

**(l) Agricultural Resources Conservation Fund.**

*[Effective until June 30, 2008. See the Compiler's Notes.]***(1)** One and one half cents (1.5¢) of the tax levied by subsection (a) shall, subject to the annual appropriations act, be credited to a special agency account in the state general fund known as the agricultural resource conservation fund. If an appropriation is not made in the appropriations act, then the amount shall be credited to the general fund. Expenditures from the fund shall be made only to implement and carry out the purposes set forth in this subsection (l). Funds deposited in the fund shall not revert at the end of any fiscal year, and all interest accruing on investments and deposits of the fund not otherwise expended shall be returned to and made a part of the fund**(2)** The commissioner of agriculture shall expend the funds that are deposited in the agricultural resources fund for purposes of landowner assistance, to address point and nonpoint source water quality issues, as well as nuisance problems, including, but not limited to, odor, noise, dust and similar concerns. The commissioner of environment and conservation, commissioner of agriculture and the director of the wildlife resources agency shall jointly establish priorities for the appropriate allocation of funds deposited in the agricultural resources conservation fund. No project shall receive any such funds unless each such official has approved such expenditure. The commissioner of agriculture may promulgate regulations to implement this subsection (l).**(3)** Expenditures from the agricultural resources conservation fund shall be made for the promotion and implementation of agricultural management practices that conserve and protect natural resources associated with agricultural production, including, but not limited to, soil, water, air, plants and animals. The commissioner of agriculture may spend up to five percent (5%) of the annual appropriations from this fund on education of landowners, producers and managers concerning conservation and protection practices. No more than ten percent (10%) of the annual appropriation from this fund may be used for management costs associated with technical assistance to accomplish the purposes of the fund and/or the administration of the fund. It is the intent of the general assembly that the highest priority of the agricultural resources conservation fund is to abate and prevent nonpoint source water pollution that may be associated with agricultural production; therefore, the commissioner of agriculture may spend no more than fifteen percent (15%) of the annual appropriations from the fund for the combined purposes of preventing or remedying air, noise, dust, and odor pollution, or similar nuisance type environmental problems associated with agricultural production. The commissioner of agriculture may expend agricultural resources conservation funds as matching dollars to secure additional funding to fulfill the purposes for which the fund was established.**(4)** The commissioner of agriculture shall seek advice from the commissioner of environment and conservation in determining the most effective ways to abate nonpoint pollution from agricultural activities.

**(m) Reports of Expenditures.**

**(1) (A)** By February 1 of every odd-numbered year, the commissioner of environment and conservation shall file with the environment, conservation and tourism committee of the senate and the conservation and environment committee of the house of representatives a report detailing expenditures made from the state lands acquisition fund and grants made to local governments from the local parks land acquisition fund.

**(B)** By February 1 of every odd-numbered year, the wildlife resources commission shall file with the environment, conservation and tourism committee of the senate and the conservation and environment committee of the house of representatives a report detailing expenditures made from the wetlands acquisition fund.

**(C)** By February 1 of every odd-numbered year, the commissioner of agriculture shall file with the senate environment, conservation and tourism and commerce, labor and agriculture committees and the house agriculture and conservation and environment committees a report detailing expenditures made from the agricultural resources conservation fund.

**(2) (A)** Once every five (5) years, beginning in 1996, the commissioner of environment and conservation and the wildlife resources commission shall reevaluate their land acquisition goals and priorities and shall incorporate their findings and conclusions into a written plan. This plan shall be submitted to the senate environment, conservation and tourism committee and the house conservation and environment committee, which shall conduct public hearings on the plan. **(B)** Once every five (5) years, beginning in 2002, the commissioner of agriculture shall reevaluate the progress and accomplishments of the agricultural resources conservation fund and shall incorporate the conclusions and recommendations of such reevaluation into a written plan. This plan shall be submitted to the senate environment, conservation and tourism and commerce, labor and agriculture committees and the house agriculture and conservation and environment committees, which shall hold public hearings on the plan. **(n) Management Policies.** The commissioner of environment and conservation and the wildlife resources commission shall establish policies for the management of land acquired with funds from the state lands acquisition fund and the wetlands acquisition fund, which policies shall be designed to foster a good relationship with nearby private landowners and to prevent adverse impacts on adjoining property. These policies shall be publicized to nearby private landowners.

[Code 1858, § 673 (deriv. Acts 1805, ch. 61, § 2); Shan., § 968; Code 1932, § 1677; Acts 1937, ch. 108, art. 2, § 1; Item 96; 1937, ch. 192, § 13; 1937 (2nd E.S.), ch. 11, § 1; 1947, ch. 212, § 19; mod. C. Supp. 1950, § 1248.3, Item S (Williams, § 1248.108); Acts 1957, ch. 22, § 8; 1967, ch. 178, § 1; 1968, ch. 483, §§ 1-3; 1971, ch. 190, §§ 1, 2; 1971, ch. 430, § 1; 1974, ch. 632, §§ 1, 2; 1976, ch. 492, § 1; 1977, ch. 148, § 1; 1977, ch. 323, § 1; 1978, ch. 908, § 1; impl. am. Acts 1978, ch. 934, §§ 22, 36; Acts 1981, ch. 149, § 1; 1982, ch. 817, §§ 1-3; 1983, ch. 149, § 1; T.C.A. (orig. ed.), § 67-4102, Item S; Acts 1986, ch. 598, § 2; 1986, ch. 604, § 1; 1986, ch. 833, §§ 6, 7; 1987, ch. 275, §§ 1-4; 1988, ch. 900, § 13; 1989, ch. 112, § 1; 1989, ch. 461, §§ 2-4; 1989, ch. 474, § 1; 1991, ch. 211, §§ 3, 4; 1991, ch. 256, §§ 2-9; 1993, ch. 410, § 19; 1994, ch. 721, § 1; 1995, ch. 100, § 1; 1997, ch. 526, § 1; 1997, ch. 542, § 4; 1998, ch. 604, § 1; 1998, ch. 605, §§ 4-8; 1998, ch.

673, §§ 1-5; 2000, ch. 846, § 31; 2000, ch. 907, § 1; 2000, ch. 943, § 1; 2000, ch. 983, § 5; 2000, ch. 998, § 1; 2002, ch. 678, § 1; 2003, ch. 355, §§ 33-36; 2003, ch. 386, § 1; 2005, ch. 99, § 13; 2006, ch. 673, § 1; 2006, ch. 989, § 3; 2007, ch. 79, § 1; 2007, ch. 153, § 2; 2007, ch. 180, § 1; 2007, ch. 602, §§ 183-186; 2007, ch. 602, §§ 183-186.]