

**262.610 Acquisitions of equipment or infrastructure by Soil and Water Conservation Commission.**

- (1) The Soil and Water Conservation Commission as referred to in KRS Chapter 146, subject to the supervision of the commissioner of the Department for Natural Resources, to the restrictions provided in KRS 262.330 and KRS 262.610 to 262.660, and to the requirements of KRS Chapters 42 and 45A, is hereby authorized to acquire and to make available, or to assist in acquiring or making available to soil and water conservation districts, heavy or specialized equipment or infrastructure which an individual district cannot itself economically obtain.
- (2) When the commission acquires or makes available to any district the equipment or infrastructure above referred to, it shall require said district to fully amortize, in the form of rentals or payments, to the Division of Conservation, as referred to in KRS Chapter 146, any amount so expended by the commission for such assistance. The amount and method of amortization for each piece of heavy equipment or infrastructure shall be determined by the commission, subject to approval of the commissioner of the Department for Natural Resources. The amount and method of amortization for each piece of heavy or specialized equipment shall be determined on the basis of the lease or a rental fee to be charged by the district to the lessee or other user of equipment sufficient to:
  - (a) Fully amortize to the division the capital outlay for the machinery itself over the period of its reasonably anticipated full usefulness;
  - (b) Cover the cost of operation, maintenance and repairs;
  - (c) Pay the usual cost of providing an operator; and
  - (d) Compensate the district for the usual costs of transportation from one (1) job to another.
- (3) In giving effect to all of the foregoing, the commission shall estimate the amount of time such equipment would ordinarily be idle.

**Effective:** April 26, 2022

**History:** Amended 2022 Ky. Acts ch. 239, sec. 6, effective April 26, 2022. -- Amended 2007 Ky. Acts ch. 51, sec. 4, effective June 26, 2007. -- Amended 1990 Ky. Acts ch. 496, sec. 59, effective July 13, 1990. -- Amended 1966 Ky. Acts ch. 23, sec. 63. -- Created 1948 Ky. Acts ch. 79, sec. 1.

**Legislative Research Commission Note (4/26/2022).** The language in subsection (1) of this statute has been modified in codification from the way it was enacted in order to reflect the Governor's line-item veto of 2022 House Bill 604 (2022 Ky. Acts ch. 239, sec. 6).

**Legislative Research Commission Note (6/20/2005).** 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.