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House Bill 4740 (as passed by the House)  
Sponsor: Representative Aaron Miller  
House Committee: Natural Resources and Outdoor Recreation  
Ways and Means  
Senate Committee: Natural Resources

Date Completed: 3-9-20

### **CONTENT**

**The bill would amend Part 751 (Dark Sky Preserve) of the Natural Resources and Environmental Protection Act (NREPA) to do the following:**

- **Designate land comprising Dr. T. K. Lawless Park in Porter and Newberg Township as a dark sky preserve.**
- **Specify that the responsibilities of the Natural Resources Commission (NRC) with respect to dark sky preserves would apply to State-owned preserves.**

The Act designates certain lands as dark sky preserves. The bill would designate the county-owned land comprising Dr. T. K Lawless Park, located in Porter and Newberg Townships, in Cass County, as a dark sky preserve.

Currently, under NREPA, the NRC must ensure that outdoor lighting within a dark sky preserve is not installed unless necessary for safety, security, or the reasonable use and enjoyment of property within the preserve, and that outdoor lighting within a preserve does not unreasonably interfere with nighttime activities that require darkness, such as enjoyment of the night sky, nighttime photography, and wildlife photography.

The NRC also must ensure that all outdoor lighting within a preserve is: a) directed downward; b) if possible, provided by fully shielded fixtures; and c) if practical and appropriate, fixtures must be motion sensor fixtures.

The use and development of land within a preserve, notwithstanding any other provision of Part 751, including the use of land or motorized and nonmotorized recreation, must not be restricted due to the designation as a dark sky preserve.

Under the bill, these requirements would refer instead to *State-owned* dark sky preserves.

MCL 324.75102 et al.

Legislative Analyst: Dana Adams

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Abbey Frazier

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.