

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Rep. Foster

ENROLLED HOUSE BILL No. 5414

AN ACT to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 75101, 75102, and 75104 (MCL 324.75101, 324.75102, and 324.75104), as added by 1995 PA 58.

The People of the State of Michigan enact:

Sec. 75101. As used in this part:

(a) “Dark sky preserve” means an area designated in section 75102.

(b) “Fully shielded” means outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above 15 degrees below the horizontal plane and also constructed so that the filament or light source is not visible to the naked eye when viewed from a point higher than 15 degrees below the horizontal plane.

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

(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 Wilderness state park and the state forestland within Bliss township, Cross Village township, and Wawatam in Emmet county.

(c) Those portions of port crescent state park lying north and west of the Pinnebog river in section 9 of Hume township, Huron county, T18N, R12E.

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

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

(a) Lighting shall be directed downward.

(b) Whenever possible, lighting shall be provided by fully shielded fixtures.

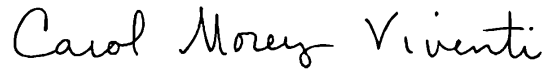
(c) Wherever practical and appropriate, outdoor lighting fixtures shall be motion sensor fixtures, and not fixtures that remain lighted during all hours of darkness.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor