

FIRST REGULAR SESSION

HOUSE BILL NO. 601

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES REID AND SHOEMYER (Co-sponsors).

Read 1st time January 31, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1438L.011

AN ACT

To amend chapter 267, RSMo, by adding thereto twenty new sections relating to disease control for elk, with a penalty provision.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 267, RSMo, is amended by adding thereto twenty new sections, to
2 be known as sections 267.850, 267.853, 267.856, 267.859, 267.862, 267.865, 267.868, 267.871,
3 267.874, 267.877, 267.880, 267.883, 267.886, 267.889, 267.892, 267.895, 267.898, 267.902,
4 267.905 and 267.910, to read as follows:

267.850. As used in sections 267.850 to 267.910, the following terms shall mean:

- 2 **(1) "Accredited approved veterinarian", a veterinarian who has been accredited**
3 **by the United States Department of Agriculture and approved by the state department of**
4 **agriculture and who is duly licensed pursuant to the laws of Missouri to engage in the**
5 **practice of veterinary medicine, or a veterinarian domiciled and practicing veterinary**
6 **medicine in a state other than Missouri, duly licensed pursuant to laws of the state in which**
7 **he or she resides, accredited by the United States Department of Agriculture and approved**
8 **by the chief livestock sanitary official of that state;**
9 **(2) "Affected herd", a herd of captive elk that contains or has contained one or**
10 **more captive elk affected with chronic wasting disease;**
11 **(3) "Approved CWD laboratory", a laboratory approved by the state department**
12 **of agriculture and certified for CWD testing by the National Veterinary Services**
13 **Laboratory in Ames, Iowa;**
14 **(4) "Captive elk", elk which are privately or publicly owned and held for economic**
15 **or other purposes within a perimeter fence or confined space;**
16 **(5) "Certificate" or "official health certificate", an official document issued by the**

17 state veterinarian or federal animal health official or an accredited approved veterinarian
18 at the point of origin containing information on the individual identification of captive elk,
19 the number of captive elk, the purpose of the movement, the points of origin and
20 destination, the consignor, the consignee and any other information required by the state
21 veterinarian for importation or translocation;

22 (6) "CWD", or "chronic wasting disease", a transmissible spongiform
23 encephalopathy of elk;

24 (7) "CWD affected", a designation applied to captive elk diagnosed as affected with
25 CWD based on laboratory results, clinical signs or epidemiologic investigation;

26 (8) "CWD exposed" or "exposed", a designation applied to captive elk that are
27 either part of an affected herd or for which epidemiological investigation indicates contact
28 with CWD affected captive elk or contact with captive elk from a CWD affected herd in
29 the past five years;

30 (9) "CWD suspect", a designation applied to captive elk for which laboratory
31 evidence or clinical signs suggest a diagnosis of CWD but for which laboratory results are
32 inconclusive;

33 (10) "Department" or "department of agriculture", the department of agriculture
34 of the state of Missouri, and when by sections 267.850 to 267.910 the department of
35 agriculture is charged to perform a duty, it shall be understood to authorize the
36 performance of such duty by the director of agriculture of the state of Missouri, or by the
37 state veterinarian of the state of Missouri or the state veterinarian's duly authorized
38 deputies acting under the supervision of the director of agriculture;

39 (11) "Designated epidemiologist", an experienced licensed epidemiologist who has
40 been designated by the state veterinarian and has demonstrated the knowledge and ability
41 to perform the functions required in sections 267.850 to 267.910;

42 (12) "Elk herd", a group of captive elk or one or more groups of captive elk
43 maintained on common ground or under common ownership or supervision that are
44 geographically separated but can have interchange or movement;

45 (13) "Elk herd of origin", a captive elk herd, or any farm or other premises, where
46 captive elk were born or where they are kept for at least one year before the date of
47 shipping, if captive elk from other premises have not been on the premises within one year
48 before shipment;

49 (14) "Elk CWD surveillance identification program", a CWD surveillance program
50 requiring identification and laboratory diagnosis including brain tissue as directed by the
51 state veterinarian on all deaths of captive elk sixteen months of age or older, including
52 deaths by slaughter, hunting, illness and injury. The diagnosis shall include examination

53 of brain and any other tissue as directed by the state veterinarian. If tissues associated
54 with a captive elk death are not submitted for laboratory diagnosis due to postmortem
55 changes or unavailability, the department shall determine compliance;

56 (15) "Herd plan", a document written in conjunction with state and federal
57 officials in conjunction with an owner of an affected herd which outlines the steps to be
58 taken in response to a positive test result for CWD;

59 (16) "Official elk CWD test", an approved test conducted at an official laboratory
60 to diagnose CWD;

61 (16) "Official elk identification", an identification eartag that conforms to the
62 alphanumeric National Uniform Eartagging System, as defined in 9 C.F.R. Part 71.1, or
63 other identification device which uniquely and permanently identifies each captive elk;

64 (18) "Permit", an official document that is issued by the state veterinarian or an
65 accredited approved veterinarian for movement of affected, suspect or exposed captive elk;

66 (19) "Quarantine", an imposed restriction prohibiting movement of captive elk to
67 any location without specific written permits;

68 (20) "Traceback herd", an elk herd in which an affected elk has resided for up to
69 thirty-six months prior to such elk's death;

70 (21) "Traceforward herd", an elk herd that has received animals from an affected
71 herd within thirty-six months prior to the death of the affected elk.

267.853. 1. The department shall develop and implement a (CWD) certification
2 program with the goal of eradicating CWD from captive elk herds in the state. The CWD
3 certification program shall meet or exceed the criteria and guidelines established by the
4 Animal and Plant Health Inspection Service (APHIS) of the United States Department of
5 Agriculture (USDA). The program at a minimum shall include:

6 (1) Herd inventory and implementation of the official elk identification system;

7 (2) An elk CWD surveillance identification program;

8 (3) Certification of elk herds;

9 (4) Regulations for the movement of captive elk;

10 (5) Mandatory death reporting, official elk CWD testing of all dead captive elk and
11 authorized disposal methods for captive elk that test positive for CWD; and

12 (6) A herd plan for trace herds and affected herds.

13 2. Any captive elk herd which has an elk test positive for CWD shall immediately
14 have its official health certification revoked by the department.

267.856. 1. To reduce the risk of transmission of CWD to captive elk from free
2 ranging elk, all captive elk domiciled within the state of Missouri shall be contained within
3 adequate perimeter fencing to prevent ingress and egress of the captive elk. An elk is

4 domiciled within the state when the elk has been pastured, stabled, housed or kept in any
5 fashion in the state more than thirty days.

6 2. Beginning January 1, 2002, all captive elk shall be inventoried, with annual
7 verification by an accredited approved veterinarian. The inventory shall include:

8 (1) An accurate listing of the number of captive elk in the elk herd, including the
9 official elk identification number of each captive elk in the herd;

10 (2) Identification of the physical facilities and premise location of the elk herd;

11 (3) A cross check of the official elk identification numbers with the herd inventory;

12 (4) Specific information on the disposition of any elk listed in the herd inventory
13 which are not present in the elk herd; and

14 (5) Information on management subunits which may be useful in assessing the risk
15 of CWD upon diagnosis of a CWD suspect or CWD affected elk.

267.859. 1. All captive elk herds participating in the CWD certification program
2 shall receive a herd status designation as follows based on the number of years such herd
3 has been under surveillance with no evidence of CWD:

4 (1) Level 1 for one year;

5 (2) Level 2 for two years;

6 (3) Level 3 for three years;

7 (4) Level 4 for four years;

8 (5) Level 5 for five years; and

9 (6) Level 6 for six or more years.

10 2. In order to establish the absence of CWD in an elk herd for purposes of
11 determining the herd status pursuant to subsection 1 of this section, the elk brain tissue
12 submitted for CWD testing at approved CWD laboratories shall be of sufficient quality
13 and size, as determined by the state veterinarian, to accurately test for the presence of
14 CWD. If, in the opinion of the state veterinarian, the elk brain tissue samples submitted
15 for CWD testing have degraded or are of insufficient size to accurately test for CWD, the
16 state veterinarian may adjust surveillance levels or herd status until such time as
17 acceptable brain tissue samples can be obtained from the herd.

18 3. Additions to captive elk herds shall be permitted from elk herds of equal or
19 greater herd status. If additions to an elk herd are acquired from a herd of lower herd
20 status, the receiving elk herd shall revert to the same herd status as that of the herd from
21 which the elk were acquired. If an elk herd participating in the CWD certification
22 program acquires elk from a nonparticipating herd, the receiving herd shall forfeit its herd
23 status and the certification process shall be repeated as if the receiving herd had never been
24 certified.

267.862. 1. Every owner of captive elk in this state shall immediately have a captive elk that dies undergo an official elk CWD test at an approved CWD laboratory. Any positive diagnosis shall be confirmed by the National Veterinary Services Laboratory or a second approved CWD laboratory prior to notification of the owner or the state veterinarian of the positive result.

2. If the state veterinarian is notified that a captive elk tested positive for CWD, the affected herd shall be immediately quarantined and a herd plan shall be implemented. The herd plan shall include:

(1) An analysis of the risk of continued disease transmission by subclinical elk or by environmental contamination;

(2) Specific actions to be followed during any quarantine period to reduce the risk of continued disease incidence within the remaining affected herd; and

(3) Any other relevant specifications, including but not limited to depopulation plans, continued surveillance, fencing, and cleaning and decontamination.

267.865. 1. The herd plan for affected herds shall contain the following options:

(1) Whole herd depopulation with or without repopulation. This option shall include:

(a) Depopulation of the whole herd with an indemnity payment;

(b) Disposal procedures for depopulated elk which are in accordance with the United States Department of Agriculture's guidelines for transmissible spongiform encephalopathy (TSE) carcass disposal;

(c) A prohibition on permitting carcasses of affected elk from entering the human or animal food chains; and

(d) Guidelines for possible repopulation of elk on the same premises after depopulation. Such guidelines shall include, but not be limited to, premise cleaning, disinfection, changes in stocking patterns on the land and thirty-six months of surveillance before interstate elk movement is permitted; or

(2) Quarantine of the affected herd with or without selective depopulation of high risk elk. This option shall include:

(a) Herd inspection by state and federal officials with removal and CWD testing of any clinical suspect and high risk elk;

(b) Quarantine of affected herds for five years from the last case of CWD among members of the herd;

(c) Herd surveillance conducted during the quarantine; and

(d) The feasibility of selective depopulation if the documented management practice in the herd inventory indicates that differential levels of risk exist within the affected herd.

23 No selective depopulation shall be required if differential levels of risk cannot be
24 established.

25 2. The herd plan for trace herds shall contain the following:

26 (1) A herd plan for a traceforward herd. This plan includes:

27 (a) Removal and testing of the trace elk with indemnity:

28 a. If the elk tests positive for CWD, the herd shall be deemed an affected herd and
29 an appropriate herd plan shall be developed;

30 b. If the elk tests negative, the herd plan shall include herd inspection, removal and
31 CWD testing of any clinical suspects and proper disposal of elk; herd inventory; and herd
32 surveillance for five years from the removal of the trace elk from the herd; or

33 (b) If the trace elk is not removed, the herd plan shall include herd inspection,
34 removal and CWD testing of any clinical suspects and proper disposal of elk; herd
35 inventory; herd surveillance for five years; and quarantine of the herd for five years from
36 the time of arrival of the trace elk;

37 (2) A herd plan for a traceback herd. This plan shall include:

38 (a) Herd inspection by state or federal officials with removal and CWD testing of
39 any clinical or high risk elk, and proper disposal of any elk that test positive for CWD;

40 (b) Herd inventory;

41 (c) Quarantine of the herd for five years from the last case traced back to the herd.
42 The length of the quarantine may be modified by the state veterinarian if the epidemiology
43 suggests that the herd is not the elk herd of origin of the trace elk;

44 (d) Herd surveillance to be conducted during the quarantine period and shall
45 continue for five years from the last case of CWD in the herd.

267.868. 1. No captive elk shall be approved for movement unless such elk are
2 members of an elk herd participating in the CWD certification program and the response
3 measures in sections 267.862 and 267.865 for affected and trace herds are being followed.

4 2. No captive elk that have recently been exposed to CWD or which originate from
5 a quarantined area, shall be shipped or in any manner transported or moved into or
6 through the state until written permission for such entry, transportation or movement is
7 first obtained from the state veterinarian of Missouri, except those captive elk which are
8 approved for interstate shipment under specified restrictions by the Animal Disease
9 Eradication Division, Agriculture Research Service, United States Department of
10 Agriculture.

11 3. All captive elk shipped or in any manner transported into this state shall be
12 accompanied by an official health certificate or permit or both which must be attached to
13 a waybill or shall be in the possession of the driver of the vehicle or person in charge of the

14 captive elk except as otherwise provided in sections 267.850 to 267.910 or regulations
15 adopted by the department; provided, however, that an official health certificate shall not
16 be required for any captive elk consigned to public stockyards or licensed markets under
17 federal or state supervision if a waybill, bill of lading or certificate of ownership
18 accompanies the shipment showing the consignor and the point of origin of the shipment
19 and the public stockyards or licensed market to which the shipment is consigned, unless
20 otherwise required by the state veterinarian.

21 4. A copy of the official health certificate shall be forwarded immediately by the
22 most rapid means available to the livestock sanitary official of the state of origin for such
23 official's approval and transmittal to the state veterinarian. All such health certificates shall
24 contain the approval of the state veterinarian or other livestock sanitary official or agency
25 in the state of origin.

26 5. Captive elk or elk herds entering the state without an official health certificate or
27 permit, or both when required, shall be held in quarantine at the owner's risk and expense
28 for observation, tests, vaccination, treatment and reinspection and until released by the
29 department.

30 6. Requirements for the exhibition of captive elk herds shall be secured by
31 contacting the state veterinarian of Missouri.

32 7. All captive elk covered in sections 267.850 to 267.910 originating from public
33 stockyards or licensed markets located in this state or which may be assembled at such
34 public stockyards, licensed markets, or any concentration point in this state from sources
35 of unknown origin shall be required to meet regulations of the department or the laws and
36 regulations of the state of destination before being released.

267.871. 1. The official health certificate required by sections 267.850 to 267.910
2 shall contain the names and addresses of the consignor and consignee, the origin of the elk,
3 the final destination and the accurate description or identification of such elk; such health
4 certificate shall indicate the health status of the elk involved, including dates and results of
5 required tests and dates of vaccination, if any. Health certificates shall be void thirty days
6 after date of inspection and issuance and no official health certificate shall be valid unless
7 it complies in all respects with the requirements of sections 267.850 to 267.910 and the rules
8 and regulations of the department; except that an official health certificate which does not
9 comply fully with the requirements of sections 267.850 to 267.910 or any rules and
10 regulations of the department adopted hereunder may be validated by the written approval
11 of the department.

12 2. Accredited, licensed, graduate veterinarians who are approved by or in the
13 employ of the livestock sanitary official of the state of origin and veterinarians in the employ

14 of the Animal Disease Eradication Division, Agricultural Research Service, United States
15 Department of Agriculture are authorized to inspect elk entering the state.

16 3. All diagnostic tests of elk which are intended for entry into Missouri shall be
17 made in state or federal laboratories, laboratories approved by the proper livestock sanitary
18 official of the state of origin, or commercial laboratories operated under the supervision of
19 the United States Department of Agriculture and approved by the state of origin.

267.874. 1. Requests for permits shall be directed to the state veterinarian and shall
2 set forth the following information: The names and addresses of the consignor and
3 consignee, number and identification of elk, origin of shipment, proposed date of shipment,
4 proposed destination, approximate date of arrival, intended purpose of shipment and
5 method of transportation.

6 2. All captive elk entering the state under permit shall be consigned to an individual
7 who is a resident of the state or to a legal entity authorized by law to do business within the
8 state.

9 3. All permits shall be void fifteen days after date of issuance or a lesser period of
10 time when so designated by the state veterinarian.

267.877. 1. Owners and operators of railroads, trucks, airplanes and other
2 conveyances are forbidden to move any elk through, into or within the state except in
3 compliance with the provisions set forth in sections 267.850 to 267.910 and such rules and
4 regulations of the department as may be adopted hereunder.

5 2. All railway cars, trucks, airplanes and other conveyances used in the
6 transportation of captive elk shall be maintained in a clean sanitary condition.

7 3. Owners and operators of railroads, trucks, airplanes and other conveyances used
8 for the transportation of captive elk into, within and through Missouri shall assure
9 themselves that each consignment is prepared for shipment in keeping with the
10 requirements of sections 267.850 to 267.910, and that it is accompanied by official health
11 certificate or permit. Such health certificate or permit should be attached to the waybill
12 accompanying the shipment or be in the possession of the attendant in charge of the elk.

267.880. 1. The state veterinarian shall immediately quarantine any elk herd
2 exposed to CWD to such pens, farms, sheds or barns completely separated from other
3 susceptible animals not so diseased until released by the state veterinarian pursuant to
4 sections 267.850 to 267.910.

5 2. When in the opinion of the state veterinarian the quarantine of an area is essential
6 to:

7 (1) Confine an outbreak of a CWD affecting captive elk as defined in sections
8 267.850 to 267.910; or

9 (2) When necessary for the initiation and enforcement of control measures for
10 testing of elk within the area; or

11 (3) For the slaughter of exposed elk; or

12 (4) When necessary to conform with federal regulations in effect for the cooperative
13 control and eradication of the disease; or

14 (5) When necessary to avoid embargo against the movement of livestock out of the
15 free areas within the state into other states;

16

17 and the state veterinarian so notifies the director of agriculture of such fact, the director of
18 agriculture or the state veterinarian acting for the director of agriculture with the approval
19 of the governor, may order the area quarantined. Such order shall set forth the terms and
20 conditions that are to be met by the owner of elk within areas affected by the order.

21 3. The notice of an order of quarantine against the movement of elk from the area
22 shall be publicized in the newspapers and radios serving the area.

23 4. The department shall have the authority to designate the type and kind of
24 immunizing agent, if applicable or tests that are to be applied for the control and
25 eradication of the disease and to prohibit the use, by anyone, of those immunizing agents
26 which in the judgment of the state veterinarian may not effectively and expeditiously bring
27 about the control of the disease.

28 5. When in the judgment of the state veterinarian the movement of captive elk from
29 an area or section within another state favors the introduction of disease into Missouri and
30 it is known that the livestock sanitary officials of the state have not quarantined the area or
31 are not controlling the movement of the captive elk out of such areas, the director of
32 agriculture, upon notice of such fact from the state veterinarian of Missouri, may impose
33 restrictions or full embargo against the movement of any and all captive elk from such areas
34 within another state until the movement of captive elk therefrom and into Missouri no
35 longer favors the introduction of the disease.

36 6. An order setting forth the restrictions or complete embargo against the movement
37 of captive elk from an area within another state or from the entire state shall be effective
38 upon notice in writing or by telegram to the livestock sanitary official of the state affected.

39 7. All public stockyards and other markets including traders and dealers, licensed
40 to operate in Missouri, shall cooperate with the department when a quarantine is imposed
41 upon an area within Missouri or restrictions are invoked against the entry of captive elk
42 from specified areas in other states.

267.883. 1. Captive elk in the same elk herd as an elk that died being tested for
2 CWD may not be removed from the premises until the results of the CWD tests are known

3 and the owner of such captive elk receives a record of the test from the veterinarian
4 certifying that the dead elk was free of the disease or until the elk herd has been released
5 by the state veterinarian or the state veterinarian's representative.

6 2. The method of eradicating the disease shall be in accordance with provisions of
7 sections 267.850 to 267.910.

267.886. 1. In the event that CWD is discovered in any captive elk, the owner
2 thereof shall comply with the order of the state veterinarian in effecting the removal and
3 disposition of such elk, or any elk exposed thereto, in the manner and in the time period
4 designated in such orders.

5 2. Any person who violates an order of the state veterinarian issued pursuant to this
6 section may be summoned by the director to a hearing to be held in the county where the
7 elk are quarantined to be set not later than twenty days from the date of summons. At the
8 hearing, such person and the state shall have the opportunity to present in person or by
9 counsel such statements, testimony, evidence and argument as may be pertinent to the
10 charges or to any defense. The director may subpoena any persons or documents incident
11 to the hearing, the director or the director's designated representative may take testimony
12 orally, by deposition or by exhibit, in the same manner and with the same fees and mileage
13 as prescribed in judicial proceedings in civil cases. The director or the director's designated
14 representative may also administer oaths to those giving evidence. Following the hearing
15 the director may:

16 (1) Assess a civil penalty in an amount not to exceed one thousand dollars for each
17 violation and a penalty not to exceed five hundred dollars for each day such person fails to
18 effect the removal and disposal of elk subject to prior order of quarantine; or

19 (2) Dismiss the case.

20 3. Any person aggrieved by a decision of the director after a hearing pursuant to this
21 section may appeal to the circuit court for a trial de novo in the county where the elk are
22 quarantined. All penalties assessed pursuant to this section shall be credited to the livestock
23 dealer law enforcement and administration fund.

267.889. 1. All approved CWD laboratories, whether privately operated or
2 otherwise, shall be required to report the results of their findings of CWD in specimens
3 submitted to them and as may be required by the department.

4 2. All persons operating such laboratories shall make application and shall obtain
5 a permit from the department in order to conduct diagnostic tests on captive elk or tissues
6 therefrom, as may be submitted by such laboratories.

7 3. Before issuing a permit, the department shall determine that the laboratory does
8 qualify for such permit. The department shall also at any time suspend or revoke the

9 laboratory's permit for failure to comply with the provisions of sections 267.850 to 267.910
10 and the rules of the department.

11 4. It shall be unlawful for any owner of captive elk or for any veterinarian to
12 withhold knowledge of or fail to report the existence of CWD in elk owned or examined by
13 such veterinarian or in such veterinarian's possession.

267.892. 1. When in the judgment of the state veterinarian, the slaughter method
2 is the only means of controlling and eradicating CWD in a positive herd, or when under
3 cooperative agreements with the United States Department of Agriculture the slaughter
4 method is required, notice shall be given to the owner or owners of the elk herd in which
5 the CWD elk was a member. Such elk shall then be indemnified within the limits of
6 appropriation, at a rate fixed by the director of the department of agriculture and then
7 destroyed under the supervision of a representative of the department or by the United
8 States Department of Agriculture as the state veterinarian may elect.

9 2. A careful account of the cost of the killing, burying and also the cleaning and
10 disinfection of premises shall be kept by the representative of the department or a
11 representative of the United States Department of Agriculture and the cost thereof shall be
12 paid by the state when such cost is approved by the director.

267.895. 1. When an owner of captive elk makes application to the state
2 veterinarian and agrees to follow one of the several plans for the control and eradication of
3 CWD from such owner's herd, the state veterinarian may certify the herd as being free from
4 such disease when all elk in the herd have met all of the requirements and conditions as may
5 be adopted from time to time by the department and the United States Department of
6 Agriculture for CWD.

7 2. When the owner of any captive elk has fully complied with the requirements for
8 the certification of such owner's herd, the department shall issue a certificate approved by
9 the department and the United States Department of Agriculture certifying to such fact and
10 for such period of time as may be set forth in the rules and regulations for such certification.

11 3. The certification of any captive elk may be removed or canceled by the state
12 veterinarian when the owner of a herd has violated any of the rules and regulations for the
13 maintenance of such status.

267.898. 1. The department of agriculture is authorized and directed to cooperate
2 with the United States Department of Agriculture in performing the duties and exercising
3 the powers vested in it pursuant to sections 267.850 to 267.910 and is empowered to enter
4 at any time any premises, barns, stables, sheds, vehicles or other places where captive elk
5 are kept for the purpose of administering and enforcing the provisions of sections 267.850
6 to 267.910.

7 **2. The department may make such rules and regulations pursuant to the provisions**
8 **of section 267.122 and chapter 536, RSMo, as may be deemed necessary for the enforcement**
9 **of sections 267.850 to 267.910 including all necessary rules and regulations for the entry and**
10 **movement of captive elk into, within and through the state.**

267.902. Captive elk which are held, moved or transported in violation of the
2 **provisions of sections 267.850 to 267.910, or the rules and regulations adopted hereunder,**
3 **shall be seized and taken into custody by an authorized agent of the department of**
4 **agriculture or by any state or county law enforcement officer at the request of the**
5 **department. The department shall impound and hold all captive elk seized and taken into**
6 **custody at the owner's expense and without liability to the department. Captive elk so**
7 **seized and impounded may be redeemed by the owner and released to the owner by the**
8 **department only after all such elk have been properly identified by the state veterinarian**
9 **or the state veterinarian's agent. In order to redeem the elk, the owner shall pay all**
10 **expenses including the care and feeding of such elk and the expense of identifying.**

267.905. In addition to the remedies provided for in sections 267.850 to 267.910 by
2 **law, the prosecuting attorney of any county in which a violation of any provisions of sections**
3 **267.850 to 267.910 occurs or the attorney general of the state, is hereby authorized to apply**
4 **to any court of competent jurisdiction for, and such court shall have jurisdiction upon**
5 **hearing and for cause shown to grant a temporary or permanent injunction to restrain any**
6 **person from violating any provisions of sections 267.850 to 267.910.**

267.910. Any person violating any provision of sections 267.850 to 267.910 shall be
2 **deemed guilty of a class A misdemeanor, and upon conviction shall be punished as provided**
3 **by law.**