

Maryland Constitution, I have today vetoed House Bill 1078.

This bill provides that a person may not sell or offer for sale any horse or other equine unless the animal has had a negative test as prescribed by the State Department of Agriculture within six months prior to sale.

As introduced, the bill specified that the test to be administered was the "Coggins Test". During the legislative process, however, this provision was deleted from the bill, and as enacted provides only that the animal must have "a negative test as prescribed by the State Department of Agriculture." With the deletion of the name of the test to be administered, there is some uncertainty as to the intent of the General Assembly in enacting House Bill 1078, particularly since the Secretary of Agriculture has the power under §3-105 of the Agriculture Article of the Code, to "test any animal for any contagious disease by any method".

The original purpose of House Bill 1078 was to require testing to control Equine Infectious Anemia. The Secretary of Agriculture informs me that he is presently proposing regulations to effectuate a program which will require such testing within a twelve month period. In order to evaluate the development of this program, the Secretary has requested that I veto House Bill 1078, which mandates a six month testing requirement.

For these reasons and because of the unclarity created by the amended version of House Bill 1078 which deleted reference to a specific test to be administered, I have decided to veto House Bill 1078.

Sincerely,
/s/ Marvin Mandel
Governor

Letter from State Department of Agriculture on H.B. 1078

April 24, 1975

Honorable Marvin Mandel
Governor
State House
Annapolis, Maryland 21204

Dear Governor Mandel:

Your attention is directed to House Bills 1077 and 1078 of which I am deeply concerned.