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It has been eerily strange walking the halls of the State House the past several weeks. Committees have been meeting, bills have been presented, votes have been taken, amendments have been drafted and debated. It is almost like the General Assembly is busily humming along like the "good old days." At the same time however, there is the veiled reality that the state is extremely, extremely broke!

What complicates this is the "gubernatorial election politics" that are being played out in the State House. Tensions are high and the games being played are only beginning. The partisanship is already complicating legislative activities, but it is Illinois so not only is it going to happen, it is expected.

The Senate completed its first round of committee hearings and will now move onto floor action on Senate Bills. They still will be going back to committees to take action on amendments. The House has one more week of committees before its scheduled deadline and it will then concentrate on floor actions in the coming weeks.

The belief that the General Assembly will conclude its business by the end of May continues. There is growing feeling that the legislature will only pass a 6 month budget and come back after the November election and deal with it then. The theory is that if the democrat candidate wins, they deal with it. If the republican candidate wins, they wait until the new governor takes office and see what tone he sets. If this was not all so real, it would make a "good" TV soap opera.

IFB LEGISLATIVE PRIORITIES

The Illinois Farm Bureau legislative priorities are listed below by bill number and with the current status:

HB 4812	(Rep. Sacica)	Seek passage of legislation to allow equine harvesting in Illinois.	Passed House Agriculture and Conservation Committee
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HB 5895	(Rep. Black)	<p>Seek passage of legislation that limits a landowner's liability when their property is used by invited guests for recreational purposes.</p> <p>The Illinois Trial Lawyers Association (ITLA) opposes HB 6142. We have had an ongoing dialogue with the staff of the ITLA for several years and are hopeful that some kind of agreement can be reached to bring this issue to a close.</p>	Assigned to the House Judiciary I - Civil Law Committee
HB 6142	(Rep. Myers)	<p>Seek passage of legislation that allows a defendant to receive payment by the plaintiff(s) for costs and reasonable attorney fees by a prevailing defendant in any nuisance action against a farm and to preempt anticipatory nuisance suits against owners of proposed livestock facilities or expansions to existing facilities that are in compliance with the Livestock Management Facilities Act.</p> <p>The Illinois Trial Lawyers Association adamantly opposes HB 6142.</p>	Assigned to the House Judiciary I - Civil Law Committee
SB 2566	(Sen. Sullivan)	Seek passage of legislation to restore statute to allow ATVs and UTVs to be used on roads for farming purposes and allow these vehicles to cross roads.	Passed the Senate Transportation Committee
HB 4904	(Rep. Myers)		House Rules Committee
SB 3713	(Sen. Frerichs)	<p>Seek legislation that would establish that at least one member of the University of Illinois Board of Trustees have an agricultural background.</p> <p>There are multiple bills</p>	Assigned to Senate Higher Education Committee

BUDGET, WHERE IS IT?

Next week the long awaited unveiling of the Governor's FY 2011 state budget plan will occur. A couple of weeks ago the Governor sought and was successful in delaying his budget address until March 10th. The budget address was suppose to be given on February 17th, but the Governor wanted more time to prepare his budget.

In pushing back the budget address date, HB 2240 (Speaker Madigan/President Cullerton) also contained a provision that the Governor's office had to make available general budget information to the public via the Governor's internet website. It also contained a provision that the internet would allow members of the General Assembly and the public to make comments on the general state financial information. The website is <http://www2.illinois.gov/budget/Pages/default.aspx>.

Governor Quinn continues to state that the only way to repair the state's horrible financial situation and almost \$13 billion deficit is to cut expenditures, borrow funds, and increase the state income tax. As you can imagine, this has sparked all kinds of statements of opposition.

There has also been amendments to the current state budget to reduce funds. Within the capital when changes are made to current fiscal year appropriations the bills are referred to as "supplemental appropriations." Supplemental appropriations traditionally have increased funding to specific budget line items when new funds are found or needed. We have been referring to the Senate appropriation proposals as "Un-supplementals" since they propose to cut funds by 10% from the current budget across the board. The un-supplementals have given a lot of groups, especially schools and universities, a large public stage to voice their opposition.

Stay tuned for the full release of all of the Governor's budget on March 10.

STATE ESTATE TAX

One of the quietest issues in the state house has been the state estate tax. As you will recall Illinois recoupled to the federal estate tax process which means that for the year 2010 there are no estate taxes. In January there were some "rumors" floating that the state would de-couple again from the federal process and put Illinois back in the business of taxing estates upon a death.

The only bill introduced specifically on this matter is SB 3694 (Sen. Harmon). The bill was assigned to the Senate Revenue Committee, but no action was taken on the bill. There are numerous other bills that can be amended once a decision is made by lawmakers to address this issue. It appears that everyone is waiting on Congress to take action first. Stay tuned.

MENTIONABLES

ENCOURAGE CONGRESS AND CORPS OF ENGINEERS TO FUND COMPREHENSIVE PLAN FOR FLOOD CONTROL IN THE UPPER MISSISSIPPI - **SJR 87** (SEN. SULLIVAN)

This resolution encourages the U.S. Congress and the Army Corps of Engineers' to authorize and fund the Comprehensive Plan for Flood Control in the Upper Mississippi river valley. **SJR 87 has been approved for consideration by the Senate Agriculture and Conservation Committee and place on the Senate Floor for action. IFB supports SJR 87.**

TASK FORCE ON SOIL AND WATER CONSERVATION DISTRICTS - **SJR 107** (SEN. FRERICHS)

A resolution has been introduced to create a task force to review the current structure and funding of Soil and Water Conservation Districts (SWCD). The task force shall study the history, purpose, administration, origination, and current and future funding of SWCDs. The committee will have 20 members appointed from a mixture of legislators, state agencies, SWCD staff and leaders, agricultural groups, and environmental groups. **SJR 107 is in the Senate Committee on Assignments awaiting referral to a standing committee. SJR 107 is supported by IFB.**

ANOTHER ATV/UTV FIX BILL - **SB 3629** (SEN. SULLIVAN)

In addition to the two legislative bills sought by IFB (SB 2566 and HB 4904) Sen. Sullivan has introduced a bill to fix other neighborhood vehicle problems in statute. As you will recall there were several bills trying to address neighborhood vehicles when the ATV/UTV use on rural roads was eliminated and the municipal sections of the code were messed up also. The association that represents the municipalities, the Illinois Municipal League, approached Sen. Sullivan to fix their concerns in municipalities. In doing so the bill has also been drafted to include the provisions to restore the use of ATV/UTV on rural roads. **SB 3629 has passed the Senate Transpiration Committee and is on the Senate floor. IFB supports SB 3629.**

CONCEAL CARRY OF FIREARMS - **HB 5221** (REP. PHELPS) & **HB 6249** (REP. BRADLEY)

Both bills allow the Illinois State Police to issue permits to carry a concealed firearm. Each bill approaches the permitting differently, but in the end bring a similar outcome. HB 5221 preempts home rule powers of units of local governments (requiring a 3/5 vote) and HB 6249 does not preempt home rule (requires a simple majority vote). **HB 6249 passed the House Agriculture and Conservation Committee and HB 5221 is assigned to the House Agriculture and Conservation Committee. IFB supports HB 5221 and HB 6249.**

DOG TETHERING - **SB 2580** (SENATOR HOLMES)

The bill amends the Humane Care for Animals Act to set standards for the tethering of dogs. Senator Holmes introduced the bill after witnessing a deceased dog that died due to being tethered inhumanely. The Senator worked with the Humane Society of the United States to craft the legislation that was introduced.

Illinois Farm Bureau has been working with Senator Holmes, HSUS, Illinois Pork Producers Association, dog groups, and the Illinois Department of Agriculture to amend the bill. IFB's opposition has been based on the fact that as introduced, the requirements of the bill would be onerous for dog owners that tether their dogs. **Illinois Farm Bureau opposed SB 2580 as introduced, but with successful negotiations to remove IFB points of opposition, IFB along with IPPA and IBA were able to go neutral just prior to committee. SB 2580 passed Senate Agriculture and Conservation Committee and is currently on 2nd Reading in the Senate.**

HONEY HOUSES - SB 2959 (SEN. LUECHTEFELD), HB 5755 (REP. FORTNER), HB 6132 (REP. REITZ)

The bills reclassify honey as a raw, unprocessed commodity so that extracted honey does not have to be considered a processed food. Processed foods require preparation in a certified kitchen therefore causing even the smallest of honey producers to meet Public Health requirements for any honey extracted and sold to the public. **Illinois Farm Bureau supports SB 2959, HB 5755, and HB 6132. SB 2959 is on 2nd Reading in the Senate, HB 5755 is on 2nd Reading in the House, and HB 6132 is on 2nd Reading in the House.**

LONGWALL MINING HEARING PROCESS - SB 3107 (SENATOR McCARTER)

Requires a coal company to file a notice of intent to construct if they want to longwall mine in Illinois. Once the notice of intent is filed, the County Board in the impacted area can then request a public informational hearing where the coal producer and IDNR would answer questions and present information on the plans for the mine, subsidence and remediation. The County Board would then be allowed to make a non-binding recommendation to IDNR regarding the siting of the mine. **Illinois Farm Bureau supports SB 3107. SB 3107 is still assigned to Senate Agriculture Committee. The deadline for passage out of committee has been extended to allow negotiations to continue.**

ADVISORY BOARD OF LIVESTOCK COMMISSIONERS - SB 3604 (SENATOR FRERICHS)

The bill amends the Advisory Board of Livestock Commissioners Act to include some technical changes and to clarify that the Board can deal with issues related to animal well being as well as animal health issues. **Illinois Farm Bureau supports SB 3604. SB 3604 is on 2nd Reading in the Senate.**

ILLINOIS FINANCE AUTHORITY - WORKING CAPITAL LOANS - SB 3719 (SENATOR FRERICHS)

The bill amends the Illinois Finance Authority Act to allow the IFA to issue input/short term loans to Illinois farmers. Currently IFA loans are all longer term equipment, building, land and debt consolidation purchase loans. The bill also allows IFA to bolster agricultural loan guarantee funds. **Illinois Farm Bureau supports SB 3719. SB 3719 is currently on 2nd Reading in the Senate.**

PHOSPHOROUS APPLICATION ON TURF - HB 6099 (REPRESENTATIVE PHELPS)

The bill as introduced would ban the application of any fertilizer containing Phosphorous to turf unless a valid soil test shows that the soil is deficient. Bans the application of Phosphate based fertilizer near impervious surfaces and standing water. The bill exempts pasture land and crop land. **Illinois Farm Bureau opposes HB 6099 as introduced. Illinois Fertilizer and Chemical Association is working with the proponents and sponsor to amend the bill. Should the amendment be accepted, IFB would be able to go neutral on the bill. The amendment would remove the Phosphorous ban provisions and address fertilizer regulation preemptions. HB 6099 is currently assigned to House Agriculture Committee.**

ALL -TERRAIN VEHICLE SAFETY- HB 5029 (REP. FLOWERS)

HB 5029 is a bill that is trying to promote all-terrain and off highway motorcycle safety for individuals. This bill however makes it illegal for an individual that is 16 years or younger that does not have a valid driver's license from operating these vehicles and prohibits the use of these vehicles on roadways. Currently IFB is trying to reinstate legislation that would allow the use of these vehicles for on road use to and from a farm for farm use. HB 5029 would prohibit this from happening. **IFB is opposed to HB 5029 and the bill is currently assigned to House Elementary and Secondary Education committee.**

BANNING OF CERTAIN WILDLIFE TRAPS- HB 5799 (REP. SULLIVAN)

HB 5799 is a bill that would ban the use of conibear traps used by trappers and drainage districts for trapping wildlife. These traps are commonly used for trapping beavers and muskrats as they are a versatile trap that can be located and used both on land and in the water. They have proven to be highly effective and efficient in these circumstances and are used quite often. The Illinois Trappers Association and IFB are currently in negotiations with Rep. Sullivan on this issue. **IFB is opposed to HB 5799 and the bill is currently assigned to House Agriculture and Conservation committee.**

WATER AUTHORITY INCORPORATION- HB 4757 (REP. TRYON)

HB 4757 is a bill that would prevent any area from creating a new water authority if a county has a water protection ordinance. The Illinois Water Authority Association and IFB believe that the people residing in the county and area should decide, by referendum, on whether or not new sources of water should be located and used. IFB and the Illinois Water Authority Association are currently in negotiations with Rep. Tryon. **IFB is opposed to HB 4757 and the bill is currently assigned to House Counties and Townships committee.**

FARMLAND PRESERVATION ACT OF 2010- HB 5215 (REP. TRYON)

HB 5215 is a bill that would create the Farmland Preservation Act of 2010. Rep. Tryon has been a strong advocate for preserving farmland and has proposed legislation in past years to help preserve farmland and protect it from development. Currently this bill is a shell bill and Rep. Tryon is working on language to add to it. IFB is continuing to work with Rep. Tryon on this issue along with the Home Builders Association and the Realtors. Currently the Home Builders Association and Realtors are opposed to this bill and IFB is hearing that they are opposed to the proposed amended language as well. We will report more on this bill once IFB reviews the amendment and has more discussion with Rep. Tryon and the other groups involved. ***IFB supports HB 5215 and the bill is currently in the House Rules committee.***

SNOWMOBILING LIABILITY & INSURANCE- SB 3091 (SEN. ALTHOFF)

SB 3091 is a bill that would require a person that uses a snowmobile to obtain insurance for that snowmobile if they want to operate that snowmobile on other person's property or on public lands. After obtaining registration and insurance for the snowmobile, the owner would place a sticker on their snowmobile to verify that they have registered and have insurance for the snowmobile. The monies collected from registration would go into the Snowmobile Trail Establishment Fund and the bill has a provision in it that would protect it from fund sweeps. The fund sweep language has already come under attack in committee and will more than likely be removed as the House Speaker is not a proponent of anti-fund sweep language. Committee members had others concerns about the bill and the Sen. Althoff agreed to work on an amendment and bring the amended language back to committee before moving the bill forward. ***IFB is neutral on SB 3091 and the bill is currently being held on 2nd reading and will be brought back to the Senate Transportation committee with amended language.***

UNEMPLOYMENT INSURANCE PAYMENTS FOR LEGAL IMMIGRANTS - SB 3494 (SEN. JONES)

SB 3494 is a bill that will allow employers of temporary legal immigrant workers to not have to pay the state unemployment insurance since those employees are not eligible to receive unemployment insurance benefits. This bill would bring the state unemployment insurance program in line with the federal unemployment insurance program which does not require employers to pay federal unemployment insurance. The Governor vetoed this legislation last year. To give you a brief history on this bill, in his written veto the Governor listed two specific reasons for vetoing the bill last year. Governor Quinn's message stated:

"For decades, legislation impacting the Unemployment Insurance Trust Fund has been produced collaboratively through an agreed bill process involving the affected stakeholders. To my knowledge, this bill did not emerge from that process.

Additionally, Senate Bill 1743 will have an adverse effect on the solvency of the Unemployment Insurance Trust Fund. While this effect will likely be small, the great strains that are currently being placed on the fund require us to take actions that relieve those pressures, not further intensify them."

The sponsors of the legislation did not support the Governor's veto of SB 1743, which was the bill number from last year, and took action in the Senate to override it. The Senate voted with 55 yes and 0 no votes to override the Governor's veto (the required minimum number of votes in the Senate to override is 36). The bill moved to the House for action on the override. The bill was tied up in the House and was never called for an override vote. That is why Sen. Jones has brought the bill back again this year in hopes of getting it passed. **IFB supports SB 3494 and the bill is currently on 2nd reading in the Senate.**

QUESTIONS

If you have any questions on the items listed in this edition of *QUICKVIEW* or on other state legislative matters please contact us. The State Legislative Team can be reached at (309) 557-2308 or by e-mail at statelegislation@ifb.org.