

EMERGENCY BILL

(PRE-FILED)

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6lr0777

By: Delegate D. Hughes

Requested: November 7, 1995

Introduced and read first time: January 10, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Agriculture - Grain Sale Contracts - Discount Rates**

3 FOR the purpose of limiting the application of certain rates in certain grain sale
4 contracts; providing for the application of this Act; making this Act an emergency
5 measure; and generally relating to contracts for the sale of grain.

6 BY adding to

7 Article - Agriculture
8 Section 13-101 to be under the new subtitle "Subtitle 1. Sale of Grain"
9 Annotated Code of Maryland
10 (1985 Replacement Volume and 1995 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Agriculture**

14 **SUBTITLE 1. SALE OF GRAIN.**

15 13-101.

16 (A) THIS SECTION APPLIES TO ANY CONTRACT FOR THE SALE OF GRAIN
17 ENTERED INTO IN THIS STATE IF THE DATE OF DELIVERY IS LESS THAN 1 YEAR
18 AFTER THE DAY THE CONTRACT IS FORMED.

19 (B) NOTWITHSTANDING ANY CONTRACT PROVISION TO THE CONTRARY,
20 AND BASED ON WHATEVER MARKET THE CONTRACTING PARTIES AGREE TO:

21 (1) THE DISCOUNT RATES FOR FOREIGN MATERIAL AND MOISTURE
22 CONTENT MAY NOT BE ANY HIGHER THAN THE DISCOUNT RATES THAT PREVAIL ON
23 THE DAY THE CONTRACT IS FORMED; AND

24 (2) THE TEST WEIGHT RATES MAY NOT BE ANY HIGHER THAN THE TEST
25 WEIGHT RATES THAT PREVAIL ON THE DAY THE CONTRACT IS FORMED.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed
27 only prospectively and may not be applied or interpreted to have any effect on or

HOUSE BILL 62

2

1 application to any contract for the sale of grain entered into before the effective date of
2 this Act.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
4 measure, is necessary for the immediate preservation of the public health and safety, has
5 been passed by a ye and nay vote supported by three-fifths of all the members elected to
6 each of the two Houses of the General Assembly, and shall take effect from the date it is
7 enacted.