

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 175

Session of
1975

INTRODUCED BY MESSRS. SCHMITT, RENNINGER, MRS. GILLETTE, MESSRS. BRUNNER, A. K. HUTCHINSON, ZEARFOSS, MRS. TOLL, MESSRS. MANDERINO, SHANE, FINEMAN, ROMANELLI, LAUGHLIN, COHEN, TRELLO, ROSS, ABRAHAM, SCHEAFFER, IRVIS, SCHWEDER, TAYLOR, WOJDAK, DOYLE, GREENFIELD, MORRIS, BERLIN, PIEVSKY, MUSTO, SHUPNIK, GREEN, O'KEEFE, PERRY, LEDERER, MRS. KERNICK, MESSRS. COWELL, ZORD, REED, FEE, MILLIRON, PRATT, MENHORN, BENNETT, WARGO, RUGGIERO, TADDONIO, O'DONNELL, MRKONIC, DOMBROWSKI, ITKIN AND MRS. KELLY, JANUARY 28, 1975

SENATOR CIANFRANI, APPROPRIATIONS, IN SENATE, RE-REPORTED AS AMENDED, MARCH 15, 1976

AN ACT

1 ~~Creating the Department of Consumer Advocate, establishing its~~ <—
2 ~~powers and duties, and providing the method of its financing.~~
3 AMENDING THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), ENTITLED <—
4 "AN ACT PROVIDING FOR AND REORGANIZING THE CONDUCT OF THE
5 EXECUTIVE AND ADMINISTRATIVE WORK OF THE COMMONWEALTH BY THE
6 EXECUTIVE DEPARTMENT THEREOF AND THE ADMINISTRATIVE
7 DEPARTMENTS, BOARDS, COMMISSIONS, AND OFFICERS THEREOF,
8 INCLUDING THE BOARDS OF TRUSTEES OF STATE NORMAL SCHOOLS, OR
9 TEACHERS COLLEGES; ABOLISHING, CREATING, REORGANIZING OR
10 AUTHORIZING THE REORGANIZATION OF CERTAIN ADMINISTRATIVE
11 DEPARTMENTS, BOARDS, AND COMMISSIONS; DEFINING THE POWERS AND
12 DUTIES OF THE GOVERNOR AND OTHER EXECUTIVE AND ADMINISTRATIVE
13 OFFICERS, AND OF THE SEVERAL ADMINISTRATIVE DEPARTMENTS,
14 BOARDS, COMMISSIONS, AND OFFICERS; FIXING THE SALARIES OF THE
15 GOVERNOR, LIEUTENANT GOVERNOR, AND CERTAIN OTHER EXECUTIVE
16 AND ADMINISTRATIVE OFFICERS; PROVIDING FOR THE APPOINTMENT OF
17 CERTAIN ADMINISTRATIVE OFFICERS, AND OF ALL DEPUTIES AND
18 OTHER ASSISTANTS AND EMPLOYES IN CERTAIN DEPARTMENTS, BOARDS,
19 AND COMMISSIONS; AND PRESCRIBING THE MANNER IN WHICH THE
20 NUMBER AND COMPENSATION OF THE DEPUTIES AND ALL OTHER
21 ASSISTANTS AND EMPLOYES OF CERTAIN DEPARTMENTS, BOARDS AND
22 COMMISSIONS SHALL BE DETERMINED," PROVIDING FOR THE OFFICE OF
23 CONSUMER ADVOCATE IN THE DEPARTMENT OF JUSTICE; AND IMPOSING
24 POWERS AND DUTIES. ~~AND MAKING AN APPROPRIATION.~~ <—

1 The General Assembly of the Commonwealth of Pennsylvania
2 hereby enacts as follows:

3 ~~Section 1. Short Title. This act shall be known and may be~~ <—
4 ~~cited as the "Consumer Advocate Act."~~

5 ~~Section 2. Definitions. As used in this act:~~

6 ~~"Commission" means the Pennsylvania Public Utility~~
7 ~~Commission.~~

8 ~~"Consumer" means any person (i) who makes a direct use or is~~
9 ~~the ultimate recipient of a product or a service supplied by any~~
10 ~~person subject to a regulatory agency or (ii) who may be a~~
11 ~~direct user or ultimate recipient of a product or service~~
12 ~~supplied by any person subject to a regulatory agency and may be~~
13 ~~affected in any way by any action within the authority of a~~
14 ~~regulatory agency. The term "consumer" includes any "consumer"~~
15 ~~as defined in the act of April 28, 1937 (P.L.417, No.105), known~~
16 ~~as the "Milk Marketing Law," and any "insured" as used in the~~
17 ~~act of June 11, 1947 (P.L.538, No.246), known as "The Casualty~~
18 ~~and Surety Rate Regulatory Act," and the act of June 11, 1947~~
19 ~~(P.L.551, No.247), known as "The Fire, Marine and Inland Marine~~
20 ~~Rate Regulatory Act," and any "person" or "corporation" as~~
21 ~~defined in section 2 of the act of May 28, 1937 (P.L.1053,~~
22 ~~No.286), known as the "Public Utility Law."~~

23 ~~"Department" means the Department of Consumer Advocate.~~

24 ~~"Public utility" means public utility as defined in section~~
25 ~~2(17), act of May 28, 1937 (P.L.1053, No.286), known as the~~
26 ~~"Public Utility Law."~~

27 ~~"Regulatory agencies" means the Milk Marketing Board, the~~
28 ~~Pennsylvania Public Utility Commission and the Insurance~~
29 ~~Department.~~

30 ~~Section 3. Department of Consumer Advocate Established. (a)~~

~~There is hereby established the Department of Consumer Advocate to represent the interest of consumers before State Regulatory Agencies of this Commonwealth.~~

~~(b) There is hereby established within the Department of Consumer Advocate an office known as the Office of Farm Advocacy whose sole interest and function shall be to promote the views and interests of primary producers of farm products before the Milk Marketing Board.~~

~~Section 4. Department of Consumer Advocate. The Department of Consumer Advocate shall be headed by the Consumer Advocate who shall be appointed by the Governor and shall serve at the pleasure of the Governor. The Consumer Advocate shall be a person who by reason of training, experience and attainment is qualified to represent the interest of consumers. His compensation shall be set by the Executive Board as defined in sections 204 and 709, act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929." The salary of the Consumer Advocate shall not exceed \$40,000 per annum.~~

~~No individual who serves as a Consumer Advocate shall seek or accept employment in any industry or business subject to the authority of the Consumer Advocate during the tenure of the appointment and for a period of two years immediately subsequent to the appointment.~~

~~Any individual who is appointed to the position of Consumer Advocate shall not seek election nor accept appointment to any political office during the tenure as Consumer Advocate and for a period of two years after the appointment is served or terminated.~~

~~Section 5. Assistant Consumer Advocates; Employees. The Consumer Advocate shall appoint with the approval of the~~

~~Governor, attorneys as assistant consumer advocates and such additional clerical, technical and professional staff as may be appropriate, and may contract for such additional services as shall be necessary for the performance of his function. The compensation of assistant consumer advocates and such clerical, technical and professional staff shall be set by the Executive Board.~~

~~Section 6. Powers and Duties of the Consumer Advocate. (a) The Consumer Advocate shall have the power and the duty to represent the interest of consumers before the regulatory agencies in any matter properly before such agencies, initiating proceedings if in his judgment such may be necessary, and before any court in connection with any matter involving regulation by the regulatory agencies, whether on appeal or otherwise initiated. Specifically and without limitation, the Consumer Advocate shall be an affected party before each regulatory agency and an aggrieved party on appeal from any action or decision by a regulatory agency.~~

~~The Consumer Advocate shall have the power and duty to investigate and represent the consumer's interest upon complaints by consumers concerning the quality, availability, price and service of any corporation, partnership, sole proprietorship, association or other business entity which produces, processes, mines or distributes energy sources.~~

~~(b) The Consumer Advocate may exercise discretion in determining the interests of consumers which will be advocated in any particular proceeding and in determining whether or not to participate in or initiate any particular proceeding and in so determining, shall consider the public interest, the resources available and the substantiality of the effect of the~~

1 ~~proceeding on the interest of consumers. The Consumer Advocate~~
2 ~~may refrain from intervening when in the judgment of the~~
3 ~~Consumer Advocate such is not necessary to represent adequately~~
4 ~~the interest of consumers except that the Office of Farm~~
5 ~~Advocacy shall intervene in all proceedings before the Milk~~
6 ~~Marketing Board for the benefit of the primary producers of~~
7 ~~milk. Upon petition of 20% or 2,500 of the consumers, whichever~~
8 ~~is less, who make direct use or are ultimate recipients of a~~
9 ~~product or service supplied by a person subject to a regulatory~~
10 ~~agency, the Consumer Advocate shall participate in a proceeding~~
11 ~~involving such person.~~

12 ~~(c) Any action brought by the Consumer Advocate before a~~
13 ~~court or an agency of this Commonwealth shall be brought in the~~
14 ~~name of the person serving as Consumer Advocate and shall not be~~
15 ~~brought in the name of the Commonwealth. The Consumer Advocate~~
16 ~~may name a consumer or group of consumers in whose name the~~
17 ~~action may be brought or may join with a consumer or group of~~
18 ~~consumers in bringing the action.~~

19 ~~(d) The Office of Farm Advocacy shall not be construed as~~
20 ~~creating a conflict of interest within the Department of~~
21 ~~Consumer Advocate. In addition the Office of Farm Advocacy shall~~
22 ~~receive an appropriation equal to the amount of funds spent by~~
23 ~~the Consumer Advocate in any proceedings before the Milk~~
24 ~~Marketing Board.~~

25 ~~Section 7. Reports. The Consumer Advocate shall annually~~
26 ~~transmit to the Governor and the General Assembly and shall make~~
27 ~~available to the public an annual report on the conduct of the~~
28 ~~department. The Consumer Advocate shall make recommendations as~~
29 ~~may from time to time be necessary or desirable to protect the~~
30 ~~interest of consumers.~~

~~Section 8. Subpoenas. (a) Whenever the Consumer Advocate has reason to believe that any person may have knowledge, or be in possession, custody or control of any documentary material, pertinent to a pending proposal or proceeding before a regulatory agency, the Consumer Advocate may issue in writing and cause to be served upon the person a subpoena which:~~

~~(1) compels the attendance of such person and requires that person to submit to examination and give testimony under oath;~~

~~(2) requires the production of documentary material pertinent to the investigation for inspection or copying; and~~

~~(3) requires answers to written interrogatories to be furnished under oath.~~

~~(b) The Consumer Advocate may issue successive subpoenas to the same person in order to obtain additional information pertinent to an ongoing proceeding.~~

~~(c) Any subpoena issued hereunder shall be subject to invalidation by the appropriate regulatory agency upon good and proper cause shown filed within ten days of its service, except that any such invalidation shall be subject to immediate appeal by the Department of Consumer Advocate to the Commonwealth Court.~~

~~Section 9. Duties of Regulatory Agencies. In dealing with any proposed action which may substantially affect the interest of consumers, including but not limited to a proposed change of rates and the adoption of rules, regulations, guidelines, orders, standards or final policy decisions, each regulatory agency shall:~~

~~(1) Notify the Consumer Advocate when notice of the proposed action is given to the public or at a time fixed by agreement between the Consumer Advocate and the regulatory agency in a~~

~~manner to assure the Consumer Advocate reasonable notice and
adequate time to determine whether to intervene in such matter.~~

~~(2) Consistent with its other statutory responsibilities,
take such action with due consideration to the interest of
consumers.~~

~~Section 10. Savings Provision; Construction. (a) Nothing
contained herein shall in any way limit the right of any
consumer to bring a proceeding before either a regulatory agency
or a court.~~

~~(b) Nothing contained herein shall be construed to impair
the statutory authority or responsibility of any regulatory
agency to protect and promote the interest of consumers.~~

~~Section 11. General Fund Appropriation. The sum of \$200,000
for the fiscal year ending June 30, 1975 is hereby appropriated
to the Department of Consumer Advocate.~~

~~Section 12. Effective Date. This act shall take effect
immediately.~~

SECTION 1. THE ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN <—
AS "THE ADMINISTRATIVE CODE OF 1929," IS AMENDED BY ADDING AN
ARTICLE TO READ:

ARTICLE IX-A

OFFICE OF CONSUMER ADVOCATE

SECTION 901-A. DEFINITIONS.--AS USED IN THIS ARTICLE:

"COMMISSION" MEANS THE PENNSYLVANIA PUBLIC UTILITY
COMMISSION.

"CONSUMER" MEANS ANY PERSON (I) WHO MAKES A DIRECT USE OR IS
THE ULTIMATE RECIPIENT OF A PRODUCT OR A SERVICE SUPPLIED BY ANY
PERSON OR PUBLIC UTILITY SUBJECT TO THE AUTHORITY OF THE
COMMISSION OR (II) WHO MAY BE A DIRECT USER OR ULTIMATE
RECIPIENT OF A PRODUCT OR SERVICE SUPPLIED BY ANY PERSON OR

1 PUBLIC UTILITY SUBJECT TO THE AUTHORITY OF THE COMMISSION AND
2 MAY BE AFFECTED IN ANY WAY BY ANY ACTION WITHIN THE AUTHORITY OF
3 THE COMMISSION. THE TERM "CONSUMER" INCLUDES ANY "PERSON,"
4 "CORPORATION" OR "MUNICIPAL CORPORATION" AS DEFINED IN SECTION 2
5 OF THE ACT OF MAY 28, 1937 (P.L.1053, NO.286), KNOWN AS THE
6 "PUBLIC UTILITY LAW."

7 "PUBLIC UTILITY" MEANS PUBLIC UTILITY AS DEFINED IN SECTION
8 2(17), ACT OF MAY 28, 1937 (P.L.1053, NO.286), KNOWN AS THE
9 "PUBLIC UTILITY LAW."

10 SECTION 902-A. OFFICE OF CONSUMER ADVOCATE.--(A) THERE IS
11 HEREBY ESTABLISHED WITHIN THE DEPARTMENT OF JUSTICE AN OFFICE OF
12 CONSUMER ADVOCATE TO REPRESENT THE INTEREST OF CONSUMERS BEFORE
13 THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

14 (B) THE OFFICE OF CONSUMER ADVOCATE SHALL BE HEADED BY A
15 CONSUMER ADVOCATE WHO SHALL BE APPOINTED BY THE ATTORNEY GENERAL
16 WITH THE APPROVAL OF THE GOVERNOR. THE CONSUMER ADVOCATE SHALL
17 BE A PERSON WHO BY REASON OF TRAINING, EXPERIENCE AND ATTAINMENT
18 IS QUALIFIED TO REPRESENT THE INTEREST OF CONSUMERS.
19 COMPENSATION SHALL BE SET BY THE ATTORNEY GENERAL.

20 (C) NO INDIVIDUAL WHO SERVES AS A CONSUMER ADVOCATE SHALL,
21 WHILE SERVING IN SUCH POSITION, ENGAGE IN ANY BUSINESS,
22 VOCATION, OTHER EMPLOYMENT, OR HAVE OTHER INTERESTS,
23 INCONSISTENT WITH HIS OFFICIAL RESPONSIBILITIES, NOR SHALL HE
24 SEEK OR ACCEPT EMPLOYMENT WITH ANY "PERSON" OR "CORPORATION," AS
25 DEFINED IN SECTION 2 OF THE ACT OF MAY 28, 1937 (P.L.1053,
26 NO.286), KNOWN AS THE "PUBLIC UTILITY LAW," SUBJECT TO THE
27 AUTHORITY OF THE COMMISSION DURING THE TENURE OF THE APPOINTMENT
28 AND FOR A PERIOD OF TWO YEARS AFTER THE APPOINTMENT IS SERVED OR
29 TERMINATED.

30 (D) ANY INDIVIDUAL WHO IS APPOINTED TO THE POSITION OF

1 CONSUMER ADVOCATE SHALL NOT SEEK ELECTION NOR ACCEPT APPOINTMENT
2 TO ANY POLITICAL OFFICE DURING THE TENURE AS CONSUMER ADVOCATE
3 AND FOR A PERIOD OF TWO YEARS AFTER THE APPOINTMENT IS SERVED OR
4 TERMINATED.

5 SECTION 903-A. ASSISTANT CONSUMER ADVOCATES; EMPLOYEES.--THE
6 ATTORNEY GENERAL SHALL APPOINT ATTORNEYS AS ASSISTANT CONSUMER
7 ADVOCATES AND SUCH ADDITIONAL CLERICAL, TECHNICAL AND
8 PROFESSIONAL STAFF AS MAY BE APPROPRIATE, AND MAY CONTRACT FOR
9 SUCH ADDITIONAL SERVICES AS SHALL BE NECESSARY FOR THE
10 PERFORMANCE OF HIS FUNCTION. THE COMPENSATION OF ASSISTANT
11 CONSUMER ADVOCATES AND SUCH CLERICAL, TECHNICAL AND PROFESSIONAL
12 STAFF SHALL BE SET BY THE ATTORNEY GENERAL. NO ASSISTANT
13 CONSUMER ADVOCATE OR OTHER STAFF EMPLOYEE SHALL, WHILE SERVING IN
14 SUCH POSITION, ENGAGE IN ANY BUSINESS, VOCATION, OTHER
15 EMPLOYMENT, OR HAVE OTHER INTERESTS, INCONSISTENT WITH HIS
16 OFFICIAL RESPONSIBILITIES.

17 SECTION 904-A. POWERS AND DUTIES OF THE CONSUMER ADVOCATE.--
18 (A) IN ADDITION TO ANY OTHER AUTHORITY CONFERRED UPON HIM BY
19 THIS ACT, THE CONSUMER ADVOCATE IS AUTHORIZED, AND IT SHALL BE
20 HIS DUTY, IN CARRYING OUT HIS RESPONSIBILITIES UNDER THIS ACT,
21 TO REPRESENT THE INTEREST OF CONSUMERS AS A PARTY, OR OTHERWISE
22 PARTICIPATE FOR THE PURPOSE OF REPRESENTING AN INTEREST OF
23 CONSUMERS, BEFORE THE COMMISSION IN ANY MATTER PROPERLY BEFORE
24 THE COMMISSION, AND BEFORE ANY COURT OR AGENCY, INITIATING
25 PROCEEDINGS IF IN HIS JUDGMENT SUCH MAY BE NECESSARY, IN
26 CONNECTION WITH ANY MATTER INVOLVING REGULATION BY THE
27 COMMISSION OR THE CORRESPONDING REGULATORY AGENCY OF THE UNITED
28 STATES WHETHER ON APPEAL OR OTHERWISE INITIATED.

29 (B) THE CONSUMER ADVOCATE MAY EXERCISE DISCRETION IN
30 DETERMINING THE INTERESTS OF CONSUMERS WHICH WILL BE ADVOCATED

1 IN ANY PARTICULAR PROCEEDING AND IN DETERMINING WHETHER OR NOT
2 TO PARTICIPATE IN OR INITIATE ANY PARTICULAR PROCEEDING AND, IN
3 SO DETERMINING, SHALL CONSIDER THE PUBLIC INTEREST, THE
4 RESOURCES AVAILABLE AND THE SUBSTANTIALITY OF THE EFFECT OF THE
5 PROCEEDING ON THE INTEREST OF CONSUMERS. THE CONSUMER ADVOCATE
6 MAY REFRAIN FROM INTERVENING WHEN IN THE JUDGMENT OF THE
7 CONSUMER ADVOCATE SUCH IS NOT NECESSARY TO REPRESENT ADEQUATELY
8 THE INTEREST OF CONSUMERS.

9 (C) IN ADDITION TO ANY OTHER AUTHORITY CONFERRED UPON HIM BY
10 THIS ACT, THE CONSUMER ADVOCATE IS AUTHORIZED TO REPRESENT AN
11 INTEREST OF CONSUMERS WHICH IS PRESENTED TO HIM FOR HIS
12 CONSIDERATION UPON PETITION IN WRITING BY A SUBSTANTIAL NUMBER
13 OF PERSONS, WHO MAKE DIRECT USE OR ARE ULTIMATE RECIPIENTS OF A
14 PRODUCT OR SERVICE SUPPLIED BY A PERSON, CORPORATION, OR
15 MUNICIPAL CORPORATION SUBJECT TO REGULATION BY THE COMMISSION.
16 THE CONSUMER ADVOCATE SHALL NOTIFY THE PRINCIPAL SPONSORS OF ANY
17 SUCH PETITION WITHIN A REASONABLE TIME AFTER RECEIPT OF ANY SUCH
18 PETITION OF THE ACTION TAKEN OR INTENDED TO BE TAKEN BY HIM WITH
19 RESPECT TO THE INTEREST OF CONSUMERS PRESENTED IN SUCH PETITION.
20 IF THE CONSUMER ADVOCATE DECLINES OR IS UNABLE TO REPRESENT SUCH
21 INTEREST, HE SHALL NOTIFY SUCH SPONSORS AND SHALL STATE HIS
22 REASONS THEREFOR.

23 (D) ANY ACTION BROUGHT BY THE CONSUMER ADVOCATE BEFORE A
24 COURT OR AN AGENCY OF THIS COMMONWEALTH SHALL BE BROUGHT IN THE
25 NAME OF THE CONSUMER ADVOCATE. THE CONSUMER ADVOCATE MAY NAME A
26 CONSUMER OR GROUP OF CONSUMERS IN WHOSE NAME THE ACTION MAY BE
27 BROUGHT OR MAY JOIN WITH A CONSUMER OR GROUP OF CONSUMERS IN
28 BRINGING THE ACTION.

29 (E) AT SUCH TIME AS THE CONSUMER ADVOCATE DETERMINES, IN
30 ACCORDANCE WITH APPLICABLE TIME LIMITATIONS, TO INITIATE,

INTERVENE, OR OTHERWISE PARTICIPATE IN ANY COMMISSION, AGENCY,
OR COURT PROCEEDING, HE SHALL ISSUE PUBLICLY A WRITTEN
STATEMENT, A COPY OF WHICH HE SHALL FILE IN THE PROCEEDING IN
ADDITION TO ANY REQUIRED ENTRY OF HIS APPEARANCE, STATING
CONCISELY THE SPECIFIC INTEREST OF CONSUMERS TO BE PROTECTED.

SECTION 905-A. DUTIES OF THE COMMISSION.--IN DEALING WITH
ANY PROPOSED ACTION WHICH MAY SUBSTANTIALLY AFFECT THE INTEREST
OF CONSUMERS, INCLUDING BUT NOT LIMITED TO A PROPOSED CHANGE OF
RATES AND THE ADOPTION OF RULES, REGULATIONS, GUIDELINES,
ORDERS, STANDARDS OR FINAL POLICY DECISIONS, THE COMMISSION
SHALL:

(1) NOTIFY THE CONSUMER ADVOCATE WHEN NOTICE OF THE PROPOSED
ACTION IS GIVEN TO THE PUBLIC OR AT A TIME FIXED BY AGREEMENT
BETWEEN THE CONSUMER ADVOCATE AND THE COMMISSION IN A MANNER TO
ASSURE THE CONSUMER ADVOCATE REASONABLE NOTICE AND ADEQUATE TIME
TO DETERMINE WHETHER TO INTERVENE IN SUCH MATTER.

(2) CONSISTENT WITH ITS OTHER STATUTORY RESPONSIBILITIES,
TAKE SUCH ACTION WITH DUE CONSIDERATION TO THE INTEREST OF
CONSUMERS.

SECTION 906-A. SAVINGS PROVISION; CONSTRUCTION.--(A) NOTHING
CONTAINED HEREIN SHALL IN ANY WAY LIMIT THE RIGHT OF ANY
CONSUMER TO BRING A PROCEEDING BEFORE EITHER THE COMMISSION OR A
COURT.

(B) NOTHING CONTAINED HEREIN SHALL BE CONSTRUED TO IMPAIR
THE STATUTORY AUTHORITY OR RESPONSIBILITY OF THE COMMISSION TO
REGULATE PUBLIC UTILITIES IN THE PUBLIC INTEREST.

SECTION 907-A. REPORTS.--THE CONSUMER ADVOCATE SHALL
ANNUALLY TRANSMIT TO THE GOVERNOR AND THE ATTORNEY GENERAL AND
TO THE GENERAL ASSEMBLY AND SHALL MAKE AVAILABLE TO THE PUBLIC
AN ANNUAL REPORT ON THE CONDUCT OF THE DEPARTMENT. THE CONSUMER

1 ADVOCATE SHALL MAKE RECOMMENDATIONS AS MAY FROM TIME TO TIME BE
2 NECESSARY OR DESIRABLE TO PROTECT THE INTEREST OF CONSUMERS.

3 ~~SECTION 2. THE SUM OF \$250,000 OR AS MUCH AS MAY BE~~ <—
4 ~~NECESSARY IS APPROPRIATED FROM THE GENERAL FUND TO THE~~
5 ~~DEPARTMENT OF JUSTICE FOR THE FISCAL YEAR 1975 TO 1976 FOR THE~~
6 ~~PURPOSE OF ESTABLISHING AND OPERATING AN OFFICE OF CONSUMER~~
7 ~~ADVOCATE.~~

8 ~~SECTION 3.~~ 2. IF ANY PROVISION OF THIS ACT IS DECLARED <—
9 UNCONSTITUTIONAL OR THE APPLICABILITY THEREOF TO ANY PERSON OR
10 CIRCUMSTANCE IS HELD INVALID, THE CONSTITUTIONALITY AND
11 EFFECTIVENESS OF THE REMAINDER OF THIS ACT AND THE APPLICABILITY
12 THEREOF TO ANY PERSONS AND CIRCUMSTANCES SHALL NOT BE AFFECTED
13 THEREBY.

14 ~~SECTION 4.~~ 3. THIS ACT SHALL TAKE EFFECT IN 60 DAYS. <—