

2025 SENATE ENERGY AND NATURAL RESOURCES

SCR 4004

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Peace Garden Room, State Capitol

SCR 4004

1/23/2025

A concurrent resolution declaring April 21, 2025, through April 28, 2025, as "North Dakota Dark Sky Week," and urging the residents of North Dakota to partake in this event to observe, ponder, and support the natural dark sky resources of this state.

10:15 a.m. Chairman Patten opened the hearing.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Bird migration
- Astro tourism
- Health conditions and nightlighting
- Bird mortality rates

10:15 a.m. Senator Tim Mathern, District 11, introduced the bill, testified in favor and submitted testimony #30514.

10:19 a.m. Patrick Sommer, Delegate of DarkSky International, testified in favor and submitted testimony #30970.

Additional written testimony:

Kristal Stoner, Executive Director of Audubon Great Plains, submitted testimony in favor #30962.

10:29 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

January 23, 2025

Senate Energy and Natural Resources Committee

Chairman Patton and Committee Members,

My name is Tim Mathern, Senator from District 11 in Fargo. I am the prime sponsor of Senate Concurrent Resolution 4004.

This resolution is to encourage and promote "North Dakota Dark Sky Week," in April in conjunction with International Dark Sky Week. It is an annual event that takes place during the week of the new moon in April which is when the night skies are the darkest. Taking part urges the residents of North Dakota to observe, ponder, and support the natural dark sky resources of this state.

I introduced this measure for three main reasons.

1. To help educate citizens about light pollution dangerous to birds and plants,
2. To consider other ways to save energy, and
3. To encourage all political subdivisions to enact ordinances that reduce light pollution and building designs that kill birds.

The words of the resolution itself give us the rationale for holding this matter up and for declaring a week in April as North Dakota Dark Sky Week. Sometimes our role as senators goes beyond passing laws, our role can be used to provide education regarding important ways to work with others around the world to preserve our earth and her inhabitants.

I ask you for a Do Pass recommendation on SCR 4004.

Thank you for your service to our state.



3002 Fiechtner Dr, Suite A
Fargo, ND 58103

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January 23, 2025

Senator Dale Patten
Energy and Natural Resources Committee

RE: SCR 4004 A concurrent resolution declaring April 21, 2025, through April 28, 2025, as "North Dakota Dark Sky Week," and urging the residents of North Dakota to partake in this event to observe, ponder, and support the natural dark sky resources of this state.

Dear Sen. Patten, Dale and Respected Members of the Committee,

On behalf of the thousands of members in Audubon who reside North Dakota, we support SCR 4004 and request this be included as a part of the public hearing record.

The National Audubon Society is a conservation organization focused on birds and their conservation, driven by the fact that we can improve our environment for the betterment of people when we observe how birds are impacted and respond to our changing world.

For most of Earth's existence, the majority of life developed to revolve around a diurnal cycle of light and dark. Today, light pollution is one of the fastest-growing forms of pollution on the planet. We evolved to gather, hunt, and move during daylight, and recover during the night, but many other creatures evolved to use the cover of darkness to hunt and migrate by starlight.

Migrating birds suffer in the face of blinding artificial light at night. According to the [National Audubon Society](#), 80% of migrating birds do so at night. Here in North Dakota, common birds like the small Yellow-rumped Warbler is one of the first warblers to migrate through ND in spring *and* is one of the most frequently observed warblers involved in building collision mortalities in many Midwestern states. The Hermit Thrush is also one of the earliest migratory birds to arrive, and they calibrate their magnetic compass at dusk using sunset direction/light of sky overhead. In a recent collision study in New York, this was the 6th most frequently found species. Last, the beautiful Baltimore Oriole migrates at night and suffers when lights distract and disorient.

With artificial lights added to the landscape, it increases direct mortality with windows and buildings, and disorientation, injury, and exhaustion are also huge factors for nocturnal migrating birds. Many birds can get caught 'off-track' by light pollution, and all these risks go up if favorable migration conditions combine with inclement weather near major urban areas.

Yet of all the other environmental pressures facing birds, nighttime light pollution is one that has a relatively easy solution. We encourage support for SCR 4004, and thank you for your consideration.



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Sincerely,

A handwritten signature in black ink that reads "Kristal Stoner". The signature is fluid and cursive.

Kristal Stoner

Kristal.stoner@audubon.org
Vice President National Audubon Society
Executive Director, Audubon Great Plains
3002 Fiechtner Dr, Suite A
Fargo, ND 58103

Esteemed Members of the Senate Energy and Natural Resources Committee,

Thank you for considering the resolution supporting and declaring North Dakota Dark Sky Week during the week of 21-28 April 2025. Dark Sky Week is a global event calling attention to the proliferation of light pollution caused by artificial light at night. The vast majority of U.S. residents, including North Dakotans, live under light polluted skies, and the consequences are many in number.

As noted in the North Dakota Monitor piece from Wednesday 22 January, this timeframe falls during peak migration season for numerous bird species that find critical habitat and stopover places during their journey. Our avian friends are not the only ones threatened by the loss of a natural night, however. Numerous medical issues in humans have been linked to exposure to shorter-wavelength (blue-violet) lighting during periods of darkness. Sleep disorders, cancers (including breast and prostate), diabetes, obesity, eyesight problems from early macular degeneration, mental and neurological disorders including bipolar, depression and even potentially earlier onset of dementia.

Additionally, the loss of night, the loss of our dark skies, can create a disconnect from our shared cultural history of the night sky. Without which human may have never garnered inspiration towards science, art, and faith.

Lastly, North Dakota has enormous potential to exploit our dark skies towards the biggest trend in tourism – astro-tourism. One only has to look towards Colorado, Montana, Utah, and other places to find extensive parks that are part of DarkSky International's Dark Sky Place Program, which awards designations and promotes locations that have worked to educate about and limit light pollution. From the Pembina Gorge, to the Sheyenne Grasslands, to Theodore Roosevelt National Park and the wider Maah Daah Hey and Badlands region, along with everything in between, we have space and parks with which to offer a nation and world hungry to experience the awe and wonder of a night sky.

Thank you again for your consideration of this vital resolution. I will stand ready to provide additional information and testimony in support of this, as well as any other light pollution measures the North Dakota State Government decides to take up.

V/r,

Patrick Sommer

Patrick Sommer
Delegate, DarkSky International
Patrick.sommer@darksky.org
701-552-2393

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Energy and Natural Resources Committee

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A concurrent resolution declaring April 21, 2025, through April 28, 2025, as "North Dakota Dark Sky Week," and urging the residents of North Dakota to partake in this event to observe, ponder, and support the natural dark sky resources of this state.

11:18 a.m. Chairman Patten opened the hearing.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- Zoning for light pollution
- Street lights
- Endangering citizens
- Wind tower closure

11:22 a.m. Senator Beard moved a do not pass.

11:22 a.m. Senator Boehm seconded the motion.

Senators	Vote
Senator Dale Patten	Y
Senator Greg Kessel	Y
Senator Todd Beard	Y
Senator Keith Boehm	Y
Senator Mark Enget	Y
Senator Justin Gerhardt	N
Senator Desiree Van Oosting	Y

Motion Carried 6-1-0.

11:22 a.m. Senator Beard will carry the resolution.

11:22 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

REPORT OF STANDING COMMITTEE
SCR 4004 ([25.3032.01000](#))

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SCR 4004 was placed on the Eleventh order on the calendar. This resolution does not affect workforce development.