

Any person who (1) overdrives, overloads, deprives of necessary sustenance, tortures, torments, cruelly beats, mutilates or cruelly kills; or (2) causes, procures or authorizes these acts; or (3) having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary suffering or pain upon the animal, or unnecessarily fails to provide the animal with nutritious food in sufficient quantity, necessary veterinary care, proper drink, air, space, shelter or protection from the weather; OR (4) USES OR PERMITS A DOG TO BE USED IN, ARRANGES OR CONDUCTS A DOGFIGHT; OR (5) [ ,or ] uses or permits to be used any bird, fowl, or cock for the purpose of fighting with any other animal which is commonly known as cockfighting, is guilty of a misdemeanor and shall be punishable by a fine not exceeding \$1,000 or by imprisonment not to exceed 90 days, or both. Customary and normal veterinary and agricultural husbandry practices including but not limited to dehorning, castration, docking tails, and limit feeding, are not covered by the provisions of this section. In the case of activities in which physical pain may unavoidably be caused to animals, such as food processing, pest elimination, animal training, and hunting, cruelty shall mean a failure to employ the most humane method reasonably available. It is the intention of the General Assembly that all animals shall be protected from intentional cruelty, but that no person shall be liable for criminal prosecution for normal human activities to which the infliction of pain to an animal is purely incidental and unavoidable.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

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May 29, 1984

The Honorable Melvin A. Steinberg  
 President of the Senate  
 State House  
 Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 837.

This bill would abolish the State Prosecutor Selection and Disabilities Commission. The effect of this legislation would be to leave appointment of the State Prosecutor solely to the discretion of the Governor with the advice and consent of the Senate. It also would permit the Governor to remove the State Prosecutor without the recommendation of the Commission, as is