

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 430 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Bev Hammerstrom
Committee: Natural Resources and Environmental Affairs

Date Completed: 1-10-02

RATIONALE

In many places, the night sky has become flooded with glare from outdoor lighting, leaving people who enjoy the dark sky to seek out special places where night light is less profuse. Public Act 57 of 1993 designated certain State-owned land at Lake Hudson, in Lenawee County, as a dark sky preserve. The Act restricts outdoor lighting within the dark sky preserve to a minimum, so that light will not unreasonably interfere with nighttime activities that require darkness, such as photography and astronomy. The dark sky preserve designation is scheduled to expire on June 10, 2003. Many people believe that the sunset date should be repealed in order to make the designation permanent.

CONTENT

The bill would amend the Natural Resources and Environmental Protection Act to repeal the sunset date on Part 751, which establishes outdoor lighting requirements within State-owned land at Lake Hudson designated as a dark sky preserve area. Currently, Part 751 is scheduled to expire on June 10, 2003.

Under Part 751, the Natural Resources Commission (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. The NRC must ensure that outdoor lighting within a dark sky preserve does not unreasonably interfere with nighttime activities that require darkness, including the enjoyment of the night sky, nighttime photography, and wildlife photography.

Part 751 also requires the NRC to ensure that all outdoor lighting within a dark sky preserve

is directed downward; all lighting is provided by fully shielded fixtures, whenever possible; and outdoor lighting fixtures are motion sensor fixtures, and not fixtures that remain lighted during all hours of darkness.

MCL 324.75106

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Artificial lighting has created light pollution throughout the country. It interferes with the enjoyment of the outdoors at night and the pursuit of amateur astronomy. As the result of excess lighting, for example, it now is virtually impossible to see the Milky Way from most urban and suburban locations, as well as many rural areas. With the passage of Public Act 57 of 1993, Michigan reportedly became the first state in the nation to designate a tract of land as a dark sky preserve. In creating the dark sky preserve at the Lake Hudson State Recreation Area near Clayton, Michigan, the State has demonstrated that maintaining night skies for enjoyment is fully compatible with management for other recreational uses. By removing the sunset on the dark sky preserve designation, the bill would ensure that the dark sky preserve continued to provide an area for the enjoyment of nighttime activities such as star-gazing and wildlife photography. These activities enhance the positive recreational use of public land.

Legislative Analyst: N. Nagata

FISCAL IMPACT

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

Fiscal Analyst: P. Graham

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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.