STATE	AG's general powers & duties; executive laws	AG's authority to prosecute violations pertaining to labor law, withholding of income tax, contribution to UIB and workers' compensation	Remedies and/or damages AG can obtain for affected workers
AL	The AG has general powers granted by the constitution, statutory law, or the common law. *Ala. Code §36-15-1.1 (1975)*. The AG is authorized to institute and prosecute, in the name of the state, all civil actions and other proceedings necessary to protect the rights and interests of the state. *§36-15-12*. *No relevant citing caselaw.*	**Income tax:** The Department of Revenue shall "direction actions to be instituted by the Attorney General. . . for the collection of any taxes or penalties due the state." *§40-2-11(4)*.	
AZ	"The attorney general may initiate such proceedings to collect debts to this state, or to any agency, board, commission or department of this state, as are necessary and appropriate." *Ariz. Rev. Stat. §13-41-191.04 (2004)*. *No caselaw citing this provision.*	**Enforcement of workers compensation chapter within labor code**: "Upon request of the commission the attorney general. . . shall institute and prosecute the necessary actions or proceedings for the enforcement" of this chapter. §23-929. *No citing caselaw.* **Income tax:** The AG shall prosecute "all actions necessary	**Obtaining Labor by False Pretenses**: Employer failing to pay wages due commits a class 1 misdemeanor; upon conviction employer shall be liable for wages unpaid and attorney's fees. §23-201. **Penalty for unpaid wages:** Employer who after an court or department's order to pay unpaid wages fails to do so within 10 days shall pay the employee an amount which is equal to treble the amount of the unpaid wages subject to interest at the legal rate. §23-360.

		to enforce" taxation. §42-1004. *Assistant AG's representation of State in action against taxpayer for filing tax returns containing false information in violation of § 43-841 (now § 42-1125) did not violate separation of powers doctrine under Const. Art. 3; assistant AG was member of executive branch of government under Const. Art. 5, § 1, and was not part of judicial branch, although AG was member of State Bar. Department of Revenue v. Arthur (App. Div.1 1986) 153 Ariz. 1, 734 P.2d 98.*	
AK	The AG shall "prosecute, and defend all necessary and proper actions in the name of the state for the collection of revenue. . . [and] prosecute all cases involving violation of state law. . ." Alaska Stat. §44.23.020(b)(2), (4) (2002).	**Enforcement of labor code**: Upon referral from the commissioner of labor, the AG "may prosecute a civil case" for wage claims. *§23.05.210*. **Income Taxes:** "The commissioner of revenue shall call upon the attorney general to institute actions for recovery of unpaid taxes, fees, excises, additions to tax, penalties, and interest. . ." *§43.05.010(13)*.	
AR	The AG shall: • "be the attorney for all state officials, departments, institutions, and agencies. Whenever any officer or	**Enforcement of labor code**: The AG has the duty, "upon request of the Director of the Department of Labor. . . to prosecute any violation of the law which is the duty of the director to enforce." *§11-2-105*.	Employer failing to pay employee at or over the minimum wage shall be liable to the employee for the full amount of wages actually owed, and for attorney's fees. The Director of DOL has enforcement and prosecutorial powers under this provision. *§11-4-218(a), (d)(1)*.

	department, institution, or agency of the state needs the services of an attorney, the matter shall be certified to the Attorney General for attention" *Ark. Code §25-16-702(a) (2004)* • "have authority to initiate civil lawsuits under all state and federal environmental protection statutes", *§25-16-702(e)*.		
CA	"The Attorney General has charge, as attorney, of all legal matters in which the State is interested. . ." *Cal. Gov. Code §1251*. *As chief law officer of the state, AG has broad common law powers, and in absence of legislative restriction, he may file any civil action which he deems necessary for enforcement of state laws and protection of public rights and interests. People v. New Penn Mines, Inc. (App. 3 Dist. 1963) 28 Cal.Rptr. 337, 212 Cal.App.2d 667*. *AG has power, in absence of legislative restriction, to file any civil action or proceeding directly*	**Labor Code:** "The Division of Labor Law enforcement shall. . . institute the actions for the penalties provided for in this article and shall enforce this article. Nothing in this article shall limit the authority of the district attorney of any county or prosecuting attorney of any city to prosecute actions, either civil or criminal, for violations of this article or to enforce the provisions thereof independently and without specific direction of the division. Nothing in this article shall limit the right of any wage claimant to sue directly or through an assignee for any wages or penalty due him under this article." *Lab. Code §§217-218*. *No relevant citing caselaw.* Taxation Code:	If an employer willfully fails to pay wages that are due immediately, "the wages of the employee shall continue as a penalty from the due date thereof at the same rate until paid or until an action therefor is commenced, but the wages shall not continue for more than 30 days." *Lab. Code §203*. "If, after an investigation and hearing, the Labor Commissioner has determined the validity of any employee's claim for wages, the claim is due and payable within 10 days after receipt of notice by the employer that such wages are due. Any employer having the ability to pay who willfully fails to pay such wages within 10 days shall, in addition to any other applicable penalty, pay treble the amount of any damages accruing to the employee as a direct and foreseeable consequence of such

	involving state's rights and interests or deemed necessary by him to enforce state laws, preserve order, and protect public rights and interests. Pierce v. Superior Court in and for Los Angeles County (1934) 1 Cal.2d 759, 37 P.2d 460. *The AG, as chief law enforcement officer of the state, has the authority and power, in absence of a statute to the contrary, to institute, conduct and maintain all civil actions involving the rights and interests of the state, such as collection of unpaid franchise taxes. People v. Birch Securities Co. (App. 1 Dist. 1948) 86 Cal.App.2d 703, 196 P.2d 143, certiorari denied 69 S.Ct. 745, 336 U.S. 936, 93 L.Ed. 1095.*	The Controller may request the Attorney General to bring suit for the recovery of any unpaid tax, interest, penalties, and costs. The Attorney General shall bring suit for any amount due and costs on the written request of the Controller and in the name of the people of the State of California in a court of competent jurisdiction in the County of Sacramento." *Rev. & Tax Code §§7861-7862.* *No relevant citing caselaw.*	failure to pay." *Lab. Code §206(b).* In addition, in an action for unpaid wages and/or benefits, the court shall award interest on all due and unpaid wages and may award reasonable attorney's fees. *Lab. Code §§218.5-218.6.*
CO	The AG "shall be the legal counsel and advisor of each department . . . of the state government. . ." *Colo. Rev. Stat. §24-31-101 (2003)*	At the request of the department of revenue, the AG shall prosecute and defend all suits pertaining to matters of its department. *§24-31-101).* **Enforcement of labor code**: The district attorney may prosecute actions for violations of the labor code "independently and without specific direction of the director of the department of labor, or to limit the right of any wage claimant to sue directly through an	

		assignee for any wages or penalty due him" under the law. *§8-4-11*.	
CT	The AG "shall have general supervision over all legal matters in which the state is an interested party. . . He shall appear for the state. . . [and] commissioner. . . in all suits and other civil proceedings." *Conn. Gen. Stat. §3-125 (2003).* *No citing caselaw.*	**Enforcement of labor code**: The AG may recover double the amount of the civil penalty together with attorney's fees and/or enjoin the noncomplying employer from conducting business in the state. *§31-289a-289b*. *No citing caselaw.* The Labor Commissioner "may request the Attorney General to bring an action in Superior Court for injunctive relief requiring compliance with any statute. . ." *§31-2*. *No citing caselaw.* **Workers' Compensation:** The Superior Court, on application of the AG, "may enforce. . . any provision of this chapter." *§31-278*. In addition, whenever an employer willfully fails to comply with the requirements of this chapter, the AG may institute a civil action for nonpayment upon notification by the Workers' Compensation Commission. *§31-288*. *No citing caselaw.*	An employee may institute a civil action and recover twice the full amount of wages owed, including costs for attorney's fees. §31-72.

DE	The AG shall " exercise the powers and perform the duties by the Constitution, statutes and common law vested in and imposed upon the Attorney General prior to January 1, 1969. . . to provide legal advice, counsel and services for administrative offices, agencies, departments, boards, commissions and officers of the state government concerning any matter arising in connection with the exercising of their official powers. . ." *Del. Code Ann. tit. 29, §2504 (2001)*.	**Labor Code:** The Department of Labor may "[d]irect to the attention of the Attorney General of this State, with a request for the necessary enforcement action, all violations under the terms of this chapter." *Tit. 19, §105*. The AG shall, upon request of the DOL, "prosecute any violation of the law. . . provided the Department may, upon its own initiative, bring all necessary suits and institute such prosecutions as may be necessary properly to enforce this chapter." *Tit. 19, §115*.	An employee may institute a civil action and recover "the full amount of such wages less any amount actually paid to such employee. . . the costs of the action. . . and reasonable attorney's fees." *Tit. 19, §911(a)*, *§1113*.
DC	The AG shall: • prosecute all violations of the laws of the State of New Columbia • conduct all civil actions instituted by the state or in which the state may be concerned *D.C. Code §404 (2001)*.	**Labor code minimum wage subchapter:** The Mayor investigates and ascertains the wages paid to employees of any occupation. *D.C. Code §32-1005 (2004)*. The Corporation Counsel of the District of Columbia shall prosecute any violations of this subchapter. *§32-1011*. No citing caselaw. Secondary source: Employment Coordinator Compensation s 42:112, s 42:112. District of Columbia; Criminal prosecution (2004). **Taxation:** The Mayor administers the provisions of this chapter, including the provisions relating to collection and assessment of taxes. *§47-*	Any employee who was paid less than the minimum wage shall be entitled to the unpaid wages, additional liquidated damages, reasonable attorney's fees and costs of the action. *§32-1012*.

		1812.01.	
FL	The AG shall appear in and attend to: • "all suits or prosecutions, civil or criminal or in equity, in which the state may be a party, or in anywise interested, in the Supreme Court and district Courts of appeal of this state." • "such suits or prosecutions in any other of the courts of this state. . ." Fla. Stat. ch. 16.01 (2004).	Did not find anything of relevance. For more information please see: **Labor Code**: Ch. 435-452. **Taxation & Finance**: Ch. 192-221.	In a civil action, any day laborer aggrieved by a violation of section 448.24 (see Labor Pool Act) is entitled to recover actual and consequential damages or $1,000 for each violation of this part, and costs. These remedies are not exclusive and do not preclude the worker from recovering other types of remedies available under the law. Ch. 448.25. Did not find provisions for remedies available for general wages violations. For more information see the labor code: Ch. 435-452.
GA	It shall be the duty of the AG "to represent the state in all civil actions tried in any court." Ga. Code §45-15-3 (2003).	**Labor Code:** "In any civil action to enforce this chapter [the Employment Security Act], the Commissioner, the board of review, and the state shall be represented by the Attorney General of this state." §34-8-4.	**Minimum Wage Law:** Could not find the provisions relating to recovery of damages and wages due. For more information, see §34-4-1 (Georgia Minimum Wage Law). **Statute of Limitations:** All actions for the recovery of unpaid wages shall be brought within 2 years. §9-3-22..
GU	The AG "shall have cognizance of all legal matters. . . involving the Executive Branch of the government of Guam. . ." 9 G.S.A. §30102.	**Labor code:** The AG "may represent employees and/or the Director of Labor "in actions for unpaid wages." Tit. 22, §3221.	"[A]ny employer who fails to pay. . . employees wages when due or who underpays an employee shall pay punitive damages to the employee three (3) times the wages due," with

	The AG shall have common law powers which include the right to bring suit. . . for redress of grievances. *§30103.*		some exceptions. *Tit. 22, §3219*. **Liability to employee:** "Any employer who violates any provision of §§ 3105 or 3107 [minimum wages or overtime] shall be liable to the employee or employees affected in the amount of their unpaid minimum wages or unpaid overtime compensation, as the case may be, and in case of wilful violation an additional equal amount as liquidated damages." Tit. 22, §3117(3).
HI	The AG shall: • "appear for the State personally or by deputy, in all the courts of record, in all cases criminal or civil in which the State may be a party, or be interested, and may in like manner appear in the district courts in such cases." *Haw. Rev. Stat. §28-1 (2003)* • "give counsel and aid to poor and oppressed citizens of the State and assist them in obtaining their just rights without charge; provided that the attorney general shall not be obliged to render such aid, counsel, and assistance, unless requested so to do by the	**Enforcement of penalties under tax code:** The department of taxation may call upon the attorney general to institute and prosecute "for penalties and forfeiture, liabilities, and punishments for violation of the laws administered by the department." *§231-3*.	Any employer who intentionally fails to pay wages "shall be liable to the employee, in addition to the wages legally proven to be due, for a sum equal to the amount of unpaid wages and interest at a rate of six per cent per year from the date that the wages were due." *§388-10*.

	governor, or by some one of the heads of departments." *§28-5*.		
ID	The AG's duty is: • To perform all legal services for the state and to represent the state and all departments, agencies, offices, officers, boards, commissions, institutions and other state entities, in all courts and before all administrative tribunals or bodies of any nature • To exercise all the common law power and authority usually appertaining to the office and to discharge the other duties prescribed by law *Idaho Code §67-1401*.	**Revenue and Taxation:** The attorney general of this state is empowered to sue and collect, for and on behalf of any other political subdivision or state of the United States taxes legally due such political subdivision or state provided that the law of such state contains a reciprocal provision by which that state will enforce and collect taxes due this state or its political subdivision." *§63-1403*.	The Hours Worked Act defines "hours worked" for purposes of recovering attorney's fees, liquidated damages, back or unpaid wages, salaries, or compensation. §§44-1201-1202.
IL	The AG shall institute and prosecute all matters in which the state may be interested. *15 Ill. Comp. Stat. § 205/4.* *It is the statutory duty of Attorney General to appear in a prosecution when in his judgment the interest of people of state requires it. People ex rel. Castle v. Daniels, 1956, 8 Ill.2d 43, 132 N.E.2d 507*.	Upon request, the AG may "bring suit. . . to collect any tax legally due to this State. . ." *Tit. 35, § 705/1*. *No relevant citing caselaw.*	An employee may recover in a civil action all unpaid wages and reasonable attorney's fees. In addition, the employer shall be liable to the employee for punitive damages in the amount of 2% of any unpaid wages. This action must be brought within 3 years of the alleged offense. *Tit. 820 §105/12(a)*.

	Attorney General lacked authority to initiate prosecutions on charges arising out of violation of revenue laws. People v. Buffalo Confectionery Co., 1980, 36 Ill.Dec. 705, 78 Ill.2d 447, 401 N.E.2d 546.		
IN	The AG shall: • "be required to attend to the interests of the state in all suits, actions or claims in which the state is or may become interested in the Supreme Court of this state." *Ind. Code §4-6-2-1.* • Prosecute all civil actions brought in the name of the state or any state agency. *§4-6-3-1*.	**Labor code:** The AG, upon the request of the commissioner of labor, shall "prosecute any violation of any law, rule or order which it is made the duty of the commissioner to enforce." *§22-1-1-18*. **Income Tax:** The AG has concurrent jurisdiction in conducting criminal prosecutions of tax matters. Upon request by the department of state revenue, the AG shall institute and prosecute civil actions to collect unpaid taxes, penalties and to enforce the department's powers. *§6-8.1-3-13*.	**Damages**: Any employer violating the minimum wage laws shall be liable for unpaid wages and an equal additional amount as liquidated damages. Statute of Limitations: 3 years. *§22-2-2-9*.
IA	The AG shall "[p]rosecute 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 the attorney general's judgment, the interest of the state requires such action. . ." *Iowa Code §13.2 (2003)*.	**Taxes:** Assistant AG shall perform all legal work relating to the department of revenue. *§13.5*. **Labor Code:** The commissioner of labor, with the assistance of the AG if requested, may institute a civil action to enforce these provisions. §91.4(6).	An employer who intentionally fails to pay an wages shall be liable for any wages or expenses that are so intentionally failed to be paid, plus liquidated damages, court costs and any attorney's fees incurred in recovering the wages owed. *§91A.8*. *"Liquidated damages"* means the sum of 5% multiplied by the amount of any unpaid wages multiplied by

			the total number of days on which wages were not paid. However, such sum shall not exceed the amount of the unpaid wages. . . §91A.2.
KS	The AG shall, "when required by the governor or either branch of the legislature, appear for the state and prosecute or defend, in any other court or before any officer, in any cause or matter, civil or criminal, in which this state may be a party or interested. . ." *Kan. Stat. Ann. §75-702 (2003)*.		For each failure to pay workers' compensation, including medical compensation, the employee "shall be entitled to a civil penalty. . ." *§44-512(a)*. Any employer who fails to pay wages and overtime compensation shall be liable for the "full amount of such wages and overtime compensation, less any amount actually paid. . . and for costs and such reasonable attorney's fees. . ." *§44-1211*.
KY	The AG shall "commence all actions or enter his appearance in all cases. . . in which the Commonwealth has an interest. . ." *Ky. Rev. Stat. Ann. §15.020 (2003)*.	**Taxation:** Upon request of the department of revenue, the AG shall institute actions to collect unsatisfied claims of the state. *§15.060*. Labor Code: Commissioner enforces and prosecutes the laws in this chapter. *See §336.050*.	"Any employer who pays any employee less than wages and overtime compensation to which such employee is entitled. . . shall be liable. . . for the full amount of such wages and overtime compensation, less any amount actually paid. . . for an additional equal amount as liquidated damages, and for costs and such reasonable attorney's fees . . ." *§337.385*. *See §337.090* for additional civil penalties and damages recoverable by employee.
LA	As necessary for the assertion or protection of any right or interest of the state, the attorney general has independent authority to institute any proceeding. La. Const. art. !V § 8.	• For labor code, see title 23 • For tax and revenue code see title 47.	Any employer who fails to comply with the laws relating to payment of wages "shall be liable to the employee either for ninety days wages at the employee's daily rate of pay, or else for full wages from the time the employee's demand for payment is made until the employer shall

	The AG "shall represent the state and all departments and agencies of state government in all litigation arising out of or involving tort or contract." *La. Rev. Stat. §49:257*.		pay or tender the amount of unpaid wages due to such employee, whichever is the lesser amount of penalty wages. Reasonable attorney fees shall be allowed. . ." *§23:632*.
ME	The AG shall "appear for the State, the head of any state department, the head of any state institution and agencies of the State in all civil actions and proceedings in which the State is a party or interested. . ." *Me. Rev. Stat. Ann. Tit. 5, §191 (2003).*	**Labor Code:** For any violation of payment of minimum wages, the AG may institute injunction proceedings to enjoin further violations. *§671*.	An employer failing to pay wages shall be liable to the employee for the unpaid wages, reasonable rate of interest, costs of suit, and an additional amount equal to twice the amount of unpaid wages as liquidated damages. *§262-A*.
MD	Unless otherwise provided by law, the AG "is the legal adviser of and shall represent and otherwise perform all of the legal work for each officer and unit of the State government." *Md. Code Ann. State Gov't §6-105 (2003)*. *Duties of Attorney General including prosecuting and defending cases on behalf of state in order to promote and protect state's policies, determinations, and rights and Attorney General is the legal advisor to all state departments and agencies other than those for which specific exception is made by*	**Labor Code:** On request of the Commissioner of Labor, the AG may enforce the laws under this chapter. *Md. Code Ann. Lab. & Empl. §7-205*, *§3-507 (2003)*. *No citing caselaw.*	In an action to recover unpaid wages, upon a favorable determination on behalf of the employee, an employer may be liable for the unpaid wages and for costs of the action. *Lab. & Empl. §3-307*.

	statute. Code 1957, Art. 32A, §§ 1, 2; Const. Art. 5, §§ 1 et seq., 3, 3(a)(2), (b). State ex rel. Atty. Gen. v. Burning Tree Club, Inc., 1984, 481 A.2d 785, 301 Md. 9.		
MA	"All civil actions to recover money for the commonwealth may be brought in the name of the commonwealth by the attorney general or by a district attorney." *Mass. Gen. Laws Ch. 12, §5 (2003).* "Whenever any person or persons. . . interfere by threats, intimidation or coercion. .. with the exercise or enjoyment by any other person. . . of rights secured by the constitution or laws of the United States, or of rights secured by the constitution or laws of the commonwealth, the attorney general may bring a civil action for injunctive or other appropriate equitable relief. . ." *Ch. 12, §11H.* *No relevant citing caselaw.*	**Income Tax:** By commissioner. See *Ch. 62C.* **Labor Code:** "The attorney general shall, except as otherwise specifically provided, enforce the provisions of this chapter, and shall have all necessary powers therefor. The inspection and investigation carried on by the attorney general shall be a regular and systematic inspection and investigation of all places of employment, other than places of employment of persons engaged in domestic service in the home of the employer, and the conditions of safety and health pertaining thereto." *Ch. 149, §§2-3.* *No relevant citing caselaw.* The AG shall investigate, ascertain the wages of all employees in any occupation and enforce the minimum wage laws. *Ch. 151, §3.* *No citing caselaw.* **Statute of Limitations:** 2 years. *Ch. 151, §20A.*	**Minimum Wage**: If an employee is paid less than the minimum wage such person "may recover in a civil action three times the full amount of such minim wage. . . together with costs and such reasonable attorney's fees." Ch. 151, §20. **Overtime Compensation:** An employee who is paid less than the overtime rate of compensation shall be entitled to recover 3 times the "full amount of such overtime rate of compensation. . . together with costs of and such reasonable attorney's fees. . ." *Ch. 151, §1B.*

MI	The AG is has the power to intervene in any action that is necessary to protect any right or interest of the people of the state. *Mich. Comp. Laws §14.101 (2004).* *Attorney General has the authority to bring actions involving matters of state interest, and the courts should accord substantial deference to the Attorney General's decision that a matter constitutes a state interest. In re Certified Question from U.S. Dist. Court for Eastern Dist. of Michigan (2002) 638 N.W.2d 409, 465 Mich. 537.* *Broad discretion granted attorney general to intervene in pending cases is only limited when intervention is clearly inimical to the public interest. Kelley v. Gremore (1967) 153 N.W.2d 377, 8 Mich.App. 56.*	See Michigan Minimum Wage Law at Chapter 408. For tax and revenue code see chapters 205-207.	An employee who within 3 years of the violation of unpaid wages brings a civil action may recover the amount of unpaid wages, in addition to an equal amount as liquidated damages together with attorney's fees. *§408.393*. The department may order an employer with repeated violations of laws relating to payment of wages and fringe benefits to pay to the employee the following: (1) wages due; (2) fringe benefits due; (3) exemplary damages of not more than twice the amount of wages and benefits due; and (4) attorneys' and/or litigation costs. *§408.488*.
MN	The AG shall: • "appear for the state in all causes in the supreme and federal courts wherein the state is directly interested; also in all civil causes of like nature in all	**False Tax Statement:** Whoever intentionally makes a false tax statement may be sentenced to imprisonment for up to 1 year or payment of a fine of up to $3,000, or both. *§609.41*.	**Private remedies:** "In addition to the remedies otherwise provided by law, any person injured by a violation of any of the laws referred to in [*§8.31, subd. 1*] may bring a civil action and recover damages, together with costs and disbursements,

	other courts of the state whenever, in the attorney general's opinion, the interests of the state require it." *Minn. Stat. §8.01 (2003)*; • "investigate violations of the law of this state respecting unfair, discriminatory, and other unlawful practices in business, commerce, or trade. . ." *§8.31, subd. 1*; • arrest and prosecute all persons violating the above-mentioned statutes or "any other laws respecting unfair, discriminatory, or other unlawful practices in business, commerce, or trade." *§8.31(2)*.	**Requesting assistance in criminal tax investigations.** "If the commissioner of revenue has reason to believe that a criminal violation of the state tax laws or chapter 349 has occurred, the commissioner may request the attorney general or the prosecuting authority of any county to assist in a criminal tax investigation and may disclose information to the prosecuting authority relevant to the investigation." *§270.064*.	including costs of investigation and reasonable attorney's fees, and receive other equitable relief as determined by the court. *§8.31, subd. 3a*. "An employee may bring a civil action seeking redress for a violation or violations of sections 177.21 to 177.35 [Fair Labor Standards Act] directly to district court. An employer who pays an employee less than the wages and overtime compensation to which the employee is entitled under sections 177.21 to 177.35 is liable to the employee for the full amount of the wages, gratuities, and overtime compensation, less any amount the employer is able to establish was actually paid to the employee and for an additional equal amount as liquidated damages. In addition, in an action under this subdivision the employee may seek damages and other appropriate relief provided by subdivision 7 and otherwise provided by law. An agreement between the employee and the employer to work for less than the applicable wage is not a defense to the action." *§177.27, subd. 8*.
MS	The AG shall have powers granted at common law and shall have the sole power to bring or defend a lawsuit on behalf of a state agency, the subject matter of which is of statewide interest. *Miss. Code §7-5-1 (1972)*.	**Representation in Tax Proceedings:** The AG is authorized to institute proceedings arising out of the laws of revenues of the state. The AG may prosecute any action on behalf of the state to collect past due income taxes. *§7-5-51*, *§7-5-55*.	

		For labor code, see Title 71.	
MO	The AG "shall institute, in the name and on the behalf of the state, all civil suits and other proceedings at law or in equity requisite or necessary to protect the rights and interests of the state, and enforce any and all rights, interests or claims against any and all persons, firms or corporations in whatever court or jurisdiction such action may be necessary. . ." *Mo. Rev. Stat. §27-060 (2003).*	**Wages, hours and dismissal rights:** Some provisions are enforced by the department of labor and industrial relations, which is represented by the attorney general. See *§290.580*. **Taxation and Revenue**: "The attorney general shall furnish legal advice to the director of revenue. He shall commence legal proceedings and conduct legal actions for the collection of delinquent [state] taxes, licenses and fees, referred to him for collection by the director of revenue." *§136-150*.	An employer failing to pay an employee under the minimum wage shall be liable "to the employee affected for the full amount of the wage rate and an additional equal amount as liquidated damages, less any amount actually paid to the employee by the employer and for costs and such reasonable attorney fees as may be allowed by the court or jury. . . All actions for the collection of any deficiency in wages shall be commenced within two years of the accrual of the cause of action." *§290-527*.
MT	The AG shall "prosecute or defend all causes in the supreme court in which the state or any officer of the state in the officer's official capacity is a party or in which the state has an interest. . ." *Mont. Code Ann. §2-15-501 (2003)*.	**Wages and Wage Protection:** Any county attorney shall have the authority "to prosecute actions, both civil and criminal, for such violations of this part as may come to his knowledge or to enforce the provisions hereof independently and without specific direction of the commissioner of labor." *§39-3-215*. **Tax Administration:** The department of revenue "may require county attorneys to assist in the commencement and prosecution of actions and proceedings in their respective counties for penalties. . . and punishment for violations of the laws of the state in respect to the	

		assessment of property and other revenue laws." *§15-1-202*.	
NE	The office of the attorney general within the Department of Justice shall have control, supervision and power to prosecute "all actions and legal proceedings in which the State of Nebraska may be a party or may be interested, and shall have charge and control of all the legal business of all departments and bureaus of the state, or of any office thereof, which requires the services of attorney or counsel in order to protect the interests of the state." *Neb. Rev. Stat. §84-202 (1943)*; *§84-203*. *No relevant citing caselaw.*	**Minimum wages:** "It shall be the duty of the county attorney for the county in which any violation of the Wage and Hour Act occurs to prosecute the same in the district court in the county where the offense occurred." §48-1206(3). **Income tax:** "The Department of Revenue may request the Attorney General. . . to institute proceedings, actions, and prosecutions. . . relating to penalties, liabilities, assessments, collection, and payment of revenue and punishment. . . for failure to comply. . . with the provisions of any revenue law. . ." *§77.377*. *Some secondary citing sources.*	If a claim for wages is established and if the nonpayment of wages is found to be willful, "an amount equal to two tims the amount of unpaid wages shall be recovered from the employer." The employee can also recover attorney's fees. *§48-1231*, *§48-1232*.
NV	The AG may "appear in, take exclusive charge of and conduct any prosecution in any court of this state for a violation of any law of this state, when in his opinion it is necessary, or when requested to do so by the Governor." *Nev. Rev. Stat. §228.120 (2003)*. *Statute allowing AG to commence or*	**Labor & Industrial Relations:** "If, after due inquiry, the Labor Commissioner believes that a person who is financially unable to employ counsel has a valid and enforceable claim for wages, commissions or other demands, the Labor Commissioner may present the facts to the Attorney General. The Attorney General shall prosecute the claim if the Attorney General determines that the claim is valid and enforceable." *§607.160*.	

	defend suit embraced only civil matters. N.R.S. 228.120, subd. 3, 228.130, 228.170. Ryan v. Eighth Judicial Dist. Court In and For Clark County, 1972, 503 P.2d 842, 88 Nev. 638. *Absent order by the governor, decision of AG of Nevada whether to criminally prosecute state judge for alleged illegal actions in adjudicating child custody dispute was within AG's discretion and involved a matter as to which he was absolutely immune from liability for damages in civil rights action. 42 U.S.C.A. § 1983. Thurston v. Robison, 1985, 603 F.Supp. 336.*	*Cited in one unpublished memo opinion, Morgan v. MacDonald, 43 F.3d 1479, 1479 (9th Cir. Dec 02, 1994):* *"Morgan claims that MacDonald, in his capacity as Labor Commissioner, should have prosecuted the other defendants for violations of state and federal minimum wage laws. MacDonald couldn't enforce the state minimum wage law on Morgan's behalf because Morgan wasn't covered by the Nevada statute. Nor could MacDonald have attempted to enforce the federal minimum wage law, given that he was statutorily authorized to enforce only Nevada's labor laws. See **Nev.Rev.Stat. § 607.**160(1)."* **Criminal Violations of labor laws:** "Upon the complaint of the Labor Commissioner, the Attorney General shall prosecute all criminal violations of law that are reported to him by the Labor Commissioner." §607.220. *No citing caselaw.* **Revenue and Taxation:** "The Nevada Tax Commission may call upon the district attorney of any county or the Attorney General to institute and conduct such civil or criminal proceedings as may be	

		demanded." §360.260. *No citing caselaw.*	
NH	The AG shall "act as attorney for the state in all criminal and civil cases in the supreme court in which the state is interested. . ." N.H. Rev. Stat. §7:6 (2003). *Construed together, this section, RSA 7:11 and RSA 7:34 give the attorney general power to control, direct and supervise law enforcement by county attorneys in cases where he deems it to be in the public interest. Wyman v. Danais (1958) 101 N.H. 487, 147 A.2d 116.* **Powers of Other State Officials Limited:** "Nothing herein contained shall relieve any officer or person of any duty prescribed by law relative to the enforcement of any criminal law, but such officer or person, in the enforcement of such law, shall be subject to the control of the attorney general whenever in the discretion of the latter he shall see fit to exercise the same." §7:11.	**Labor Code:** The commissioner may, with the consent of the AG, institute proceedings in superior court to restrain by injunctive relief an employer from violating these laws. §273:11. *No citing caselaw.*	In a civil action, an employee paid by the employer less than the minimum wage may recover the full amount of the minimum wage owed and reasonable attorney's fees. §279:29.

NJ	The AG shall act as the "sole legal adviser, attorney or counsel. . . for all officers, departments. . . of the State Government in all matters other than those requiring the performance of administrative functions entailing the enforcement, prosecution and hearing of issues as imposed by law upon them; and represent them in all proceedings or actions of any kind which may be brought for or against them in any court of this State. . ." *N.J. Stat. §52:17A-4(e) (2004)*. The AG shall attend to all legal matters in which the State's interests are involved. *§52:17A-4(g)*. *AG has discretion in choosing when and where to provide representation and his decision will not be disturbed absent showing that it was arbitrary, capricious, or unreasonable. Application of North Jersey Dist. Water Supply Commission, 175 N.J.Super. 167, 417 A.2d 1095 (A.D.1980), certification denied 85 N.J. 460, 427 A.2d 559*.	For labor code see Title 34. For tax and revenue code see Title 54A.	An employee being paid less than the minimum wage may bring a civil action within 2 years of the alleged violation to recover the full amount of wages owed by the employer together with reasonable attorney's fees. *§§34:11-56a25-11-56a25.1*.

	AG has discretion to determine what matters are in public interest, and his determination is strongly persuasive. Hyland v. Kirkman, 157 N.J.Super. 565, 385 A.2d 284 (Ch.1978).		
NM	The AG shall "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. . ." *N.M. Stat. Ann. §8-5-2 (1978).*	For labor code see chapter 50, Art. 4. For tax and revenue code see Chapter 7.	
NY	The AG shall "prosecute. . . all actions and proceedings in which the state is interested. . . " And upon the request of any head of a state department, the AG shall prosecute any violation or criminal action related to the laws which the requesting officer is required to execute. *N.Y. Exec. Law Art. 5, §63(3).* "Whenever any person shall engage in repeated fraudulent or illegal acts. . . in the carrying on,	**Labor Code:** The AG may "prosecute every person charged with the commission of a criminal offense in violation of this chapter. . . applicable to or arising out of any provision of this chapter. . ." *N.Y. Lab. Law Art. 7, §214.* For tax-related provisions see: • General City Law Chapter 21, Article 2D • Tax Law Chapter 60 Article 22 *Several citing cases. See attached list of citing references.*	In a civil action brought by the employee or the Commissioner within 6 years of the alleged violation, an employee may recover any unpaid wages, together with costs of litigation and reasonable attorney's fees, and "if such underpayment was willful, an additional amount as liquidated damages equal to twenty-five percent of the total of such underpayments found to be due him and any agreement between him and his employer to work for less than such wage shall be no defense to such action." *N.Y. Lab. Law, Art. 19, §663.*

	conducting or transaction of business, the attorney general may apply, in the name of the people of the state of New York, to the supreme court of the state of New York, on notice of five days, for an order enjoining the continuance of such business activity or of any fraudulent or illegal acts, directing restitution and damages. . ." Art. 5, §63(12). *See McKinney's Consolidated Annotated Laws for extensive citing caselaw.*	*Also, attached is an interesting decision in which a Judge sua sponte refers day laborers' unpaid wage cases to the Attorney General's office for investigation & prosecution. The case was Not Reported in N.Y.2d. Fernando v. Vasquez, 2001 WL 914235, *914235+, 2001 N.Y. Slip Op. 40068(U), 40068(U)+ (N.Y.City Civ.Ct. Apr 30, 2001).*	
NC	The Attorney General shall have such powers and duties as are conferred on him by this Chapter, delegated to him by the Governor, and conferred by the Constitution and laws of this State. N.C. Gen. Stat. §143A-491 (2003). *No citing caselaw.*	**Labor Code:** The AG, when requested, shall represent the Department of Labor in actions or proceedings pertaining to minimum wage laws. §95-25.18. "It shall be the duty of the district attorney of the proper district upon the request of the Commissioner of Labor, or any of his assistants or deputies, to prosecute any violation of a law, which it is made the duty of the said Commissioner of Labor to enforce." §95-4(6). If any person, or corporation, after notice by the Commissioner of Labor, violates any of the laws relating to labor, "the Attorney General of	An employee to whom wages are owed: • shall recover the amount of unpaid minimum wages or overtime compensation, plus interest at the legal rate from the date each amount first came due • shall recover liquidated damages in an amount equal to the amount of wages owed, unless the employer satisfactorily shows to the court that the violation was made in good faith • may recover costs and fees of the action, plus reasonable attorney's fees §95-25.22. *No relevant citing caselaw.*

		the State, upon the request of the Commissioner of Labor, may take appropriate action in the civil courts of the State to enforce such rules and regulations. Upon request of the Attorney General, any district attorney of the State of North Carolina in whose district such rule or regulation is violated may perform the duties hereinabove required of the Attorney General." §95-13. *No relevant citing caselaw.*	
ND	AG shall institute and prosecute all actions and proceedings in favor or for the use of the state as necessary in the execution of the duties of any state officer. . . assist in the prosecution of crimes when in the interest of the state and investigate and prosecute criminal matters in counties on demand of district judge N.D. Cent. Code §54-12-02-04(2) (2003).	**Income Taxes:** Upon request of tax commissioner, AG can prosecute actions and proceedings for violations of tax laws. §57-01-02. **Labor Code**: Commissioner of Labor enforces this chapter. §34-06-02.	
OH	AG shall: • appear for the state in the trial and argument of all civil and criminal causes in the supreme court in which the state is directly or indirectly interested, Ohio Rev. Code Ann. §109.02 (2004);	**Income Taxes:** Upon request of the department, the AG shall aid in any investigation, institute and prosecute all necessary actions for the enforcement of such laws, and for the punishment of all violations thereof. §5703.23. See labor code for provisions relating to:	

	• appoint special counsel to represent the state in civil actions, criminal prosecutions, or other proceedings in which the state is a party or directly interested, *§109.07*; • or in connection with all claims for collection under any law *§109.08*. *No citing caselaw.*	• labor & industry, in general -- Title XLI • minimum wage – Chapter 4111 *No citing caselaw.*	
OK	**General duties:** "To appear for the state and prosecute and defend all actions and proceedings, civil or criminal. . . in which the state is interested as a party." *Okla. Stat. tit. 74, §18b (1999).*	**Enforcement of labor code**: At the Commission's request, the attorney general may represent any civil action or prosecute all criminal actions for violations of any provisions under the labor code. *§§40-, 5-202, 203*. **Income Taxes:**: The AG is not required to prosecute any proceeding on behalf of the Oklahoma Tax Commission.	
OR	The AG shall: • "appear, commence, prosecute or defend any action, suit, matter, cause or proceeding in any court when requested by any state officer. . . when, in the discretion of the Attorney General, the same may be necessary or advisable to	**Income Taxes:**: "The Director of the Department of Revenue may call upon the district attorney or Attorney General to institute and conduct prosecutions for violations of the laws. . ." *§305.120*. **Unemployment Insurance:** "Upon request of the Director of the Employment Department, the Attorney	

	protect the interests of the state." *Or. Rev. Stat. §180.060(d) (2003).* • not appear on behalf of any officer, department, agency, board or commission without its consent in any action, suit, matter, cause or proceeding in any court or before any other federal or state regulatory body. §180.060(8).	General. . . shall institute or prosecute actions or proceedings for the enforcement of this chapter. . ." §657.640.	
PA	The AG shall "be the chief law officer of the Commonwealth and shall exercise such powers and perform such duties as may be imposed by law." *Tit. Const. of the Commonwealth of Pa, §4.1.* See folder for more information. **N.B.** PA's statutes are currently being compiled for printing and thus are not online. Please refer to Westlaw.	**Labor Code:** The secretary of the Labor & Industry Department may request the AG to institute proceedings to recover the penalties under the Prevailing Wage Act, *Pa. Stat. Ann. Tit. 43, §165-11(e) (West 2004)*.* *No relevant citing caselaw.*	Any employee may institute a civil action to recover unpaid wages and liquidated damages available under the law, together with reasonable attorney's fees; provided that the action is instituted within 3 years on which such wages were due. *Tit. 43, §260.9a.* Where, without justification, wages remain unpaid for 30 days after they became due, the employee shall be entitled to recover as liquidated damages an amount equal to 25% of the total of the amount of wages due or $500, whichever is greater. *Tit. 43, §260.10.*
RI	**Prosecution of other process. –** "The attorney general shall commence and prosecute. . . other legal or equitable processes, and shall perform those other duties which are or may be required of him	**Income Taxes::** "The tax administrator has the discretionary power to authorize any agency of the state, whether regulatory or otherwise, to collect certain fees when the collection involves or includes the function of regulation or when the	

	or her by law. . . " *R.I. Gen. Laws §42-9-5*. *No citing caselaw.*	convenience of the general public is affected." §44-1-3. *No citing caselaw.*	
SC	The AG "shall appear for the State. . . in the trial and argument of all causes, criminal and civil, in which the State is. . . interested. . ." *S.C. Code Ann. §1-7-40 (2003)*.	For provisions relating to labor code see Title 41 (Labor & Employment), Chapter 10 (Payment of Wages). For provisions relating to income tax see Title 12 (Taxation).	(C) In a claim of unpaid wages, the "employee may recover in a civil action an amount equal to three times the full amount of the unpaid wages, plus costs and reasonable attorney's fees as the court may allow. Any civil action for the recovery of wages must be commenced within three years after the wages become due." *§41-10-80(C)*.
SD	"The AG shall "whenever in his judgment the welfare of the state demands, to appear for the state and prosecute or defend. . . any cause or matter, civil or criminal, in which the state may be a party or interested. . ." *S.D. Codified Laws §1-11-1 (2004)*. *No relevant citing caselaw.*	"The Department of Labor shall cause to be investigated all violations. . . of labor laws. The various state's attorneys of the several counties are hereby charged with. . . the investigation and prosecution of violations. . . of the labor laws. If any state's attorney shall fail to investigate any violation or shall fail to prosecute a known violation of the labor laws of South Dakota, the Department of Labor shall conduct such investigation or prosecution." §60-5-15.	"In any action for the breach of an obligation to pay wages, where a private employer has been oppressive, fraudulent, or malicious, in his refusal to pay wages due to the employee, the measure of damages is double the amount of wages for which the employer is liable." *§60-11-7*.
TN	The attorney general shall appear in the trial of all "civil litigated and administrative proceedings in which the state of Tennessee or any officer, department. . . of the state may be interested." *Tenn. Code §8-6-109(b)(1) (2004)*. The AG shall represent all offices of the state, and	For provisions relating to labor see Title 50 (Employer & Employee). For provisions relating to income tax see Title 67.	

	shall direct and supervise "all investigations and litigation necessary to the administration of the duties" of the various state departments. *§8-6-301(a)-(b)*.		
TX	"The attorney general shall prosecute and defend all actions in which the state is interested. . . " Tex. Gov't Code Ann. §402.021 (2004). *No citing caselaw.*	**Income Taxes:** "The attorney general shall bring suit in the name of the state to recover delinquent state taxes, tax penalties, and interest owed to the state." Tex. Tax Code Ann. §111.010 (2004). For provisions relating to labor see the Labor Code, Title 2. *This power has been invoked.* *The provision of Vernon's Ann.Civ.St. art. 7076 (repealed; now, this section) conferring on Travis County courts venue and jurisdiction of all suits brought by Attorney General on state's behalf at State Tax Board's instance for other than ad valorem taxes due state was not violative of Const. Art. 4, § 22 or Art. 5, § 21, as divesting district, and county attorneys of exclusive power to bring such suits and vesting such power in Attorney General and State Tax Board. Magnolia Petroleum Co. v. State (Civ.App. 1945) 190 S.W.2d 581.* *The contributions exacted from employers by Unemployment Compensation Act (Vernon's Ann.Civ.St. art. 5221b-1 et seq.) were "state taxes other than state*	"The attorney general may seek injunctive relief in district court against an employer who repeatedly fails to pay wages as required by this chapter." *Tex. Lab. Code Ann. §61.20 (2004)*. An employer who violates minimum wage laws "is liable to an affected employee in the amount of unpaid wages plus an additional equal amount as liquated damages." *§62.201*. In addition, "the court shall allow reasonable attorney's fees and costs of the action to be paid by the defendant." §62.205.

		ad valorem taxes on property", within former Vernon's Ann.Civ.St. arts. 7076 and 7076a, conferring venue of suits by state to recover such delinquent taxes and penalties on Travis County courts. Lally v. State (Civ.App. 1940) 138 S.W.2d 1111.	
UT	The attorney general shall "institute and prosecute proper proceedings. . . to restrain and enjoin corporations organized under the laws of this or any other state or territory from acting illegally or in excess of their corporate powers or contrary to public policy, and in proper cases forfeit their corporate franchises, dissolve the corporations, and wind up their affairs. . ." *Utah Code Ann. § 67-5-1 (2004)*. *Attorney General's prosecution of theft by deception case involving matter of state-wide interest was not outside sphere of his authority even though he filed complaint through his deputy. U.C.A.1953, 17-18-1, 67-5-1, 67- 5-1(1, 5), 68-3-1, 76-6-405; Const. art. 7, §§ 1, 18, art. 8, § 10. State v. Jiminez, 1978, 588 P.2d 707.*	**Minimum wage law & Workers' Comp**: At the request of the Commissioner, the attorney general "shall provide assistance in prosecutions" of violations under these chapters. *§34-40-204, §34A-2-209*.. *No relevant citing caselaw. Secondary citing reference: Employment Coordinator Compensation s 42:192, s 42:192. Utah; Criminal penalties for various violations (2004).* **Income Taxes:**: The Commission may cause the attorney general "to recover the amount of any unpaid taxes. . ." *§59-10-528*. *No citing caselaw.*	An aggrieved employee may bring a civil action to obtain injunctive relief, to recover unpaid wages, plus interest, and court costs and attorney's fees. The civil action must be brought within 2 years of the alleged violation. §34-40-205(1)-(3).
VT	The AG shall appear in civil or criminal causes if in the interest of the state. *Vt. Stat. tit. 3., §157*	**Income Taxes:** The Commissioner may cause the attorney general to recover unpaid taxes of any	

	(2003).	taxpayer. ***Tit. 32, §5892.*** For provisions relating to tax and revenue see Title 32 (Taxation & Finance).	
VA	The Attorney General shall be the chief executive officer of the Department of Law, and shall perform such duties as may be provided by law. *VA. Code § 2.2-507 (2004)*.	**Labor Code:** The AG, upon request of the Commissioner, shall prosecute any violation of this code. *§40.1-7*. *Only citing reference:* *While the Commonwealth's attorney represents Department of Labor and Industry in either civil or criminal proceedings to establish alleged violation of any law, rule or regulation enforceable by Commissioner, he is not authorized to represent Department in civil wage suits, except to establish violation of law, rule or regulation Commissioner enforces. 1996 Op.Atty.Gen., July 26, 1996.* **Unemployment Compensation**: The Commission may request the Office of the AG to prosecute criminal actions for violations under this provision. *§60.2-119*. For provisions relating to taxation see Title 58.1.	
WA	The AG shall represent the state in all legal matters and institute proceedings as necessary for the execution of the duties of state	**Income Tax:** Upon notice from the state auditor, the AG shall prosecute all delinquencies in relation to the payment of revenue against all debtors of	

	officers. *Wash. Rev. Code §43.10.040*, *§43.10.030 (2004)*.	the state. *§43.10.035*.	
WV	"The attorney general shall. . . prosecute and defend suits, actions, and other legal proceedings, and generally render and perform all other legal services, whenever required to do so, in writing, by. . . the tax commissioner, . . . or any other state officer. . ." *W. Va. Code §5-3-1 (2004)*.	**Income tax, statute of limitation:** Any prosecution for failure to pay taxes must commence within 3 years after commission of the offense. *§11-9-15*. The enforcement of tax collection is under the jurisdiction of the tax commissioner. The tax commissioner, however, may be represented by the AG. §11-10-5h. **Unemployment Compensation:** Criminal actions arising from violations of these provisions shall be prosecuted by the AG, or at his request by the county prosecutor. *§21A-1-13*. For provisions relating to labor see Chapter 21 (Labor), Article 5C (Minimum Wages).	
WI	The AG shall "if requested by the governor or either house of the legislature, appear for and represent the state, any state department, [or] agency. . . and prosecute or defend in any court or before any officer, any cause or matter, civil or criminal, in which the state or the people of this state may be interested. *Wis. Stat. §165.25(1) (2002).*	**Labor Code:** Upon request of the Department, the "department of justice or district attorney. . . shall aid therein and prosecute. . . all necessary actions or proceedings for the enforcement of those sections. . . relating to the regulation of employment. §103.005(5)(f). **Income Tax:** "The attorney general is authorized, upon the request of the secretary of revenue, to	Once a wage claim is verified to be valid, "the department shall require the employer to pay, in addition to the amount of wages due and unpaid, increased wages of not more than 50% of the amount of wages due and unpaid, unless the employer shows the department that payment of the increased wages would cause extreme hardship." §109.11.

	The AG shall investigate crimes and violations that are "statewide in nature, importance or influence." §§165.70(1)(a), (e). *It is the intention of this section to give the attorney general responsibility for devising programs to control crime statewide in nature, importance or influence, drugs and narcotics abuse, commercial gambling other than what is described in s. 945.03(2m) or 945.04(2m), prostitution, and arson.*	represent the state or to assist the district attorney in the prosecution" for failure to file income taxes or filing a false report of income. §71.80(6).	
WY	The AG shall "[r]epresent the state in suits, actions or claims in which the state is interested in either the Wyoming supreme court or any United States court. . ." *Wyo. Stat. Ann. §9-1-603(a)(iv) (2004)*. *No citing caselaw. Statutory notes, references, and annotations state: In that the attorney general shall represent the state in all criminal cases in the supreme court, a county and prosecuting attorney has no standing to do so or to bring an application for rehearing. Kwallek v. State, 596 P.2d 1372*	**Wages:** If the employer fails to comply with the department of labor's order to pay wages due, the department shall refer the matter to the district attorney for enforcement of such order. *§§27-4-504- 505*. *No citing caselaw.* **Unemployment Compensation:** The attorney general shall prosecute all criminal actions for violation of these provisions. *§27-3-609(b)*. *No citing caselaw.* For provisions relating to income tax see Title	**Liability:** An employer violating the "equal pay" provisions "shall be liable to the employee or employees in the amount of their unpaid wages, and in an additional equal amount as liquidated damages." *§27-4-303*.

	(Wyo. 1979). *Where the record on appeal has been filed with the supreme court, the attorney general acquires complete charge of the state's case such that he may not be bypassed by the county prosecuting attorney's attempt to supplement the record by entering into a stipulation. Fulcher v. State, 633 P.2d 142 (Wyo. 1981).*	39 (Taxation & Revenue).	