



Arizona Department of Agriculture

Office of Pest Management

1688 W. Adams Street, Phoenix, Arizona 85007

(602) 255-3664 FAX (602) 542-0466

www.azda.gov

Arizona Administrative Code - R4-29-208 Obtaining a Temporary Qualifying Party License

- A.** A licensed applicator who is employed by a business licensee may apply for a renewable, temporary qualifying party license if the qualifying party, who is not a temporary qualifying party, of the business has disassociated from the business within the last 45 days.
- B.** A temporary qualifying party applicant shall submit the following information to the Commission on a form obtained from the Commission:
1. About the business licensee:
 - a. Business name;
 - b. Business license number;
 - c. Physical address;
 - d. Mailing address, if different from the physical address;
 - e. Telephone number; and
 - f. Fax number;
 2. About the licensed applicator:
 - a. Full name;
 - b. Applicator license number;
 - c. Physical address;
 - d. Mailing address, if different from the physical address;
 - e. Telephone number;
 - f. Electronic mail address, if any;
 - g. Fax number;
 - h. A statement whether the applicant has ever been convicted of a felony or a misdemeanor and if the answer is yes, a statement whether all felony convictions have been reviewed and voted on by the Commission and if the answer is no:
 - i. A completed Criminal Conviction Supplement form that includes information regarding the charge, date, jurisdiction and disposition of conviction, and current status;
 - ii. A copy of documents pertaining to each conviction including court orders and police, probation, and pre-sentence reports;
 - iii. A complete set of fingerprints; and

- iv. The fee for fingerprint processing;
 - i. A statement whether the applicant has ever had a license or permit to practice pest management denied, revoked, or suspended and if the answer is yes, date, jurisdiction taking the action, nature of the action, and explanation of the circumstances;
 - j. License category for which application is made; and
 - k. The applicant's dated signature affirming that the information provided is true and correct.
- C. In addition to the form required under subsection (B), an applicant shall submit:
- 1. The fee specified in R4-29-105;
 - 2. A written notice of disassociation from the qualifying party who previously qualified the business;
 - 3. A written request from the business licensee that an applicator licensed in the category in which the disassociating qualifying party qualified the business be granted a temporary qualifying party license. The Commission shall not issue a temporary qualifying party license to an applicator to qualify a business in a category different from the category in which the disassociating qualifying party qualified the business;
 - 4. A written statement from the business licensee that the business has not operated since the disassociation in the category for which the disassociated qualifying party qualified the business; and
 - 5. A written description of how the temporary qualifying party will:
 - a. Manage the pest management services provided by the business,
 - b. Supervise the pest management services provided by the business, and
 - c. Train and supervise all licensed and unlicensed applicators employed by the business.
- D. The Commission shall issue a temporary qualifying party license to an applicant who is qualified under A.R.S. § 32-2314 and this Chapter. The temporary qualifying party license authorizes the licensee to qualify a licensed business for 60 days in each category in which the temporary qualifying party is licensed.
- E. If a temporary qualifying party license expires, the business licensee qualified by the temporary qualifying party licensee shall not perform pest management services in the category for which the temporary qualifying party qualified the business.

In accordance with Arizona Administrative Code R4-29-107 (B)(3), no refunds shall be made for applications that remain incomplete beyond the Response to Completion Request in Table 1.



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Temporary Qualifying Party License Application

Fee Schedule

- Temporary Qualifying Party License: \$75.00
- Temporary Qualifying Party License Renewal: \$75.00

Business Licensee: (please print clearly or type)

Business Name: _____
 Business License #: _____ Telephone _____ Fax: _____
 Mailing Address: _____ City: _____ State: _____ ZIP: _____
 Physical Address: _____ City: _____ State: _____ ZIP: _____
 Chemical storage Address: _____ City: _____ State: _____ ZIP: _____

Applicator: (please print clearly or type)

Full Legal Name: _____ Applicator License#: _____
(REQUIRED - First Name, Middle Name, Last Name – NO INITIALS)
 Mailing Address: _____ City: _____ State: _____ ZIP: _____
 Physical Address: _____ City: _____ State: _____ ZIP: _____
 Telephone Number: _____ E-Mail Address: _____
 Date of Birth: _____ Social Security #: _____

All Felony Convictions must be disclosed. Please review the OPM website to determine what the OPM considers a "Misdemeanor involving Moral Character". If you have any doubt whether your type of conviction must be disclosed, disclose it for the Acting Director to consider. Failure to disclose all relevant convictions may result in denial of licensing.

Has this applicant **EVER** been convicted of a misdemeanor involving moral character or **ANY** felony? Yes No
 (A conviction that is undesignated or has been set aside, vacated, or expunged **must** be disclosed. Please request and supply the information required on the Applicant with Criminal Conviction Supplement.) The OPM may require submission of a full set of fingerprints. Failure to disclose all relevant convictions may result in denial of licensing.

If yes, have all relevant convictions been reviewed by the Acting Director or former Commission? Yes No
 When did the Acting Director or former Commission review this/these matter(s) (list all dates)? _____ / _____ / _____

Has this applicant ever had any license or permit to practice pest control refused, revoked, or suspended?
 Yes No

Category(s) for which the Temporary QP is to be licensed: Please designate the appropriate categories

<input type="checkbox"/> B-1 General & Public Health Pest Management	<input type="checkbox"/> B-4 Fumigation	<input type="checkbox"/> B-7 Fungi Inspection
<input type="checkbox"/> B-2 Management of Wood-Destroying Insects	<input type="checkbox"/> B-5 Turf & Ornamental Horticulture	<input type="checkbox"/> B-8 Wood Destroying Insect Inspection
<input type="checkbox"/> B-3 Right of Way & Weed Management	<input type="checkbox"/> B-6 Antimicrobial Pest Management	<input type="checkbox"/> B-9 Aquatic Pest Management

The Temporary QP license is only valid for sixty-days. The OPM may grant a renewal for a second sixty-day period if the temporary qualifying party/ business licensee presents good cause for the delay of procuring a license and if the request to renew is received before the temporary qualifying party license expires.

By signing this application, I affirm that I have read and understand the information contained herein and attest that all information provided is true and correct.

Applicant Signature _____ **DATE** _____

Temporary Qualifying Party License Application Supplement

(Required information – use additional sheets if necessary)

Manage: Describe how the Temporary Qualifying Party will be active in the daily management of the business including how often the Qualifying Party will be present at the primary office to determine pesticide use, storage, disposal, current inventory, and ensure that all applicators are licensed within 90-days “of employment”.

Supervise: Describe how the Temporary Qualifying Party will supervise the pest management services provided by the business.

Train & Equip: Describe the plans to provide training for all licensed and unlicensed applicators employed by the business.

Absence: If the Temporary Qualifying Party is absent for more than 30-days consecutively, describe the Business Licensee’s contingency plan. (i.e. shut down operations until the QP returns or apply to activate a different QP who will meet the requirements of A.R.S. § 32-2314 and A.A.C. R4-29-504)

**ARIZONA DEPARTMENT OF AGRICULTURE
OFFICE OF PEST MANAGEMENT
STATEMENT OF LAWFUL PRESENCE
TO RECEIVE PUBLIC BENEFITS**

LICENSES

Title IV of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (the “Act”), 8 U.S.C. §§ 1611 & 1621, provides that, with certain exceptions, only United States citizens, United States non-citizen nationals, non-exempt “qualified aliens” (and sometimes only particular categories of qualified aliens), nonimmigrants, and certain aliens paroled into the United States are eligible to receive public benefits. A professional or commercial license is generally considered a public benefit under the Act.

Arizona Revised Statutes § 41-1080 requires that an individual applying for a license issued by the Office—(i) for the purpose of operating a business in Arizona or (ii) to someone who provides a service to any person where the license is necessary in performing that service—must submit certain documentation that satisfactorily demonstrates that the applicant is lawfully present in the United States. If the documentation does not contain a photograph of the applicant, the applicant must also present a government issued document that contains a photograph.

Directions: All individual applicants for a license covered by these laws must complete Sections I, II, and IV. Applicants who are not U.S. citizens or nationals must also complete Section III. Submit this completed form with your application for license or renewal.

Individuals seeking a license required to operate a business or to provide a service to any other individual or business must also submit a copy (front and back, if any) of one or more documents from the attached list that evidence your citizenship or lawful alien status with your application. If your documentation of lawful presence does not have a photograph, you must also provide a government issued id with a photograph. If the Office has evidence you have previously submitted non-expiring documentation of lawful presence, you do not have to do so again.

SECTION I — APPLICANT INFORMATION

APPLICANT’S LEGAL NAME (Print or type) _____ DATE _____

TYPE OF APPLICATION (check one): _____ INITIAL (NEW) APPLICATION or _____ RENEWAL

TYPE OF LICENSE (select one only): - APPLICATOR - QUALIFYING PARTY

- TEMPORARY QUALIFYING PARTY

LICENSE NUMBER (if applicable) _____

SECTION II — CITIZENSHIP OR NATIONAL STATUS DECLARATION

Are you a citizen or national of the United States? (check one) ___ Yes ___ No

If the answer is “Yes,” where were you born? List city, state (or equivalent), and country.

City _____ State (or equivalent) _____ Country or Territory _____

If you are a citizen or national of the United States, go to Section IV. If you are not a citizen or national of the United States, please complete Sections III and IV.

SECTION III — ALIEN STATUS DECLARATION

Directions: To be completed by applicants who are not citizens or nationals of the United States. Please indicate alien status by checking the appropriate box.

“Qualified Alien” Status (8 U.S.C. §§ 1621(a)(1), 1641(b) and (c))

- 1. An alien lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).
- 2. An alien who is granted asylum under Section 208 of the INA.
- 3. A refugee admitted to the United States under Section 207 of the INA.
- 4. An alien paroled into the United States for at least one year under Section 212(d)(5) of the INA.
- 5. An alien whose deportation is being withheld under Section 243(h) or 241(b)(3) of the INA.
- 6. An alien granted conditional entry under Section 203(a)(7) of the INA as in effect prior to April 1, 1980.
- 7. An alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).
- 8. An alien who is, or whose child or child’s parent is a “battered alien” or an alien subjected to extreme cruelty in the United States.

Nonimmigrant Status (8 U.S.C. § 1621(a)(2))

- 9. A nonimmigrant under the Immigration and Nationality Act [8 U.S.C. § 1101 et seq.] Nonimmigrants are persons who have temporary status for a specific purpose. *See* 8 U.S.C. § 1101(a)(15).

Alien Paroled into the United States For Less Than One Year (8 U.S.C. § 1621(a)(3))

- 10. An alien paroled into the United States for less than one year under Section 212(d)(5) of the INA.

Other Persons (8 U.S.C. § 1621(c)(2)(A) & (C))

- 11. A nonimmigrant whose visa for entry is related to employment in the United States.
- 12. A citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect [Freely Associated States include the Republic of the Marshall Islands, Republic of Palau and the Federate States of Micronesia, 48 U.S.C. § 1901 *et seq.*]
- 13. A foreign national not physically present in the United States. (Applicable to professional licenses only.)

Otherwise Lawfully Present (A.R.S. § 1-502)

- 14. A person not described in categories 1–13 who is otherwise lawfully present in the United States. **PLEASE NOTE: Federal law may make persons who fall into this category ineligible for public benefits.** *See* 8 U.S.C. § 1621(a).

SECTION IV — DECLARATION

All applicants must complete this section. I declare under penalty of perjury under the laws of the state of Arizona that the answers I have given are true and correct to the best of my knowledge and that the document(s) submitted demonstrating lawful presence are true.

Name of document provided: _____

APPLICANT’S SIGNATURE

TODAY’S DATE

Attachment: List of Evidence of U.S. Citizenship, U.S National Status, or Alien Status

EVIDENCE OF U.S. CITIZENSHIP, U.S NATIONAL STATUS, OR ALIEN STATUS

- (1) An Arizona driver license issued after 1996 or an Arizona nonoperating identification license;
- (2) A birth certificate or delayed birth certificate issued in any State, Territory, or Possession of the United States, including the District of Columbia, Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, or the Northern Mariana Islands (on or after November 4, 1986, Northern Mariana Islands local time) (unless the applicant was born to foreign diplomats residing in such a jurisdiction);
- (3) A United States Certificate of Birth Abroad: Consular Report of Birth Abroad of a Citizen of the United States (FS-240) (issued by the Department of State to U.S. citizens); Certificate of Birth (FS-545) (issued by a foreign service post); or Certification of Report of Birth (DS-1350) (copies of which are available from the Department of State);
- (4) A United States passport;
- (5) A foreign passport with a United States visa;
- (6) * An I-94 Form with a photograph and appropriate stamp as described below;
- (7) A United States Citizenship and Immigration Services Employment Authorization Document (* Form I-766 annotated A3, A5, or A10; or * Form I-551: Permanent Resident Card or Alien Registration Receipt Card) or Refugee Travel Document (Form I-571);
- (8) A United States Certificate of Naturalization (N-550 or N-570);
- (9) A United States Certificate of Citizenship (N-560 or N-561);
- (10) A Tribal Certificate of Indian Blood; or
- (11) A Tribal or Bureau of Indian Affairs Affidavit of Birth.

An applicant for a license may alternatively submit the following:

- (12) A driver license issued by a State that verifies lawful presence in the United States, which does not include Alaska, Hawaii, Iowa, Illinois, Michigan, Montana, North Carolina, Nebraska, New Mexico, Nevada, Oklahoma, Oregon, Rhode Island, Texas, Utah, Vermont, Washington, or Wisconsin.

Acceptable stamps and annotations:

a. “Qualified Aliens”

Alien Lawfully Admitted for Permanent Residence

- Unexpired Temporary I-551 stamp in foreign passport or on * Form I-94.

Asylee

- * Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA.
- * Form I-766 (Employment Authorization Document) annotated “A5.”

Refugee

- * Form I-94 annotated with stamp showing admission under § 207 of the INA.
- * Form I-766 (Employment Authorization Document) annotated “A3.”

Alien Paroled Into the U.S. for a Least One Year

- * Form I-94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)

Alien Whose Deportation or Removal Was Withheld

- * Form I-766 (Employment Authorization Document) annotated “A10.”

Alien Granted Conditional Entry

- * Form I-94 with stamp showing admission under §203(a)(7) of the INA.
- * Form I-766 (Employment Authorization Document) annotated “A3.”

Cuban/Haitian Entrant

- Unexpired temporary I-551 stamp in foreign passport or on * Form I-94 with the code CU6 or CU7; or
- Form I-94 with stamp showing parole as “Cuba/Haitian Entrant” under Section 212(d)(5) of the INA.

b. Nonimmigrant

- * Form I-94 with stamp showing authorized admission as nonimmigrant.

c. Alien Paroled into U.S. for Less than One Year

- * Form I-94 with stamp showing admission for less than one year under section 212(d)(5) of the INA.

* Indicates a registration document.