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## Smoking ban bill left in ashes by Michigan lawmakers

By [Tim Martin](#)

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LANSING, Mich. -

Michigan's proposed mandatory smoking ban at restaurants and bars was snuffed out for this year. But supporters of the ban said Friday they already are planning their next move, either in the Legislature in 2009 or on Election Day in 2010.

"We remain firmly committed to this fight," Judy Stewart, state government relations director for the American Cancer Society's Great Lakes Division, said in a statement after state lawmakers let the smoking ban legislation die at the end of their 2007-08 session. "We will review all possible options for the coming year and will do whatever it takes to make Michigan smokefree."

Some restaurant, bar and casino owners will do everything they can to keep Michigan one of the 20 or so states without some type of a public workplace smoking ban. Business owners say they should have the right to continue making their own decisions about allowing smoking based on customer demand. More bars and restaurants voluntarily choose to go smokefree each year.

Erion Vatnikaj, 27, said he's "very happy" the smoking ban didn't pass. The Macomb Township man says he would stop going out to bars if he couldn't light up. "When you go to the bar, you expect the bar to be smoky," he said Friday. "It's the way bars have been since eternity."

Smoking is allowed at Comet Burgers in downtown Royal Oak, where Vatnikaj is manager. But he said he's not worried about business taking a hit if a ban does eventually go into effect because all restaurants would face the same restriction.

Gov. Jennifer Granholm said she was disappointed the smoking ban didn't pass and said she was ready to sign either a complete ban or one with exceptions for businesses such as smoke shops and casinos. "I hope that those who are coming into the next Legislature ... would see that citizens really prefer being able to dine without cigarette smoke," she told reporters Friday.

The Michigan Legislature finished up voting in its two-year session Friday. Bills not passed die and will have to be reintroduced again next year, when more than a third of the 110-member state House is new to the Legislature.

Several issues faded away for the year Friday. Lawmakers did not pass health insurance legislation sought by Blue Cross Blue Shield, fuel tax increases for road improvements or final bills aimed at fighting mortgage foreclosures.

But lawmakers did pass legislation to pave the way for possible expansion of Cobo Center and a light rail transit line in downtown Detroit. Bills designed to help boost the number of students going to college from high unemployment regions and spark investment in high tech vehicle battery technology also are headed to Democratic Gov. Jennifer Granholm, who had said those bills were priorities.

At least 60 percent of Michigan's lawmakers voted for some type of smoking ban this session, but a strange set of circumstances and politics kept any of the competing proposals from becoming law.

The Democrat-led House passed a workplace smoking ban that included exemptions for Detroit casinos, smoke shops and a few other businesses. Detroit lawmakers, in particular, said they were concerned a smoking ban at the Motown casinos would cause them to lose customers to tribal and out-of-state casinos that wouldn't be subject to the law.

The Republican-led Senate surprised even some health advocates when it passed a complete ban with no exemptions. Some Capitol observers guessed it either

passed by accident or was done deliberately knowing that the House would never approve a ban without exemptions. Lawmakers could say they supported a pure ban in the name of public health without it costing them with lobbyists who likely knew that version would not become law.

In the end, leaders in the House and Senate would not budge from their positions and did not let a version come up for a vote during a last-gasp, 25-hour session Thursday and Friday. Folks tired of smoke at bars and restaurants will have to wait several more months at a minimum before Michigan gets a smoking ban.

Rep. Andy Meisner, a Democrat from Ferndale and a ban supporter, said he believes there were options discussed that could have passed both chambers this week and become law. “It is a serious disappointment,” Meisner said of the lack of a compromise.

On the positive side, Meisner said, anti-smoking advocates made more progress in Michigan this year than at any time in the past decade they’ve been pushing for a ban. That bodes well for its future. The smoking ban could go the way of embryonic stem cell research in Michigan. After lawmakers ignored Meisner’s legislation on the subject for a few years, a coalition got the proposal on the November ballot and it was approved by voters to become law.

Smoking ban supporters would have to collect voter signatures to get the proposal on the 2010 Election Day ballot.

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Associated Press Writers Ben Leubsdorf in Royal Oak and Kathy Barks Hoffman in Lansing contributed to this report.