

HOUSE BILL NO. 4740

June 20, 2019, Introduced by Reps. Miller and Paquette and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 75102, 75103, and 75104 (MCL 324.75102, 324.75103, and 324.75104), section 75102 as amended by 2016 PA 11, section 75103 as added by 1995 PA 58, and section 75104 as amended by 2012 PA 251.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 75102. (1) The following lands are designated as dark sky
2 preserves:

3 (a) State-owned land at Lake Hudson, legally described as:



1 All state-owned land located in Sections 25, 26, 27, 34, 35,
2 and 36, T 7 S, R 1 E, and Section 1, T 8 S, R 1 E - Lenawee County,
3 Michigan.

4 (b) The state-owned land ~~encompassing~~**comprising** Wilderness
5 State Park and the state forestland within Bliss Township, Cross
6 Village Township, and Wawatam in Emmet County.

7 (c) Those portions of Port Crescent State Park lying north and
8 west of the Pinnebog River in section 9 of Hume Township, Huron
9 County, T18N, R12E.

10 (d) The state-owned land ~~encompassing~~**comprising** Rockport
11 State Recreation Area, located in Presque Isle Township, Presque
12 Isle County and Alpena Township, Alpena County.

13 (e) The state-owned land ~~encompassing~~**comprising** Negwegon
14 State Park, located in Sanborn Township, Alpena County and Alcona
15 Township, Alcona County.

16 (f) The state-owned land ~~encompassing~~**comprising** Thompson's
17 Harbor State Park, located in Krakow Township, Presque Isle County.

18 **(g) The county-owned land comprising Dr. T. K. Lawless Park,**
19 **located in Porter and Newberg Townships, Cass County.**

20 (2) Notwithstanding any other provision of this part, a dark
21 sky preserve shall not be established in the Upper Peninsula.

22 Sec. 75103. (1) The commission shall ensure that outdoor
23 lighting within a **state-owned** dark sky preserve is not installed
24 unless necessary for safety, security, or the reasonable use and
25 enjoyment of property within the preserve.

26 (2) The commission shall ensure that outdoor lighting within a
27 **state-owned** dark sky preserve does not unreasonably interfere with
28 nighttime activities that require darkness, including, but not
29 limited to, the enjoyment of the night sky, nighttime photography,



1 and wildlife photography.

2 Sec. 75104. (1) The commission shall ensure that all outdoor
3 lighting within a **state-owned** dark sky preserve conforms to the
4 following:

5 (a) Lighting shall be directed downward.

6 (b) ~~Whenever~~ **If** possible, lighting shall be provided by fully
7 shielded fixtures.

8 (c) ~~Wherever~~ **If** practical and appropriate, outdoor lighting
9 fixtures shall be motion sensor fixtures, and not fixtures that
10 remain lighted during all hours of darkness.

11 (2) Notwithstanding any other provision of this part, the use
12 and development of land within a **state-owned** dark sky preserve,
13 including the use of the land for motorized and nonmotorized
14 recreation, shall not be restricted due to the designation as a
15 dark sky preserve.

