

head of the institution, which shall be the fair market rental value of the house or quarters. If an assistant executive head or employee is furnished with a dwelling house or quarters either of which is owned by the state, the assistant executive head or employee may also be furnished with water, heat and electricity. However, the furnishing of these utilities shall be considered in determining the fair market rental value of the house or quarters.

Sec. 2. Section two hundred nineteen point nine (219.9), Code 1979, is amended to read as follows:

219.9 SALARY. The commandant shall receive such annual salary as the director may determine. In addition to ~~said~~ salary, the director ~~shall~~ may furnish ~~said~~ the commandant with a dwelling house or with appropriate quarters in lieu thereof and such additional allowances, as ~~are~~ provided in section 218.14 for executive heads of state institutions.

Sec. 3. Sections two hundred forty-six point six (246.6) and two hundred forty-six point seven (246.7), Code 1979, are repealed.

Approved April 21, 1980

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CHAPTER 1060  
SOCIAL SERVICES FARM ACCOUNTS  
S. F. 2118

AN ACT relating to the use and reversion of the unencumbered or unobligated funds remaining in the farm accounts of the department of social services.

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

Section 1. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter eight (8), section twenty-eight (28), is amended to read as follows:

SEC. 28. Notwithstanding section eight point thirty-three (8.33) of the Code, the unencumbered or unobligated funds remaining in the farm accounts of the department of social services on June 30, 1979 shall not revert to the general fund until June 30, ~~1980~~ 1981. These funds may be used only for capital and operating expenses incurred in the farming operation.

Sec. 2. This Act, being deemed of immediate importance, shall take effect from and after its publication in The Anamosa Eureka, a newspaper published

in Anamosa, Iowa, and in the Evening Democrat, a newspaper published in Fort Madison, Iowa.

Approved April 14, 1980

Pursuant to the authority vested in the undersigned, Secretary of State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1979, there being no newspaper by the name of The Anamosa Eureka, published in Anamosa, Iowa, I hereby designate The Anamosa Journal-Eureka, published in Anamosa, Iowa, to publish the foregoing Act, Senate File 2118.

MELVIN D. SYNHORST, *Secretary of State*

I hereby certify that the foregoing Act, Senate File 2118, was published in The Anamosa Journal-Eureka, Anamosa, Iowa on April 23, 1980, and in the Evening Democrat, Fort Madison, Iowa on April 18, 1980.

J. HERMAN SCHWEIKER, *Deputy Secretary of State*

## CHAPTER 1061

### UTILITY EASEMENTS BY SOCIAL SERVICES

S. F. 87

AN ACT relating to the granting of utility easements by the department of social services.

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

Section 1. Section two hundred eighteen point ninety-four (218.94), Code 1979, is amended to read as follows:

218.94 COMMISSIONER MAY BUY AND SELL REAL ESTATE--OPTIONS. The commissioner of the department of social services shall have full power, subject to the approval of the executive council to secure options to purchase real estate and, to acquire and sell real estate, and to grant utility easements, for the proper uses of said institutions. Real estate shall be acquired and sold and utility easements granted, upon such terms and conditions as the commissioner may recommend subject to the approval of the executive council. Upon sale of such real estate, the proceeds thereof shall be deposited with the treasurer of state and credited to the general fund of the state. There is hereby appropriated from the general fund of the state a sum equal to the proceeds so deposited and credited to the general fund of the state to the department of social services, which with the prior approval of the executive council may be used to purchase other real estate or for capital improvements upon property under such commissioner's control.

The costs incident to securing of options, acquisition and sale of real estate and granting of utility easements, including, but not limited to, appraisals, invitations for offers, abstracts, and other necessary costs, may be paid from moneys appropriated for support and maintenance to the institution at which such real estate is located. Such fund shall be reimbursed from the proceeds of the sale.

Sec. 2. This Act is effective January first following its enactment.

Approved April 14, 1980