

## **Senate Amendments to House Bill No. 865**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

### **AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

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

7       61-19-1. (1) For purposes of this section, the term  
8 anemometer means an instrument for measuring and recording the  
9 speed of the wind. For purposes of this section, the term  
10 anemometer tower means a structure, including all guy wires and  
11 accessory facilities, on which an anemometer is mounted for the  
12 purposes of documenting whether a site has wind resources  
13 sufficient for the operation of a wind turbine generator.

14       (2) Any anemometer tower that is fifty (50) feet in height  
15 above the ground or higher, that is located outside the exterior  
16 boundaries of any municipality, and whose appearance is not  
17 otherwise mandated by state or federal law shall be marked,  
18 painted, flagged, or otherwise constructed to be recognizable in  
19 clear air during daylight hours. Any anemometer tower that was  
20 erected before July 1, 2011, shall be marked as required in this  
21 section within one (1) year after July 1, 2011. Any anemometer

22 tower that is erected on or after July 1, 2011, shall be marked as  
23 required in this section at the time it is erected. Marking  
24 required under this section includes marking the anemometer tower,  
25 guy wires, and accessory facilities as follows:

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

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

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

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

44 A violation of this section is a misdemeanor.

45 ~~\*\*\* (3) This section shall stand repealed on July~~  
46 ~~1, \*\*\* 2017 2021.~~

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO AMEND SECTION 61-19-1, MISSISSIPPI CODE OF 1972, TO  
2 REMOVE THE DATE OF REPEAL ON THE PROVISION REQUIRING SAFETY  
3 MARKING ON CERTAIN ANEMOMETER TOWERS; AND FOR RELATED PURPOSES.

SS01\HB865PS.J

Liz Welch  
Secretary of the Senate