

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	681a	Referred to Agriculture, Veterans, Broadband, and Rural Development
03/27/2025	1038a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety
		Comm report: Amended, No recommendation, re-referred to State and Local Government

1.1

A bill for an act

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relating to agriculture; establishing the biofertilizer water preservation pilot

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program; requiring a report; appropriating money.

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

1.5

Section 1. **BIOFERTILIZER WATER PRESERVATION PROGRAM.**

1.6

Subdivision 1. Definitions. For the purposes of this section, "commercial nitrogen

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

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Subd. 2. Program established. In consultation with the commissioner of natural resources

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

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must develop and administer a biofertilizer water preservation pilot 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. 3. Payments to qualified farmers. (a) In consultation with farmers and the

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fertilizer industry, the commissioner may 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 may provide an

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

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that the farmer has reduced commercial nitrogen fertilizer rates by using a qualifying product

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in the farmer's crop nutrient management plans by the lesser of:

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(1) 15 percent; or

2.1 (2) 30 pounds per acre.

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

2.4 Subd. 4. **Qualifications.** To qualify for the biofertilizer water preservation program, a
2.5 farmer must:

2.6 (1) be a farmer in the state; and

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

2.11 Subd. 5. **Report required.** (a) By January 8, 2028, the commissioner must report on
2.12 the program, including the following information:

2.13 (1) the program's required minimum commercial nitrogen fertilizer reduction rate under
2.14 subdivision 3 and whether an increase in the minimum reduction rate is necessary;

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

2.18 (3) the use of program funds, including the incentive payment rate made to farmers;

2.19 (4) the number of farmers and the number of acres in each county that receive an incentive
2.20 payment; and

2.21 (5) an estimate of the amount of commercial nitrogen fertilizer reduced due to the
2.22 program.

2.23 (b) The commissioner must submit the report to the chairs and ranking minority members
2.24 of the legislative committees with jurisdiction over agriculture policy and finance.

2.25 Subd. 6. **Data privacy.** Notwithstanding Minnesota Statutes, section 13.591, data
2.26 submitted by a farmer to qualify for the program under subdivision 4 is classified as
2.27 nonpublic data, as defined in Minnesota Statutes, section 13.02, subdivision 9, or private
2.28 data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, but the
2.29 data may be used to complete the report under subdivision 5, provided that the identity of
2.30 a farmer must not be revealed or made ascertainable in the report.

3.1 Sec. 2. **APPROPRIATION.**

3.2 \$5,000,000 in fiscal year 2026 is appropriated from the general fund to the commissioner
3.3 of agriculture to establish and administer the biofertilizer water preservation program.

3.4 Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance at the end
3.5 of fiscal year 2026 does not cancel and is available in fiscal year 2027.