

### **107.710 Definitions.**

As used in KRS 107.720 to 107.760, unless the context otherwise requires:

- (1) "Agreement" means a short-term agreement or a long-term agreement;
- (2) "Bonds" means industrial revenue bonds issued by a city, county or urban-county pursuant to KRS 103.200 et seq.;
- (3) "Cost" means with respect to any privatization project or facility related thereto:
  - (a) All costs of designing, planning, acquiring, constructing, reconstructing, modifying, improving, maintaining, equipping, extending, furnishing and placing in service any privatization project, including architectural, planning, engineering, legal and fiscal advisors' fees or costs and any costs incident to the acquisition of any necessary property, easement of right-of-way;
  - (b) Any costs incurred for preliminary planning to determine the economic or engineering feasibility of a proposed privatization project, including, without limitation, costs of economic investigations and studies, surveys, preparation of designs, plans, working drawings, specifications and inspection and supervision of the construction of any facility;
  - (c) All costs incident to the purchase, installation, or financing of equipment, machinery, and other personal property required by a privatization project;
  - (d) All costs incident to the authorization and issuance of bonds, including accountants' fees, attorneys' fees, financial advisors' fees, underwriting fees (including bond discount) and other professional services and printing costs;
  - (e) All costs incident to the establishment and funding of appropriate reserve funds; and
  - (f) Interest estimated to accrue on any bonds issued to finance a privatization project for a reasonable time prior to construction, during construction and for a reasonable period of time after construction;
- (4) "Drinking water project" means any work or facility necessary or desirable to provide water for human consumption and other domestic uses, including collection, treatment, storage, distribution facilities, and any related structures and facilities;
- (5) "Facility" means any structure, building, machinery, system, land, water right, or other property necessary or desirable to provide the services contemplated by a privatization project, including, without limitation, all related and appurtenant easements and rights-of-way, improvements, utilities, landscaping, sidewalks, roads, curbs and gutters, and equipment and furnishings;
- (6) "Governing authority" means the persons, board, body or entity in which the legislative powers of a political subdivision are vested;
- (7) "Legislative body" means the board or body in which the general legislative powers of a city, county or urban-county are vested;
- (8) "Long-term agreement" means an agreement or contract having a term of more than five (5) years and less than fifty (50) years;
- (9) "Political subdivision" means the state or any city, county, urban-county,

improvement district, water conservancy district, special district, special taxing district, drainage district, metropolitan water district, irrigation district, separate legal or administrative entity constituting a political subdivision under the laws of the state;

- (10) "Private owner or private owner/operator" means a person or entity that is not a political subdivision and which owns or owns and operates a privatization project;
- (11) "Privatization project" means all or part of any drinking water, water, or wastewater project which is owned or operated by a private owner or private owner/operator, and provides the related services to political subdivisions;
- (12) "Short-term agreement" means any contract or agreement having a term of five (5) years or less;
- (13) "Wastewater project" means sewage collection systems and treatment plants, including, without limitations, intercepting sewers, outfall sewers, force mains, pumping stations, instrumentation and control systems, and other appurtenances necessary or useful for the collection, removal, reduction, treatment, purification, disposal, and handling of liquid and solid waste, sewage and industrial waste and refuse;
- (14) "Water project" means any work or facility necessary or desirable to conserve, develop, protect, or treat the waters of this state including, without limitation, any reservoir, diversion dam, irrigation dam and system, culinary water system, water work, water treatment facility, canal, ditch, artesian well, aqueduct, pipeline, conduit, drain, tunnel, and related structures and facilities; and
- (15) "Waters of this state" means any stream, lake, pond, marsh, watercourse, waterway, well, spring, irrigation system, drainage system, or other body or accumulation of water, whether surface, underground, natural, artificial, public or private, or other water resource of the state which is contained within or flows in or through the state.

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