

revenues collected under section 476.61. Upon the commission's approval, the reconciliation shall be either a one-time adjustment or collected over a reasonable amount of time. The reconciliation amount shall not be separately identified on the customer's bill.

The collections charged pursuant to section 476.61 shall be terminated by commission order, no later than the first monthly billing cycle after the effective date of this Act.

Sec. 3. This Act, being deemed of immediate importance, takes effect from and after its publication in The Altoona Herald-Mitchellville Index, a newspaper published in Altoona, Iowa, and in The Record-Herald & Indianola Tribune, a newspaper published in Indianola, Iowa.

Approved April 28, 1986

I hereby certify that the foregoing Act, Senate File 2083, was published in The Altoona Herald-Mitchellville Index, Altoona, Iowa, on May 1, 1986, and in The Record-Herald & Indianola Tribune, Indianola, Iowa, on May 6, 1986.

MARY JANE ODELL, *Secretary of State*

CHAPTER 1135

HAZARDOUS CHEMICALS RIGHT TO KNOW

S.F. 2165

AN ACT relating to the applicability of the hazardous chemicals risk right to know Act.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 455D.4, subsection 1, Code 1985, is amended to read as follows:

1. Except for section 455D.9, this chapter does not apply to a person engaged in farming, as defined in this section or a pesticide as defined in section 206.2, subsection 1, used, stored, or available for sale by a commercial applicator as defined in section 206.2, subsection 12, a certified applicator as defined in section 206.2, subsection 17, a certified private applicator as defined in section 206.2, subsection 18, a certified commercial applicator as defined in section 206.2, subsection 19, a pesticide dealer as defined in section 206.2, subsection 24, or to activities which are covered under the federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. sec. 135 et seq.; provided, however, that such persons shall comply with the requirements of the federal Insecticide, Fungicide, and Rodenticide Act, 40 C.F.R. sec. 170, and chapter 206 where applicable to such persons. As used in this section, "farming" means the cultivation of land for the production of agricultural crops, the raising of poultry, the production of eggs, production of milk, the production of fruit or other horticultural crops, grazing or the production of livestock, spraying, or harvesting. The department of agriculture shall cooperate with the bureau in an investigation of an agricultural employee's complaint filed pursuant to section 455D.9.

Sec. 2. Section 455D.8, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. This chapter does not apply to hazardous chemicals which are consumer products as defined in and regulated by the federal Consumer Product Safety Act, 15 U.S.C. §§ 2051 et seq., in the possession of a person who is not regulated by the federal occupational safety and health administration's hazard communication regulation 29 C.F.R. §§ 1910.1200 et seq. as promulgated on November 25, 1983.

Approved April 28, 1986