

Subject: Changes to SD law to stop the Nest Predator Bounty Program (NPBP). We are suggesting a bill to amend SDCL 40-36-9. This is the state law that gives the Commission the authority to set up the Nest Predator Bounty Program as a resolution, rather than a rule. Amend SDCL 40-36-9 by inserting new text and add insert a new definition to SDCL 41-1-1.

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SDCL 40-36-9. Programs and rules for control of injurious animals – Payment of expenses.

• The Department of Game, Fish and Parks (GFP) may direct or employ personnel and conduct programs and the Game, Fish and Parks Commission may adopt pursuant to chapter 1-26 necessary rules to control foxes, coyotes, feral dogs, prairie dogs, and other wild animals. The expense of the bounty shall be paid out of the Department of Game, Fish and Parks fund or the state animal damage control fund. **Except that, the existing Game, Fish and Parks Commission RESOLUTION 23-01 approving 4 years of Nest Predator Bounty Program funding, shall be rescinded and any future funding of any Nest Predator Bounty Program by the SD Game, Fish and Park's fund or state animal damage control fund shall not be allowed.**

• Source: SDC 1939, § 25.1004; SL 1974, ch 274, § 2; SL 1978, ch 288, § 5; SL 1983, ch 292, § 10; SL 1984, ch 273, § 36.

SDCL 40-1-1. Definitions.

Terms used in this title mean:

(12) Nest Predator Bounty Programs are actions taken pursuant to SDCL 40-36-9 to fund bounties or trap give-aways, so as to kill meso-carnivores believed to prey on bird eggs or nestlings, with the intent of improving nesting success of ground nesting birds.