



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



Calendar Info

- Ag Day at the State Capitol
March 19, 2019
- IFCA's Legislative Breakfast in Springfield at the Sangamo Club,
March 21, 7:30am
- DC Summer Fly-In
July 15-218, 2019
- MAGIE Show
Aug 21-22, 2019
- IFCA Convention and Trade Show
Jan 21-23, 2020

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IFCA Heads to Capitol Hill

IFCA and more than 100 agricultural retailers, distributors and suppliers headed to Capitol Hill the first week of February for the Agribusiness Congressional Fly-in.

Hosted by the Agricultural Retailers Association (ARA), the fly-in garnered participation from ARA members from across the country and several state agribusiness groups.

The Illinois group of retailers and suppliers visited with most of the Illinois congressional delegations and their staff to discuss key policy issues including reauthorizing the Pesticide Registration Improvement Act (PRIA), transportation and rural infrastructure investment (locks/dams and ag hours of service), Chemical Facility Anti-Terrorism Standards reauthorization (CFATS) and agricultural trade (US, Mexico and Canada Trade Agreement).

IFCA's major push was for the reauthorizing of PRIA. PRIA expired on September 30, 2017 but through a series of short term extensions the program remains in effect. PRIA is supported by a diverse and unique coalition, including industry, users of pesticide, state and federal regulators and the NGO community, as this necessary and important program funds, in part, the USEPA pesticide registration and review programs.

Why PRIA is important is because a pesticide cannot be legally used if it has not been approved and registered by EPA Office of Pesticide Programs.

IFCA asked for support of Houses of Service exemption's for planting and harvesting for ALL states. Right now only 30 states have this exemption including Illinois.



Rep. Hammond and Rep. Costello Receive IFCA "Friend of Agriculture" Award

IFCA has recognized Rep. Norine Hammond and Rep. Jerry Costello II with the "Friend of Agriculture" award at it's annual convention and trade show in Peoria, Illinois in January.

The award is given out annually by IFCA to legislators based on their voting record in the General Assembly, which shows their understanding of the Illinois ag retail and supply industry.

Rep. Hammond represents the 93rd District, which includes Knox, Warren, Fulton, McDonough, and Schuyler counties. Rep. Costello represents the 116th District, which includes Jackson, Monroe, Perry and Randolph counties.

Rep. Hammond and Rep Costello have been great friends of IFCA and the ag input industry. IFCA looks forward to working with both of them in the 101st General Assembly.



Gov. Pritzker Signs \$15 Per Hour Minimum Wage Bill

Illinois Gov. JB Pritzker signed a bill Tuesday to raise the state's minimum wage to \$15 per hour by 2025.

The House voted Thursday to pass SB 1 by a 69-47-1 margin, sending it to Pritzker's desk one week after it passed the Senate.

The measure increases the current \$8.25-an-hour base wage by \$1 on Jan. 1. After a 75-cent jump July 1, 2020, it will increase \$1 each Jan. 1 until 2025.

Democrats who control the General Assembly moved quickly on the bill because Pritzker wanted to sign the bill into law before he proposes his first annual budget, scheduled for Feb. 20.

The bill was opposed by several high-profile groups, including the Illinois Manufacturers' Association and the Illinois Retail Merchants Association, and both groups issued statements condemning the measure after it passed the House.

California, Massachusetts, New Jersey, New York and the District of Columbia have adopted laws to increase the base wage to \$15 before Illinois reaches the mark in 2025.

But Illinois stands alone in the nation's midsection, surrounded by states with lower wages. Indiana, Wisconsin, and Iowa offer the federal minimum wage of \$7.25. Missouri currently offers \$8.60, a wage scheduled to increase to \$12 by 2023.



Donating to the AG-SOLVE PAC is easy! AG-SOLVE can take company/personal check or credit card.

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If you have any questions regarding the AG-SOLVE PAC, please call KJ Johnson at the IFCA office at 309-827-2774 or KJ@IFCA.COM

IFCA

14171 Carole Dr.

Bloomington, IL 61705

309-827-2774

WWW.IFCA.COM

Pritzker unveils 'bridge budget' that relies on new revenue, calls for graduated income

In a proposal his staff called a bridge budget until a graduated income tax can be put into place, Gov. J.B. Pritzker gave his proposal for the 2020 fiscal year spending plan, which counts on new revenues from taxing plastic bags, sports betting and legalized marijuana, among other things.

Pritzker on Wednesday delivered his first budget address to the General Assembly, discussing what it would take to close a \$3.2 billion deficit in the upcoming fiscal year, which begins July 1, while also increasing education spending and putting more money into the Illinois State Police.

More than half of the proposal is obligated toward paying off debt, pensions, court-ordered obligations or federally protected programs.

Pritzker again called for a graduated income tax.

"To get to fiscal stability and eliminate our structural deficit, there's no quick fix. It took decades to get us into this mess. It will take at least several years to get us out of it," the governor said.

Other new revenue ideas included changing the structure in how video gaming is taxed; a tax on e-cigarettes; increased taxes on cigarettes, and a new tax of 5 cents per plastic bag. New revenues would bring in an estimated \$1.1 billion.



He also called for a tax on insurance companies, specifically a managed care organization assessment to help cover the costs of the state's Medicaid program.

During a background briefing after the address, where staff members asked not to be quoted directly, Deputy Gov. Dan Hynes called it a "bridge budget."

The governor's office also said the budget is balanced.

However, if the new revenues aren't approved, there would need to be cuts of 4 percent, the governor's office said.

When it comes to the state's unfunded pension liability, the Pritzker administration plans to borrow money and extend legally obligated payments, among other things.

The budget proposal includes extending out the deadline for when pensions need to be 90 percent funded from 2045 to 2052. Pritzker also said revenues from implementing a graduated income tax would help pay pensions, too.



Former U.S. Secretary of Ag John Block Speaks at AG-SOLVE Breakfast

Former U.S. Secretary of Agriculture John Block spoke at the AG-SOLVE breakfast at the IFCA Convention in Peoria. Secretary Block talked about his years leading USDA as secretary of ag. He also talked about what's going on in Washington on trade policy.

Regarding China, Sec. Block said that the U.S. had just completed a round of productive negotiations with China but discussion was only the first step. It provides a foundation for the next round of negotiations when U.S. Trade Ambassador Robert Lighthizer will be there. He also point out that China has committed to buy more goods and services from the U.S. They approved the imports of 5 new varieties of genetically modified crops. China has resumed buying soybeans but are way behind previous years. There are other unresolved issues, including China's huge subsidies for some of their government-owned companies. A way to protect our intellectual property is still up for debate. Former Sec. Block sounded optimistic, but said it is not done until it's done.



IFCA / AG-SOLVE PAC Live and Silent Auction Another Huge Success

The annual AG-SOLVE Live and Silent auction at the IFCA Convention & Trade Show was another huge success. The Live and Silent auction brought in over \$50,000 to AG-SOLVE PAC!

This auction wouldn't be possible without the help of great IFCA members donating tremendous gifts. We would like to thank these companies: AHW, Altorfer, Heartland Tank, Jenner's, Syngenta and all the other companies that gave. Please thank these companies for supporting IFCA and the AG-SOLVE PAC.

Contributions to AG-SOLVE allow IFCA to lobby effectively by making it possible to attend legislative fundraisers to support lawmakers who in turn support the agricultural input industry. AG-SOLVE also attends events to get to know urban legislators who are not familiar with the agribusiness industry. These events give IFCA direct access to legislators and enable us to develop stronger relationships with them.

AG-SOLVE looks to build on this year's success. If your company would like to donate a gift for next years auction, please contact KJ Johnson at KJ@IFCA.COM



Key State Legislative Issues for IFCA

IFCA Priorities

SB2117 / HB2669, Removal of License Plates on Ammonia Nurse Wagon and Fertilizer Spreader (Floater). SB2117 and HB2669 would amend the Illinois vehicle code. Deletes language requiring registration of certain farm wagon type trailers having a fertilizer spreader attachment and farm wagon type tank trailers (NH₃ nurse wagon). Removes the registration fee and existing width and weight restrictions for single unit self-propelled agricultural fertilizer implements (floater).

SB1860 SOIL & PLANT ADDITIVES (ANDERSON N), Amends the Soil Amendment Act. Provides that the Act may be cited as the Soil, Plant, and Additive Act. Changes references in the Act from soil amendment to additive or amendment. Defines "active ingredient", "additive", "amendment", "inert ingredient", and "plant amendment".

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*.

SB1482 PESTICIDES-PENALTIES (KOEHLER D), Amends the Illinois Pesticide Act. Increases the monetary penalties for violations of the Act. Effective January 1, 2020.

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.

SR52 NUTRIENT LOSS REDUCTION (BENNETT S), Supports the Nutrient Loss Reduction Strategy and the work of stakeholders on the continued implementation of the Strategy.

Other Legislation IFCA is Tracking

HB813 / SB105 VEH CD-REPEAL COM DISTRIB FEE (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. Makes conforming changes. Effective July 1, 2020.

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.



HB2182 / SB1381 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.

HB2295 IDOT DRONES RULE-MAKING (HOFFMAN J), Amends the Illinois Aeronautics Act. Provides that the Department of Transportation, to the exclusion of all other government entities, may adopt any rules that it finds appropriate to address the safe and legal operation of unmanned aircraft systems in the State.

HB2318 VEH CD-TRUCKS-AIR QUALITY (SLAUGHTER J), Amends the Illinois Vehicle Code. Provides that local authorities, with respect to highways under their jurisdiction, may limit the operation of trucks or other commercial vehicles in areas with poor air quality. Defines "poor air quality".

HB2425 / SB1336 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. Provides that incidental taking of species that are listed as endangered or threatened by the State only and not listed by the United States Fish and Wildlife Service shall follow the provisions under the Act.

HB2575 AUTONOMOUS VEHICLE ACT (ZALEWSKI M), Creates the Autonomous Vehicle Act. Defines terms. Provides that a fully autonomous vehicle may drive or operate upon the highways of this State, regardless of whether a human operator is physically present in the vehicle. Provides that when engaged, the automated driving system shall be considered the driver or operator for purposes of assessing conformance to applicable traffic or motor vehicle laws and shall be deemed to satisfy any physical acts required of a driver or operator.

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.

HB2819 DNR-SOIL HEALTH PRACTICES (MILLER C), Amends the Department of Natural Resources Act. Provides that the Department of Natural Resources may require the establishment of soil health practices on leases of land used for agricultural purposes.

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.

HB3092 PRAIRIE AND FORAGE PLANTS (MOELLER A), Creates the Native Prairie and Forage Preference Act. Provides that every State agency, where appropriate, shall give preference to using native prairie and forage plants to benefit pollinators, including, but not limited to, honey bees and monarch butterflies.

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. Provides that the Department shall report its findings to the General Assembly on or before January 1, 2021.

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. Includes in the calculation of the prevailing wage rate, rental costs for trucks and equipment provided by owner-operators.

HB3570 JOBS TRAINING CREDIT (MCCOMBIE T), Creates the Industrial New Jobs Training Act. Provides that community college may enter into an agreement with an employer in which the employer provides certain education and job-training services. Provides that the program shall be funded by: (1) a new jobs credit from withholding to be received or derived from new employment resulting from the project; (2) tuition, student fees, or special charges fixed by the Board to defray program costs in whole or in part; or (3) a guarantee of payments to be received under paragraph (1) or (2). Provides that the community college may issue certificates for funding of the program. Amends the Illinois Income Tax Act to make conforming changes.

HB3646 TWP & ROAD DIST-CONSOLIDATIONS (DIDECH D), Amends the Township Code. Provides that a referendum for the voters of each township that is coterminous, or substantially coterminous, with a municipality shall be held on the November 5, 2020 general election to dissolve the township and transfer all the rights, powers, duties, assets, property, liabilities, obligations, and responsibilities to the coterminous municipality. Provides that this is in addition to any other method provided by law to dissolve a township.

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.

SB198 HGHWY CD-MOTOR FUEL TAX (FINE L), Amends the Illinois Highway Code. Provides that a county board of any county, any township, or any municipality may use motor fuel tax funds allotted to it for the operation costs of any public transportation service, for capital improvements designed to improve or enhance pedestrian, bicycle, or transit mobility, or for infrastructure used to support publicly or privately owned electric vehicles.

SB1180 DNR-NATIVE BEE HABITATS (TRACY J), Amends the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. Provides that the Department of Natural Resources shall designate, in each State park and forest, native bee nesting habitat areas.

SB1256 VEH CD-EXCESSIVE IDLING (CUNNINGHAM B), Amends the Illinois Vehicle Code. Provides that a person who operates a motor vehicle operating on diesel fuel in an affected area may not cause or allow the motor vehicle, when it is not in motion, to idle for more than a total of 10 minutes within any 60-minute period under any circumstances if the vehicle is within 200 feet of a residential area. Provides that if a person violates the provisions concerning excessive idling within 200 feet of a residential area, the law enforcement agency having jurisdiction over the residential area or the law enforcement agency having jurisdiction over the property on which the violation took place may enforce the provisions.

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. Makes conforming changes in the State Finance Act.

SB1353 ISP-MOTOR CARRIER SAFTY (STEWART B), Amends the Illinois Motor Carrier Safety Law of the Illinois Vehicle Code. Provides that the Department of State Police (instead of the Department of Transportation in conjunction with the Department of State Police) shall administer the Law. Amends the Illinois Hazardous Materials Transportation Act to provide that the Department of State Police (instead of the Department of Transportation) shall administer the Act. Amends the State Finance Act. Provides that, beginning fiscal year 2020, no road fund



money shall be appropriated to the Department of State Police, except money appropriated each fiscal year to implement and fulfill the requirements of the Motor Carrier Safety Assistance Program, not to exceed the annual allocation plus 25% from the Federal Motor Carrier Safety Administration.

SB1527 EMINENT DOMAIN - TRIAL BY JURY (FINE L), Amends the Eminent Domain Act. Provides that, with specified exceptions, if either party in the condemnation action demands a trial by jury, the condemning authority shall not be granted title or possession and the owner shall not be restrained from denying access to the property until the jury ascertains compensation.

SB1678 USE/OCC TX-BEEKEEPING (TRACY J), Amends the Use Tax Act, the Service Use Tax Act, the Service Occupation Tax Act, and the Retailers' Occupation Tax Act. Provides that products purchased by an eligible apiarist for use in producing honey bee products for sale or for providing bee pollination services are exempt from the tax imposed under the Act.

SB1783 PREVAILING WAGE TRUCKING (HASTINGS M), 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. Includes in the calculation of the prevailing wage rate, rental costs for trucks and equipment provided by owner-operators. Defines terms.

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".

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.

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. Requires an independent repair provider that purchases or acquires embedded software or service parts to notify the owner of the equipment in writing of certain warranties prior to performing any services on digital electronic equipment. Provides, with one exception, an authorized provider shall have all the rights and remedies provided under the Act. Provides for enforcement by the Attorney General. Authorizes the Attorney General to seek to enjoin violations and to recover civil penalties. Requires the Attorney General to establish an outreach program to inform the public of rights under the Act. Defines terms. Excludes motor vehicle manufacturers. Provides for recovery of damages and attorney's fees. Provides for the protection of trade secrets. Amends the Consumer Fraud and Deceptive Business Practices Act to incorporate a violation of the Digital Fair Repair Act as a violation of that Act.