Bill No	35-07				
Concerning: 0	Consumer_	Protection			
Energy and Environmental Advocacy					
Revised: 4/2	22/2008	Draft No.	10		
Introduced:					
	April 22, 2				
Executive:	May 5, 20				
Effective:	August 4,				
Sunset Date: None					
Ch 12 La		Co 200	R		

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Berliner, Ervin, Andrews, Elrich, Floreen, Leventhal, and Trachtenberg

## AN ACT to:

(1) require the Office of Consumer Protection to [[represent]] <u>advocate for</u> the County's interest in obtaining the lowest possible rates consistent with environmental stewardship for gas, electricity, and other energy sources by participating in matters pending before appropriate federal and state agencies; and

(2) generally amend County law governing energy and the environment.

## By amending

Montgomery County Code Chapter 11, Consumer Protection Section 11-2

Boldface Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

## Sec. 1. Section 11-2 is amended as follows: 1 11-2. Office of Consumer Protection. 2 Established. The Office of Consumer Protection is a department of (a) 3 County government. 4 Authority. The Office may: 5 (b) receive and investigate complaints and initiate its own [(a)] (1) 6 investigation of deceptive, unfair, or unconscionable trade 7 practices against consumers, hold hearings, compel the 8 attendance of witnesses, administer oaths, take the testimony of 9 any person under oath and require the production of any 10 evidence relating to any matter under investigation or in 11 question by the Office; 12 issue summonses and subpoenas to compel the attendance of [(b)] (2) 13 witnesses and the production of documents, papers, books, 14 records, and other evidence in any matter to which this Chapter 15 applies; 16 issue cease and desist orders and bring enforcement actions [(c)] (3) 17 regarding any trade practice that violates this Chapter; 18 report to any appropriate government agency with jurisdiction [(d)] (4) 19 over real estate transactions or consumer protection matters any 20 information concerning violation of any consumer protection 21 law; 22 communicate the interests of consumers and merchants before [(e)] <u>(5)</u> 23 administrative and regulatory agencies and legislative bodies to 24 ensure that both are adequately represented; 25

26	[(f)] <u>(6)</u>	assist, advise, and cooperate with the Better Business Bureau
27		and local, state, and federal agencies and officials to protect and
28		promote the interests of County consumers;
29	[(g)] <u>(7)</u>	assist, develop, and conduct programs of consumer education
30		and information through public hearings, meetings,
31		publications, or other materials prepared for distribution to
32		County consumers;
33	[(h)] <u>(8)</u>	encourage local business and industry to maintain high
34		standards of honesty, fair business practices, and public
35		responsibility in the production, promotion, and sale of
36		consumer goods or services;
37	[(i)] (9)	protect and promote the welfare of County consumers and
38		merchants;
39	[(j)] (10)	report annually on the number, nature, and disposition of
40		complaints filed with the Office. The annual report must
41		include any recommendations made by the Advisory
42	·	Committee on Consumer Protection;
43	[(k)] (11)	adopt regulations under method (2) to implement this Chapter;
44	[(1)] <u>(12)</u>	*
45	[(m)] (13)	enforce laws pertaining to motor vehicle repair, electrical
46		appliances, secondhand personal property, and any other law
47		that the Office is assigned to enforce[.]; and
48	[(n)] (14)	[To undertake] <u>undertake</u> activities and establish procedures to
49		identify, and assist consumers with respect to, any
50		discriminatory, predatory, or abusive lending practices.
51	(c) Ene	rgy and environmental <u>advocacy.</u>

52	$\cdot$ (1)	The Office, after consulting appropriate County departments,
53		must [[represent]] advocate for the County's interest in
54		obtaining the lowest possible rates consistent with
55		environmental stewardship, including the County's climate
56		change objectives, for gas, electricity, and other energy sources
57		by participating in matters pending before appropriate federal
58		and state agencies, including intervening and filing comments
59		in those matters.
60	<u>(2)</u>	The Office may employ consultants and technical advisors as
61		necessary to implement this subsection in accordance with
62		funds appropriated in the County budget.
63	<u>(3)</u>	By September 1 of each year, the Office must report to the
64		County Executive and County Council on the actions that the
65		Office has taken in the preceding fiscal year to implement this
66		subsection.
67	Approved:	
68		
69	Michael	A. Kran 25 April 2008
70	Michael J. Knapp, P	resident, County Council Date
71	Approved:	
72		DA STANK
12	Isiah Leggett, Count	y Executive Date
73	This is a correct cop	•
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74	Jinda M.	Facer May 6, 2008  ork of the Council Date
	Linda M. Longer Cle	ork of the Council Date