

SENATE  
STATE OF MINNESOTA  
NINETY-FOURTH SESSION

S.F. No. 1575

(SENATE AUTHORS: KUPEC, Frentz and Putnam)		
DATE	D-PG	OFFICIAL STATUS
02/20/2025	434	Introduction and first reading
03/10/2025		Referred to Agriculture, Veterans, Broadband, and Rural Development Comm report: To pass as amended and re-refer to Judiciary and Public Safety

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A bill for an act

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relating to agriculture; establishing the biofertilizer water preservation program;

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requiring rulemaking; appropriating money; amending Minnesota Statutes 2024,

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section 18C.005, by adding a subdivision; proposing coding for new law in

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Minnesota Statutes, chapter 18C.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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Section 1. Minnesota Statutes 2024, section 18C.005, is amended by adding a subdivision

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to read:

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Subd. 4a. Commercial nitrogen fertilizer. "Commercial nitrogen fertilizer" means a

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fertilizer with a nitrogen content of no less than 25 percent.

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Sec. 2. [18C.113] BIOFERTILIZER WATER PRESERVATION PROGRAM.

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Subdivision 1. Program established. In consultation with the commissioner of natural

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resources and soil and water conservation districts in Minnesota, the commissioner of

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agriculture must develop and administer a biofertilizer water preservation program to address

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water quality by incentivizing Minnesota farmers to improve nitrogen management and

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incorporate innovative technologies into the farmers' crop nutrient management plans. The

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commissioner must determine which products qualify for the program, including soil

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amendments, fertilizers with nitrogen fixing properties, biological sources of nitrogen, and

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other biofertilizers.

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Subd. 2. Payments to qualified farmers. (a) In consultation with farmers and the

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fertilizer industry, the commissioner must establish a per acre payment rate, not less than

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\$5 per acre, for payments provided to a qualifying farmer. The program must provide an

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annual per acre incentive payment to a qualifying farmer who verifies through documentation

that the farmer has reduced commercial nitrogen fertilizer rates by using a qualifying product in the farmer's crop nutrient management plans by the lesser of:

(1) 15 percent; or

(2) 30 pounds per acre.

(b) The Department of Agriculture must annually review and may adjust the per acre payment rate based on inflation and emerging fertilizer technology.

Subd. 3. **Qualifications.** To qualify for the biofertilizer water preservation program, a farmer must:

(1) be a farmer in the state; and

(2) submit documentation to the commissioner, including a crop nutrient management plan that will reduce the use of commercial nitrogen fertilizers at the reduction rate required under subdivision 2 by using a qualifying product determined by the commissioner under subdivision 1.

Subd. 4. **Review required.** Every two years, the commissioner must review:

(1) the program's required minimum commercial nitrogen fertilizer reduction rate under subdivision 2 and determine whether an increase in the minimum reduction rate is necessary; and

(2) additional qualifying products that may be used by farmers in the program. When making this determination, the commissioner must consider newly available technologies and products capable of reducing commercial nitrogen fertilizer applications.

Subd. 5. **Rulemaking required.** The commissioner must adopt rules using rulemaking authority under section 18C.121, subdivision 1, to implement this section.

**Sec. 3. APPROPRIATION.**

\$5,000,000 in fiscal year 2026 is appropriated from the general fund to the commissioner of agriculture to establish and administer the biofertilizer water preservation program. Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance at the end of fiscal year 2026 does not cancel and is available in fiscal year 2027.