

HOUSE BILL No. 6523

September 14, 2006, Introduced by Reps. Newell, Nitz, Baxter and Moore and referred to the Committee on Agriculture.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5542 (MCL 324.5542).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5542. (1) ~~Nothing in~~ **EXCEPT AS PROVIDED IN SUBSECTION**
2 **(4)**, this part, ~~or in~~ **INCLUDING** any rule promulgated under this
3 part, ~~invalidates~~ **DOES NOT INVALIDATE** any existing ordinance ~~or~~
4 ~~regulation~~ having requirements equal to or greater than the
5 minimum applicable requirements of this part or ~~prevents~~ **PREVENT**
6 any political subdivision from adopting similar provisions if their
7 requirements are equal to or greater than the minimum applicable
8 requirements of this part.

1 (2) When a political subdivision or enforcing official of a
2 political subdivision fails to enforce properly the provisions of
3 the political subdivision's ordinances ~~—, laws, or regulations~~
4 that afford equal protection to the public as provided in this
5 part, the department, after consultation with the local official or
6 governing body of the political subdivision, may take such
7 appropriate action as may be necessary for enforcement of the
8 applicable provisions of this part.

9 (3) The department shall counsel and advise local units of
10 government on the administration of this part. The department shall
11 cooperate in the enforcement of this part with local officials upon
12 request.

13 **(4) A POLITICAL SUBDIVISION SHALL NOT ADOPT OR ENFORCE AN**
14 **ORDINANCE THAT IMPOSES EMISSIONS STANDARDS ON STOVES DESCRIBED IN**
15 **SECTION 5519 THAT ARE MORE STRINGENT THAN THE STANDARDS PROMULGATED**
16 **UNDER THAT SECTION OR THE CLEAN AIR ACT, WHICHEVER IS THE MORE**
17 **STRINGENT.**

18 Enacting section 1. This amendatory act does not take effect
19 unless Senate Bill No.____ or House Bill No. 6524(request no.
20 07311'06) of the 93rd Legislature is enacted into law.