

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 383

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE AQUACULTURE COMMISSION; REPEALING CHAPTER 44, TITLE 22,
2 IDAHO CODE, RELATING TO THE AQUACULTURE COMMISSION; AMENDING SECTION
3 67-450D, IDAHO CODE, TO REMOVE REFERENCE TO THE AQUACULTURE COMMISSION;
4 PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR THE TRANSFER OF CERTAIN
5 MONEYS.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 44, Title 22, Idaho Code, be, and the same is
9 hereby repealed.

10 SECTION 2. That Section 67-450D, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 67-450D. INDEPENDENT FINANCIAL AUDITS -- DESIGNATED ENTI-
13 TIES. (1) Notwithstanding any other provisions of the Idaho Code relating
14 to audit requirements regarding the entities hereinafter designated,
15 beginning on July 1, 2010, the requirements set forth in this section shall
16 constitute the minimum audit requirements for the following entities:

17 Alfalfa and clover seed commission;
18 Idaho apple commission;
19 ~~Idaho aquaculture commission;~~
20 Idaho barley commission;
21 Idaho bean commission;
22 Idaho beef council;
23 Idaho cherry commission;
24 Idaho dairy products commission;
25 Idaho food quality assurance institute;
26 Idaho forest products commission;
27 Idaho grape growers and wine producers commission;
28 Idaho honey commission;
29 Idaho hop grower's commission;
30 Idaho mint commission;
31 Idaho oilseed commission;
32 Idaho pea and lentil commission;
33 Commission on pesticide management;
34 Idaho potato commission;
35 Idaho rangeland resources commission;
36 Soil and water conservation commission;
37 Idaho wheat commission.

38 (2) The minimum requirements for any audit performed under the provi-
39 sions of this section are:

1 (a) Any entity whose annual expenditures (from all sources) exceed two
2 hundred fifty thousand dollars (\$250,000) shall cause a full and com-
3 plete audit of its financial statements to be made each fiscal year.

4 (b) Any entity whose annual expenditures (from all sources) exceed
5 one hundred thousand dollars (\$100,000), but do not exceed two hundred
6 fifty thousand dollars (\$250,000), in the current year shall have an
7 annual audit or may elect to have its financial statements audited on
8 a biennial basis. The first year that expenditures exceed one hundred
9 thousand dollars (\$100,000) is the first year of the biennial audit
10 period. The designated entity may continue the biennial audit cycle in
11 subsequent years as long as the entity's annual expenditures during the
12 first year of the biennial audit period do not exceed two hundred fifty
13 thousand dollars (\$250,000). In the event that annual expenditures ex-
14 ceed two hundred fifty thousand dollars (\$250,000) in the current year
15 following a year in which a biennial audit was completed, the designated
16 entity shall complete an annual audit. In the event that annual expen-
17 ditures in the current year do not exceed one hundred thousand dollars
18 (\$100,000) following a year in which an annual or biennial audit was
19 completed, the designated entity has no minimum audit requirement.

20 (c) Any entity whose annual expenditures (from all sources) do not ex-
21 ceed one hundred thousand dollars (\$100,000) has no minimum audit re-
22 quirements under the provisions of this section.

23 (d) Federal audit requirements applicable because of expenditure of
24 federal assistance supersede the minimum audit requirements provided
25 in this section.

26 (3) All moneys received or expended by the entities identified in sub-
27 section (1) of this section shall be audited as specified in subsection (2)
28 of this section by a certified public accountant designated by the entity,
29 who shall furnish a copy of such audit to the director of the legislative ser-
30 vices office and to the senate agricultural affairs committee and the house
31 agricultural affairs committee. The audit shall be completed within ninety
32 (90) days following the close of the commission's fiscal year.

33 (4) Any entity identified in subsection (1) of this section that is not
34 audited pursuant to the provisions of this section shall submit an unaudited
35 annual statement of revenues, expenditures and fund balances to the director
36 of the legislative services office, to the senate agricultural affairs com-
37 mittee and the house agricultural affairs committee, to the state controller
38 and to the division of financial management.

39 (5) The right is reserved to the state of Idaho to audit the funds of the
40 entities identified in this section at any time.

41 SECTION 3. This act shall be in full force and effect on and after July
42 1, 2016. At the end of fiscal year 2016, the State Controller shall trans-
43 fer any unexpended and unencumbered balances in the Idaho Aquaculture Com-
44 mission Account to the Idaho State Department of Agriculture's Seminars and
45 Publications Fund.