

JAN 19 2007

A BILL FOR AN ACT

RELATING TO THE STATE OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 487-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§487-5 General functions, powers, and duties.** The
4 director of the office of consumer protection is designated the
5 consumer counsel for the State and shall represent and protect
6 the State, the respective counties, and the general public as
7 consumers. The director of the office of consumer protection
8 shall have the following functions, powers, and duties:

- 9 (1) Coordinate the consumer protection activities of all
10 departments, divisions, and branches of state
11 government, and of branches of the county government
12 concerned with consumer protection;
- 13 (2) Assist, advise, and cooperate with federal, state, and
14 local agencies and officials to protect and promote
15 the interests of the consumer public;



- 1 (3) Conduct investigations, research, studies, and
2 analysis of matters and take appropriate action
3 affecting the interests of consumers;
- 4 (4) Study the operation of laws affecting consumers and
5 recommend to the governor and the legislature, new
6 laws and amendments of laws in the consumers'
7 interest;
- 8 (5) Adopt, amend, or repeal rules pursuant to chapter 91
9 necessary for the purposes of this chapter, including
10 rules [~~which~~] that define with specificity acts or
11 practices [~~which~~] that are unfair or deceptive acts or
12 practices in the conduct of any trade or commerce;
- 13 (6) Investigate reported or suspected violations of laws
14 enacted and rules adopted for the purpose of consumer
15 protection and shall enforce such laws and rules by
16 bringing civil actions or proceedings;
- 17 (7) Organize and hold conferences on problems affecting
18 consumers; and undertake activities to encourage
19 business and industry to maintain high standards of
20 honesty, fair business practices, and public
21 responsibility in the production, promotion, and sale
22 of consumer goods and services;



- 1 (8) Provide a central clearinghouse of information by
2 collecting and compiling all consumer complaints and
3 inquiries and making the collections and compilations
4 available to the general public; provided that
5 consumer complaints may not be made available to the
6 general public if the office of consumer protection is
7 conducting an investigation or review of the
8 complaints, or if the complaints are being used in
9 connection with civil actions or proceedings initiated
10 by the office of consumer protection, or if the
11 complaints have been referred to another state agency;
- 12 (9) Appear before governmental commissions, departments,
13 and agencies to represent and be heard on behalf of
14 consumers' interest;
- 15 (10) Contract with other county, state, or federal
16 governmental agencies, with nonprofit social services
17 societies, or with private nonprofit trade,
18 professional, or business organizations for the
19 performance of any of the functions of the office not
20 involving the enforcement of rules for the purpose of
21 consumer protection under this section, within the
22 budget limitations for any period not exceeding a

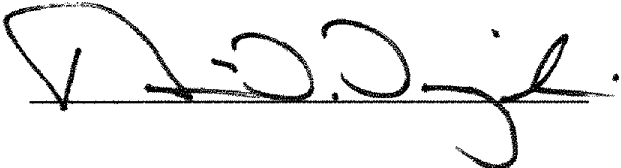


1 budget year, provided that the purposes and policies
2 of this chapter are in no way diluted, abridged,
3 misdirected, or destroyed; and

4 (11) Perform [~~such~~] other acts as may be incidental to the
5 exercise of the functions, powers, and duties set
6 forth in this section, including but not limited to,
7 compensation of witnesses in [~~such~~] the amounts and
8 for [~~such~~] any purposes [~~as~~] that shall be prescribed
9 by rules."

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

13
INTRODUCED BY: 

Report Title:

State of Hawaii

Description:

Makes technical amendments to consumer protection law relating to the State.

