

removal and encapsulation of asbestos, the inspection of boilers, wage payment collection, registration of construction contractors, the minimum wage, non-English speaking employees, child labor, employment agency licensing, boxing and wrestling, inspection of elevators, and hazardous chemical risks under chapters 88, 88A, 88B, 89, 89A, 89B, 90A, 91, 91A, 91C, 91D, 91E, 92, ~~94~~, and ~~95~~ 94A. The executive head of the division is the labor commissioner, appointed pursuant to section 91.2.

Sec. 8. Section 91.4, subsection 5, Code 1999, is amended to read as follows:

5. The director of the department of workforce development, in consultation with the labor commissioner, shall, at the time provided by law, make an annual report to the governor setting forth in appropriate form the business and expense of the division of labor services for the preceding year, the number of disputes or violations processed by the division and the disposition of the disputes or violations, and other matters pertaining to the division which are of public interest, together with recommendations for change or amendment of the laws in this chapter and chapters 88, 88A, 88B, 89, 89A, 89B, 90A, 91A, 91C, 91D, 91E, 92, ~~94~~, and ~~95~~ 94A, and the recommendations, if any, shall be transmitted by the governor to the first general assembly in session after the report is filed.

Sec. 9. Chapters 94 and 95, Code 1999, are repealed.

Approved May 17, 1999

CHAPTER 131

PROPERTY EXEMPT FROM EXECUTION

H.F. 660

AN ACT relating to certain property of a debtor which is exempt from execution, and providing an effective date and for the Act's applicability.

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

Section 1. Section 627.6, subsection 8, paragraph a, Code 1999, is amended to read as follows:

a. A social security benefit, unemployment compensation, or ~~a local~~ any public assistance benefit.

Sec. 2. Section 627.6, subsection 8, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. Contributions and assets, including the accumulated earnings and market increases in value, in any of the plans or contracts as follows:

(1) Transfers from a retirement plan qualified under the Employee Retirement Income Security Act of 1974 (ERISA), as codified at 29 U.S.C. § 1001 et seq., to another ERISA-qualified plan or to another pension or retirement plan authorized under federal law, as described in subparagraph (3).

(2) Retirement plans established pursuant to qualified domestic relations orders, as defined in 26 U.S.C. § 414. However, nothing in this section shall be construed as making any retirement plan exempt from the claims of the beneficiary of a qualified domestic relations order or from claims for child support or alimony.

(3) For simplified employee pension plans, self-employed pension plans, Keogh plans (also known as H.R. 10 plans), individual retirement accounts, Roth individual retirement

accounts, savings incentive matched plans for employees, salary reduction simplified employee pension plans (also known as SARSEPs), and similar plans for retirement investments authorized in the future under federal law, the exemption for contributions shall not exceed, for each tax year of contributions, the actual amount of the contribution or two thousand dollars, whichever is less. The exemption for accumulated earnings and market increases in value of plans under this subparagraph shall be limited to an amount determined by multiplying all the accumulated earnings and market increases in value by a fraction, the numerator of which is the total amount of exempt contributions as determined by this subparagraph, and the denominator of which is the total of exempt and nonexempt contributions to the plan.

For purposes of this paragraph "f", "market increases in value" shall include, but shall not be limited to, dividends, stock splits, interest, and appreciation. "Contributions" means contributions by the debtor and by the debtor's employer.

Sec. 3. **EFFECTIVE DATE AND APPLICABILITY.** This Act, being deemed of immediate importance, takes effect upon enactment, and shall apply to all claims of exemption under this section* made on or after the day of enactment.

Approved May 17, 1999

CHAPTER 132

QUALITY CARE AWARD FOR HEALTH CARE FACILITIES

H.F. 708

AN ACT establishing a governor's award for quality care in health care facilities.

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

Section 1. **NEW SECTION.** 135C.20B GOVERNOR'S AWARD — QUALITY CARE.

1. A governor's award for quality care is established, to be awarded annually by the governor to a health care facility in the state which demonstrates provision of the highest quality care to residents.

2. The department shall adopt rules establishing the criteria to determine quality care. In developing the criteria, the department shall consult with the members of Iowa partners for resident care and shall also consider all of the following:

a. The report cards completed pursuant to section 135C.20A.

b. Any unique services provided by a facility to its residents to improve the quality of care in the facility.

c. Any information submitted by care review committee members or residents with regard to the quality of care of the facility.

d. Whether the facility accepts residents for whom costs of care are paid under chapter 249A.

Approved May 17, 1999

* The word "Act" probably intended