

benefit of owners and trainers who travel among the racing states to participate in racing meets. The Commission further informs me that at least one state has recently changed from a six month to a twelve month testing period, because it found the six month period to be impractical in view of the testing period in the other racing states. A copy of the Commission's letter is attached to and should be considered a part of this veto message.

In addition, while House Bill 1626 defines the term "official test" for the purposes of the bill, the term is not used in the remainder of new Section 3-106.1. The term "negative test" is used. Although I do not believe that this discrepancy renders House Bill 1626 legally insufficient, I think that there is a lack of clarity as regards the tests intended by the General Assembly to be administered.

Finally, House Bill 1626 exempts certain horses from the six month testing mandate. Although the introductory bill required the Secretary of Agriculture to provide by regulation for these exempted animals, an amendment to the bill removed this authority. I feel that the Secretary should have regulatory authority over animals exempted from the testing law.

I further believe that, since existing testing regulations have proved to be successful for both the Department and the Maryland Racing Commission, it would be unwise to sign into law a conflicting testing program which may cause great inconvenience to the racing industry in Maryland. Should it later become practical and advisable to strengthen the requirements, the Secretary, by regulation, may adopt a six month test requirement. However, I think that the Secretary should have the latitude to act in the best interests of the program. At this time, the evaluation of the testing program indicates that the twelve month requirement is preferable for Maryland.

For these reasons, I have decided to veto House Bill 1626.

Sincerely,
Marvin Mandel
Governor