**Section 281.90 Miscellaneous**

a) Business Hours

 Temporary interruptions of the posted business days and hours shall be posted in a conspicuous place at the place of business. The Department may grant seasonal business days and hours to those businesses that operate only during specific periods. Any deviations on business hours pursuant to Section 5-25(a)(2) of the Code shall be approved by the Department.

b) Grain Bank

1) Grain deposited for grain bank purposes shall be accounted for on a separate record containing the same informational requirements as a non-negotiable warehouse receipt, or on a non-negotiable warehouse receipt listing each lot of grain deposited and withdrawn, showing a net balance.

2) When a non-negotiable warehouse receipt is issued for grain in a grain bank, the reverse side of the original warehouse receipt shall be used to record withdrawals and additional deposits and the warehouse receipt shall be retained by the warehouseman.

3) No deposit shall be recorded that would increase the balance of the grain in the grain bank to an amount that would exceed the original net bushels on the face of the non-negotiable warehouse receipt.

c) Posting Bin Chart and Diagram

The warehouseman shall post in a conspicuous place in the office of each warehouse a bin chart and diagram, as supplied by the Department, showing the location, bin number and capacity of all bins and sections of the warehouse.

d) Transfer and Redeposit

A warehouseman forwarding stored grain to another warehouseman for redeposit shall obtain a non-negotiable warehouse receipt as evidence of the forwarded grain.

e) Grain Dealer Examination Fee

The first examination performed each calendar year shall be billed at a rate of .0003 x the total dollar amount paid to producers the last fiscal year with a minimum fee of $150 and a maximum of $400. When more than one location is included in the exam, a fee of $50 is required for each additional certificate of a license. For each subsequent examination in a calendar year, the grain dealer shall pay a $50 fee for each license examined.

f) Collateral and Guarantees

Pursuant to Section 15-30(d) of the Code, the Department may require that an applicant or licensee provide the Department with personal, corporate or other related person guarantees. The Department may require that a guarantee be executed by any related person to an applicant or licensee. All guarantees shall be executed for a minimum of $500,000. Guarantees shall be executed for a maximum amount not to exceed the dollar value of annual grain purchases or the dollar value of the highest bushel storage obligation during the past year.

g) Grain Seller Assessment

The Department shall give written notice to all licensees of when an assessment is to begin and end. The assessment established in Section 5-30 of the Code shall be collected by licensees at the time of settlement, without regard to the date the grain was sold to the licensee. The collection and remittance of assessments from first sellers of grain are the sole responsibility of the licensee to whom the grain is sold and shall be reported by the licensee on a form prescribed by the Department. The prescribed form shall include, but need not be limited to, the following information:

1) Legal name and address of licensee;

2) Grain dealer license number;

3) Grain dealer certificate license number;

4) County;

5) Business telephone;

6) Period of report;

7) Commodity;

8) Number of bushels assessed;

9) Net market value of assessed bushels;

10) Rate of assessment;

11) Total assessment; and

12) Certification of licensee.

h) Lender Assessment

The Department shall give written notice to all licensees of when an assessment is to begin and end. The assessment established in Section 5-30 of the Code shall be based on the bushels represented by a warehouse receipt issued by a licensee from an Illinois location held as security for a loan, including, without limitation, the advancing of money or other value to, or for the benefit of, a licensee upon the licensee's issuance or negotiation of a grain warehouse receipt and pursuant to, or in connection with, an agreement between the licensee and a counter-party for the repurchase of the grain by the licensee or designee of the licensee. It is the licensee's responsibility to inform its lenders and/or other persons of the onset of an assessment for which they might be liable. Each quarterly assessment shall be paid and reported by the lender or its designee on a form prescribed by the Department. The prescribed form shall include, but need not be limited to, the following information:

1) Legal name and address of licensee;

2) Lender name and address;

3) Grain warehouse license number;

4) County;

5) Business telephone;

6) Period of report;

7) Warehouse receipt number;

8) Commodity;

9) Number of bushels assessed;

10) Applicable commodity price;

11) Number of days tendered as collateral;

12) Rate of assessment;

13) Lender assessment multiplier;

14) Total assessment; and

15) Certification of licensee.

(Source: Amended at 33 Ill. Reg. 1647, effective January 16, 2009)