

By: Representative White

To: Public Utilities

HOUSE BILL NO. 865

1 AN ACT TO AMEND SECTION 61-19-1, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE DATE OF THE REPEALER ON THE STATUTE REQUIRING THE
3 MARKING OF CERTAIN ANEMOMETER TOWERS FOR AVIATION PURPOSES; AND
4 FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 61-19-1, Mississippi Code of 1972, is
7 amended as follows:

8 61-19-1. (1) For purposes of this section, the term
9 "anemometer" means an instrument for measuring and recording the
10 speed of the wind. For purposes of this section, the term
11 "anemometer tower" means a structure, including all guy wires and
12 accessory facilities, on which an anemometer is mounted for the
13 purposes of documenting whether a site has wind resources
14 sufficient for the operation of a wind turbine generator.

15 (2) Any anemometer tower that is fifty (50) feet in height
16 above the ground or higher, that is located outside the exterior
17 boundaries of any municipality, and whose appearance is not
18 otherwise mandated by state or federal law shall be marked,
19 painted, flagged, or otherwise constructed to be recognizable in



20 clear air during daylight hours. Any anemometer tower that was
21 erected before July 1, 2011, shall be marked as required in this
22 section within one (1) year after July 1, 2011. Any anemometer
23 tower that is erected on or after July 1, 2011, shall be marked as
24 required in this section at the time it is erected. Marking
25 required under this section includes marking the anemometer tower,
26 guy wires, and accessory facilities as follows:

27 (a) The top one-third (1/3) of the anemometer tower
28 shall be painted in equal, alternating bands of aviation orange
29 and white, beginning with orange at the top of the tower and
30 ending with orange at the bottom of the marked portion of the
31 tower;

32 (b) Two (2) marker balls shall be attached to and
33 evenly spaced on each of the outside guy wires;

34 (c) The area surrounding each point where a guy wire is
35 anchored to the ground shall have a contrasting appearance with
36 any surrounding vegetation. If the adjacent land is grazed, the
37 area surrounding the anchor point shall be fenced. For purposes
38 of this section, the term * * *area "area surrounding the anchor
39 point * * *" means an area not less than sixty-four (64) square
40 feet whose outer boundary is at least four (4) feet from the
41 anchor point; and

42 (d) One or more seven-foot safety sleeves shall be
43 placed at each anchor point and shall extend from the anchor point
44 along each guy wire attached to the anchor point.



45 A violation of this section is a misdemeanor.

46 (3) This section shall stand repealed on July 1, * * *~~2017~~
47 2020.

48 **SECTION 2.** This act shall take effect and be in force from
49 and after July 1, 2017.

