

(B) THE AUTHORITY SHALL DETERMINE AND ALLOCATE ANNUALLY AMONG COMMISSION SELLING AGENCIES A DAILY SALES QUOTA AND SELLING TIME, TO LIMIT THE POUNDAGE OF TOBACCO SOLD DURING A MARKET SEASON TO PREVENT DISORDERLY MARKET CONDITIONS.

(1) THE AUTHORITY SHALL USE THE MARKET PERFORMANCE BASIS, IF APPLICABLE, TO ALL LICENSED COMMISSION SELLING AGENCIES. UNDER THIS BASIS THE AUTHORITY SHALL CALCULATE THE DAILY SALES QUOTA FOR EACH AGENCY BY TAKING THE AVERAGE DAILY NET SALES IN POUNDS OF TOBACCO SOLD BY THAT AGENCY OVER THE PAST FOUR MARKET SEASONS, MULTIPLIED BY A FACTOR OF ONE-THIRD AS TO MARKET PERFORMANCE DURING THE MARKET SEASON LAST PAST AND MULTIPLIED BY A FACTOR OF TWO-THIRDS AS TO THE AVERAGE MARKET PERFORMANCE OVER THE THREE PRECEDING MARKET SEASONS.

(2) THE AUTHORITY SHALL PROVIDE FOR THE SELLING TIME AND THE DAILY SALES QUOTA FOR A NEW COMMISSION SELLING AGENCY IN A MANNER WHICH IS FAIR AND EQUITABLE.

(3) THE AUTHORITY MAY REALLOCATE A PREVIOUSLY LICENSED COMMISSION SELLING AGENCY'S QUOTA AMONG EXISTING AGENCIES IN A MANNER WHICH IS FAIR AND EQUITABLE, IF THAT PREVIOUSLY LICENSED AGENCY FAILS TO RENEW ITS LICENSE OR SUBSEQUENTLY DISCONTINUES OR SUSPENDS BUSINESS WHETHER DUE TO FIRE OR OTHER CASUALTY LOSS, LICENSE SUSPENSION OR REVOCATION.

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(A) The Authority shall determine annually the opening and closing dates for the State tobacco auction markets. To assist it in making this determination, the Authority shall call a meeting of licensed commission selling agencies and loose leaf auction buyers not later than January 15 of each year. The Authority shall give written notice of this meeting to every licensed commission selling agency and loose leaf auction buyer at least ten days in advance of the date of the meeting. The Authority shall publish the opening and closing dates not later than February 10 of each year.

(B) THE AUTHORITY SHALL PUBLISH THE DAILY SALES QUOTA FOR EACH COMMISSION SELLING AGENCY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage.

Approved March 12, 1981.

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