



Big Game Commercial Services Board Proposed Regulations - FAQ

September 2015

1. Why are new fees being proposed?

By law, fees must be analyzed annually and set to approximately recover the cost of program operations. Alaska's professional licensing statutes (AS 08.01.065) require the Division of Corporations, Business and Professional Licensing (CBPL) to "annually review each fee level to determine whether the regulatory costs of each occupation are approximately equal to fee collections related to that occupation." Alaska's licensing fee statutes go on to say, "If the review indicates that an occupation's fee collections and regulatory costs are not approximately equal, the department shall calculate fee adjustments and adopt regulations...to implement the adjustments."

This analysis of current revenues and expenditures for this licensing program revealed a deficit will occur during the next biennial licensing period if fees are not adjusted. The division proposes increasing licensing fee amounts in order to comply with the statute listed above, as well as to continue to deliver its current level of service for the guides and transporters licensing program.

The Director of the Division of Corporations, Business and Professional Licensing will adopt fees after considering all public comments. Fees will become effective 30 days after signed by the Lieutenant Governor. The division will post this information on the web site and begin sending out renewal applications to current licensees at that time.

2. Why is the licensing program in deficit?

In 2012, the Department of Commerce, Community, and Economic Development performed a thorough review of each licensing program's revenues and expenditures as previously reported over the prior ten years. This period was chosen because the state's accounting system records only go back that far. The revenues and expenditures of all programs were reconciled with the state accounting system, and all board and commission members were provided copies of this reconciliation.

After this deep analysis, the fiscal condition of the Big Game Commercial Services Board was determined to be far poorer than the board was aware. Since the report became available in the fall of 2012, the board and the division, in partnership, have worked together to ensure the program pulls out of this deficit and covers its expenses for the next biennial licensing period.

The division director and executive staff walk through the program's latest fiscal reports at each regular meeting and are available to provide additional information or answer questions. The Big Game Commercial

Services Board is to be commended for their tenacity in understanding the issue and for their leadership in ensuring the program remains fiscally viable and compliant with state statute.

The latest reconciled fiscal reports are always available at commerce.alaska.gov/web/cbpl.

3. What are the proposed fees for licensure?

Fees proposed for the 2015-2017 licensing period are below. Fees in **bold** and underlined are proposed, [bracketed] amounts being changed; those without such treatment are current fees.

- Fees for registered and master guide-outfitters:
 - (1) nonrefundable application fee for initial license, \$200;
 - (2) initial registered guide-outfitter qualification examination or retake examination fee, \$125;
 - (3) game management unit examination fee for taking initial examination, retaking examination, or adding game management units, **\$400** [\$390] per game management unit;
 - (4) registered or master guide-outfitter license fee, for all or part of the biennial license period, **\$850** [\$650];
 - (5) biennial registered or master guide-outfitter license renewal fee, **\$850** [\$650];
 - (6) examination preparation packet for registered guide-outfitter, \$100;
 - (7) retired status license fee, \$300;
 - (8) hunt record activity report filing fee, \$50;**
 - (9) guide use area registration fee, \$100.**

- Fees for Class-A assistant and assistant guides:
 - (1) nonrefundable application fee for initial license, \$200;
 - (2) Class-A assistant and assistant guide license fee for all or part of the initial biennial license period, **\$410** [\$360];
 - (3) Class-A assistant and assistant guide biennial license renewal fee, **\$410;** [\$360.]
 - (4) retired status license fee, \$175.

- Fees for transporter licenses:
 - (1) nonrefundable application fee, \$200;
 - (2) transporter license fee, for all or part of the biennial license period, **\$850** [\$650];
 - (3) biennial transporter license renewal fee, **\$850** [\$650];
 - (4) transporter activity report filing fee, \$50.**

4. How are the estimated costs determined? What do licensing fees pay for?

AS 08.01.065 requires all costs of regulating the profession to be borne by its licensees. The regulatory requirements enacted in other states have no bearing on Alaska's state statute; therefore, the cost of licensure in another state is not a reasonable barometer of what should be charged in Alaska.

The proposed fees are based on the known costs of a similarly sized and structured licensing program. The law requires licensees to adhere to many provisions, and it gives ample authority to the board to determine many of the requirements of licensure. For example:

- The agency must create, publish, and manage licensing application forms and fees, which entail adherence to the state's recordkeeping, security, payment, and refund policies and procedures.
- Requirement of licensees to meet professional fitness standards, which are evaluated by the license examiner and referred to the agency's investigative unit, if necessary for further review.
- Enforcement of disciplinary sanctions available to the agency if a licensee violates the state licensing statutes or regulations or individual practices the profession without a license. Because state law requires all costs of a licensing program to be borne by the licensees of that program (AS 08.01.065), any investigative, attorney, or appeal expenses of the state will be recovered in the licensing fee.
- Alaska statutes defer to the board to adopt necessary regulations for management of the licensing program. This requires board and investigator travel, legal support, and other resources the board and division need to comply with the expectations of law. The Alaska Administrative Code prescribes the requirements for public notice and adoption of agency regulations—the cost of which is borne by the licensing program.

5. Would the proposed transporter activity report filing fee of \$50 be an annual fee with an unlimited number of submitted reports, or is the \$50 fee for each individual report? If I held my transport reports until after the close of game season and submitted all my reports at once, would the fee be \$50?

The transporter activity report filing fee of \$50 is for each report submitted, whether they are sent in all at once or individually. The management of hunt records and activity reports is an activity that has not recovered its costs in many years. Given the program's debt, it is important to receive revenue for this expense. It is the licensee's business decision to determine how he or she bills their clients to recover this per-report cost.

6. What is a retired status license?

A Master, Registered, Class-A, or Assistant Guide may apply for a retired status license, valid for the life of the holder. An individual holding a retired status license may not guide, outfit, or take charge of a camp in the State of Alaska under the retired status license.

7. Does the \$100 guide use registration fee mean that it will cost me \$300 if I use my three areas per year?

Yes, the guide use registration fee is per area per year. For example, if a guide registers three guide use areas each for one year, then the fee would be \$300. If a guide registers two guide use areas each for two years, then the fee would be \$400.

Do you have a question that is not answered here? Please email jun.maiquis@alaska.gov so it can be added.