



Attachment 1
2/22/16

IDAHO DEPARTMENT OF FISH AND GAME

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C.L. "Butch" Otter / Governor
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February 22, 2016

To: The Senate Resources and Environment Committee

Testimony of Sharon W. Kiefer, Idaho Department of Fish and Game
Senate Bill 1344

Chairman Bair and Committee:

We have not been able to discuss Senate Bill 1344 with the Fish and Game Commission so I offer no policy position, just our technical observations.

Senate Bill 1344 adds a new section of Idaho Code to mandate that the Fish and Game Department shall contract with a private entity to conduct a random drawing for controlled hunt tags and permits and tells the Department explicitly how to do it on lines 11-23 on page 5 of the bill.

We appreciate that Senate Bill 1344 is a technical improvement over Senate Bill 1305. However, the inference that a mandate for a third party contractor for the controlled hunt drawing is necessary to ensure transparency and provide credibility, is not substantiated. I do recognize the importance of these attributes to the committee.

The Department currently implements a random system of drawing for controlled hunts. In 2015, we offered nearly 40,000 control hunt tags specifically for deer, elk, and pronghorn in over 400 hunts. Interest and applications were at an all-time high as hunters submitted approximately 161,000 first choice applications in 2015. Drawing odds for individual hunts range from less than 5% for certain exceptional antlered or trophy species hunts to nearly 100% for certain cow elk and doe deer hunts. Overall, about 75% of first choice controlled hunt applicants are disappointed following results of the annual random drawing process.

In our current, random controlled hunt program, each hunter applying for a specific hunt has an equal chance of being drawn. For example, if 100 hunters apply for a 20-tag controlled hunt, each individual applicant has a 20% probability of drawing a tag in that hunt or viewed another way, a hunter who consistently applies for that hunt should expect to draw a tag once every 5 years. However, because the selection is random, some applicants do not realize those odds. Drawing odds are averages – the overall odds for all hunters. Some hunters may draw 2 times in 5 years, while others may not draw for 10 years or more. Disparity in the ‘luck of the draw’ can instill a feeling of unfairness. Some critics have gone so far as to accuse the current system as “rigged” to benefit specific individuals. This is an accusation without merit.

Criticism has been around probably as long as we’ve had controlled hunts. For example, I recently came across a 1977 report that the Department requested from a professor at BSU who

studied the Department's system for issuing controlled hunt permits. The professional opinion was that the system satisfied the criteria of a random process under which each applicant has a fair and equal chance of being selected and that no applicant could devise a strategy to improve their odds of selection.

Regardless of the fact that we do have a certified random controlled hunt procedure, the department has pursued development of a third-party control hunt module since 2012 with the modification of our license contract with our current contractor. This is a business move; our current program is written in computer code that is becoming obsolete and it is housed on a mainframe at the State Controller's Office that is becoming outdated.

Unfortunately, due to the vendor's staffing levels and technical challenges, including introduction of a new software platform, the original deadline has not yet been met but we are still actively pursuing the effort, with a new controlled hunt draw module expected in late 2016 or early 2017. Further, we are developing a Request for Proposal (RFP) for a new license system once our current contract expires in February 2018, and it will include the requirement for a contractor-developed (i.e. third party) random, controlled hunt draw system. We expect our RFP to hit the street this summer.

So, essentially, Senate Bill 1344 creates a mandate for the Department to pursue a path that, as a business efficiency, we are already pursuing. While on the surface it does not seem technically onerous, I will say that because the inference of this mandate has been that our current system is not transparent or credible, it has been quite demoralizing and an affront to our very dedicated licensing staff, who take pride in providing a random controlled hunt drawing that has not had one credible accusation of impropriety. This bill seems to enact policy from a standpoint that the Department is guilty of wrong-doing and must be mandated to do something different.

Regardless of who develops and conducts the controlled hunt drawing, transparency and credibility will not lessen the feeling of unfairness for those many hunters who never seem to draw but their neighbor always does. It is the luck of the draw. As a business move, we will continue to pursue a third party contract for our controlled hunt module whether you find favor with S1344 or not.

Related to the fiscal note, our current license contract with a third party vendor is an integrated license system and because contractor development of the control hunt module is already in our amended contract, one could argue that there is no "new" fiscal effect relative to FY17 (our current annual cost of our total contract is \$1.9M). Our upcoming RFP will also be for an integrated license system including the contractor developed control hunt module so we are unable to estimate just the cost of the control hunt module.