



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 last week for the Agribusiness Congressional Fly-in.

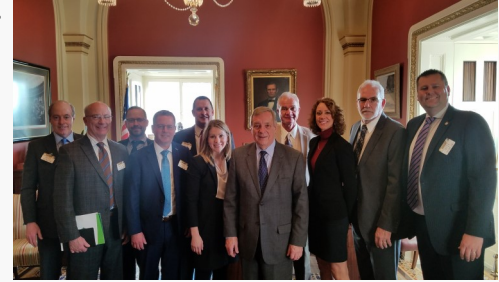
Hosted by the Agricultural Retailers Association (ARA), the fly-in garnered participation from ARA members from across the country and several state agribusiness groups.

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 exemptions for planting and harvesting for ALL states. Right now only 30 states have this exemption including Illinois.



Illinois Dept of Ag Announces Special Local Needs Dicamba Labels

Today, the Illinois Department of Agriculture announced a 24c Special Local Need (SLN) label for the three dicamba products labeled for soybean: Engenia, FeXapan and Xtendimax. Each label now spells out additional requirements for application in Illinois, as follows:

1. The implementation of a cutoff date of June 30, 2019, for application to DT soybeans.
2. Prohibiting application when the wind is blowing toward adjacent residential areas.
3. Required consultation of the FieldWatch sensitive crop registry before application, as well as compliance with all associated record keeping label requirements.
4. Maintaining the label-specified downwind buffer between the last treated row and the nearest downfield edge of any Illinois Nature Preserves Commission site.
5. Recommendation to apply product when the wind is blowing away from sensitive areas, which include but are not limited to bodies of water and non-residential, uncultivated areas that may harbor sensitive plant species.

IFCA supports these label changes as we were part of the meetings and discussions with the IDA, farm groups and registrants to help develop the 24c label language. It is imperative that the number of misuse complaints are reduced in Illinois, and also vital that all applicators understand the requirements to protect both sensitive crops AND sensitive areas. By being proactive to help assure judicious use of these herbicides, we are also demonstrating that we recognize the concerns of the specialty crop industry, sensitive soybean growers, and the non-ag community; we knew it was vital to address their concerns. The industry consensus for the new labels is illustrated in the press release that accompanied the IDA's announcement today. In addition to supportive quotes from the IDA and the ag organizations, the environmental community also provided a supportive statement.



The Illinois Department of Ag plans to send an official letter to each Illinois pesticide dealer, and to all licensed commercial and private applicators, notifying them of these new label changes.

Violating these new provisions of use in Illinois may be considered a "Knowing" violation of the label, resulting in substantial monetary penalties or potential revocation of the applicator's license, so please take this new label seriously.

IFCA will provide more guidance to our members, and address questions, in a poster/flyer format that you can display or distribute to your customers. If you have already been through dicamba training in Fall of 2018 or 2019, you do NOT need to attend again since the letter that all applicators will receive from IDA about the new label requirements will serve as your notice.

If you have questions, please contact IFCA. Thank you for understanding the proactive reasons why our industry in Illinois supports these label changes and please help us communicate the changes to your farmer customers.

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.



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Illinois Gov. signs bill raising minimum wage to \$15

Illinois Gov. J.B. Pritzker (D) signed a bill into law last week to raise the state's minimum wage to \$15 an hour by 2025.

Pritzker ousted former Gov. Bruce Rauner (R) in November and campaigned on raising the minimum wage.

The state's minimum wage is currently \$8.25 an hour. It will rise to \$9.25 an hour on Jan. 1, 2020, then to \$10 an hour that July. After that the minimum wage will increase by \$1 each year until 2025.

Pritzker indicated he would sign the bill in a statement Thursday, saying “After nearly a decade of delay, I applaud the House and Senate for passing a living wage with the fierce urgency this moment requires.”

The bill launched a largely partisan debate in the state's legislature, and was strongly opposed by Republicans.

By getting a win on his top legislative priority, Pritzker has displayed the power Democrats now wield in Springfield with control of the governor’s office and both chambers of the legislature. But he also risks alienating the Republican lawmakers

and business interests he vowed to work with when he was sworn in last month. And the issue reopened well-worn regional divides in Illinois, as lawmakers split over whether the Chicago area should have a higher minimum wage than Downstate areas, which often have a lower cost of living.



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

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.

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, specifical-



ly 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 pointed 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.



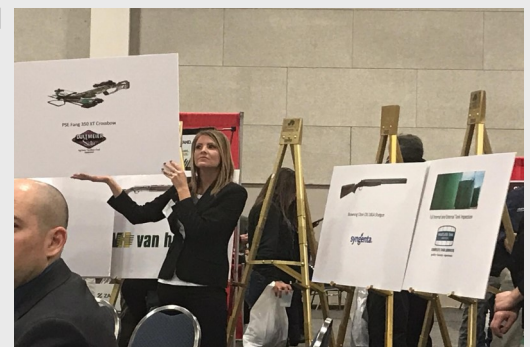
IFCA / AG-SOLVE PAC Live and Silent Auction Another Huge Success

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 all the 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 year's auction, please contact KJ Johnson at ***KJ@IFCA.COM***



Pesticide Registration (PRIA) Bill Heads to President Trump

Congress accomplished early action in passing a long term Pesticide Registration Improvement Act Reauthorization (PRIA) that will strengthen and improve pesticide registration through 2023. The full Senate passed the bill by unanimous consent on February 14, followed by unanimous consent in the House on February 25.

PRIA provides certainty for consumers, farmers and ag retailers, ensuring pesticide are reviewed and re-reviewed in thorough and timely manner.

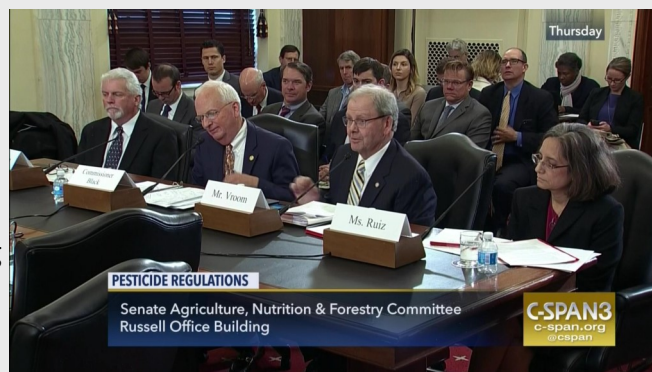
House and Senate leadership and congressional appropriators have worked diligently over the past two years to preserve the benefits and process improvements first realized with PRIA's original enactment in 2004.

The bipartisan PRIA legislation is identical to what passed the Senate unanimously by voice vote in June 2018. In December 2018, a variety of agricultural interests urged Congress to pass PRIA.

IFCA would like to thanks Congressman Rodney Davis for his tireless efforts to get PRIA reauthorized.

PRIA established a framework for the EPA when registering pesticide. The original intent was to create a more predictable and effective evaluation process for affected pesticide decisions by coupling the collection for fees with specific decision review periods. This legislation includes technical changes and extends authority of EPA to collect updated pesticide registration and maintenance fees through fiscal 2013.

The reauthorization provides important new provisions, increasing and clarifying categories of pesticide actions covered, increasing fees for both registration and registration review that reduce burdens on the taxpayers and protects funds for grants programs while increasing transparency and stakeholder engagement by ensuring that grant programs meet measurable goals.



Senate confirms Wheeler to lead EPA

The Senate on Thursday voted to confirm Andrew Wheeler as administrator of the Environmental Protection Agency (EPA) in a 52-47 mostly party-line vote.

Every Democrat voted against Wheeler, while Sen. Susan Collins was the only Republican to vote against him.

Sen. Joe Manchin, the only Democrat who voted to confirm Wheeler as EPA's deputy administrator, voted against him on Thursday. He cited Wheeler's failure to make progress on clean drinking water standards, among other issues.

Wheeler has led the EPA in an active capacity since former Administrator Scott Pruitt resigned on the heels of ethics controversies in July. He will be the agency's second leader under President Trump. Wheeler to take over the role of EPA administrator in early January.

Responding to his confirmation, Wheeler tweeted Thursday that he was "humbled".



At his confirmation hearing, Wheeler doubled down on the EPA's efforts under Trump to streamline environmental regulations, which in many instances meant dramatically re-writing, challenging and shrinking agency rules put in place under former President Obama.

Wheeler in his opening remarks highlighted 13 major deregulatory actions he had overseen in his six months heading the EPA on an acting basis, including proposals to roll back environmental regulations for power plants and vehicle emissions and protections for small waterways. He said it saved Americans "roughly \$1.8 billion in regulatory costs."

Democrats blasted Wheeler for continuing the Trump administration's deregulatory agenda, which included a dramatic drop in enforcement against polluters.

Key State Legislative Issues IFCA is Watching This Spring Session

Priority Legislation IFCA is Monitoring

SB2117 / HB2669, (Bennett B) (Unes M),

Removal of License Plates on Ammonia Nurse Wagons and Fertilizer Spreader (Floater).

SB2117 and 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).

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)

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.

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 Watching

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. Makes conforming changes.

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. Provides that no comment or opinion shall be included in the environmental impact note with regard to the merits of the measure for which the environmental impact note is prepared, but allows technical or mechanical defects to be noted. Provides that the preparation of an environmental impact note for a bill or proposed rule does not preclude the appearance of State officials and employees in support or opposition of a measure. Provides requirements concerning amendments to a bill or proposed rule for which an environmental impact note has been prepared.

HB2180 MINIMUM WAGE-WORK STUDY/INTERN (STAVA-MURRAY A), Amends the Minimum Wage Law to provide that an employer shall pay a person no less than the minimum wage rate if the person is a student enrolled in an institution of higher education whose employment is part of a work study or internship program approved by that institution, regardless of whether the person is receiving course credit from that institution for the employment. Effective immediately.

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.

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 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.

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.

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.

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.

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. .

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.

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. Provides that to the extent necessary, such a person may provide new or additional evidence to the court for the limited purpose of demonstrating the legal wrong or adverse effect or impairment that he or she has experienced or may experience as a result of the final administrative decision. Provides that the right to judicial review under the new provisions is limited to final administrative permitting decisions made by the Department of Agriculture, Environmental Protection Agency, Department of Natural Resources, Department of Public Health, or Department of Transportation that impact the public trust in the waters and lands of this State, State parks or natural areas, threatened or endangered species, surface or ground water quality, air quality, or other matters affecting the right to a healthful environment under the Illinois Constitution. Makes a corresponding change in a Section concerning scope of review. 10

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.

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.

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".

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.

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.