

Sec. 2-a3. Cash balance. The treasurer of state shall not draw on the funds in any county treasury so long as the receipts from all sources, not including primary road funds, belonging to the state, are sufficient to maintain in the state treasury and authorized depositories in the aggregate, a cash balance of two million dollars (\$2,000,000.00).

Sec. 2-a4. Restoration of cash balance. When said cash balance is reduced below two million dollars (\$2,000,000.00) the treasurer of state may draw upon each county treasurer in proportion to the amount in his possession, a sum sufficient in the aggregate to increase said cash balance to an amount not to exceed three million dollars (\$3,000,000.00).

Sec. 2-a5. Penalty. In case the treasurer of any county shall fail to prepare and forward the aforesaid statement, or shall fail to promptly honor any draft by the treasurer of state as provided in the preceding section, he shall forfeit and pay for each and every failure, a sum not less than one hundred dollars (\$100.00) or more than five hundred (\$500.00), to be recovered in an action on the treasurer's bond, brought in the name of the state auditor or the treasurer of state.

That sections one hundred fifty-three (153) to one hundred sixty (160), inclusive, of the compiled Code of Iowa are amended, revised, and codified to read as follows:

Sec. 3. Swamp land indemnity. All swamp land indemnity money paid by the federal government to this state under any act of congress relating thereto shall be paid by the treasurer of state to the county treasurer of the county where the land, on account of which such payment is made, is located. The county treasurer shall be liable on his bond for the safe custody of said funds and shall promptly notify the board of supervisors of the receipt thereof. Said funds shall be applied by the said supervisors as required by law.

That section one hundred forty-four (144) of the compiled Code of Iowa is amended, revised, and codified to read as follows:

Sec. 4. Biennial report. The treasurer of state shall, biennially, at the time provided by law, report to the governor the state of the treasury and exhibit therein the amount received and paid out by the treasurer since his last report, and the balance remaining in the treasury.

Approved April 15, 1924.

CHAPTER 5  
DEPARTMENT OF JUSTICE  
H. F. 10

AN ACT to amend, revise, and codify chapter six (6) of title two (2) of the compiled code of Iowa and of the supplement to said code, relating to the department of justice and the attorney general and making an appropriation for the expenses provided.

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

That chapter six (6) of title two (2) of the compiled Code of Iowa and of the supplement to said Code is amended, revised, and codified to read as follows:

Section 1. Department of justice. The department of justice, with the attorney general as head thereof, shall be located at the seat of government

Sec. 2. Duties. It shall be the duty of the attorney general, except as otherwise provided by law:

1. To prosecute and defend all causes in the supreme court in which the state is a party or interested.
2. To prosecute and defend in any other court or tribunal, all actions and proceedings, civil or criminal, in which the state may be a party or interested, when, in his judgment, the interest of the state requires such action, or when requested to do so by the governor, executive council, or general assembly.
3. To prosecute and defend all actions and proceedings brought by or against any state officer in his official capacity.
4. To give his opinion in writing, when requested, upon all questions of law submitted to him by the general assembly or by either house thereof, or by any state officer, elective or appointive. Questions submitted by state officers must be of a public nature and relate to the duties of such officer.
5. To prepare drafts for contracts, forms, and other writings which may be required for the use of the state.
6. To report to the governor, at the time provided by law, the condition of his office, opinions rendered, and business transacted of public interest.
7. To supervise county attorneys in all matters pertaining to the duties of their offices, and from time to time to require of them reports as to the condition of public business intrusted to their charge.
8. To promptly account, to the treasurer of state, for all state funds received by him.
9. To keep in proper books a record of all official opinions, and a register of all actions prosecuted and defended by him, and of all proceedings had in relation thereto, which books shall be delivered to his successor.
10. To perform all other duties required by law.

Sec. 3. Disqualification. If, for any reason, the attorney general be disqualified from appearing in any action or proceeding, the executive council shall appoint some suitable person for that purpose and defray the reasonable expense thereof from any unappropriated funds in the state treasury.

Sec. 4. Assistant attorneys general. The attorney general may appoint a first assistant attorney general and such other assistant attorneys general as may be authorized by law, who shall devote their entire time to the duties of their positions. The assistant attorneys general shall, subject to the direction of the attorney general, have the same power and authority as the attorney general.

Sec. 5. Special counsel. No compensation shall be allowed to any person for services as an attorney or counselor to any department of the state government or the head thereof, or to any state board or commission, except in cases specially authorized by law, but the executive council may employ legal assistance, at a reasonable compensation, in any pending action or proceeding to protect the interests of the state, but only upon a sufficient showing, in writing, made by the attorney general, that his department can not for reasons stated by him perform said service, which reasons and action of the council shall be entered upon its records. Such compensation shall be payable out of any unappropriated funds in the state treasury.

Sec. 6. Expenses. The attorney general and his assistants shall be repaid their actual and necessary expenses incurred in transacting their official duties at places other than the seat of government. Such expenses shall be payable out of any funds in the state treasury not otherwise appropriated.

Sec. 7. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of two thousand dollars (\$2,000.00), or so much thereof as may be necessary, annually for the biennium ending June 30, 1925, for the purpose of paying the expenses provided for in this act.

Approved February 1, 1924.