

Bradley Showman

From: Smith, Hannah <Hannah.Smith@vermont.gov>
Sent: Monday, August 17, 2026 12:33 PM
To: Bradley Showman; Damien Leonard
Cc: Megan Cannella; Austin, John
Subject: RE: 26-P014 Report, Big Game Questions

Hi Bradley,

To your first question: Yes, the Department of Fish and Wildlife has a specific appropriation authorizing the expenditure of special funds to reimburse big game reporting stations. Fish and Wildlife has one specific appropriation (6120000000, F&W Support and Field Services), and the spending authority request for big game reporting stations in SFY27 can be found on pages 19 and 27 of the Department's [budget presentation](#). The screen-grab below illustrates the specific ask within the Wildlife Division and from page 27, the funding split that we identified. This budget presentation is posted on the JFO site and was the document we used to present budget testimony in four committees last session.

To your second question, I agree that the statute is silent on the reimbursement to reporting stations. The Board historically used its authority over the regulation of big game reporting requirements to authorize a \$1 reimbursement to check-stations, paid by the Department. The intention with this new proposed language was not to give the Department open-ended discretion over the reimbursement, but rather to increase the reimbursement dollar amount to \$5 without locking the Department in to an amount that was not yet guaranteed in our budget. The Board discussion focused on increasing the reimbursement to \$5, but they wanted to allow some flexibility in case the Department does not get the spending authority necessary to provide a \$5 reimbursement. While it is called a "fee" in the rule language, it is important to highlight that this is not a traditional fee; it is a reimbursement paid to the voluntary operators of big game check stations. The funding source is federal and fish and wildlife special funds earmarked for these purposes, and the costs are not passed on to Vermont taxpayers. The hunters who report their animals at these check stations do not pay any money.

If it would be more palatable to the Committee, the language could be amended to read: (d) The Commissioner shall pay to the authorized agent a fee of no less than \$1.00 and no more than \$5.00, to be determined by the Commissioner, for each report taken on species where reports are required by law.

Budget Development Form

Fiscal Year 2027 Budget Development Form: Department of Fish and Wildlife										
	General \$	Transp \$	Educ \$	Clean Water \$	Special \$	Glob Commit \$	Federal \$	Int. Service \$	Interdept1 Transfer \$	All other \$
Approp #1 (6120000000): Support and Field Services FY 2026 Approp	9,532,865	0	0	0	10,461,756	0	9,927,754	0	1,526,302	0
Other Changes: (Please insert changes to your base appropriation that occurred after the passage of the FY 2026 budget)										
FY 2026 Other Changes	0	0	0	0	0	0	0	0	0	0
Total Approp. After FY 2026 Other Changes	9,532,865	0	0	0	10,461,756	0	9,927,754	0	1,526,302	0
CURRENT SERVICE LEVEL/CURRENT LAW	730,946	0	0	0	781,696	0	140,216	0	19,588	0
Personal Services	540,077	0	0	0	492,040	0	38,072	0	60,277	0
500000: Salary & Wages: Classified Employees	417,793				163,887		90,271		16,929	
500100: Salary & Wages: Exempt Employees										
501500: Health Insurance: Classified Employees	174,171				109,423		58,711		31,382	
501510: Health Insurance: Exempt Employees										
502000: Retirement: Classified Employees	109,019				47,198		26,006		4,876	
502010: Retirement: Exempt Employees										
All Other Employee Payroll Related Fringe Benefits	16,725				(14,508)		(19,253)		486	
504040: VT Family & Medical Leave Insurance Premium	2,554				1,749		300		227	
504045: Child Care Contribution	3,485				3,062		958		320	
505200: Workers' Compensation Insurance Premium	8,599				27,231					
505000: Vacancy Turnover Savings					(142,975)		(33,990)			
OT/Shift/Off/Temp Increase					20,145					
Misc personal services changes	(120,478)				(64,427)		93,825			
Warden physical fitness test					36,000					
Expenses transitioning from contractual to grants and operating account codes	(31,173)				23,552					
Increase credit card fee expense					67,457					
Misc personal services fund source adjustment	(40,918)				215,152		(180,291)		6,057	
Operating Expenses	199,000	0	0	0	288,750	0	107,544	0	(40,879)	0
515010: Fee-for-Service Charge	7,421				23,458					
515020: Insurance Other Than Employee Benefits	(11,171)				(21,965)					
516010: Insurance - General Liability	2,646				11,742					
516071: VISION/ISO	2,406				10,417					
516605: AOS Allocated Charge	311,712				102,638					
516000: Human Resources Services	2,609				9,704					
523620: Single Audit Allocation										
IT equipment needs					22,400					
One-time licensing point-of-sale system implementation					111,808					
East State storage facility cost					14,500					
National Life lease					14,295					
AOS-service level agreement	(115,405)									
AOS-timesheet billing	(120,234)									
Attorney fee increase					15,945					
Increase payment to Big Game reporting stations					17,800		52,200			



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From: Bradley Showman <Bradley.Showman@vtleg.gov>
Sent: Friday, August 14, 2026 12:03 PM
To: Smith, Hannah <Hannah.Smith@vermont.gov>; Austin, John <John.Austin@vermont.gov>
Cc: Megan Cannella <MCannella@leg.state.vt.us>; Damien Leonard <Damien.Leonard@vtleg.gov>
Subject: RE: 26-P014 Report, Big Game Questions

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Apologies for not responding to your question, Hannah, about the Board's discretion. The statutory authority questions are arising because 10 V.S.A. § 4082(a) states that "The Board may adopt rules. .

.” The authorizing statutes do not appear to authorize the Commissioner to be the decision-making authority on what a fee would be. In particular here, the rules set a floor, but not a ceiling, giving the Commissioner broad discretion in setting a fee. What would be helpful for LCAR is an explanation for what authorizes the Board to delegate the decision-making authority to set a fee to the Commissioner.

If you have further questions, please let me know.

Best,
Bradley

From: Bradley Showman
Sent: Friday, August 14, 2026 11:33 AM
To: 'Smith, Hannah' <Hannah.Smith@vermont.gov>; 'Austin, John' <John.Austin@vermont.gov>
Cc: Megan Cannella <Megan.Cannella@vtleg.gov>; Damien Leonard <Damien.Leonard@vtleg.gov>
Subject: RE: 26-P014 Report, Big Game Questions

Hello again, Hannah,

I received a follow up question that I am relaying to you. Can you point to where DFW asked for spending authority to use the federal funds they reference for this specific use? Generally, can you provide more detail on DFW's authority to use these funds without a specific appropriation or instruction from the General Assembly? If there is a specific appropriation, that will also be helpful to point out.

Thanks again,
Bradley

From: Bradley Showman
Sent: Friday, August 14, 2026 8:32 AM
To: Smith, Hannah <Hannah.Smith@vermont.gov>; Austin, John <John.Austin@vermont.gov>
Cc: Megan Cannella <Megan.Cannella@vtleg.gov>; Damien Leonard <Damien.Leonard@vtleg.gov>
Subject: RE: 26-P014 Report, Big Game Questions

Thanks, Hannah. I received your response and will forward it along.

All my best,
Bradley

From: Smith, Hannah <Hannah.Smith@vermont.gov>
Sent: Thursday, August 13, 2026 5:19 PM
To: Bradley Showman <Bradley.Showman@vtleg.gov>; Austin, John <John.Austin@vermont.gov>
Cc: Megan Cannella <Megan.Cannella@vtleg.gov>; Damien Leonard <Damien.Leonard@vtleg.gov>
Subject: RE: 26-P014 Report, Big Game Questions

Hi Bradley,
The authorizing statute allows the Board to establish rules that prescribe the manner and means of taking any species or variety, and including reporting and tagging of game (see 10 V.S.A. § 4084(a)(4)). To my knowledge, the statute doesn't direct the Board to establish a dollar amount to be paid to agents that

operate big game check stations; this has been done at the discretion of the Board through this rule. Is there some other authority you are referring to that would limit the Board's discretion here?

The Board is not designating the specific fee in rule because, as you note, the Department's ability to provide this reimbursement will be budget-dependent. The objective is to increase the reimbursement to \$5 per report, but the Board did not want to obligate that amount in case the Department is unable to account for it in the budget.

The Department will not draw from the General Fund to cover this reimbursement. We are able to leverage federal license funds to cover the majority of this reimbursement, so through the budgeting process we asked for spending authority to use Fish and Wildlife funds and federal funds to cover these costs. This authority has already been granted for the 2027 budget, and we don't anticipate an increase in upcoming budget cycles.

Please let me know if there are additional questions about this proposal.

Thanks,
Hannah



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From: Bradley Showman <Bradley.Showman@vtleg.gov>

Sent: Thursday, August 13, 2026 10:11 AM

To: Smith, Hannah <Hannah.Smith@vermont.gov>; Austin, John <John.Austin@vermont.gov>

Cc: Megan Cannella <MCannella@leg.state.vt.us>; Damien Leonard <Damien.Leonard@vtleg.gov>

Subject: 26-P014 Report, Big Game Questions

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Good afternoon, Hannah and John,

Thank you for sending the four rules to LCAR for review. For 26-P014 Report, Big Game, I had two questions and believe some additional discussion here will assist LCAR in reviewing the proposed final rule.

1. The proposed rule would authorize the Commissioner of Fish and Wildlife determine the fee paid to an authorized agent for a report. However, the authorizing statute enables the Board to set this fee, not the Commissioner. Can you explain how the Board has the authority to delegate designating the fee amount to the Commissioner? What guidelines would the Commissioner have to follow in determining the fee? Can you explain why the Board is not directly designating the fee in the rule?

2. The proposed rule permits the Commissioner to decide what DFW will expend for reporting. Given that this fee presumably comes from DFW's budget, there is a question whether DFW may have to draw upon the treasury for funds that have not been appropriated by the legislature. Given that DFW cannot draw on funds that have not been appropriated, is DFW anticipating asking for an additional appropriation this upcoming session to cover this fee? Can you explain the impact this fee increase may have on DFW's budget?

If you have questions regarding these questions, please reach out to me and I will be happy to assist you. If you prepare a response, please be sure to send that to Megan Cannella (cc'd here). I am out of the office next week, so if you have procedural questions related to LCAR, please reach out to Damien Leonard (cc'd here). If you have

All my best,
Bradley

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