

# SENATE ORDER 5, 1978

# CW

Title:

AN ORDER to prohibit the enforcement of Section 9, Chapter II, Rules and Regulations of the Wyoming Board of Veterinary Medicine filed with the Secretary of State on September 20, 1977; and providing for an effective date.

SENATE ORDER 5, 1978

Introduced by:

*Donald Stauchman*

DATE	ACTION	DATE	ACTION
Feb. 15	Introduced		5; DIG/5E005
	Read 1 <sup>st</sup> time		
	Referred to Committee of Whole		
Feb. 15	CONSIDERED ON COM. OF WHOLE		
	DO PASS		
Feb. 16	READ SECOND TIME		
Feb. 17	READ THIRD TIME		
	PASSED AYES 24 NOES 6 EXCUSED 0 16 0		
Feb. 17	SENT TO HOUSE		
FEB 20 1978	Received from Senate		
	Read First Time		
	Referred to Comm. of Whole		
	Delivered to Comm. of Whole		
FEB 22 1978	CONSIDERED IN COM. OF WHOLE		
	PASS		
FEB 22 1978	READ SECOND TIME		
FEB 23 1978	Read Third Time		
	PASSED AYES 40 NOES 13 EX 1 Absent Do		
	Sent to Senate		
Feb 23	Received		
	Delivered to Handling Section		
	560 signed by President		
	voiced by Governor		
Mar. 3	Chapter 2, Section 1 and 2 of Wyoming		
	motion to override veto - Failed		
	AYES 17 NOES 12 EX 0 Absent 0		

STATE OF WYOMING

LEGISLATIVE ORDER NO. 5

SENATE

Proposed by: Legislative Management Council

AN ORDER to prohibit the enforcement of Section 9, Chapter II, Rules and Regulations of the Wyoming Board of Veterinary Medicine filed with the Secretary of State on September 20, 1977; and providing for an effective date.

BE IT ORDERED BY THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. Section 9, Chapter II, rules and regulations of the Wyoming Board of Veterinary Medicine filed with the Secretary of State on September 20, 1977, shall not be enforced because the rule purports to impose criminal penalties for practicing artificial insemination in violation of the rules. No relevant statute exists providing a criminal penalty for practicing artificial insemination in violation of rules and regulations of the Wyoming Board of Veterinary Medicine nor provides a penalty for violation of rules and regulations of the Wyoming Board of Veterinary Medicine as they relate to artificial insemination.

Section 2. The Secretary of State is directed to make appropriate entries on the rules of the Wyoming Board of Veterinary Medicine on file in the official registry of administrative rules and regulations, to indicate that the rules referred to in this order are void and unenforceable as provided in W. S. 28-88.

Section 3. This order is effective March 15, 1978.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House of  
Representatives

\_\_\_\_\_  
Governor

ADMINISTRATIVE RULE

REPORT AND RECOMMENDATION NO. 5

TO: Members, 44th Wyoming Legislature

SUBMITTED: February 14, 1978

SUBJECT: Rules and regulations of the Wyoming Board  
of Veterinary Medicine

As required by Chapter 190, Session Laws 1977, attached are copies of rules and regulations of the Wyoming Board of Veterinary Medicine filed with the Secretary of State on September 20, 1977, an Administrative Rule Review Report prepared by the Legislative Service Office and the recommendations of the Management Council made to the Governor and Wyoming Board of Veterinary Medicine. The rules were adopted by the Wyoming Board of Veterinary Medicine without modification thereby failing to comply with recommendations of the Management Council.

Recommendations: The Management Council of the Wyoming Legislature recommends that the Wyoming Legislature adopt the Legislative Order attached to this report prohibiting the enforcement of the portions of the rules listed in the Order on the grounds listed in the Order.

Respectfully submitted,

Legislative Management Council  
Representative Nels J. Smith  
Chairman

## Roll Call of the Senate of the FORTY-FOURTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY			✓	
30 BOYLE				✓
29 CHRISTENSEN			✓	
28 CUNDALL			✓	
27 DAILY				✓
26 FRISBY			✓	
25 GEIS			✓	
24 HITCHCOCK				✓
23 JOHNSON				✓
22 KIMBALL			✓	
21 MADSEN			✓	
20 MAJHANOVICH				✓
19 McDANIEL				✓
18 MOORE			✓	
17 MURRAY			✓	
16 NICHOLS				✓
15 NORRIS				✓
<del>14 NORTHROP</del>				
13 NOVOTNY			✓	
12 OSTLUND			✓	
11 PECK			✓	
10 PROFFIT				✓
9 RECTOR				✓
8 SADLER				✓
7 SEDAR				✓
6 STAFFORD			✓	
5 TAGGART			✓	
4 TRUE			✓	
3 TURNER				✓
2 ZIMMER			✓	
1 MR. PRESIDENT			✓	

PRESENT		AYES	17	
		NOES	13	
		EXCUSED	0	
		ABSENT	0	
		TOTAL	30	

# Roll Call of the Senate of the FORTY-FOURTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY			✓	
30 BOYLE				✓
29 CHRISTENSEN			✓	
28 CUNDALL			✓	
27 DAILY				✓
26 FRISBY			✓	
25 GEIS			✓	
24 HITCHCOCK				✓
23 JOHNSON				✓
22 KIMBALL			✓	
21 MADSEN			✓	
20 MAJHANOVICH				✓
19 McDANIEL				✓
18 MOORE			✓	
17 MURRAY			✓	
16 NICHOLS				✓
15 NORRIS				✓
14 NORTHRUP				✓
13 NOVOTNY			✓	
12 OSTLUND			✓	
11 PECK			✓	
10 PROFFIT				✓
9 RECTOR				✓
8 SADLER				✓
7 SEDAR				✓
6 STAFFORD			✓	
5 TAGGART			✓	
4 TRUE			✓	
3 TURNER				✓
2 ZIMMER			✓	
1 MR. PRESIDENT			✓	

PRESENT \_\_\_\_\_

AYES 17  
 NOES 13  
 EXCUSED 0  
 ABSENT 0  
 TOTAL 30

## Roll Call of the Senate of the FORTY-FOURTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY				✓
30 BOYLE			✓	
29 CHRISTENSEN			✓	
28 CUNDALL			✓	
27 DAILY			✓	
26 FRISBY			✓	
25 GEIS			✓	
24 HITCHCOCK				✓
23 JOHNSON			✓	
22 KIMBALL			✓	
21 MADSEN			✓	
20 MAJHANOVICH			✓	
19 McDANIEL				✓
18 MOORE			✓	
17 MURRAY			✓	
16 NICHOLS			✓	
15 NORRIS				✓
14 NORTHROP				
13 NOVOTNY				
12 OSTLUND			✓	
11 PECK			✓	
10 PROFFIT			✓	
9 RECTOR			✓	
8 SADLER				✓
7 SEDAR			✓	
6 STAFFORD			✓	
5 TAGGART			✓	
4 TRUE			✓	
3 TURNER				✓
2 ZIMMER			✓	
1 MR. PRESIDENT			✓	

PRESENT _____	AYES <u>24</u>
	NOES <u>6</u>
	EXCUSED <u>0</u>
	ABSENT <u>0</u>
	TOTAL <u>30</u>

# 505

3rd

Date 2/17/79

# Roll Call of the Senate of the FORTY-FOURTH LEGISLATURE of Wyoming

	Excused	Absent	Ayes	Noes
31 ARNEY				✓
30 BOYLE			✓	
29 CHRISTENSEN			✓	
28 CUNDALL			✓	
27 DAILY			✓	
26 FRISBY			✓	
25 GEIS			✓	
24 HITCHCOCK				✓
23 JOHNSON			✓	
22 KIMBALL			✓	
21 MADSEN			✓	
20 MAJHANOVICH			✓	
19 McDANIEL				✓
18 MOORE			✓	
17 MURRAY			✓	
16 NICHOLS			✓	
15 NORRIS				✓
14 NORTHRUP				
13 NOVOTNY			✓	
12 OSTLUND			✓	
11 PECK			✓	
10 PROFFIT			✓	
9 RECTOR			✓	
8 SADLER				✓
7 SEDAR			✓	
6 STAFFORD			✓	
6 TAGGART			✓	
4 TRUE			✓	
3 TURNER				✓
2 ZIMMER			✓	
1 MR. PRESIDENT			✓	

PRESENT \_\_\_\_\_

AYES 24

NOES 6

EXCUSED 0

ABSENT 0

TOTAL 30

# 5.L.O. 5

3<sup>rd</sup> Reading

Date Febr. 23, 1978

**Roll Call of the House  
of the FORTY-FOURTH LEGISLATURE  
of Wyoming**

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
63 BAUMAN	✓				28 McMILLAN	✓			
62 BRYANT	✓				27 MEENAN		—		
61 BUCK		✓			26 <del>██████</del> <i>Dush</i>	—			
60 BURNETT	✓				25 MICHELI	✓			
59 BUSSART		—			24 MORTON	—			
58 CHAMBERLAIN	✓				23 O'NEIL	—			
57 CLAPP	—	—			22 ORRISON	—			
56 COPENHAVER	—	—			21 OSLUND	—			
55 CRANFILL	—	—			20 PARKS	✓			
54 CREWS	—	—			19 PERRY	✓			
53 CROSS	—				18 PHELAN	✓			
52 CROWLEY	—				17 PROSSER	✓			
51 CURRY	—				16 ROTH	✓			⓪
50 DONLEY	—				15 SALISBURY	✓			
49 DOWNING	—	✓			14 SANDERS	✓			
48 EDWARDS	—	—			13 SCOTT	✓			
47 ENGEN	✓				12 SIDI	✓			
46 ESKENS	—				11 <del>██████</del> <i>Wenninger</i>	—			
45 <del>██████</del> <i>R. Larson</i>	—				10 SMITH	—			
44 A. LEFTY GRAHAM	✓				9 STAUFFER	✓			
43 J. L. GRAHAM	✓				8 STEWART	✓			
42 GROPP	—	—			7 <del>██████</del> <i>Arnold</i>	—			
41 GUFFEY	✓				6 TARTER	✓			
40 HANSEN	✓				5 TRUJILLO	—			
39 HEMMERT	—	—			4 URBIGKIT <i>Ex</i>			✓	
38 HOLLAND	—	—			3 VINICH		—		
37 HUNTER	—				2 WILKINS	✓			
36 HURSH	—				1 MR. SPEAKER	—			
35 JENNINGS	—								
34 JENSEN	—	—							
33 JONES	—								
32 KINNAMAN	—								
31 LARSON	—								
30 McARTHY	—								
29 McLVAIN	—								

PRESENT

AYES 48  
 NOES 13  
 EXCUSED 1  
 ABSENT \_\_\_\_\_  
 TOTAL 62  
 LESS 14  
 48