

How consumer bill was bent, broken

Sometimes it looks as if a bill slides easily through the Michigan Legislature. But behind that passage are a lot of amendments and maneuvers. So it was last month as the State House of Representatives gave 68 to 20 approval to a consumer protection bill aimed at prohibiting unfair and deceptive business practices.

Of Observer & Eccentric area representatives, only James Delebaugh (R-Birmingham) was opposed to final passage, and Roy Smith (R-Ypsilanti) was absent. The other 18 Republicans

and Democrats alike, favored it. "I VOTED FOR it because I believe it contains important provisions to guard consumers against fraudulent and misleading advertising as well as shady products and workmanship," said Rep. Robert Geake (R-Westland).

"I voted for the bill," said Rep. Joseph Forbes (D-Ann Arbor). "The bill (SB 1) makes deceptive, unfair and unconscionable trade practices unlawful and specifically lists a series of illegal activities... false advertising, misrepresentation of goods and use of coercion in collecting a debt, misrepresenting credit terms, charging a price for a product grossly in excess of prices elsewhere for similar products."

"The bill would enable the attorney general to obtain temporary or permanent court injunction to stop unlawful acts," Forbes said. "It also permits class action lawsuits for victims of illegal business practices as well as individual court actions. The suits could seek compensation for actual losses, the completion of a transaction according to customer's understanding, or a change in a business' practices."

BUT THE LOCAL lawmakers split when it came time to giving the bill immediate effect, which meant that it could have become law Jan. 1 instead of next April 1.

The vote for immediate effect was 35 to 33, or one day of the required 60. Opposing immediate effect lawmakers were John Bennett (D-Redford), W.V. Brotherton (R-Farmington), Tom Brown (D-Westland), William Keith (D-Garden City), Neil Larsen (D-Ann Arbor), John Marlow (D-Livonia) and Neil Puccia (D-Birmingham).

Opposing immediate effect were Delebaugh (R-Birmingham), Geake and Ruth McNamee (R-Birmingham). Geake said opponents said it would take until April 1 to set up the regulatory machinery.

ANOTHER PROVISION splitting local lawmakers was an attempt to terminate the act in five years unless it is extended by the Legislature. Geake called that "a conservative amendment." Backing it were himself, Brotherton and Delebaugh, all Republicans.

All other area representatives joined forces to vote down the five-year amendment (except the absent Smith). The vote was 39 to 33.

Mrs. McNamee later offered an amendment—which failed, 46 to 40—to allow the act to expire July 1, 1980.

Backing it were Brotherton, Brown, Delebaugh, Geake, Keith, Larsen and Mrs. McNamee, a cross-section of parties and philosophies.

But the victory was short-lived. It takes both houses of the Legislature to pass a bill. Although the bill had passed the Senate earlier, it had to go back to the Senate for concurrence in the House's amendments.

But the Senate didn't concur. A day after House passage, the Senate rejected the measure, 25 to 4.

Voting against SB 1 were area senators Donald Bishop (R-Rochester), Daniel Cooper (D-Ann Arbor) and Carl Purcell (R-Plymouth). Absent were Bill Hoffman (D-Madison Heights) and William Faust (D-Westland).

CONSUMER ADVOCATES called the bill a major victory.

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A new method for paying doctors and pharmacists for services to general assistance recipients has been instituted by the Oakland County Department of Social Services.

A medical card, good for one month, is issued upon request and the recipient presents the card to the doctor or pharmacist at each visit during the month.

Director Howard Romo said the new procedure does not include payment for hospitalization and has no effect on the federal-state Medicaid program.

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