



Illinois Fertilizer & Chemical Association's "News Under the Dome"



Calendar Info

- DC Summer Fly-In
July 15-218, 2019
- MAGIE Show
Aug 21-22, 2019
- IFCA Golf Outings;
July 23, Spring
Valley Creek Golf
Course;
July 30, Fox
Prairie in Windsor
- IFCA Convention
and Trade Show
Jan 21-23, 2020

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Bill Removing Registration / License Plates on Anhydrous Nurse Wagons & Floaters Heads to Gov. Pritzker.

In a year when good news has been in short supply, IFCA has some welcome news to report.

On May 29th, HB 2669 passed the Senate unanimously, removing the requirement for license plates on fertilizer wagons (nurse tanks & buggies) and self-propelled fertilizer and pesticide application equipment. The bill is now on its way to the Governor's Desk.

The bill was an initiative of IFCA, with support from our two bill sponsors, Senator Neil Anderson (R-Moline) and Representative Mike Unes (R-Pekin). We'd like to thank the Illinois State Police, the Secretary of State and Illinois DOT for working with us on this issue; IFCA's great working relationship with our state agencies was key in setting the stage for passage of this bill. We'd also like to thank the other ag groups and the Midwest Truckers Association for their support. IFCA will now work with Gov Pritzker's office to assure his signature on the bill as soon as possible. For now, keep operating as usual until the final signature is placed on this legislation; we will continue to keep you posted and let you know where everything is finalized.

IFCA would strongly recommending to our members that they send a quick email/note to Senator Anderson and Rep Unes for all their work on this issue. Their contact info is below:

Sen. Anderson: senatorneilanderson@gmail.com or 1523 47th Ave., Suite 2, Moline, IL 61265

Rep. Unes: repunes@gmail.com or 19 S. Capitol St., Pekin, IL 61554

Please keep in mind that the Illinois Vehicle Code still requires self-propelled floaters and sprayers to be no more than 12 feet wide, weigh no more than 36,000 lbs (loaded or empty), travel no faster than 30 mph and operate within a 50 mile radius of their point or origin. If you exceed any of those parameters then you face penalties under state law and potentially lose the implement of husbandry designation (meaning the floater or sprayer becomes a commercial motor vehicle and thus subject to all CMV regulations). So watch your speed, weight, width and radius and please operate the vehicles safely on the highway. Keeping your speed down to maintain control at all times is critical to avoid attention and accidents.

Illinois Dept of Ag Extends Dicamba Application to July 15

The Illinois Department of Agriculture announced they will be extending the application of dicamba to soybean to July 15, 2019. The previous cut-off date was June 30, 2019.

IDA met last week with ag groups, including IFCA, to discuss the unprecedented late planting season. At the meeting we discussed how the reasons for having a June 30 cut-off still remain, namely: 1) to reduce the number of complaints; 2) to further protect sensitive crops and areas, especially trees, orchards etc. from dicamba exposure; and 3) to be proactive and address the concerns of sensitive crop growers, citizens and environmental groups over the dramatic increase in off-target dicamba symptoms in Illinois. **All of these concerns remain and must continue to be addressed to preserve the use of dicamba not just in soybean, but in other crops.**

IFCA's position was to continue to support the June 30 cut-off for the reasons listed above. IFCA also supports the Department of Agriculture and Director John Sullivan. We know this was not an easy decision for Director Sullivan or for anyone in the ag industry. With that in mind, we also have IDA's support to continue to remind everyone THERE IS MUCH IS AT STAKE REGARDING DICAMBA USE THIS YEAR.



Please keep these facts in mind:

1. There is still a 45 day from planting date cut-off on the labels, there is still a R1 cut-off, and there is a V4 cut-off for Tavium. If any of these factors occur prior to July 15, they supersede the IDA cut-off date.
2. The other requirements on the Special Local Needs (SLN) label in Illinois for Engenia, Xtendimax, FeXapan and Tavium are also still the law. If a residential area is adjacent or neighboring and downwind, DO NOT APPLY. To see the full and special local needs labels for the products please go to IFCA's Illinois Dicamba Training website. The revised SNL labels with the July 15 cut-off will be there shortly.
3. You must check Fieldwatch and any registries to assess and document the location of sensitive crops and areas, including DNR Nature Preserve Commission sites. To see the DNR sites, go to www.ifca.com and check out the feature we have added to the IFCA homepage. There you you can get details on the DNR Nature Preserve locations and download GIS files to your application software. Sensitive areas include trees, and you must take all precautions to avoid off target movement that will impact trees.
4. You must also check the USEPA Bulletins Live website and adhere to the additional 57 foot omnidirectional buffer if you are applying in a county with endangered species (over 30 counties).
5. If you are going to apply dicamba, please take advantage of all opportunities that still remain to apply it early, accompanied with a strong residual herbicide program. The University of Illinois provided guidance on how to use dicamba early, even in this late planting season.

IFCA encourages our ag retail members to remain vigilant and take a strong stand on dicamba stewardship. Just because the cut-off date has been extended to July 15 is not a green light to apply this product in July. Many soybeans are still sensitive to dicamba and those growers are equally under duress this year to produce a successful crop. **Successful co-existence cannot be stressed enough.**

We urge farmers to be proactive and communicate with their neighbors regarding their intentions to apply dicamba. Tensions remain high within the ag industry over the use of this technology, and with the decision to extend the cut-off, the scrutiny on dicamba will be even more intense. IFCA believes our industry can lead the way with stewardship; please contact us if we can assist you in any way.

Illinois Passes Constitutional Amendment to Allow a Progressive Income Tax

Voters in Illinois will have a chance to raise taxes next year. Indeed, they'll be able to fundamentally alter the state's tax code.

The state constitution prevented the government from taxing different levels of income at different rates. The Illinois House of Representatives amended the document to allow a progressive income tax. Voters will choose whether to implement such a tax in 2020.

This tax increase would come on the heels of major state tax hikes in 2017, when the legislature raised income taxes from 3.75 percent to 4.95 percent and corporate income taxes from 5.25 percent to 7 percent.

The proposal on the ballot would replace the existing single 4.95 percent rate with a six-bracket progressive income tax. Gov. J.B. Pritzker's plan would raise taxes on income over \$250,000 to 7.75 percent, income over \$500,000 to 7.85 percent, and income over \$1 million to 7.95 percent. People at the bottom of the income scale would receive a small tax cut: The first \$10,000 in income someone earns would be taxed at a 4.75 percent rate instead 4.95, and income between \$10,000 and \$100,000 would be taxed at a 4.9 percent rate.

Filing Individual		Filing Jointly	
Income (Rate applies to income within the bracket)	Tax Rate	Income (Rate applies to income within the bracket)	Tax Rate
\$0 - \$9,999	4.75%	\$0 - \$9,999	4.75%
\$10,000 - \$99,999	4.90%	\$10,000 - \$99,999	4.90%
\$100,000 - \$249,999	4.95%	\$100,000 - \$249,999	4.95%
\$250,000 - \$349,999	7.75%	\$250,000 - \$449,999	7.75%
\$350,000 - \$749,999	7.85%	\$500,000 - \$999,999	7.85%
\$750,000 and over	7.99%*	\$1,000,000 and over	7.99%*

The simple, flat personal income tax of 4.95 percent has remained a rare bright spot of Illinois' tax code. The Tax Foundation, a nonpartisan tax policy think tank, has ranked the state's personal income tax the 13th most competitive in the country; Illinois's tax code generally is ranked 36th.

Another concern is that high-income earners will respond by leaving the state, a phenomenon known as tax flight.

The elephant in the room is Illinois' fiscal crisis. This is mainly driven by pensions, which take up over a quarter of state government spending and are projected to rise to more than half of state revenue over the next 30 years.



Gov. J.B. Pritzker discusses the House action to put a constitutional amendment to implement Pritzker's graduated income tax on the November 2020 ballot in Springfield, Illinois.

California Bans Chlorpyrifos

The state of California has decided it will ban the use of products containing the pesticide chlorpyrifos, in use since 1965, over the next two years because research links the chemical to neurological damage in children. The administrative action comes as the state legislature is debating legislation to ban the pesticide. Used widely on the state's fruit and vegetable crops, chlorpyrifos use has dropped nationally to about 900,000 pounds in 2016. The state is creating a working group to find alternatives to the pesticide and will spend up to \$5.7 million to fund research and help farmers. Nationally, EPA is operating under a court order giving it 90 days to make a federal decision on the fate of the chemical.



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Illinois Set to Become 11th State to Legalize Marijuana

The Illinois legislature gave final approval to a bill to legalize recreational marijuana in the Land of Lincoln, making the state the 11th in the country to make marijuana legal for any purpose.

With a bipartisan vote of 66-47, the House approved a bill that had been passed by the Senate. Governor Pritzker, on a promise to legalize pot, almost immediately issued a statement in which he promised to sign a bill that he said offers "the most equity-centric approach in the nation."

With the governor's signature, Illinois would become the first state to create a commercial recreational marijuana industry through the legislature rather than by voter initiative.

The bill takes effect Jan. 1 and would allow residents age 21 and older to legally possess 30 grams of cannabis, 5 grams of cannabis concentrate or 500 milligrams of THC contained in a cannabis-infused product. Nonresidents could possess 15 grams of cannabis.

It would also create a licensed cultivation and dispensary system while directing Pritzker to pardon people with past convictions for low-level pot possession.

Legalizing marijuana is expected to generate \$57 million in general revenue in the coming budget year and \$30 million for a cannabis business development fund. That's far less than the \$170 million Pritzker projected in his spending plan, but budget negotiators have said they aren't counting on any of that revenue.

After paying for regulatory expenses and costs related to the expungement process, marijuana revenue would be divided among a number of areas. The largest share, 35%, would go into the state's general fund; 25% would go to community grants; 20% to mental health and substance abuse programs; 10% to pay down the state's backlog of unpaid bills; 8% to support law enforcement; and 2% for public education.



Illinois is Gearing up for Sports Betting and New Casinos

Before leaving Springfield, the House and Senate passed SB 690, which now awaits a signature from Gov. Pritzker. The bill will create six new casinos in Illinois in Waukegan, Rockford, Danville, South Suburbs, Williamson County and downtown Chicago, in addition to the 10 already existing. Additionally, sports betting licenses will be awarded to locations that can seat over 17,000 people. Also, the bill will give O'Hare and Midway airports the capability to implement slot machines. Two horse tracks will also be added, bringing the total number of horse tracks to five.

The Illinois legislation prohibits betting on games involving Illinois schools.

Upon Pritzker's signature, Illinois will join more than a dozen states that have authorized sports betting since the U.S. Supreme Court last May struck a federal statute that had restricted state-sponsored sports betting to primarily Nevada.

The state estimated that gambling expansion along with other revenue-raising measures in the bill could net Illinois more than \$12 billion in the next six years.

Sports betting and casino revenue will go to six categories:

\$4.3 billion for state facility projects

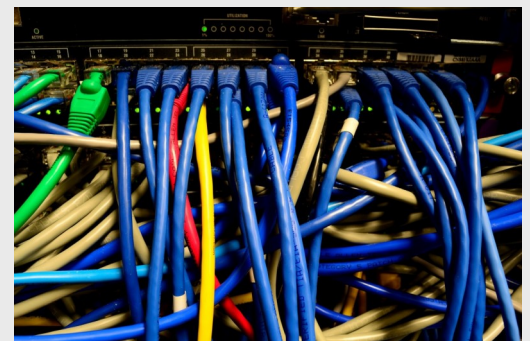
\$3.5 billion for education projects

\$1.9 billion for economic development / community development

\$1.2 billion for environmental and conservation projects

\$465 million for Healthcare and Human Services

\$420 million for broadband expansion



Illinois Lawmakers Double Gas Tax, Create Statewide Parking Tax

Driving in Illinois may get more expensive under a new capital plan that's awaiting the governor's signature. If Governor JB Pritzker signs the infrastructure plan into law, expect to pay more for transportation-related costs.

For one, the state's gas tax will be doubled.

Right now, Illinois' motor fuel tax is \$.19 per gallon. It will go up to \$.38 per gallon on July 1.



Illinois' gas tax is currently the 13th lowest in the nation. When signed, Illinois would be the fifth highest.

The plan approved by lawmakers would also raise passenger vehicle registration fees from \$101 to \$151 starting Jan. 1, 2020. A brand new tax on parking in Chicago will also go into effect January 1.

The capital plan includes a 6% tax on hourly, daily and weekly paid parking spots and a 9% tax on monthly and annual parking spots.

The new parking tax and the higher gas tax and registration fees will be used to pay for the \$45 billion capital plan. Of the \$45 billion, \$33.2 billion will be for transportation projects.

That's the plan that'll help repair Illinois' crumbling infrastructure.

Illinois Legislature Leaves Springfield without Changes to the FOID Card.

Illinois residents won't have to submit fingerprints to the state to get a gun license after the Senate closed out an overtime session without taking up the bill.

The House passed an amendment to SB 1966 that would have raised fees to get a FOID and require applicants to submit fingerprints. The Senate did not take up the measure before leaving Sunday.

Sponsors of the measure said the fingerprinting mandate was needed to address loopholes in the system that led to a convicted felon from Mississippi getting a FOID card in Illinois, and buying a gun.

Illinois State Police later reported there were more than 10,000 revocations in 2018 alone, many of which were never followed up on. Supporters of SB1966 said fingerprinting and other provisions would have tightened that up.

Other opponents of the measure said the FOID card is being already challenged in court and if a fingerprinting mandate were passed, that would be challenged too.

Supporters of the measure said fingerprinting was necessary to prevent criminals from getting guns.

A separate measure addressing gun owners in Illinois, Senate Bill 1139, did pass both chambers. It would allow current and former police officers to carry a concealed weapon without a permit, and allow active duty military members younger than 21 to apply for a FOID card without parental consent.

Overtime Session Produces Illinois Budget

The Illinois House approved a package of financial bills for the state as a prelude to winding up the spring legislative session.

The House concluded with a \$39.9 billion spending plan for the budget year that begins July 1, a 2% increase over the current year. Republicans agree it's balanced and it provides a \$375 million increase to public education to fund the school-aid formula revamped two years ago, a 5% bump.

It fully funds the state's \$9 billion pension contribution and borrows \$1.2 billion to pay \$6.7 billion in overdue bills. The budget also includes a \$1,600 annual pay raise for lawmakers.



Rep Greg Harris, Chief Budgeteer for the House Democrats

Cook County Assessor Property Tax System Reform Hits Road Block.

Last month IFCA informed our members about legislation that the Cook County Assessor Fritz Kaegi was promoting. It would overhaul the way his office values properties. That legislation hit a roadblock the last week of session, as lawmakers shelved a bill he was counting on as a centerpiece of the new system.

SB1379 would have established a vague and onerous income reporting requirement on many business properties, including multi-family buildings, in Cook County. **Other counties would be authorized to opt in and establish similar regimes.**

The measure, dubbed the Data Modernization Bill, was buried in an Illinois House committee as legislators worked through details of the new rules it would create.

The bill proposed to force commercial property owners to disclose certain financial information to the assessor's office about a building's income, which Kaegi would use to help accurately calculate its value.

Kaegi's bill, SB 1379, won Senate approval by a wide margin last month and was set for a hearing in the House but was never called.

At issue in the bill are concerns about how Kaegi's office would use property owners highly sensitive financial information and especially how it would protect that information.

Kaegi needs state approval to be able to implement the new system and has been on a quest to promote the bill in recent months. That pursuit stands to continue as legislators move into the veto session this fall, and into next spring session.



Cook County Assessor Fritz Kaegi

WOTUS Sent Back to EPA

A Texas court ruled EPA didn't follow the Administrative Procedure Act in finalizing the 2015 waters of the United States, or WOTUS, rule.

The 2015 waters of the United States (WOTUS) rule may have suffered a final defeat, as a Texas court Tuesday granted a motion for summary judgement to the American Farm Bureau Federation that sends the rule back to EPA.

The U.S. District Court for the Southern District of Texas ruled EPA violated the law in making changes in the final rule that were not proposed in the preliminary rule.

The court finds that the final rule violated the notice-and-comment requirements of the APA (Administrative Procedure Act) and therefore grants summary judgment in favor of the plaintiffs on this ground, the court said in its ruling.

In drafting the 2015 rule, EPA relied heavily on a so-called draft

connectivity report that included the agency's analysis of numerous studies on the connected nature of the nation's waters.

After an EPA scientific advisory board issued comments on the draft connectivity report on Oct. 24, 2014, the agency re-opened the public comment period on the rule for one month.

In particular, EPA's final rule departed from the proposed rule in a key aspect. The final rule defined adjacent waters using distance-based criteria rather than the ecologic and hydrologic criteria used in the proposed rule.

For example, the final rule changed the term "neighboring" to mean "all waters located within 100 feet of the ordinary high water mark" of a jurisdictional water.



FieldWatch Adds New Technologies

In 2019, FieldWatch, Inc. will launch two new technologies to add to its existing tools to help applicators, growers and beekeepers communicate regarding the locations of crops and hives. CropCheck is a new pilot program that enables voluntary communication between row crop producers and pesticide applicators. Producers may submit site information to the registry and pesticide applicators can access the information to help determine the scope and location of organic crops or crops not tolerant to herbicides to help prevent damage from spraying. Another new feature will allow registered applicators to customize their experience by adding their own body of notes with specific site information, which can reference "out-of-scope" data, such as locations of beehives, private gardens or crops not tolerant to herbicides.



"After a very successful 2018 when we celebrated our 10-year anniversary, we're excited for more innovations and further growth this year," Stephanie Regagnon, CEO, FieldWatch, said in a news release. "Our goal is to continue to evolve our online mapping system, so it can address the needs of more agriculture stakeholders in a more user-friendly way."

EPA Says Glyphosate “Likely” Not a Carcinogen, Plans Minor Label Changes

The herbicide glyphosate is “likely” not cancer-causing, said EPA this week, proposing management steps to prevent application drift while deciding product labels need to disclose the risk of chemical resistance.

In a proposed interim decision, the agency said it did “not identify any risks of concern for humans from exposure to glyphosate in addition, the agency determined glyphosate is not likely to be carcinogenic to humans.”

The public has 60 days to comment after publication in the.

EPA did restate its problems with the International Agency for Research on Cancer’s (IARC) 2015 conclusion that glyphosate is a “probable carcinogen”. USEPA believes their cancer evaluation is “more transparent” and “is more robust than IARC’s evaluation,” explaining it looked at a much wider set of studies and IARC only reviewed a “subset” of available research.

The EPA action comes after two U.S. juries found Bayer/Monsanto’s Roundup – the major product containing glyphosate – was liable for plaintiff cancers. The company is appealing those verdicts.

When it comes to environmental impact, the agency did acquiesce the chemical shows “potential risk” to birds and animals where the herbicide is applied, and said there are risks to plants and water sources if the chemical drifts during application. EPA is recommending producers not spray the herbicide when speeds exceed 15 miles per hour or during temperature inversions.

USDA Looking at Easier Biotech Plant Regulation

USDA proposes to exempt from regulation – including review and deregulation – several varieties of plants developed using biotechnology, a move designed to “streamline” and make less expensive genetically engineered (GE) plant development.

The move is the first major deregulation of the GE plant approval process in more than 30 years, USDA said, and would have no impact on FDA jurisdiction over plant biotech and food safety, or EPA’s role in assuring environmental safety from GE plants.

The proposed rule published this week says USDA could exempt from regulation any GE variety that could be created using traditional plant breeding techniques. Such plants, USDA proposes, do not pose a risk of plant pests so reviews are unnecessary. In addition, biotechnology companies would be allowed to “self-determine” whether their varieties qualify for the exemption, with USDA providing confirmation of the exemption status.

“This common-sense approach will ultimately give farmers more choices in the field and consumers more choices at the grocery store,” said Under Secretary for Marketing & Regulatory Programs Greg Ibach.

In 2018, Agriculture Secretary Sonny Perdue said USDA wouldn’t be regulating GE plant varieties developed using gene editing, except in cases where the technique uses pests as part of the development. Developers argue USDA’s rules governing protection from bugs, weeds and other pests are too narrow and inhibit development.

“The new framework will provide a clear, predictable and efficient regulatory pathway for innovators, while facilitating the development of new and novel GE plants that are unlikely to pose a plant health risk,” the department said.



Key State Legislative Issues IFCA Managed in the 2019 Session

HB2669 (Anderson, N) (Unes M),

Removal of License Plates on Ammonia Nurse Wagons and Fertilizer Spreaders (Floaters). HB2669 amends the Illinois Vehicle Code. Deletes language requiring registration on ammonia nurse wagons. It also removes the registration fees on single unit self-propelled ag fertilizer implements (floaters). **HB 2669 passed out of the House on 111-0 vote and 57-0 in the Senate. It now moves to Gov. Pritzker for his signature** [**IFCA Supports HB2669.**](#)



HB3636 PESTICIDE

NEONICOTINOID (GUZZARDI W), Amends the Illinois Pesticide Act. Authorizes the Director of the Department of Agriculture to classify a pesticide as a restricted use pesticide. Includes pesticides containing a neonicotinoid as a restricted use pesticide. Defines "neonicotinoid." Provides that no pesticide containing a neonicotinoid may be used outdoors on any public land owned or maintained by the State, except for use in structural pest control or abatement of *Agrilus planipennis*. (Emerald Ash Borer). **HB 3636 was held in the House Energy & Environment Committee.** [**IFCA opposed HB3636.**](#)

HB2864 MILEAGE TAX (EVANS M), Amends the Motor Fuel Tax Law. Creates the per-mile road usage charge pilot program. Provides that the registered owner of a motor vehicle that is approved to participate in the program shall, in lieu of the taxes imposed under the Motor Fuel Tax Law, pay a per-mile road usage charge for metered use by the subject vehicle of the highways in this State. Provides that the per-mile road usage charge is \$0.021 per mile. **HB2864 never moved out of Rules Committee.** [**IFCA opposed HB2864.**](#)

SB1482 PESTICIDES-PENALTIES (KOEHLER D), Amends the Illinois Pesticide Act. Increases the monetary penalties for violations of the Act. Effective January 1, 2020. **SB1482 was held in the Senate Environment Committee.** [**IFCA opposed to SB1482.**](#)

SB2130 PESTICIDE ACT-PENALTIES (HOLMES L), Amends the Illinois Pesticide Act. Increases the first offense penalty for applying pesticides without a license, misrepresenting certification, failing to comply with conditions of an agrichemical facility permit, failing to comply with the conditions of a written authorization for land application of agrichemical contaminated soils or groundwater, or for constructing or operating without an agrichemical facility permit after receiving written notification from \$500 to \$750. Increases the subsequent offense penalty for these violations from \$1,000 to \$1,500. Makes various changes to the violation point structure used for assessing administrative penalties for violations of the Act and rules, including increasing the monetary penalties by specified amounts and adding a \$500 penalty for a 12 to 13 point violation. **SB 2130 was held in the Senate Ag Committee.** [**IFCA was monitoring SB2130.**](#)

SB690 VERTICAL CAPITAL FUNDING, GAMING, AND OTHER TAXES (Sen. Link / Rep Zalewski), Gaming, Vertical Capital Funding and other Taxes. (Sen. Link/Rep. Zalewski)

To generate funds to finance bonds for the construction of state buildings, schools, non-road projects, and higher education SB 690 contains numerous revenue increases. The major items included are:

Increased gaming:

-6 new land-based casinos and expansion in the number of slot machines allowed per location.

-Parking Garage Tax

-Motor Vehicle Retail Installment Sales Fee increases to \$300 from \$150 for a document fee.

-Cigarette Tax increase of \$1 per pack increase.

-Vehicle Trade-In Credit capped for first division vehicles at \$10,000 for sales tax purposes. This cap will only apply to passenger vehicles. The value of the traded-in vehicle that exceeds \$10,000 will not be subtracted from the overall selling price for sales tax purposes. Currently the trade-in credit on a vehicle is not capped.

SB690 was passed by the Senate and House and was signed by the Governor. [IFCA was monitoring SB690.](#)

SJRCA1 / SB687 PROGRESSIVE INCOME TAX – SJRCA 1 (SEN. HARMON/REP. MARTWICK)

SJRCA 1 proposed an amendment to the Illinois Constitution allowing for any kind of income tax, and the companion bill that includes the potential progressive income tax rates and income levels. With the approval from the House and Senate, the measure will now be placed on the November 2020 ballot for ratification by the voters. ***SJRCA1 and SB687 passed by the Senate and House and was signed by the Governor.***

[IFCA opposed to SJRCA 1 and SB690.](#)

SB105 / HB813 VEH CD-REPEAL COM DISTRIB FEE (Sandoval M) (MAYFIELD R) Amends the Illinois Vehicle Code. Repeals a provision providing for the collection of an annual commercial distribution fee on vehicles of the second division weighing more than 8,000 pounds. ***SB105 was held in the Senate Transportation Committee. HB813 was held in the House Revenue & Finance Committee. [IFCA Supported SB105 and HB813.](#)***

HB2095 ENVIRONMENTAL IMPACT NOTE (MORGAN B) Creates the Environmental Impact Note Act. Provides that every bill and proposed rule, the purpose or effect of which may impact the environment or natural resources, shall have prepared for it a brief explanatory statement or note that shall include a reliable estimate of the anticipated environmental impact. Provides for the preparation of environmental impact notes. Provides for votes on the necessity of environmental impact notes. Provides for the requisites and contents of environmental impact notes. ***HB2085 was held in the House Executive Committee.***

[IFCA opposed HB2095.](#)

HB2182 VEH CD-HIGHWAY DESIGNATIONS (UNES M) Amends the Illinois Vehicle Code. Deletes language allowing the Department of Transportation to designate streets or highways in the system of State highways as Class III highways and makes changes governing the designation of Class II highways. Deletes language regarding the maximum length of vehicles on all non-State highways, and the highways that vehicles not exceeding 65 feet in overall length are allowed to access. ***HB2182 passed out of the House on a 109-0 vote but was never call in the Senate. [IFCA supportedHB2182.](#)***

HB2425 WILDLIFE-ENDANGERED SPECIES (CHESNEY A) Amends the Illinois Endangered Species Protection Act. Provides that a permit for incidental taking under the Act shall not be required if a federal conservation agreement, including, but not limited to, a candidate conservation agreement, habitat conservation plan, or safe harbor agreement that includes conservation practices conducted in the State in effect and approved by the United States Fish and Wildlife Service under the federal Endangered Species Act of 1973. ***HB2425 passed out of the House 60-47-3 but was never call in the Senate. [IFCA supported HB2425.](#)***

HB2728 EPA-ENVIRONMENTAL JUSTICE (MAH T) Amends the Environmental Protection Act. Provides that the Environmental Protection Agency shall ensure that possible adverse economic, social, and environmental effects on environmental justice communities relating to any permit or permit renewal have been fully considered prior to publishing a draft permit or permit renewal for public comment, and that the final decision on the permit or permit renewal is made in the best overall public interest. Provides that any person or entity seeking a permit or permit renewal in an environmental justice community shall give public notice with specified information to the residents of the environmental justice community. ***HB2728 was held in the House Public Utilities Committee. [IFCA opposed HB2728.](#)***

HB3128 AGR-POLLINATOR PLAN (MEIER C) Amends the Department of Agriculture Law of the Civil Administrative Code of Illinois. Provides that the Department of Agriculture shall create a pollinator protection plan to protect the health and mitigate risk to honeybees and other managed pollinators in the State. Provides that the Department shall identify the top potential risks to pollinators in the State and provide approaches, tools, and resources to reduce these risks during a reasonable time frame. ***HB3128 was in the House Ag Committee. [IFCA was monitoring HB3128.](#)***

HB3316 PREVAILING WAGE TRUCKING (CONNOR J) Amends the Prevailing Wage Act. Provides that the transportation of ready-mixed concrete and aggregate materials shall be deemed to be employment upon public works. Includes additional trucking related activities within the scope of the Act. ***HB3316 was held in the House Labor Committee. [IFCA opposed HB3316.](#)***

HB3666 WEIGHT & MEASURES-EXAM (COSTELLO J) Amends the Weights and Measures Act. Provides that certificates of registration shall be renewed annually. Provides that if a registrant fails to renew a certificate of registration for more than one registration year, the registrant shall pass a qualifying examination for each type of weighing or measuring device the registrant intends to install, service, recondition, or repair before the registrant's certificate is renewed. Provides that, beginning with the 2020 registration year, a registrant must pass a qualifying examination for each type of weighing and measuring device the registrant intends to install, service, recondition, or repair. ***HB3666 was held in the House Ag Committee. [IFCA opposed HB3666.](#)***

HB2588 IDOT-FARM ENTRANCE WIDTH (BENNETT T) Amends the Illinois Highway Code. Provides that the Department of Transportation may allow entrances to farm fields with a maximum width of 40 feet. ***HB2588 was held in the House Transportation Committee. [IFCA supported HB2588.](#)***

HB2839 CIV PRO-ADMINISTRATIVE REVIEW (GONG-GERSHOWITZ J) Amends the Code of Civil Procedure. Provides that unless the action is governed by the procedures or provisions of another statute, a person suffering legal wrong because of a final administrative decision, or adversely affected or aggrieved by a final administrative decision, is entitled to judicial review of the final administrative decision to the same extent, with the same rights and the same responsibilities, as a person who is a party, except that a person seeking judicial review is not entitled to relief if there was a previous public hearing at which the person failed to present his or her position. ***HB2839 was held in the House Judiciary—Civil Committee. [IFCA opposed to HB2839.](#)***

SB1352 WETLANDS PROTECTION ACT (FINE L) Creates the Wetlands Protection Act. Provides provisions concerning: exemptions; wetlands delineation, classification, notification, and permits; surety; general permits; appeal of final decisions made by the Department of Natural Resources and judicial review; Investigation and enforcement; and county authority. Creates the Wetlands Advisory Committee and establishes duties and rules for the Committee. Creates the Wetlands Protection Fund. Defines terms. ***SB1352 was held in the Senate Environment Committee. [IFCA opposed SB1352.](#)***

SB1854 EPA-FUGITIVE EMISSIONS (CURRAN J) Amends the Environmental Protection Act. Provides that beginning on the effective date of the amendatory Act no facility shall have fugitive emissions of ethylene oxide above zero. Provides that each facility shall be subject to regular and frequent inspections and testing to ensure that no fugitive emissions of ethylene oxide exist. Provides that inspections shall be unannounced and conducted by a third party chosen by the municipality in which the facility operates. Provides that each facility shall be subject to fence line ambient air testing, at random, once within every 90 to 120 days for a duration of 24-hour samples of no less than 6 consecutive days. Provides that the testing shall be conducted by a third party chosen by the municipality in which the facility operates. Defines "fugitive emissions". ***SB1854 passed out of the Senate on a 55-1 vote and pass the House on a 90-17 vote. Now moves to Gov. Pritzker for his signature. [IFCA was monitoring SB1854.](#)***

SB1993 VEH CD-DIESEL EMISSIONS (SANDOVAL M) Amends the Illinois Vehicle Code. Deletes language providing that each diesel-powered vehicle that is registered for a gross weight of more than 16,000 pounds or has a gross vehicle weight rating of more than 16,000 pounds and that is operated by an interstate carrier of property is subject to provisions that pertain to diesel emission inspections. ***SB1993 passed out of Senate on a 55-0 vote. SB1993 was never called in the House [IFCA was monitoring SB1993.](#)***

SB1980 SOIL & WATER CONSERVATION DIST (BENNETT S) Amends the Soil and Water Conservation Districts Act. Provides that the purposes of soil and water conservation districts include the conservation of soil health, organic matter in soil and plants, and water quality (rather than just water); and the improvement of resilience to droughts, floods, and other extreme weather. Defines "soil health". Allows districts to initiate and conduct specified activities regarding improvement of soil health, including surveys, investigations, research, development of comprehensive plans, entering into agreements with or cooperating with other entities, and making agricultural and engineering machinery and equipment available to landowners or occupiers within the district. ***SB1980 has passed out of the Senate 56-0 vote but was never called in the House. [IFCA supported SB1980.](#)***

SB2088 DIGITAL FAIR REPAIR ACT (FINE L) Creates the Digital Fair Repair Act. Provides that original equipment manufacturers shall: (i) make available to any independent repair provider or owner of equipment manufactured by the original equipment manufacturer the same diagnostic and repair documentation in the same manner as that information is made available to the manufacturer's authorized repair providers; and (ii) make available for purchase by the owner, his or her authorized agent, or any independent repair provider, parts, inclusive of any updates to the embedded software of the parts, upon fair and reasonable terms. Requires original equipment manufacturers to make available for purchase by owners and independent repair providers all diagnostic repair tools incorporating the same diagnostic, repair, and remote communications capabilities that the original equipment manufacturer makes available to its own repair or engineering staff or an authorized repair provider. ***SB2088 was never called in the Senate.***

IFCA was monitoring SB2088.