

## ***Part I – Agency Profile***

### **Agency Overview**

IOGLB is a self-governing, dedicated fund state agency with responsibility to regulate the outfitting and guiding industry for the explicit purpose of safeguarding the health, safety, and welfare of the public. This mission is accomplished through a comprehensive educational process aimed at the industry, the general public, the legislature, and other cooperating agencies, and through appropriate enforcement of the Outfitters and Guides Act to ensure compliance with state law and Outfitters and Guides Licensing Board rules. The results of these efforts help to promote public awareness of recreation and tourism opportunities in Idaho, and also assist with conservation efforts to preserve the state's fish, wildlife, and natural resources.

The agency is governed by a five-member board. One member shall be a member of the Idaho Fish and Game Commission, or a person selected by that body. Each appointment made by the Fish and Game Commission shall be for a term of three years. One member shall be selected from the public. Three members of the Board shall be qualified and licensed outfitters and guides who have not had less than five years' experience in the business of outfitting and guiding in the state of Idaho. Each appointment shall be for the term of three years, and each board member shall hold office for a term of three years. The Board employs an Executive Director, currently Jake Howard. Director Howard supervises the Education and Enforcement Supervisor who supervises 10 part-time agents and investigator and an office manager who supervises three Office Specialist II positions. Director Howard also coordinates and oversees two attorneys under contract to the Board.

### **Core Functions/Idaho Code**

The Board's statutory authority is through Idaho Code Title 36, Chapter 21.

The Board has the following duties and powers:

- (a) To conduct examinations to ascertain the qualifications of applicants for outfitters or guides licenses, and to issue such licenses to qualified applicants, with such restrictions and limitations thereon as The Board may find reasonable.
- (b) To prescribe and establish rules of procedure to carry into effect the provisions of this chapter including, but not limited to, rules prescribing all requisite qualifications of training, experience, knowledge of rules of governmental bodies, condition and type of gear and equipment, examinations to be given applicants, whether oral, written or demonstrative, or a combination thereof.
- (c) To conduct hearings and proceedings to suspend, revoke or restrict the licenses of outfitters or guides, and to suspend, revoke or restrict said licenses for due cause in the manner hereinafter provided.
- (d) The Board is expressly vested with the power and the authority to enforce the provisions of this chapter including obtaining injunctive relief and to make and enforce any and all reasonable rules which shall by it be deemed necessary and which are not in conflict with the provisions of this chapter, for the express purpose of safeguarding the health, safety, welfare and freedom from injury or danger of those persons utilizing the services of outfitters and guides, and for the conservation of wildlife and range resources.
- (e) The Board shall have the power to cooperate with the federal and state government through its appropriate agency or instrumentality in matters of mutual concern regarding the business of outfitting and guiding in Idaho.
- (f) The Board shall have the power throughout the state of Idaho to request the attendance of witnesses and the production of such books, records, and papers as may be required at any hearing before it, and for that purpose the Board may request a district court to issue a subpoena for any witness or a subpoena duces tecum to compel the production of any books, records or papers. Subpoenas shall be directed to the sheriff of any county in the state of Idaho where such witness resides or may be found. Subpoenas shall be served and returned in the same manner as subpoenas in a criminal case. The fees and mileage of the sheriff and witnesses shall be the same as that allowed in district court criminal cases, which fees and mileage shall be paid from any funds in the state treasury available therefore in the same manner as other expenses of the Board are paid. Disobedience of any subpoena issued by the district court or the refusal by any witness in failing to testify concerning any matter regarding which he may lawfully be interrogated, or the failure to produce any books, records or papers shall constitute a contempt of the district court of any county where such disobedience or refusal occurs, and said court, or any judge

thereof, by proceedings for contempt in said court, may, if such contempt be found, punish said witness as in any other case of disobedience of a subpoena issued from such court or refusal to testify therein.

- (g) The board shall have the power to appoint an Executive Director to serve at the pleasure of the Board. The Executive Director shall carry out such administrative duties as delegated to the Director by the Board.
- (h) The Board shall have the power to hire enforcement agents in order to conduct investigations and enforce the provisions of this chapter. All enforcement agents appointed by the Board who are certified by the Idaho peace officer standards and training advisory council, shall have the power of peace officers limited to:
  - 1. Enforcement of the provisions of this chapter.
  - 2. Responding to express requests from other law enforcement agencies for aid and assistance in enforcing other laws. For purposes of this section, such a request from a law enforcement agency shall mean only a request as to a particular and singular violation or suspicion of violation of law, and shall not constitute a continuous request for assistance outside the purview of enforcement of the provisions of this chapter.
- (i) By August 1 of each year, the Board shall provide to the Director of the Department of Fish and Game, in a manner and form prescribed by the Director, the number of each species of big game taken in each management unit by clients of licensed outfitters between July 1 of the immediately-preceding calendar year and June 30 of the current calendar year.
- (j) The Board shall by rule designate the number of deer or elk tags allocated pursuant to section 36-408(4), Idaho Code, among the authorized operating areas within the game management area, unit or zone.

**Revenue and Expenditures**

<b>Revenue</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
State Regulatory Fund	\$490,100	\$533,700	\$519,600	\$531,666
<b>Total</b>	<b>\$490,100</b>	<b>\$533,700</b>	<b>\$519,600</b>	<b>\$531,666</b>
<b>Expenditures</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
Personnel Costs	\$312,000	\$319,000	\$318,400	\$345,210
Operating Expenditures	\$204,200	\$117,600	\$178,200	\$144,268
Capital Outlay	\$0	\$0	\$0	
Trustee/Benefit Payments	\$0	\$0	\$0	
<b>Total</b>	<b>\$516,200</b>	<b>\$436,600</b>	<b>\$496,600</b>	<b>\$489,478</b>

**Profile of Cases Managed and/or Key Services Provided**

<b>Cases Managed and/or Key Services Provided</b>	<b>FY 2013</b>	<b>FY 2014</b>	<b>FY 2015</b>	<b>FY 2016</b>
Outfitter Licenses Issued	383	402	390	398
Designated Agent Licenses Issued	374	377	372	379
Guide Licenses Issued	2205	2147	2345	2502
Outfitter License Major Amendments	46	44	122	107
Outfitter License Minor Amendments	20	21	53	21
Designated Agent Amendments	40	3	10	6
Guide Amendments	193	215	310	285
Enforcement Cases Processed	126	95	50	70

**Part II – Performance Measures**

Performance Measure		FY 2013	FY 2014	FY 2015	FY 2016	Current Year
<b>GOAL I</b>						
<i>Provide continued excellence in the licensing services to the outfitting industry</i>						
1. Complete outfitter renewal license applications are to be processed within 30 days.	actual	19 days	14 days	3 days	20	-----
	benchmark	30 days	30 days	30 days	30 days	30 days
2. Complete designated agents renewal license applications are to be processed within 30 days.	actual	21 days	15 days	15 days	23	-----
	benchmark	30 days	30 days	30 days	30 days	30 days
3. Complete guide renewal license applications are to be processed within 20 days. Note: guide licensing on-line are issued a license immediately.	actual	10 days	8 days	13 days	13	-----
	benchmark	20 days	20 days	20 days	20 days	20 days
4. Major outfitter amendments are processed within 90 days.	actual	71 days	75 days	83 days	46	-----
	benchmark	90 days	90 days	90 days	90 days	90 days
5. Minor outfitter amendments are processed within 30 days.	actual	37 days	40 days	33 days	8	-----
	benchmark	30 days	30 days	30 days	30 days	30 days
6. Designated Agent amendments are processed within 30 days.	actual	6 days	3 days	14 days	25	-----
	benchmark	30 days	30 days	30 days	30 days	30 days
7. Guide amendments are processed within 20 days.	actual	9 days	4 days	5 days	9	-----
	benchmark	20 days	20 days	20 days	20 days	20 days
<b>GOAL II</b>						
<i>Provide education and enforcement to the outfitting industry ensuring the health safety and welfare of the public along with assisting in the proper regulation and use of the environment and natural resource of the state</i>						
8. Education programs will receive priority attentions at all times.	actual	100%	100%	100%	100%	-----
	benchmark	100%	100%	100%	100%	100%
9. Investigations into formal complaints against outfitters and guides will be initiated within 14 days and resolution determined as soon as possible.	actual	100%	100%	100%	100%	-----
	benchmark	100%	100%	100%	100%	100%
10. Alleged unlicensed activities will receive priority attention as resources permit.	actual	100%	100%	100%	100%	-----
	benchmark	100%	100%	100%	100%	100%

**Performance Measure Explanatory Notes**

The Board's ultimate goal and responsibility is to protect the public health, safety, and welfare, and assist with the proper regulation and use of the environment and natural resources of the State of Idaho. Licensing of qualified individuals who provide outfitted and guided services to the public is a primary concern. Board staff routinely tries to process complete applications for initial guide license issuance or renewal within seven days. In 2004, the Board implemented an on-line licensing system which allows previously licensed guide to receive a 20 day temporary authorization to operate until their license is issued. This has minimized time constraints which may require the reconsideration of associated performance measures. The Board rewrote procedures for outfitter application and amendment in 2001 and improved processing time are shown in processing outfitter licenses and

major amendment. The Board began the reorganization of the office staff responsibly in order to address issue in processing Designated Agent and minor amendments largely caused by matters related to staffing. The Board's education/information program is progressing satisfactorily. The Board continues to effectively use internet and web based information system to communicate with the public. Enforcement of outfitter and guide laws continues to demand increasing amounts of staff time and resources. Our revised approach to obtain compliance with the law through education rather than rigorous enforcement actions has continued to meet with positive results and strong approval from within and outside the industry. The Board continues to improve efforts to better manage outfitter use of assigned areas in order to improve outfitted opportunities sought by the public and to allow individuals interested in establishing an outfitter business to have a chance to apply for an area that is being underutilized.

**For More Information Contact**

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