

OPM Proposed Statutes Update
Brief Summary of Changes to April 11, 2012 Draft

Throughout

Changed “initial termite corrective treatment” to “initial corrective treatment”

§ 3502 – definitions

“branch office” – added where pesticides are stored or disposed of

“branch supervisor” – minor revision

“certified applicator” – minor revision

“integrated pest management” – minor revision

“new-construction treatment” – reference to subterranean termites changed to just wood-destroying insects

“political subdivision” – reference to district changed to special district and state agencies added

“post-construction treatment” – reference to subterranean termites or other wood-destroying insects simplified to just wood-destroying insects

§ 3503 – powers

(A)(5) – removed preventative termite treatments

§ 3515 – license exemptions; private owner registration

(B) – inserted new subsection to make clear that individuals working for a business licensee or political subdivision do not need a personal business license, as 3-3512(A) might otherwise imply

(C) – rephrased exemption to specifically say “business license” instead of just referring to the business license statute

§ 3516 – political subdivisions

Removed subsection (D)(3)(e) regarding nonliquid herbicides and renumbered subsection

(D)(3)(f)

§ 3517 – landscapers

(B)(9) – removed

(C)(4) – new subsection: requires the treatment record to list the amount of herbicide applied

§ 3518 – fees

(C) – simplified by making it broader

§ 3523 – wood-destroying organism treatment proposals

(B) & (C) – clarified by changing requesting the “proposal” to requesting the “proposal or treatment” and breaking the first sentence into two sentences

(B)(5) – removed the word “agent”

§ 3531 – unlawful acts

(A)(3) – added word “registered” before branch supervisor

(A)(5) – added aquatic category

(A)(5)(b) – removed; This is still required under A.R.S. §§ 3-3523(E) & 3-3524(A) and it no longer made sense here after the addition of the aquatic and fumigation categories.

(B)(4) – changed “cause undue harm to the public” to “cause harm to the public, the environment or non-target animals”

(B)(8) – added new subsection

(B) – now showing the entire subsection as new because the subsection is new to this section, even though most of the language was previously contained here in the April 11 draft (see also A.R.S. § 32-2321(B), now proposed A.R.S. § 3-3532)

§ 3532 – disciplinary action

(A)(5) – corrected an incorrect cross reference

(C)(13)&(14) – added new subsections

(D) – removed

§ 3533 – joint responsibility

(A) – Added in another reference to “branch supervisor” for clarity