

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**SENATE BILL 847\***  
**Agriculture/Environment/Natural Resources Committee Substitute Adopted**  
**5/10/07**  
**House Committee Substitute Favorable 7/2/08**

Short Title: Prevent Agricultural Pesticide Exposure.

(Public)

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Sponsors:

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Referred to:

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March 19, 2007

A BILL TO BE ENTITLED

1  
2 AN ACT TO ADD AGRICULTURAL WORKERS TO THOSE PROTECTED  
3 AGAINST RETALIATION IN THE WORKPLACE AND TO DIRECT THE  
4 PESTICIDE BOARD TO ADOPT RULES REQUIRING LICENSED PESTICIDE  
5 APPLICATORS TO RECORD THE SPECIFIC TIME OF DAY WHEN EACH  
6 PESTICIDE APPLICATION IS COMPLETED, AS RECOMMENDED BY THE  
7 GOVERNOR'S TASK FORCE ON PREVENTING AGRICULTURAL  
8 PESTICIDE EXPOSURE.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 95-241(a) reads as rewritten:

11 "(a) No person shall discriminate or take any retaliatory action against an  
12 employee because the employee in good faith does or threatens to do any of the  
13 following:

- 14 (1) File a claim or complaint, initiate any inquiry, investigation,  
15 inspection, proceeding or other action, or testify or provide  
16 information to any person with respect to any of the following:  
17 a. Chapter 97 of the General Statutes.  
18 b. Article 2A or Article 16 of this Chapter.  
19 c. Article 2A of Chapter 74 of the General Statutes.  
20 d. G.S. 95-28.1.  
21 e. Article 16 of Chapter 127A of the General Statutes.  
22 f. G.S. 95-28.1A.  
23 g. Article 52 of Chapter 143 of the General Statutes.  
24 (2) Cause any of the activities listed in subdivision (1) of this subsection  
25 to be initiated on an employee's behalf.  
26 (3) Exercise any right on behalf of the employee or any other employee  
27 afforded by Article 2A or Article 16 of this ~~Chapter or Chapter~~, by

1 Article 2A of Chapter 74 of the General ~~Statutes~~. Statutes, or by Article  
2 52 of Chapter 143 of the General Statutes.

3 (4) Comply with the provisions of Article 27 of Chapter 7B of the General  
4 Statutes.

5 (5) Exercise rights under Chapter 50B. Actions brought under this  
6 subdivision shall be in accordance with the provisions of  
7 G.S. 50B-5.5."

8 **SECTION 2.** The Pesticide Board shall adopt rules to implement the  
9 recommendations of the Governor's Task Force on Preventing Agricultural Pesticide  
10 Exposure, requiring recording of the specific time of day when each pesticide  
11 application was completed and extending the retention period for pesticide application  
12 records for all pesticides covered under the Worker Protection Standards for  
13 Agricultural Pesticides from 30 days to two years.

14 **SECTION 3.** This act is effective when it becomes law.