two different areas when they are really only doing one job.

Mr. Fredrick stated that he knows of companies that have the majority of their business come from inspection work and they could not qualify for a license under BTR. Mrs. Hubbard stated that she felt there should be some kind of reciprocity agreement with OPM and BTR for inspections so that BTR certified inspectors can inspect and identify everything. Mr. Etheridge, with Contractors Termite and Pest Control, stated that he agrees with combining the B2 and B8 categories. He explained that he is currently certified with BTR as a home inspector and his home inspector license is currently inactive. He feels that if a home inspector wants to do termite inspections on houses that they need to be licensed by OPM. Mr. Tolton stated that if this change occurred that the applicator categories would have to change as well to keep the categories the same. Mr. Tolton does not feel it is unreasonable to allow home inspectors to note possible termite activity and to advise the consumer that they may want to contact a pest control professional to validate the termite issue.

Mr. Rousseau asked how the Qualifying Party changes would apply to and affect government entities. Mr. Peterson stated that the current structure for pest control under a government entity needs to be fixed to ensure that there is a responsible party. Mr. Burns stated that a business model should be created and a separate formulation for political subdivisions should be made. Mr. Rousseau feels that there should be a specific category that specifically deals with government.

Mr. Rousseau stated that he would like to see parts of B3 and B5 moved from OPM to the Department of Agriculture. He explained that specifically he would like to see golf courses put under the Department of Agriculture. He feels that it creates an issue with structural pest performing right of way work and having agricultural land just on the other side of it. Mr. Boelts feels that if these categories are simplified that he does not see a reason why they cannot exist under the OPM. He stated that he feels that it would be harder to find the defining line between the pieces of the categories that are currently covered by the OPM if they were moved to the Department of Agriculture. Mr. Boelts feels that a political subdivision should be required to hold a Qualifying Party license in order to operate even if they are not paying to maintain the licenses. He feels the need a Qualifying Party to be the responsible party. Mr. Craig stated that accepting the Qualifying Party requirements is the first step and then the discussion can move toward where to put golf courses.

Mr. Delaney, with Cactus and Pine Golf Course Superintendent Association, stated that golf course pesticide application, chemicals, and equipment are very similar if not the same as agricultural pest control. He feels that golf courses need to be more in line with the Department of Agriculture. Mr. Burns asked if the golf courses use a PCA for recommendations. Mr. Delaney stated that each golf course has a Qualifying Party and Certified Applicators. Mr. Evans asked if the golf courses would fall under the Department of Agriculture's Worker Protection

Standard. Mr. Peterson stated that golf courses have fallen under the Department of Agriculture in situations where the golf course has a nursery where they are growing their own plants, but the golf course itself does not fall under the Worker Protection Standard. Mr. Smith asked if most superintendants come out of a college certified program. Mr. Delaney answered that they have to go through professional training and pass an exam to become licensed.

Mr. Boelts stated that the way the law currently reads the issue with the Qualifying Party is that it sets up the individual in a position in which they are the responsible party for everyone under them. However, Mr. Boelts feels that this may not necessarily be in a position to look out for the public. He stated that the Qualifying Party is responsible for the Applicators being properly trained, for making sure protocols are being followed, making sure chemicals are being properly stored, as well as other responsibilities. He doesn't feel that all of these qualifications are able to be met if they are only required to show up at the office once a month. He stated that the way the Qualifying Party is currently laid out he does not feel comfortable in saying that the consumers and the public are being looked out for. Mr. Boelts stated that redefining what the Qualifying Party does should be the next step. Mr. Smith asked Mr. Craig to clarify the difference between immediate and direct supervision. Mr. Craig explained direct supervision versus immediate supervision.

Mr. Peterson stated that he feels that a formal draft of the possible changes should be written up to present to the Task Force at the next meeting. He explained that it seems that most of the Task force agreed with option one. Mr. Burns stated that he does like option one, however he does not feel that B8 should only be required to have 6 months of experience. Mr. Peterson stated that the draft that will be written will be written as the Task Force would like to see it with the B2 and B8 categories combined. Mr. Burns asked if the group agreed with needing to hold the B3, B5, and B8 categories for 6 months. Mr. Boelts stated that he feels the requirements should be higher. Mr. Rousseau feels that as long as the categories are clearly defined 6 months of training should be sufficient. Mr. Boelts feels that to be held as the responsible party that 6 months is too short. Mr. Peterson shares his thoughts that the lawn care and maintenance individuals should have a way to become properly licensed in the B3 category without making it too difficult. He feels that the weed exemption language needs to be cleared up. Mr. Craig explained the weed exemption. He stated that if individuals are found to be needing a license for weed control, they may have years of experience and now these new requirements would require them to be licensed for an additional two years. Mr. Burns stated that he feels illegal experience is still experience. Mr. Denny feels that individuals who use the weed control exemption should at least have to pass the core test. Mr. Schnieker asked if a new exam is created and it is a good exam to test the knowledge and experience of an individual, why would an individual still have to wait two years if they can pass the exam. Mr. Rousseau stated that he would like to see the individuals applying for their Qualifying Party License have two years of experience with an employer. Mr. Peterson stated that new language would be drafted for the next meeting.

- **TARFs – Discussion of TARF paper and recommendations to reduce regulatory burden and to help determine recommendations relating to TARFs, - alternative funding mechanisms, should the submittal of TARFs continue – a discussion on the future of TARFs.**

Mr. Peterson stated that it is clear the industry does not like the TARF fee. He proposed to reduce or eliminate TARF fees for the industry that a possibility may be to charge those, such as realtors, who use it. He stated that everyone wants to reduce fees, however the industry needs to keep in mind that the OPM is a self supported regulatory agency. Mr. Peterson stated that he does feel that the TARF system serves a purpose. Mr. Fredrick stated that his concerns with the TARF system are; in complete information and the fear that the industry will someday be required to report all treatments. Mr. Fredrick also stated that he doesn't like the fee, however he passes it on to the consumer. He also stated that he doesn't like the late fee, but he said he does not know any company who does not get paid by the customer at the time of service and feels that the late fee should not affect anyone. He explained that he feels that anyone who is going to file their TARFs late needs to have a late fee that "hurts". Mr. Fredrick feels that there will be someone in legislature who will see TARFs as a consumer protection component and they will not allow the agency to get rid of it.

Mr. Smith asked if the post construction treatment could be explained. Mr. Craig stated that there are two occasions for which TARFs must be filed. He stated that the first is in connection with a pretreatment. A company must submit a TARF for the pretreatment because that is an initial termite action. He stated that any subsequent treatments after that (warranty treatments) do not need to be "TARFed". Jack Peterson stated that the other occasion for which a TARF must be filed is when an "initial" post construction treatment. Mr. Burns asked Mr. Craig about the amount of paper TARFs that are filed. Mr. Craig responded that paper TARFs filed is down to less than 1%.

Mr. Burns stated that his position on TARFs from an industry point of view is that they are inaccurate, burdensome, and they don't serve a purpose except generating revenue. He stated that he does believe that consumers see a value. Mr. Burns stated that he feels the process needs to be simplified. He explained that the industry knows the information is inaccurate and very confusing. He feels that there should be a system in which companies can go online and file the property address and that "some action" was done by the company filing, and if any more information is needed to contact the company. He stated that it should also be put in rule or statute that a company has a certain amount of time to react to respond to an inquiry about an action. Mr. Peterson questioned whether the companies were willing to take all the calls from individuals who inquire about the actions. Many of the industry members on the Task Force and in the audience said they were willing to take the phone calls and respond to all the inquiries.

Mr. Boelts feels that the form does work and that it does not make sense going backward to being as simplified as posting that "some action" was done. He stated that the current system should be continued. Mr. Burns feels that the current system is flawed and that the current form should not be used because it does not give enough information. He stated that it is better served having individuals call the companies for the information. Mr. Evans asked what compands are being used from a data base standpoint. Mr. Boelts stated that the information is invaluable. Mr. Smith stated that he could see value in reporting all restricted use pesticide applications. Mr. Boelts stated that the agricultural control individuals have to report anything on the ground water protection list as well as restricted use pesticide applications. Mr. Burns asked if non-restricted use pesticide applications needed to be reported. Mr. Peterson responded that non-restricted use pesticides only need to be reported if they are commercially applied.

Mr. Burns stated that there is more pesticide applied in general pest control than the termite actions. He explained that TARFs only address the termite side of structural pest control. Mr. Boelts explained that he is concerned that some of the products used in structural pest control are on the ground water protection list but are not restricted and therefore not required to be reported. Mr. Craig stated that the TARFs are used for compliance reasons as well. He stated that there have been several instances that a termite inspection was done and a WDIIR was filed that said there was evidence of infestation. He explained that the report was changed by the realtor to indicate there was no evidence of infestation. He stated that the TARFs that were filed were the only reason this was caught. He stated that there is also a current investigation in which a company has submitted TARFs that express all the same amount of chemical for every application. He explained that these situations would not have been discovered if not for the TARFs. Mr. Peterson stated that the TARFs are a tool for the agency. Mr. Rousseau feels that there are consumer protection benefits in regards to TARFs. Mr. Burns feels that it is primarily a monetary issue. Mrs. Hubbard feels that it does not protect the consumers and it is false to assume that it does. She stated that she knows a large number of realtors and very few of them use the TARP system. She explained that it is no one else's business, from a privacy standpoint, if an inspection is done for any type of pest. Mr. Burns stated that it is under real estate laws that termite treatments and inspections need to be disclosed. Mr. Smith stated that termites in Arizona cause very little damage to the structures in which they are found. He feels that the termite companies are being picked on. He explained that it would make more sense to make the companies to do rodent work fill out paper work and pay fees because they are applying more toxic chemicals and there is more potential for fumes and exposure.

Mr. Fletcher, with Fletcher Termite Control, asked why there isn't a flat fee charged for everyone per year so that it is fair across the board. Mr. Boelts feels that the TARP system would be too difficult to get rid of. He stated that there are parts of the system that is currently in place that do function. He explained that he feels that to add value to the system the Task Force needs to decide what exactly needs to be reported. Mr. Rousseau feels that the fee should reflect only what the cost is to run the TARP system. He stated that a fee structure needs to be created that funds OPM. Mr. Burns stated that law or rule needs to be rewritten to define what is in the TARP system. He stated that the industry needs to be listened to as far as what they are capable of doing. He agrees that the fee should be only what it costs to run the system.

- **Review and discussion of record keeping comparison between ADA and OPM and potential recommendations.**
- **Future deadlines – legislative action in 2013, drafting of legislation and associated rules – other changes that are needed that have not been discussed**

Mr. Rousseau stated that he encourages the industry to have town hall meetings soon due to time restrictions. He explained that he felt that the recommendation needed drafted no later than the fall.

Mr. Peterson stated that the Laws and Rules need to be looked at and revised to reflect one another.

Old Business – task force purpose as laid out in the legislation may be discussed during any discussion items or as separate discussions

5. Review of all laws and regulations governing structural pest management in Arizona and changes necessary to accomplish the future structural pest management program, including: (Please bring your copies of the laws and rules)
 - Department of Agriculture’s existing statutory framework and regulatory scheme related to pesticides
 - i. Review of powers and authority statutes - comparisons and rules that fit.
 - Office of Pest Management staff recommendations on changes needed to OPM rules and laws
 - i. Certification/Licensing requirements – including insurance needs
 1. How do we reduce the burden on industry?
 1. Does everyone need the same level of training/experience for certification?
 2. Is a QP needed or do we just need a responsible individual?
 - ii. Criminal background checks – do we need them for everyone?
6. Executive Session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3) on any matter listed on the agenda
7. Call to the Public (2 minute limit per speaker)

Mr. Denny, with Metro Institute, feels there should be a way to register employees to ensure that individuals are not sitting around holding a license for 24 months before going and applying for their Qualifying Party License.

Mr. Delaney, with Cactus and Pines Superintendent Golf Association, stated that other states have golf courses under the Department of Agriculture.

Mr. Watters, with Cummings Termite and Pest Control, asked if there are going to be requirements put in place that make the companies responsible to conduct background investigations if the agency is no longer going to hold that responsibility. He stated that if there are no requirements and something goes wrong with an individual that was allowed into the industry who has a criminal history who should not have been let into the industry it will reflect badly on the industry as a whole if there are no requirements for background checks.

Mrs. Hawkins, with 5 Star Termite and Pest Control, Inc., agrees that there should be a requirement for the businesses to perform a background check if the agency is no longer going to.

Mr. Schnieker stated that the OPM should offer an optional service that someone can obtain a background check through the agency at the request of the individual or company. He feels that the option should be offered to those who want it to be able to obtain a better quality background check for a fee.

Mr. Connolly, with Connolly Pest Management, stated that he is in favor of consolidating, but he does feel that there needs to be a minimum standard put in place. He feels that there is not enough discussion about what that minimum standard is going to be.

8. Set Next Meeting Date and Topic Discussion

Mr. Peterson stated that at the next meeting the language for the TARF recommendation and Qualifying Party Recommendation will be presented.

Next meeting set for Wednesday March 14, 2012 at 10:00 A.M.

9. Adjourn – 12:41 P.M.