

**65.8909 Procedure for inclusion of entity in existing regional wastewater commission.**

- (1) Any entity listed in KRS 65.8903(2) that did not participate in the initial creation of the commission may elect to participate in the operation and appoint a commissioner to an existing commission. To elect participation, the governing body of the prospective member entity shall follow the process set forth in KRS 65.8905(2) to (5).
- (2) After the process set forth in KRS 65.8905(2) to (5) is complete, inclusion of the prospective member entity in the existing commission shall be granted if the organizing official finds that such inclusion:
  - (a) Satisfies the criteria set forth in KRS 65.8905(5)(a) and (b); and
  - (b) Will assist in achievement of the purposes of KRS 65.8901 to 65.8923 and will be advantageous both for the customers of the prospective member entity and for the customers of the existing member entities of the commission.
- (3) If inclusion is granted, the organizing official shall enter an order authorizing the inclusion of the member entity. The chief executive officer of the member entity shall appoint a commissioner to the commission in accordance with the process and restrictions set forth in KRS 65.8907.
- (4) The term of the newly appointed commissioner shall be determined in accordance with KRS 65.8907(4), but may be adjusted by the commission so that no more than one-third (1/3) of the terms of the commissioners expire each year.

**Effective:** June 8, 2011

**History:** Created 2011 Ky. Acts ch. 98, sec. 5, effective June 8, 2011.

**Legislative Research Commission Note** (6/8/2011). 2011 Ky. Acts ch. 98, sec. 5 (this statute) contained a reference in subsection (2)(b) to "the purposes of this Act." In codification, the Reviser of Statutes has determined the reference should have been to "the purposes of Sections 1 to 12 of this Act," which was created as a new statutory range in KRS Chapter 65 and codified as KRS 65.8901 to 65.8923. The correction has been made under the authority of KRS 7.136.