

Subject Fertilizer and the beginning farmer tax credit

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Overview

This bill would make a number of changes to the Minnesota Department of Agriculture's (MDA) regulation of fertilizers. It would also modify the eligibility and credit allocation dates of the beginning farmer tax credit.

Summary

Section	Description
1	Delegation of duties. Allows the commissioner of agriculture to delegate fertilizer regulation and management duties to cities of the first class, meaning cities with more than 100,000 inhabitants (Minneapolis, St. Paul, Rochester, and Duluth).
2	Certification of regulatory compliance. Strikes the 2014 deadline to adopt rules on the certification of regulatory compliance.
3	Perfluoroalkyl and polyfluoroalkyl substances. Allows the MDA to review records of sewage sludge transfers that were retained as required by section 6 "Record retention" to look for PFAS contamination or any other purpose in the Fertilizer Chapter.
4	Fertilizers and fertilizer by-products. Allows the MDA to coordinate with and assist other state agencies and local governments in the protection of public health and the environment from the unreasonable adverse effects of fertilizers and fertilizer by-products.
5	Sewage sludge without charge exempt. Makes conforming change for section 6 by exempting sewage sludge transfers made without compensation from the record retention requirement.

Section	Description
6	Record retention. Requires any party receiving or transferring sewage sludge to retain records of the transaction (including the date, amount, and parties) and to have these records available to the MDA.
7	Storage, handling, distribution, or disposal. Modifies the storage, handling, distribution, and disposal standard for fertilizers to additionally prohibit the endangerment of feed and all aquatic life.
8	Fertilizer, rinsate, and container disposal. Determines that an open burn of fertilizer has an unreasonable adverse effect on the environment for purposes of the Fertilizer Chapter.
9	Fertilizer application to impervious surface; prohibition. Prohibits anyone from applying animal waste and sewage sludge to an impervious surface (roads, sidewalks, parking lots).
10	Definitions. Expands the definition of a “beginning farmer” for purposes of the beginning farmer tax credit to include single-member LLCs owned by one individual. Retains the same beginning farmer requirements that apply to both individuals and LLCs.
11	Authority duties. Adjusts the dates for the allocation of tax credits reserved for emerging farmers and allows the Rural Finance Authority to make other credit allocations the following day.
12	Repealer. Eliminates the MDA’s requirement to provide the legislature with annual reports on the biodiesel mandate.



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