SENATE SUBSTITUTE FOR HOUSE BILL NO. 4740

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:

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

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

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





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

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

7 (d) The state-owned land encompassing comprising Rockport
8 State Recreation Area, located in Presque Isle Township, Presque
9 Isle County and Alpena Township, Alpena County.

10 (e) The state-owned land encompassing comprising Negwegon
11 State Park, located in Sanborn Township, Alpena County and Alcona
12 Township, Alcona County.

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

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

17 (h) The county-owned land comprising Headlands International18 Dark Sky Park, located in Wawatam Township, Emmet County.

19 (2) Notwithstanding any other provision of this part, a dark20 sky preserve shall not be established in the Upper Peninsula.

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

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



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

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(a) Lighting shall be directed downward.

5 (b) Whenever If possible, lighting shall be provided by fully6 shielded fixtures.

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

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



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