

EXECUTIVE ORDER NUMBER 17

WHEREAS, the cost of living is continuously on the rise and inflation apparently cannot be checked and there is widespread unemployment; and

WHEREAS, there is a compelling need for consumer protection in general and more particularly protection of Alabama consumers or users of public utility services, and to give the consumer new assurances of this Administration's deep concern for his and her welfare in the market place; and

WHEREAS, consumer fraud and deception jeopardizes the health and welfare of our people who are cheated out of thousands of dollars annually. They are often directed against those who can least afford the loss, and are least able to defend themselves - the elderly, the handicapped, the disadvantaged, the poor and minority groups; and

WHEREAS, consumer protection encourages a market place in which our competitive economic system flourishes best. It is good for businessmen because it gives the consumer greater confidence in the goods and services provided by business. It is good for the consumer because it reinforces the concept of buyers' rights:

1. The right to accurate information on which to make a free choice;
2. The right to make an intelligent choice among products and services;

3. The right to expect that the health and safety of the buyer is taken into account by those who seek his patronage;
 4. The right to register dissatisfaction, and to have a forum to seek redress when a buyer's interests are badly served;
- and

WHEREAS, legislation is needed to control unscrupulous, unfair and deceptive trade and selling practices and to provide criminal penalties to punish the dishonest businessman who indulges in fraudulent and deceptive practices, and to provide civil remedies to protect the innocent, the unwary and victimized consumers; and

WHEREAS, there is a need for a consumer representative appointed by the Governor to advise as to all matters affecting the interest of consumers, and there is need for a Consumer Advisory Council to work closely with the Consumer Representative and the Governor.

NOW, THEREFORE, I, George C. Wallace, Governor of Alabama, do hereby establish the Office of Consumer Representative in the Executive Branch of State Government in the Office of the Governor.

The Consumer Representative shall --

- (1) conduct investigations of public utility services, the existing rates, rate basis, and make recommendations to the Governor on ways and means that are necessary to insure adequate protection of Alabama consumers or users of public utility services;

- (2) submit recommendations to the Governor on how State and Federal programs and activities affecting consumers can be improved;

- (3) conduct investigations, conferences, and surveys concerning the needs, interests and problems of consumers;

(4) utilize, with their consent, the services, personnel, and facilities of other Federal, State, local or private agencies and instrumentalities in gathering facts, data, and information that affect consumer interest;

(5) encourage and coordinate the development of information of interest to consumers by State and Federal agencies and the publication and distribution of materials which will inform consumers of matters of interest to them in language which is readily understandable by laymen;

(6) encourage and coordinate research conducted by other Federal, State and local agencies leading to improved consumer products, services, and consumer information;

(7) encourage, initiate, coordinate, evaluate, and participate in consumer education programs and consumer counseling programs;

(8) encourage, cooperate with, and assist State agencies and local governments in the promotion and protection of consumer interests; and

(9) cooperate with and encourage private enterprise in the promotion and protection of consumer interests.

Whenever the Consumer Representative receives from any source complaints or other information disclosing a possible violation of any law of the United States or any rule or order of any Federal agency concerning consumer interest or any law of the State of Alabama affecting such interest, the Representative shall promptly transmit

such complaint or other information to the prosecuting officers charged with the duty of enforcing such law, rule or order, for appropriate action.

There is hereby established a Consumer Advisory Council to be composed of not more than ten (10) members appointed by the Governor. Members shall be appointed on the basis of their knowledge and experience in areas of interest to consumer and their demonstrated ability to exercise independent, informed, and critical judgment.

(1) Membership on the council shall be representatives of manufacturers, wholesalers, retailers, consumers, labor, Chamber of Commerce, Better Business Bureaus, and others. The council shall serve at the pleasure of the Governor.

(2) The Governor shall designate the chairman from among the members composing the council. The council shall meet at the call of the Consumer Representative. The Representative shall be an ex-officio member of the council and its Secretary;

(3) The council shall advise the Representative on policy matters relating to consumer interests, the effectiveness of State and Federal programs and operations, which affect the interests of consumers, and problems of primary importance to consumers, and ways in which unmet consumer needs can appropriately be met through Federal and State action.

The purpose and intent of this Executive Order is not to provide the consumer with something to which he is not presently

entitled but rather to assure that he receives what he is, in every way, fully entitled. Much depends upon the mutual trust and goodwill of those who consume and those who produce and provide.

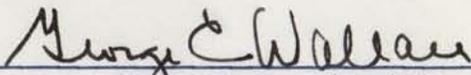
It is my hope and trust that the Legislature will soon enact a strong, workable and enforceable consumer protection law to carry out the intent of this Executive Order and which will provide for the coordinated and unified efforts, the services and expertise, of the Commissioner of Agriculture and Industries, the Attorney General of Alabama, the Legislature, and this Office in implementing the provisions of such law.

I recommend legislation relating to the advertising, sale, delivery and distribution of sub-standard products and services, including but not limited to, defective tires whether by negligent design or manufacture; automobiles whether by negligent design or manufacture; automobile parts and repairs; pottery, plates, cups and bowls containing lead poisoning; flammable fabrics and rugs; insecticides and pesticides; detergents; deleterious foods; cosmetics; cigarettes; firearms; toy hazards; impact resistant lenses, and other consumer products.

I strongly urge legislation to control unsolicited goods sent by mail providing that the receiver may keep the products without obligation to pay; to control bait and switch selling - advertising one product as a leader and then denouncing it as inferior and attempting to sell other products; to control lifetime warranties and guarantees that turn out to be meaningless; to control loan and

credit contracts with high annual interest rates disguised
as service and carrying charges, and to control harassing and
deceptive collection practices.

DONE AND ORDERED THIS 23RD DAY OF JULY, 1971.



GEORGE C. WALLACE
GOVERNOR

ATTEST:



SECRETARY OF STATE