

Sec. 30. 47-1709 (b) The commissioner or the commissioner's authorized, trained representatives **may** make an inspection of each premises for which a license or permit has been issued under K.S.A. 47-1701 *et seq.*, and amendments thereto. If such premises are premises of a person licensed or permitted under public law 91-579 (7 U.S.C. 2131 *et seq.*) such premises **may** be inspected at least once each year. Otherwise, the premises **may** be inspected at least twice each year. The acceptance.....

## 1996.....Why did we change the wording from **SHALL** to **MAY**?

#1 Lack of funds. Fees were raised 100% in 1991.

(Breeders tried for a 50% raise in fees in 2005....failed.)

(Tried again in 2006....settled for a 35% raise in fees.)

(Fee increase is not an option at this time, with 4-year economy woes.)

#2 Quality of enforcement demanded by the industry, expected from the public.

- A. Complaints: We can not budget how many complaints we will receive in a fiscal year. All complaints **have to be** investigated. These take inspectors time, over and above regular inspections.
- B. Risk-based facilities are a priority. Can tie up as much inspector's time as a half dozen or more individual inspections. How many do we budget for? What slips when the funds are depleted?
- C. Emergencies, such as Greensburg. Those are not planned, those are not budgeted. Animals still need the care.
- D. Diseases: What if a new one crops up? What's the plan? Where do we get the man-power, if we can't borrow the inspectors? Sometimes an old disease crops its head again, and inspectors need to be called in to contain, control, or eliminate it.

## We have two options here:

Change it to **SHALL**.....

only after you have secured the provisions for the extra funding of two more full time inspectors. That includes wages and benefits, two vehicles, two more lap tops, two more phones, two more, two more and two more.....and we will need a clause in the law that states regular inspections are allowed to lapse in the yearly or twice yearly inspection process in times of emergencies and disease outbreaks.

Leave the wording as **MAY**.....(as the stakeholders suggest)

For sixteen years the word **MAY** has been in place. The Advisory Board has monitored the process in the past; they can do it again. Believe-you-me, the breeders will not let this program fail.