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## Illinois Fertilizer & Chemical Association

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# **IFCA State Legislative Report: May 21, 2021**

With just 11 legislative days to the end of spring session, it is now crunch time under the dome of the Illinois state capitol. The major issues that are taking up the most time for legislators include the budget, cannabis clean up language, Exelon Nuclear Bailout bill and Clean Energy Jobs legislation. All eyes are on the New House Speaker Chris Welch to see if he can shepherd these large pieces of legislation across the finish line.

IFCA has been involved in both helping pass or block any legislation that could impact the ag input industry. All legislation that IFCA has been tracking this spring session in Springfield can be viewed below. If you have any questions on any piece of legislation, please do not hesitate to reach out to KJ Johnson at [KJ@IFCA.COM](mailto:KJ@IFCA.COM).

**California Diesel Emission Standards.** Sen. Bush introduced SB 2563 (amendment 1) which started as a fairly conservative bill to make diesel emission testing in parts of Illinois more convenient by allowing portable onsite testing equipment. It has been amended to inject current California Clean Air Standards for diesel engines into Illinois regulations. The California Air Resources Board (CARB) language used in this legislation would require all model year 2007 and later vehicles registered in the federal clean air non-attainment areas of Illinois to pass 5% opacity testing standards. This includes Cook, DuPage, Lake, Kane, Will, McHenry, portions of Grundy & Kendall, St. Clair, Madison, and Monroe Counties. If this would pass this session, it would not be long before all trucks would have to meet this standard. **IFCA is neutral SB 2563. SB 2563 has passed out of Senate Executive Committee. IFCA and allied interests met with the bill's sponsor and others to remove the California standard language in exchange for a study to be conducted by IDOT. The study will review current vehicle emissions data and include comparisons to other states and air quality conditions in other federal Clean Air non-attainment.**

**NEONICOTINOID BAN ON PUBLIC LANDS.** Rep. Guzzardi introduced HB 3429 which makes it unlawful to apply neonicotinoid insecticides on public lands owned or maintained by the state (including university ground). It would also ban applications of neonicotinoid insecticides in other outdoor residential settings, including landscaping, ornamental, or other outdoor applications in the state. The bill also requires the Illinois Dept of Agriculture, within one year after the effective date of the Act, to issue a draft report evaluating whether clear, peer-reviewed, published scientific evidence exists that outdoor applications of these insecticides are safe for monarch butterflies, other pollinators, other beneficial insects, the broader environment, and human health. **IFCA is opposed to HB 3429. IFCA spoke to Rep. Guzzardi regarding HB 3429. Rep. Guzzardi informed IFCA that he would like to have a more formal discussion regarding pollinator health (bees and butterflies). IFCA will continue to have discussions with Rep. Guzzardi. HB 3429 never was reported out of House Rules Committee.**

**Pesticide Penalties Bill.** Sen. Villa has SB 2108 which amends the Illinois Pesticide Act. The bills both add and changes monetary penalties for specified amounts of violation points. Provides that beginning on January 1, 2022, and every January 1 thereafter, the monetary penalties shall automatically be increased or decreased by a percentage equal to the percentage change in a specified document during the preceding 12-month calendar year. Provides that the updated monetary penalties resulting from each annual adjustment shall be made available to the public via the Department of Agriculture's official website on or before January 1 of the calendar year for which the new monetary penalties apply. Defines "herbaceous plant" and "woody perennial plant". **IFCA is Opposed to SB 2108. IFCA and the commodity groups have had many zoom meetings with Sen. Villa and the environmental groups regarding SB 2108. No agreement could be reached. Discussions will continue this summer regarding pesticide penalties with all groups.**

**Glyphosate Ban.** Rep. Didech introduced HB 3370 which provides that no person shall distribute, sell, offer for sale, or use glyphosate or any products containing glyphosate within Illinois. **IFCA is Opposed HB 3370. HB 3370 never was reported out of House Rules Committee.**

**Pyrethroid Pesticides to be Applied by Only Commercial Applicators.**

Rep. Gabel introduced HB 3118 which provides that a pyrethroid pesticide may only be applied by a commercial applicator for commercial or residential use if evidence-based model of application complying with specified requirements is used. Requires IDOA to adopt rules creating a process meeting specified requirements for the licensure of commercial applicators for residential treatment of pyrethroid pesticides. **IFCA is Opposed to HB 3118. HB 3118 has been passed out of House Environmental Committee. Rep. Gabel informed IFCA that she will not call HB 3118 for a vote this spring session.**

**Pollinator Protection.** Rep. Meier introduced HB 3357 which provides that between 8 a.m. and 6 p.m., a commercial applicator shall not apply to blooming crops pesticides labeled as toxic to bees when the commercial applicator is located within one mile of a registered apiary. Provides that a commercial applicator shall be responsible for maintaining the one-mile distance from apiaries that are registered and listed on the sensitive crop registry on the first day of each month. Provides that: a commercial applicator must notify the registrant in writing at least 24 hours prior to application as to date and time of application in case there is a need to move the hives; the commercial applicator shall provide upon request a copy of the label for the products being applied; and this same type of protection should be applied to all specialty crops. **IFCA is Opposed to HB 3357. HB 3357 never was reported out of House Rules Committee.**

**Pesticide Application Around Schools.** Sen. Morrison has SB 2245 which amends the Illinois Pesticide Act. Provides that, no later than January 1, 2022, the Department of Agriculture shall develop a drift monitoring study to evaluate pesticide drift at 3 schools within the State and shall submit a report of its findings and recommendations to the General Assembly no later than January 1, 2023. Repeals the provisions regarding the drift monitoring study on January 1, 2024. Provides that it is unlawful to apply a restricted use pesticide on or within 500 feet of a school property during normal hours, except for whole structure fumigation, unless the pesticide application information listed on the pesticide label is more restrictive, in which case the more restrictive provision shall apply. Directs the Department to adopt rules necessary to implement the restriction. Defines "normal school hours". **IFCA is Monitoring SB 2245 and visiting with the bill sponsor to better determine the issues that led to the introduction of this bill. SB 2245 has passed out of the Senate and is waiting for a vote on the House floor.**

**Pretreated Seed Ban in Ethanol Production** Rep. Guzzardi has HB 1847 which bans the use of pretreated seeds in the production of ethanol. **IFCA is Monitoring HB 1847. HB 1847 never was reported out of House Rules Committee.**

**Nutrient Loss Reduction Funding** SB 2474 / HB 1792 creates the Illinois Partners for Nutrient Loss Reduction Act. Provides legislative findings. Amends the State Finance Act. Provides that moneys in the Partners for Conservation Fund and the Partners for Conservation Projects Fund may be used to implement the State's Nutrient Loss Reduction Strategy, including funding for specified needs. Provides that the State Comptroller shall automatically transfer moneys to the Partners for Conservation Fund through June 30, 2027 (currently, 2021). Specifies the amount of moneys transferred to the Fund from 2022 through 2027 (currently, only for 2021). Specifies amounts and uses for moneys to be used by the Fund through specified years. Provides specified amounts to be transferred from the General Revenue Fund into the Partners for Conservation Fund for each year of 2022 through 2027. Provides that for years 2022 through 2027 funding from the Partners for Conservation Fund shall be provided to the Environmental Protection Agency, the Department of Agriculture, and the Department of Natural Resources annually in specified amounts and for specified uses. **IFCA Supports SB 2474 / HB 1792. SB 2474 has passed out of Senate Ag Committee. IFCA is hopeful that SB 2474 language will be included in the budget deal.**

**Property Taxes on Commercial Property** Rep. Davis has HB 860. The bill forces commercial property owners to disclose certain financial information to the county assessor's office about a building's income. This would enable the county assessor to get more information to help accurately calculate its value for the tax assessment purposes. **IFCA is Opposed HB 860. HB 860 never was reported out of House Rules Committee.**

**Trailer Weight Tax** Rep. Boune introduced HB 636 which amends the Illinois Vehicle Code. Reduces the trailer flat weight tax for maximum loads of 3,000 pounds from \$118 to \$18. **IFCA Supports HB 636. HB 636 is in Sales, Amusement and Other Taxes Subcommittee.**

**Repealing the Estate Tax** Rep Spain introduced HB 1921 which amends the Illinois Estate and Generation-Skipping Transfer Tax Act. Provides that no tax shall be imposed under the Act for persons dying on or after the effective date of the amendatory Act or for transfers made on or after the effective date of the amendatory Act. **IFCA Supports HB 1921. HB 1921 is in Sales, Amusement and Other Taxes Subcommittee.**

**Freight Train Length** Rep. Hoffman introduced HB 2524 which amends the Illinois Commercial Transportation Law of the Illinois Vehicle Code. Provides that no railroad operating within this State on any main line or any other line shall operate, or permit to be operated, any train that exceeds 8,500 feet in length. **IFCA is Monitoring HB 2524. HB 2524 is in Roadways, Rail & Aviation Subcommittee.**

If you have any questions regarding national or state legislation, please do not hesitate to email or call KJ Johnson at KJ@IFCA.COM or 217-369-1669.