

## **262.010 Definitions.**

- (1) "Board" means the board of supervisors of a conservation district;
- (2) "Commission" means the Conservation Commission;
- (3) "District" means a conservation district whenever used in KRS 262.010 to 262.660 or a watershed conservancy district whenever used in KRS 262.700 to 262.795;
- (4) "Due notice" means notice published in accordance with the legal notice provisions of KRS Chapter 424;
- (5) "Infrastructure" means the plant and assets required for maintaining a district office;
- (6) "Land occupier" or "occupier of land" includes any person other than the landowner who is in possession of any lands lying within the district, whether as lessee or otherwise;
- (7) "Landowner" or "owner of land" includes any person who holds legal or equitable title to the land within the district determined as follows:
  - (a) By his, her, or their names appearing on the recorded deed to the land;
  - (b) By title derived through a probated will or by the laws of descent and distribution under KRS Chapter 391;
  - (c) Where a minor or person adjudged mentally disabled is the owner of land within the district, the guardian or conservator or whoever has the power of attorney shall have the right to vote for such landowner under the provisions of KRS Chapter 262;
  - (d) Where the will has not been probated by the date of the referendum or election as provided in KRS Chapter 262, the executor of the deceased landowner shall have the right to vote for the devisee or devisees;
  - (e) Where the land within the districts is held in trust, the trustee shall have the right to vote for the landowner under the provisions of KRS Chapter 262;
  - (f) A landowner shall be entitled to but one (1) vote whenever he is given the right to vote under KRS Chapter 262 regardless of the number of tracts or parcels of land which he owns either wholly or in part, within the district;
  - (g) Where a trustee, executor, guardian, conservator, or other person with authority to vote for a landowner exercises such duty in relation to two (2) or more estates or tracts of land, within a district, such person shall have the right to vote separately for each such landowner which he represents within the district;
  - (h) In the case of a dispute as to whether or not a person has the right to vote in an election or referendum under the provisions of KRS Chapter 262, the person seeking such right must provide to the satisfaction of the polling superintendent that he has the right to vote under this section.
- (8) "Supervisor" means one (1) of the members of the governing body of a conservation district.

**Effective:** June 26, 2007

**History:** Amended 2007 Ky. Acts ch. 51, sec. 1, effective June 26, 2007. -- Amended 1982 Ky. Acts ch. 141, sec. 78, effective July 1, 1982. -- Amended 1972 Ky. Acts

ch. 99, sec. 1. -- Amended 1966 Ky. Acts ch. 23, sec. 59; and ch. 239, sec. 179. -- Amended 1964 Ky. Acts ch. 117, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective November 1, 1942, from Ky. Stat. sec. 42i-3.

**Legislative Research Commission Note.** 1980 Ky. Acts ch. 396, sec. 83 would have amended this section effective July 1, 1982. However, 1980 Ky. Acts ch. 396 was repealed by 1982 Ky. Acts ch. 141, sec. 146, also effective July 1, 1982.