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right hand sounding board for the Attorney General so he would not get off on some tangent with the public general did not want him to go. I am going to have the advisory commission made up, half of the membership would be those people from retailers, from better business bureaus and what have you. And the other half would be consumers. We would have a balance on that board. So people, if they had complaints, like businessmen, could go to the Attorney General's advisory board or could go to the Attorney General. So I think this would help compromise the matter so the businessmen are concerned and are not feeling they're left out. I will offer this amendment but I will hope you will adopt my amendment at this time.

PRESIDENT: The Chair recognizes Senator Murphy.

SENATOR MURPHY: I'm sorry to continue to prolong this debate. The only thing I can say about it, how does he say it, fiesta, fiester, the man who obviously wrote the bill and apparently has read nothing but his own bill. Let's start from the top. The practice that the Murphy version does...is permitted. Telling a consumer that repairs or replacements are needed on an item if it isn't. Under our existing statute on page 1330, the uniform deceptive trade practices act, Chapter 87, Article 300, under sub-section 5 of 301, this act is specifically prohibited. In this second one, telling a consumer a specific price advantage exists if it does not under the same act sub-section 11, this specific act is prohibited. C, telling a consumer he can sign a contract because it meets truth-in-lending, the very act itself prohibits this practice. Telling a consumer the product is guaranteed, sub-section 2 of section 301, it is specifically prohibited. Telling a consumer the product is something that it is not, having to do with models and such, I refer you to sub-section 7 under paragraph 301 where it is specifically prohibited to misrepresent the model of such an item. Requiring that a consumer sign a contract waiver and all this defense, these last issues come under the definition of unconscionable. I'll grant you unconscionable is not a clearly defined word. The courts are left with the interpretation of it which the courts are left with the interpretation of anyhow. Now, Senator Waldron, or Mr. P., whoever it happens to be, has gone on at quite some length to try and specifically circumscribe certain acts which shall be unconscionable. In so doing, in so doing, he is defining with exactness of law which will make it more difficult for the court to interpret any future variation. Now, if we continue on with.....

(End Belt #4)

(Begin Belt #5)

page 2, paragraph 7, the Waldron version gives the Attorney General rule making authority, the Murphy one does not. I refer you to the Murphy amendment on page 3, section 6, at the bottom of the page, the next to bottom line says, "The Attorney General will or shall promulgate rules." Now, I don't know where the reader or the author of this act did his reading but he certainly missed a few lines. Under criminal remedies, yes, this act is tougher than the proposed consumer act. It is tougher by design of the people who are being bantied about here as being retail merchants which seems to be some kind of odd connotation of inherent evil. They constitute such people as Brandeis, J. C. Penney, Kilpatrick's, a bunch of real bandits. In section 9, under private remedy, page 1332, same chapter and verse, 87 and 303, the same reliefs are permitted. Court costs are awardable. In 10, the Waldron version exempts certain enterprises presently supervised by various departments. The Murphy amendment does not.