

# ILLINOIS SEED TRADE ASSOCIATION

# "ILLINOIS CAPITOL REVIEW"



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## END OF FALL VETO SESSION

The Illinois General Assembly wrapped up its final two weeks of fall veto session last week in Springfield. Compared to previous years, this fall session was light. No major pieces of legislation that affect the seed trade industry or agriculture came up during the two-week veto session. There were thoughts that something might be discussed from the aftermath of the Teutopolis ammonia incident, but it never came to fruition. Most of the frustration from legislators was directed at the Illinois Department of Transportation for all the road construction happening on interstate 70 and other state highways in the Effingham area.

The general assembly is not scheduled to come back to Springfield until the week of January 16th.

Below are all the major pieces of legislation that were discussed or passed during session over the last couple of weeks.

## GENERAL ASSEMBLY LIFTS MORATORIUM ON SMALL NUCLEAR REACTORS

The Illinois General Assembly passed a measure lifting the state's moratorium on nuclear energy. House Bill 2473 passed the Senate on a vote of 44-7 and the House on a vote of 98-8. If signed by Gov. J.B. Pritzker, the measure will allow nuclear energy to be manufactured using small, micro-nuclear reactors. The measure mandates the Illinois Emergency Management Agency to facilitate the regulation of small nuclear reactors in the state by Jan. 1, 2026.



◆ *Illinois state Rep. Lance Yednock, D-Ottawa, and State Sen. Sue Rezin, R-Morris, watch as the final vote is counted for their bill that would partially lift the state's moratorium on nuclear reactor construction.*

Pritzker vetoed a bill passed in the spring over concerns it would enable full nuclear power plants. The new measure specifically references and enables small modular reactors, generating less than 300 megawatts. Governor Pritzker's reasoning in his Veto Message is because the bill does not provide any regulatory protections for the health and safety of Illinois residents who would live and work around these new reactors.

Governor Pritzker also stated that the future legislation in Illinois regarding SMNRs would have to address this regulatory gap, and for Illinois to adopt standards which will have

been reviewed by experts in the field along with the federal Nuclear Regulatory Commission or another similar review panel.

## CALENDAR DATES

- **Golf Outing, June 12, 2024**
- **ISTA Annual Meeting, June 13, 2024**



The governor indicated that he would sign this measure into law. The negotiated proposal does not entirely lift the 36-year-old moratorium on nuclear construction. Instead, however, it creates a regulatory framework for the construction of SMNRs. The bill limits the nameplate capacity of such reactors to 300 megawatts, about one-third the size of the smallest of the six existing nuclear power plants in Illinois. It also requires the state to perform a study which will include rules for regulating SMRs, which will be adopted by regulators at the Illinois Emergency Management Agency by January 2026.

## **NO ACTION TO SAVE INVEST IN KIDS PROGRAM**

Teachers' unions celebrated last week when state lawmakers allowed the "Invest in Kids" scholarship program to expire.

Last week, lawmakers in Springfield passed on a vote extending the controversial "Invest in Kids" scholarship program. Launched by former Gov. Bruce Rauner, the \$75 million privately funded tax credit program is responsible for 40,000 scholarships for low-income families over five years.

It has proven to be a political lightning rod in Springfield, with strong opposition from teachers' unions, Democrats and even Gov. J.B. Pritzker, who campaigned against it before winning office in 2018.

What is the Argument for Invest in Kids? Advocates say everyone — not just those with means — should have the option to send their children to their school of choice. Advocates worry about students whose parents already work multiple jobs, or otherwise will not be able to pay the tuition.



What is the Argument Against Invest in Kids? Invest in Kids does not directly take money from public education — rather, K-12 schools have seen increases since the law passed in 2017. Still, every tax credit dollar given to an Invest in Kids donor is a dollar essentially taken from the state's coffers — money that could go toward public schools.

The program officially ends Dec. 31 but could be resurrected next year. However, with Democrats in control in Springfield, no vote was taken in veto session.

## **ILLINOIS GOVERNMENT VEHICLES TO HAVE ZERO-EMISSIONS BY 2030**

A measure aiming to make Illinois government passenger vehicles zero-emission or converted into zero-emission has some questioning the feasibility of the plan.

Senate Bill 1769 would require state government entities to purchase or alter their vehicles into zero-emission vehicles by 2030. The measure excludes police and fire vehicles.

During last week's veto session, the measure was up for Senate concurrence, where conversations centered around the costs to taxpayers. State Sen. Rachel Ventura, D-Joliet, said she does not have the cost estimate for this legislation.

In 2021, Pritzker signed the Reimagining Electric Vehicles in Illinois Act into law, incentivizing EV production across the state. There are also state tax incentives



for the purchase of electric vehicles. Last week, lawmakers also discussed Senate Bill 384, which requires multi-family residential buildings with parking spaces constructed to have capable EV charging stations.

SB1769 passed through the Senate by way of a 38-17 vote and can now be sent to the governor for his signature.

## LEGISLATIVE STAFF UNIONIZATION

Legislators will have to pick up a bill next year to allow legislative staff members to unionize. Championed by the staff of House Speaker Chris Welch and passed through house chamber in the first week of the veto session, the bill stalled out in the Senate.

The speaker of the Illinois House two weeks ago won approval for allowing legislative staff to organize for collective bargaining, overcoming Republican objections about whether it is necessary.

Speaker Chris Welch's legislation, endorsed 74-35 on a largely partisan vote, would allow legislative coordinators, subject-matter specialists, mailroom employees, custodians, doorkeepers providing security and others to unionize.

Welch, a staunchly pro-labor Democrat from Hillside, introduced the legislation after discussion among employees bubbled up. Advocates say legislative approval is necessary because state labor law exempts "public employees" from collective bargaining.



◆ Illinois House Speaker Emmanuel "Chris" Welch proposed field legislation that would, for the first time in Illinois, authorize legislative staff to form a union and engage in collective bargaining.

Republicans questioned Welch closely about the rationale for the change, contending the status quo is agreeable to GOP staff and questioning whether the Senate's two partisan caucuses have an appetite for it.

## AMEREN RIGHT-OF-FIRST REFUSAL LEGISLATION KICKED INTO SPRING SESSION

Downstate electric utilities, trade unions and their allies in the legislature waived the white flag last week on their attempt to override Gov. J.B. Pritzker's amendatory veto of a measure that would have given the utilities first dibs on building out billions of dollars in new transmission lines.

Instead, hoping to negate the bill's sponsor said advocates would embark on a campaign to educate legislators with hopes of bringing forward a new proposal in the spring legislative session.

The stakes are high. Bids are anticipated for a tranche of transmission projects over the next few years as the Midcontinent Independent System Operator, the regional transmission organization that operates the grid in downstate Illinois and 14 other Midwestern states, prepares for a flood of wind and solar projects that are expected to come online.

The union and utility-backed proposal would have granted downstate utilities Ameren and MidAmerican Energy the right to build new transmission lines without having to go through a competitive bidding process. The measure would have sunset at the end of 2024.





◆ State Rep. Larry Walsh, D-Elwood, shown in an Illinois House committee room earlier this year. He indicated his desire to try and override Gov. J.B. Pritzker's veto of a bill that would have granted existing utilities in downstate Illinois, notably Ameren Illinois, the “right of first refusal” for transmission line construction.

This right-of-first-refusal provision was slipped into a larger energy bill via an amendment in the waning days of the legislative session in May. It received significant support from moderate democrats and all Republicans but was opposed by progressives.

The measure was perceived by some as a legislative “sneak attack” as many legislators did not have time to review the amendment before it passed. Powerful statehouse interests, including utility companies, have used similar tactics in the past to push favorable legislation in Springfield.

In this case, proponents say the measure is needed to expedite the buildout of new transmission lines and will allow the work to be controlled by the utilities and workers already familiar with the grid.

Pritzker issued an amendatory veto of the measure in August, arguing that was anti-competitive and would ultimately lead to higher electricity bills for ratepayers.

Bill proponents, most notably Ameren and the International Brotherhood of Electrical Workers, still worked behind the scenes to garner support for an override, which requires a three-fifths vote in both legislative chambers.

However, it became clear that the uphill effort was going to fall short.



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