

47-437. Same; fees; collection; rules and regulations; increase or reduction in amount of fees; disposition of fees; county option brand fee fund.

(a) The animal health commissioner shall charge and collect a fee of not to exceed \$.75 per head on all cattle and not to exceed \$.05 per head on all sheep inspected in brand inspection areas of the state. In addition to the per head fee, the animal health commissioner may charge and collect an on-site inspection fee and a mileage fee for each mile necessarily and actually traveled in going to and returning from the place of inspection. The animal health commissioner, when brand inspectors are available, may provide brand inspection in other areas where brand inspection is requested and the commissioner shall charge and collect inspection fees in the same manner as prescribed for the collection of such fees in brand inspection areas. The owner or seller of cattle or sheep inspected shall be responsible for the payment of the inspection fees and such fees shall be collected in such manner as the animal health commissioner shall prescribe or authorize by rule or regulation.

(b) When the animal health commissioner determines that the fees collected under this section are yielding more than is required for the purposes for which such fees are collected, the commissioner may reduce such fees for such period as the commissioner deems justified. In the event the animal health commissioner, after reducing such fees, finds that sufficient revenues are not being produced by the reduced fees to properly administer and enforce this act and acts of which this section is amendatory or supplemental, the commissioner may increase such fees to such rate as will, in the commissioner's judgment, produce sufficient revenue for the purposes provided in this section, but not exceeding \$.75 per head on cattle and not to exceed \$.05 per head on sheep.

(c) The animal health commissioner shall remit all moneys received under K.S.A. 47-434 through 47-445, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the county option brand fee fund, except any amounts received for brand inspection services of livestock outside of a county option area. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the animal health commissioner or by a person or persons designated by the commissioner. All amounts received for inspection of livestock outside of a county option area shall be deposited to the credit of the livestock brand fee fund.

History: L. 1959, ch. 228, § 4; L. 1962, ch. 36, § 1; L. 1965, ch. 331, § 1; L. 1973, ch. 2, § 20; L. 1975, ch. 281, § 3; L. 1982, ch. 223, § 3; L. 1986, ch. 196, § 2; L. 1991, ch. 152, § 7; L. 2000, ch. 111, § 5; L. 2001, ch. 5, § 161; L. 2012, ch. 140, § 26; July 1.