



# The Rendezvous

The Official Bulletin of the Idaho Outfitters & Guides Licensing Board

Winter - 2009

## **BUDGET REPORT – FEE INCREASE**

The Board is moving forward with the 2010 license fee increase and with changes to the fee setting process which the Board announced in the fall of 2008. These concepts were reviewed by the Governor's Division of Financial Management in August and the Board was authorized to draft legislation.

The following has been prepared to help you understand the proposal and why it is important.

### **WHAT IS THE PROPOSAL?**

This legislation will set a cap on the fees; establish license fees for fiscal year 2011 that will go into effect July 1, 2010; remove the annual fee language from statute; and enable the Board to adopt "fee rules" following the Idaho Administrative Procedures Act and similar to other state agencies.

Beginning July 1, 2010, the license fee for outfitters would be \$425 for an online license and \$500 for an offline license; the license fee for designated agents would be \$150 for an online license and \$170 for an offline license; and the license fee for guides would be \$110 for an online license and \$125 for an offline license. All amendment fees would remain the same. New outfitter application fees would be \$500; new designated agent application fees would be \$60; and new guide application fees would be \$25. IOGLB would no longer refund unused amendment and new application fees once IOGLB incurs costs processing them. Penalty fees would be \$200 and big game allocation fees would be \$10.

### **WHY DOES IOGLB NEED THE ADDITIONAL FUNDING?**

Over the last five years, IOGLB's operational costs have increased on the average of 4.3% annually and revenues have increased on the average of 2% annually and are likely to decrease in 2009 and 2010. IOGLB has little control over either.

Approximately, 65% of IOGLB's funding appropriation is dedicated to salaries and benefits, which are largely set by the Governor and Legislature. Another significant percentage is dedicated to fixed costs such as office space, and to other state agencies which bill IOGLB for services they are mandated to provide.

IOGLB responded to an industry survey it conducted in 2010 and has taken an increasingly aggressive approach to the enforcement of unlicensed and third party activities. As enforcement becomes more aggressive, staff costs and legal costs rise. As the result, although fines and cost recovery fees are likely to increase, they will do so disproportionately and will not offset actual costs.

For these reasons, by the end of FY 11 (July 1, 2011) IOGLB is likely to be facing a zero free fund account balance. This will force the Board to determine where cuts can be made in order to reduce operational costs. Because staffing is the only realistic area where substantive cuts can occur, there will likely be an immediate effect on both customer service and enforcement processes.

### **WHAT IS THE FREE FUND ACCOUNT?**

The Free Fund Account is a "dedicated" account administered by the State Controller where all "dedicated" fund agency funds are deposited. "Dedicated" means those funds generated by a "Dedicated Fund" agency like IOGLB cannot be used by other agencies, or for purposes other than those statutorily authorized to IOGLB. The "balance" is the difference between what is deposited and the unexpended legislative appropriation. Dedicated agencies do not receive state "general funds" which is revenue generated from state taxes.

### **HOW DOES IT WORK?**

Annually, each state agency submits a "budget" request to the Governor via his Division of Financial Management (DFM), the Governor then proposes his

budget to the Legislature at the beginning of each legislative session; during the session, the Governor and Legislature agree on a budget “appropriation” for each agency from which the agency can operate. This is known as the agency’s “spending authority”. All revenues, including fines and cost recovery fees are subject to the appropriation process.

Once appropriated, money can be expended from the agency account by the agency up to the amount appropriated. At the end of the fiscal year, unexpended funds remain in the Free Fund account and the agency must then go through the same appropriation process again for the next fiscal year. Dedicated fund agencies are expected to maintain approximately 50% in excess of their annual appropriation in this account to address revenue fluctuations and emergencies. Due to expenditures exceeding revenues as explained above, IOGLB is having a difficult time doing this.

### **WHAT WILL MY FEE LOOK LIKE IN 2015?**

While this has not been determined, IOGLB is considering a similar five year stepped fee increase via rule for the 2011 legislative session. If implemented, fees may increase incrementally similar to the past five years.

### **IS THERE ANY OTHER LEGISLATION BEING PROPOSED?**

Yes. March 31 is being brought into conformance with existing rules and licensing processes as the end of the license year; refunding of unused portions of new application and amendment fees is being eliminated; and the operational area adjustment process is being clarified so that it does not pertain to just “big game hunting”. These changes in clarifying and streamlining processes will further enable the Board to improve customer service.

### **WILL THERE BE OPPORTUNITIES TO GIVE THE BOARD INPUT?**

Yes, the Board will take thoughts and ideas anytime, up to including the legislative session when this matter will be presented to the Legislature.

The Board will be available during the annual IOGA meeting in Boise and this matter will be discussed with the industry on December 3, 2009 at 2:00 pm. The meeting will be held at the Red Lion Downtowner.

Please provide your comments to [licensing@oglb.idaho.gov](mailto:licensing@oglb.idaho.gov).

## **HOW IOGLB IS WORKING FOR YOU**

### **Customer Service**

- Office staff take a CAN DO attitude; doing everything in their power to assist callers on the initial phone call.
- Office Staff are PROACTIVE. For an example, rather than providing reminder letters during license renewals, staff now make phone calls to outfitters informing them that bond or liability certificates are not current or that additional information is needed to complete an application. This saves outfitters time and money and saves industry dollars by reduced mailing costs.
- Processes for buy and selling outfitter businesses have been streamlined and handbooks clarified.
- Step by step assistance is available to new buyers purchasing an outfitting business.
- Permitting agency operating plans and financial statements can now be accepted by IOGLB, thereby eliminating duplication.
- Additional handbooks have been developed explaining amendment processes for current outfitters and the application process for new outfitters. Efforts are underway to further streamline and clarify these processes.
- The Outfitter Big Game Tag Allocation handbook and related processes have been clarified to help outfitters understand this complex process.
- Improvements have been made to the Big Game Tags Allocation data management system to better protect historical use data and to improve accuracy with the reallocation of tags. This allows for expedited transactions. This was done with the use of a volunteer programmer at a cost savings of approximately \$75,000.00 to the industry.
- Board meeting minutes, bulletins, and information for such matters as fire information and emergency procedures, new business opportunities, and general information important for outfitters to conduct business such as all IOGLB forms, handbooks, statute and rules are kept current and are available on-line. See [oglb.idaho.gov](http://oglb.idaho.gov).
- IOGLB has nearly completed a comprehensive upgrade to its licensing data system that will further expedite licensing, enable improvements to operating area management, and the administration of non-use management. Also, being developed is an automated historical record of transactions which will help sales, amendments and other business transactions.

## **Online Licensing**

- Online licensing provides the ability to license, renew and amend from anywhere in the world.
- Online licensing and the 20 day temporary authorization lets qualified guides begin working immediately.
- Hard copy licenses are issued in 4 days on the average. Prior to online licensing, there was a 30 to 45 day back log.
- The need for pull forward fees and late fees for guides has virtually been eliminated, creating a financial and time savings to the outfitter.
- First aid and training log requirements have been streamlined, saving the outfitters time and the cost of mailing.
- IOGLB is currently working with data base programmers to add outfitter use reports on line.

## **Working With State and Federal Agencies**

- The MOU with the USFS and BLM is about to be reauthorized for the fourth five year period. The MOU ensures the working relationship to maintaining Idaho's unique outfitters operating area system and the recognition of limits on allocated and non allocated rivers and lands. The MOU has been refined to address the buy/sell processes with IOGLB and State and Federal Agencies, reducing the time frame to process the sale of the business.
- IOGLB is working through the Idaho Recreation and Tourism Initiative (IRTI) on an interagency funded project to clarify and digitize outfitters' operating areas statewide. Through this, a GIS website has been developed that provides IOGLB a very useful management tool that is being used to clarify outfitter operating areas in cooperation with state and federal permit administrators and with outfitters, themselves. (See [fishandgame.idaho.gov/ifwis/ioglb](http://fishandgame.idaho.gov/ifwis/ioglb)).
- This GIS website has expedited processing the sale of businesses with the ability to review and copy the digitized operating area map with a written worded area description and activities. This makes it clear to all involved what areas and activities are involved with the business.
- Additionally, using information housed in IOGLB's data system, plans are for all hunting outfitters to be linked to IDFG's hunt planner (see [fishgame.idaho.gov/ifwis/huntplanner](http://fishgame.idaho.gov/ifwis/huntplanner)).
- IOGLB has partnered with the Idaho Division of Tourism through the Idaho Recreation and Tourism Initiative Program where they have used

information housed in IOGLB's data system to develop a web based promotion tool of all Idaho outfitter businesses. The water based segment has been the first to benefit, (see [visitidaho.org/whitewater](http://visitidaho.org/whitewater)). Plans are to upgrade the land based component as funding generated through tourism dollars becomes available (see [visitidaho.org/thingstodo/hunting](http://visitidaho.org/thingstodo/hunting)).

- The office staff is directing callers to these websites which allows them to research outfitters and activities which they are inquiring about
- IOGLB has reciprocity licensing now with other countries (Chile) to ensure that guide licenses are compatible in each country. We are also working with New Zealand and Costa Rica to establish the same licensing requirements. This allows guides to utilize their skills and training with no additional licensing requirements.
- An MOU has been developed with the IDFG that provides direction for greater collaboration and cooperation between the Board, FG Commission and IDFG in the future.
- Board, FG Commission and IDFG are working to develop and improve policies and practices for outfitting on private lands. The various challenges and benefits were summarized in the 2009 summer edition of the [Rendezvous Newsletter](#).
- Big Game Tag Allocation exists largely because IOGLB is there to administer tags made available to the industry by the IDFG.
- IOGLB, the BLM and IDFG collaborate to provide a unique Special Authorization opportunity for outfitters to provide salmon fishing opportunities in the Riggins area.
- IOGLB is discussing with federal agencies ways to streamline use reporting with the intent of use reporting being entered only once online.

## **Administrative**

- An Office Manager position has been created and empowered to resolve day to day customer service related matters.
- IOGLB is focused on maintaining its existing staff in order to provide to the industry knowledgeable and experienced people who can easily understand questions and relate issues to solutions and who can expedite service. On the average, current staff have over five years experience.
- Staff are being cross-trained to help better assist you.
- The Board has clarified outfitter opportunities on the St. Joe and Coeur d'Alene Rivers and the McCall Lakes region and in doing so have

protected existing outfitter interests. One outcome was that new opportunities were created on the upper part of the Coeur d'Alene River and in the McCall Lakes region. Clarification is planned on other rivers in the future.

- IOGLB has retained a new Board Attorney who is providing timely and professional legal assistance to the Director and Board.
- A Board Orientation Manual has been developed and is being provided to assist new Board members in preparing for their State assigned responsibilities and as a reference. Training for the Board is being provided once or twice a year.
- IOGLB takes a conservative fiscal approach to agency management. For example: (1) IOGLB pays \$8.14 per square foot for office space. Other state agencies in Boise on the average are paying nearly twice that rate. (2) All IOGLB employees are paid under the state average (policy) for employees in like positions. Of the 91 State Agency Directors, IOGLB's Director is next to the lowest paid and on the average is \$22,000 lower than Directors of other self governing agencies similar to IOGLB. (3) IOGLB has a history of not spending appropriated funds unnecessarily, and in turn, funds have remained in the IOGLB's free fund account for re-appropriation by the legislature in subsequent years.

### **Improvements in Enforcement**

- Priorities have been clarified so prosecuting illegal unlicensed activities, third party issues and investigating public health and safety complaints have the highest priority.
- In 2008, leadership in IOGLB's Enforcement Division was changed in order to focus on new priorities and the vision and policies of the Director and Board relative to the needs of the industry.
- An enforcement strategic plan has been developed and implemented to address these priorities.
- Activities such as high profile uniformed patrols are being minimized. They've been seen by some outfitters as being intrusive when they are with their clients. Additionally, these patrols have not been cost effective in meeting enforcement priorities.
- IOGLB will produce an Enforcement Newsletter at least annually.
- Over the past 18 months, IOGLB has been working more closely with other law enforcement agencies, particularly IDFG enforcement. Because most unlicensed and third party cases must be

worked covertly, and require criminal prosecution, IOGLB's part time enforcement staff will benefit from the opportunity to work more closely with full time law enforcement professionals.

- Added a qualified investigator to investigate as part of the ongoing goals to protect the industry against non complying outfitters as well as illegal outfitters
- IOGLB and IOGA worked together to pass the new law relative to unlicensed and illegal outfitting increased fines, enabling cost recovery to all agencies involved, extended jail sentences, loss of hunting and fishing privileges in 36 states and holding clients accountable for hiring an illegal outfitter.
- IOGLB has aggressively stepped up the recovery of costs associated with individuals convicted of violating State Outfitters and Guides laws.
- The hearing and disciplinary process has been streamlined and improved to bring cases before the Board in a more timely manner, reducing repeat offenses and insuring public safety.
- Back ground checks are completed on new outfitters, designated agents and guides, thereby helping to insure that clients are provided with a qualified professional free from problems or that may put outfitter businesses at risk.