

February 19, 1951.
Passed on File.

Senate File 379
By GOVERNMENTAL AFFAIRS.

Passed Senate, Date.....
Vote: Ayes..... Nays.....
Passed House, Date
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to transfer the office of commerce counsel from the jurisdiction of the commerce commission and to transfer all powers and duties of said office to the attorney general.

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

1 Section 1. Section thirteen point seven (13.7), Code 1950,
2 is amended by striking from line fifteen (15) the words "commerce
3 counsel nor".

1 Sec. 2. Sections four hundred seventy five point one (475.1)
2 to four hundred seventy-five point six (475.6) inclusive, Code
3 1950, are hereby repealed.

1 Sec. 3. Chapter four hundred seventy five (475), Code 1950,
2 is amended by adding the following new section:

3 "The attorney general shall appoint an assistant to be known
4 as the commerce counsel and may appoint such number of assistants
5 to said commerce counsel as he deems necessary. The commerce
6 counsel and said assistants shall be responsible to, and hold
7 office at the pleasure of, the attorney general."

EXPLANATION OF S. F. 379

The purpose of this act is to place the office of commerce counsel under the attorney general. The attorney general is a constitutional officer upon whom is imposed by

statute the duty to prosecute and defend in any court or tribunal, all actions and proceedings, civil or criminal, in which the state may be a party or is interested, when in his judgment the interest of the state requires such action. He is also required to prosecute and defend all actions or proceedings brought by or against any state officer in his official capacity. Consequently, the office of commerce counsel properly belongs under the attorney general.