

NEW MEXICO GAMING CONTROL BOARD

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

YEAR ENDED JUNE 30, 2016



Wealth Advisory

Outsourcing

Audit, Tax, and Consulting

**NEW MEXICO GAMING CONTROL BOARD
TABLE OF CONTENTS
YEAR ENDED JUNE 30, 2016**

OFFICIAL ROSTER	1
INDEPENDENT AUDITORS' REPORT	2
MANAGEMENT'S DISCUSSION AND ANALYSIS	5
FINANCIAL STATEMENTS	
STATEMENT OF NET POSITION	15
STATEMENT OF ACTIVITIES	16
BALANCE SHEET – GOVERNMENTAL FUNDS	17
RECONCILIATION OF THE BALANCE SHEET – GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION	18
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS	19
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES	20
STATEMENT OF REVENUES AND EXPENDITURES – MAJOR GOVERNMENTAL FUNDS – BUDGET AND ACTUAL (BUDGETARY BASIS)	21
STATEMENT OF FIDUCIARY ASSETS AND LIABILITIES – LICENSING AND BACKGROUND FEES FUND (SHARE 95100)	22
NOTES TO FINANCIAL STATEMENTS	23
SUPPLEMENTARY INFORMATION	
SCHEDULE I – SCHEDULE OF CHANGES IN FIDUCIARY ASSETS AND LIABILITIES – LICENSING AND BACKGROUND FEES FUND – AGENCY FUNDS	37
SCHEDULE II – SCHEDULE OF SPECIAL APPROPRIATIONS	38
SCHEDULE III – SUPPLEMENTARY SCHEDULE OF VENDOR INFORMATION FOR PURCHASES EXCEEDING \$60,000 (EXCLUDING GRT) – UNAUDITED	39
INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	40
SCHEDULE OF FINDINGS AND RESPONSES	42
EXIT CONFERENCE	43

**NEW MEXICO GAMING CONTROL BOARD
OFFICIAL ROSTER
YEAR ENDED JUNE 30, 2016**

BOARD

Jeffrey S. Landers
Salvatore Maniaci
Paulette Becker
Ray Willis

Chairman
Commissioner
Commissioner
Commissioner

ADMINISTRATIVE OFFICIALS

Donovan Lieurance
Cynthia M. Ortega-Armijo

Acting Executive Director
Administrative Services Division Director



CliftonLarsonAllen

CliftonLarsonAllen LLP
CLAAconnect.com

INDEPENDENT AUDITORS' REPORT

Chairman and Board Members
New Mexico Gaming Control Board and
Mr. Timothy Keller
New Mexico State Auditor

Report on Financial Statements

We have audited the accompanying financial statements of the governmental activities, the general fund, the budgetary comparison of the general fund, and the aggregate remaining fund information of New Mexico Gaming Control Board (the Board) as of and for the year ended June 30, 2016, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatements, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Chairman and Board Members
New Mexico Gaming Control Board and
Mr. Timothy Keller
New Mexico State Auditor

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the general fund, and the aggregate remaining fund information of the Board as of June 30, 2016, and the respective changes in financial position and the respective budgetary comparison for the general fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 1, the financial statements of the Board are intended to present the financial position and changes in financial position of only that portion of the governmental activities that is attributable to the transactions of the Board. They do not purport to, and do not present fairly the financial position of the entire State of New Mexico as of June 30, 2016, and the changes in its financial position, where applicable, for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 5 through 14 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the Board's financial statements, the individual fund financial statements, and the budgetary comparison. The Supporting Schedules I through III required by Section 2.2.2.NMAC are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The Supporting Schedules I through II required by Section 2.2.2 NMAC are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Supporting Schedules I and II required by Section 2.2.2 NMAC are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Chairman and Board Members
New Mexico Gaming Control Board and
Mr. Timothy Keller
New Mexico State Auditor

Schedule III has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated November 17, 2016 on our consideration of the Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control over financial reporting and compliance.

A handwritten signature in cursive script that reads "CliftonLarsonAllen LLP".

CliftonLarsonAllen LLP

Albuquerque, New Mexico
November 17, 2016

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

This discussion and analysis of the New Mexico Gaming Control Board (Board) provides an overview of financial activities for the fiscal year ended June 30, 2016. It should be read in conjunction with the financial statements. This section will assist the reader in understanding the following:

- Highlight significant financial issues;
- Provide an overview of the Board's financial activity;
- Identify changes in the Board's financial position;
- Identify any material deviation from the approved budget; and
- Identify issues or concerns.

Financial Highlights

The New Mexico Gaming Control Board (the Board) and the Board's agents regulate the racetrack casinos and the gaming operations of the veteran, fraternal and non-profit entities to assure that gaming is being conducted in a manner that is compliant with the Gaming Control Act and the Board's Regulations. Pages 6-8 highlight the financial information related to the racetrack casino and veteran, fraternal and non-profit entities' "net take", gaming taxes paid, and contributions to compulsive gaming funds as required by the Gaming Control Act. The information is tracked internally by the agency and is unaudited.

The GCB, through the State Gaming Representative (SGR) also monitors tribal gaming in the State to ensure compliance with the requirements of the Tribal-State Gaming Compacts (the Compacts). The primary monitoring activity is to ensure that the proper revenue sharing and regulatory fee payments are paid to the State in accordance with the requirements of the Compacts.

In Fiscal Year 2016, the State received \$128,835,053 in revenue through the payment of gaming taxes, revenue share and regulatory fee payments. The racetrack casinos paid \$62,658,072 in gaming taxes. The veteran, fraternal and non-profit gaming operators paid \$1,011,123 in gaming taxes. The Tribes, Pueblos and Nation paid \$64,519,328 in revenue share and regulatory fees.

In addition to the revenue received by the State of New Mexico, the racetrack casinos and Tribes, Pueblos and the Nation contributed \$2,023,501 to compulsive gaming in accordance with the terms of the Gaming Control Act or Compacts.

The veteran, fraternal and non-profit gaming operators also contributed \$1,911,022 to charities and educational endeavors from proceeds raised through gaming activities.

Other sources of revenue related to gaming, received by the State, are paid by gaming manufacturers and distributors. These business entities self-report and remit gaming taxes to Taxation and Revenue.

It should also be noted that the Gaming Control Act provides the statutory rate that must be contributed to horse racing purses by the racetrack casino operators. While the Gaming Control Act establishes the rate, the Act confers no authority on the Board to monitor, audit or enforce the racetrack casino operator's performance of this obligation. The Board's staff does, however, as part of the licensing renewal process examine records to ensure that the race track casino operators have met the obligation to tender the payment of 20% of the "net take" to the horse racing purses.

The audit and accounting component of the horse racing purses is done by the Racing Commissions staff.

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Financial Highlights (Continued)

Graph A-1



Graph A-2



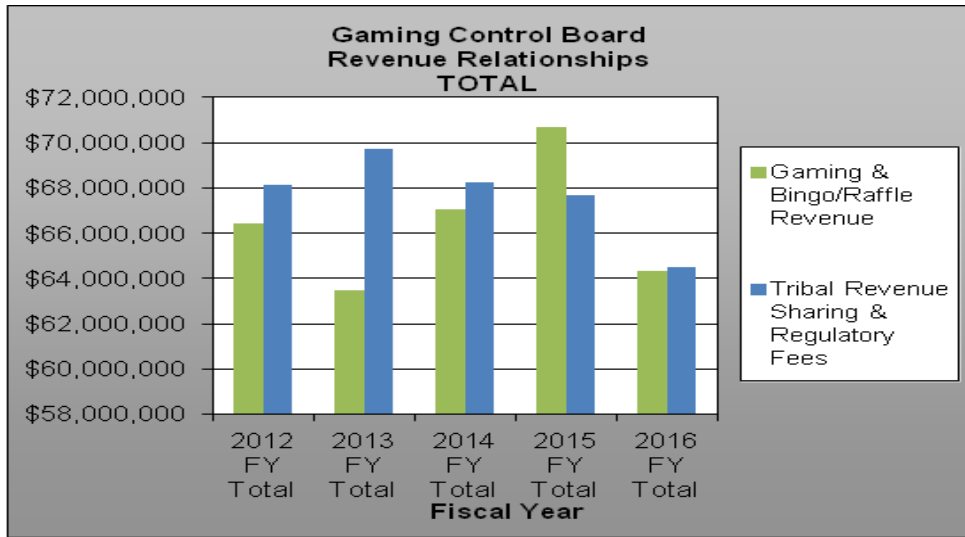
**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Financial Highlights (Continued)

Graph A-3



Graph A-4

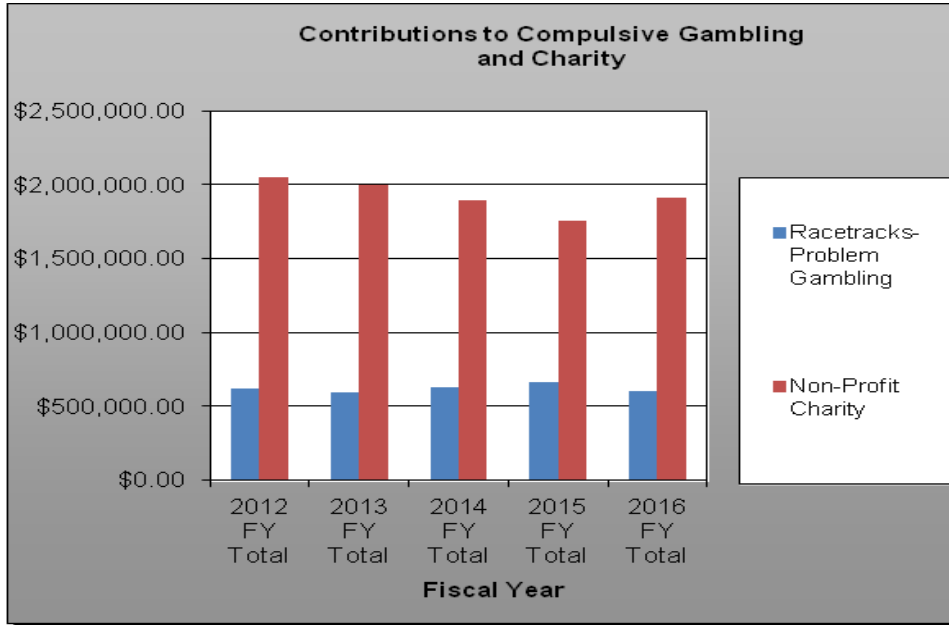


Note: Gaming revenues received by the State include: gaming taxes from Racetracks & Nonprofit clubs, associated licensing fees for Manufacturers, Distributors, Operators and Tribal revenue sharing payments and regulatory fees. Payments that are not including in revenue: contributions to the horsemen's purses by racetracks, charitable contributions by nonprofit clubs, along with contributions to problem gambling programs by the racetrack operators and Tribal Gaming entities. This information is tracked internally by the Board and is unaudited by external auditors.

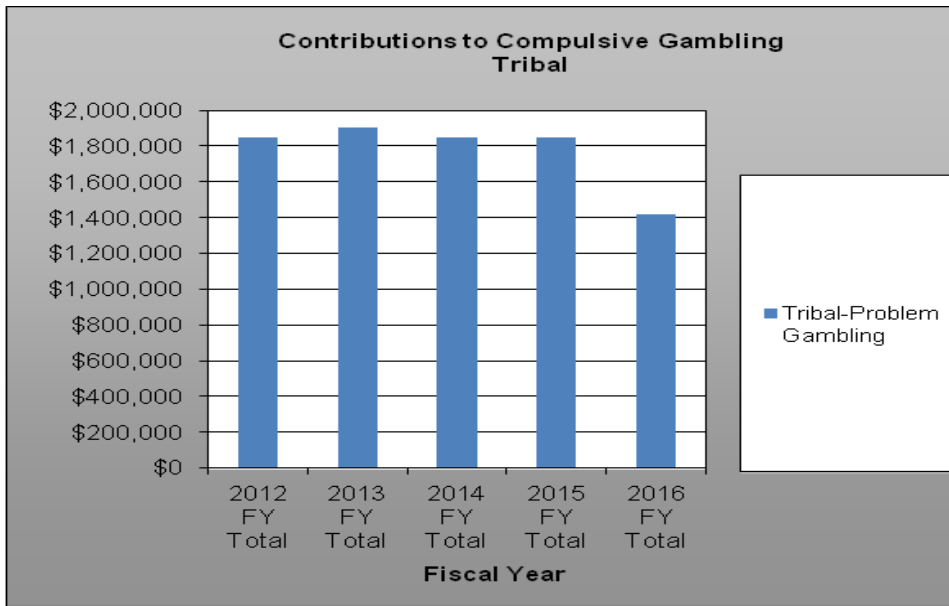
**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Financial Highlights (Continued)

Graph A-5



Graph A-6

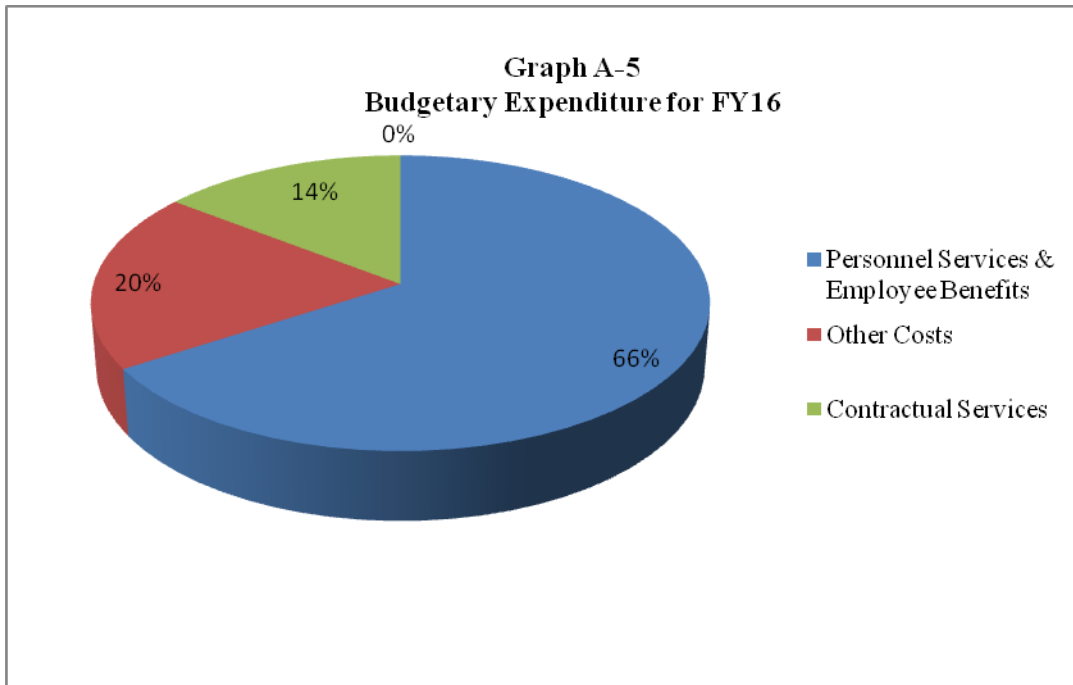


Prior to Fiscal Year 2015, the gaming revenue included in our Management Discussion and Analysis (MD&A) report included horseman's purses, charitable contributions and contributions to problem gambling programs. For this MD&A and fiscal years on forward, the revenue reported in our MD&A will only include the actual revenue that the state receives, which is gaming taxes from Racetracks & Non-profit clubs, associated licensing fees for Manufacturers, Distributors, Operators and Tribal revenue sharing payments & regulatory fees.

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Overview of Financial Activity

The Gaming Control Board receives 100% of its funding from the General Fund appropriation. As shown in Graph A-5, expenditures against the budget fiscal year end 2016 appropriation were broken down in the following categories: 66% for personnel services and employee benefits, 20% for other costs, 14% for contractual services, and there were no additions to capital outlay for FY16.



Budgetary expenditures percentages by category did not differ significantly from the prior year.

Using this Audit Report

Financial data presented in these financial statements is for the activities of the Gaming Control Board as a single agency. It does not purport to represent the State of New Mexico as a whole.

Government-Wide Financial Statements

The government-wide financial statements include the Statement of Net Position and the Statement of Activities. These statements report all assets and liabilities using the accrual basis of accounting. All current year revenues and expenses are reported regardless of when cash is received or paid.

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Using this Audit Report (Continued)

The government-wide financial statements include all activities of the Gaming Control Board with the exception of the fiduciary funds which arise from reimbursements from applicants and licensees and from fines. General fixed assets, formerly reported as a separate account group, are included in these financial statements. Monies to finance these activities are 100% State General Fund appropriations.

Fund Financial Statements. Due to the small size of the Board, the only individual governmental fund, the General Fund, is considered to be a major fund because only individual governmental or individual enterprise funds can be considered for major fund status. The Board's two kinds of funds - governmental and fiduciary – are considered as separate accounting entities. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund balance, revenues, expenses and other financing sources or use.

Governmental funds – All of the Board's basic services are reported in governmental funds, which focus largely on the establishment of an appropriation by the state legislature and the expenditure of this money in accordance with a budget. Funds not expended or encumbered at year end revert to the general fund. These funds are reported using an accounting method called modified accrual accounting, which measures cash and other financial assets that can readily be converted to cash.

Fiduciary funds – The fiduciary funds are used to report assets held on behalf of the State of New Mexico and are not available to support Board activities. The reporting focus is upon net position and changes in net position and employs the accrual basis of accounting. These funds, once earned, are revenues of the General Fund of the State of New Mexico.

Financial Analysis of the Agency as a Whole

Highlights

The New Mexico Gaming Control Board was established to regulate limited gambling activity at racetracks and certain veteran and fraternal organizations, to monitor Tribal gaming, and is responsible for carrying out public policy on gambling in these venues. In 2005, the Board was given responsibility for regulating the Bingo and Raffle Act.

The New Mexico Gaming Control Board is funded by appropriations from the State's General Fund. The Board utilizes a statutorily required Gaming Central Monitoring System, which connects to each licensed gaming device in the State (Non-Tribal). The system is a management, control and monitoring system that allows the Board to monitor all activity and verify the software of each slot machine to assure that it is compliant with all applicable statutes and rules. It also allows by Board order, the immediate remote disabling of any machine or venue for any non-compliance issues. The Board has operated such a system since 1998 with an efficiency rate over 99.9%.

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Financial Analysis of the Agency as a Whole (Continued)

**Table A-1
Condensed Statement of Net Position**

	<u>2016</u>	<u>2015</u>
Assets:		
Current Assets	\$ 476,173	\$ 557,942
Capital Assets, Net of Depreciation	<u>1,601,531</u>	<u>2,116,247</u>
Total Assets	<u><u>\$ 2,077,704</u></u>	<u><u>\$ 2,674,189</u></u>
Liabilities and Net Position:		
Liabilities:		
Current Liabilities	<u>\$ 496,105</u>	<u>\$ 628,710</u>
Total Liabilities	496,105	628,710
Net Position:		
Net Investment in Capital Assets	1,601,531	2,116,247
Restricted	151,484	106,655
Unrestricted	<u>(171,416)</u>	<u>(177,423)</u>
Total Net Position	<u>1,581,599</u>	<u>2,045,479</u>
Total Liabilities and Net Position	<u><u>\$ 2,077,704</u></u>	<u><u>\$ 2,674,189</u></u>

As summarized in Table A-1, net position of \$1,581,599 represents the difference between assets and liabilities of the Board. Total assets decreased by \$596,485, and total liabilities decreased by \$132,605. Total assets decreased due to expenditures related to the modernization of the Gaming Central Monitoring System, deletions in 2015 and increased depreciation expense. Total liabilities decreased due to a less amount reverted back to the state general fund and decreased expenditures related to data and import and conversion due to other agencies.

	<u>2016</u>	<u>2015</u>
Total Expenses	\$ (6,131,487)	\$ (5,994,704)
Total Revenues, Net of Reversion	<u>5,667,607</u>	<u>6,791,975</u>
Increase (Decrease) in Net Position	(463,880)	797,271
Beginning Net Position	<u>2,045,479</u>	<u>1,248,208</u>
Ending Net Position	<u><u>\$ 1,581,599</u></u>	<u><u>\$ 2,045,479</u></u>

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Financial Analysis of the Agency as a Whole (Continued)

During the year ended June 30, 2016, total expenses increased by \$136,783, reflecting increases in fiscal year 2016 personnel services, contractual services, other services and depreciation expense. Government-wide expenses are \$6,131,487 which includes depreciation and an accrual for compensated absences. Compensated absences represent the amount of accrued but unused vacation time at current rates to be paid from future appropriations.

The recognition of depreciation is an attempt to match the usage of capital assets to the revenues of the agency by year. This change in net position does not necessarily reflect only the amount of capital assets purchased net of current year depreciation during the year.

Financial Analysis of the Governmental Funds

The Gaming Control Board operates one governmental fund in which all activity related to gaming regulation and control is recorded. The financial statements present the financial position and results of operations for the governmental activities. Funding for the governmental funds is 100% from annual appropriations from the New Mexico State Legislature.

Governmental fund expenditures differ from the government-wide expenses for 2016 and 2015 as follows:

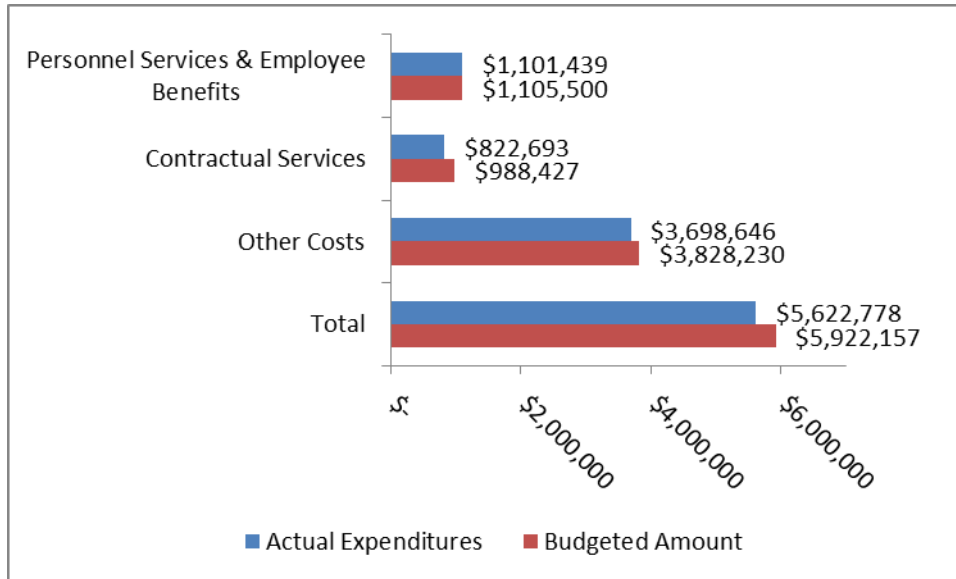
	<u>2016</u>	<u>2015</u>
Governmental Fund Expenditures	\$ (5,622,778)	\$ (6,880,535)
(Increase) Decrease in Liability for Compensated Absences	6,007	(9,875)
(Excess) Depreciation Over Capital Outlay	<u>(514,716)</u>	<u>895,706</u>
Board Expenses	<u>\$ (6,131,487)</u>	<u>\$ (5,994,704)</u>

Financial Analysis of the Budgetary Basis of Accounting

The annual operating budget is approved by the Department of Finance and Administration. Over the course of the year, the Board adjusts its budget as authorized under the Appropriations Act. Comparison of actual expenditures on a budgetary basis to approved budget amounts is presented in the basic financial statements section of the financial statements. Budgetary basis expenditures were within approved budgeted amounts.

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

**Graph A-6
Budgeted Amount vs Actual Expenditures**



The difference in budget to actual expenditures for the total categories is \$299,379. There were no unexpected budget variances during the year.

Capital Assets

The following net change occurred in the capital assets during the years ended June 30, 2016 and 2015.

	2016	2015
Net Capital Assets - Beginning of Year	\$ 2,116,247	\$ 1,220,541
Capital Assets Purchased	-	1,340,218
Current Year Depreciation	(514,716)	(444,512)
Net Capital Assets - End of Year	\$ 1,601,531	\$ 2,116,247

Consistent with application of GASB No. 34, the Board has recognized depreciation for assets during the fiscal year of \$514,716. At June 30, 2016, the total accumulated depreciation for the Board was \$1,182,214. There were no capital asset additions for fiscal year 2016.

**NEW MEXICO GAMING CONTROL BOARD
MANAGEMENT'S DISCUSSION AND ANALYSIS
JUNE 30, 2016**

Currently Known Facts, Decisions or Conditions Expected to Impact the Board's Financial Position and Results of Operation

The Agency continues to be involved in a dispute with various gaming tribes over the correct amount of revenue sharing owed to the State pursuant to the Compacts. The State Gaming Representative has sent demand letters to the tribes in question. To date, a settlement has been reached only with the Navajo Nation. If this matter is not resolved, it could require an arbitration proceeding or perhaps litigation in court. In either event, the Agency would incur significant costs including arbitration, expert witness, deposition and other litigation related costs. During the 2012 legislative session, the Agency received a special appropriation in the amount of \$200,000 to defray such costs. That appropriation has been re-allocated in each of the subsequent legislative sessions. It is possible that the special appropriation will not be sufficient to cover the costs associated with the arbitration or litigation, if required. The Agency will be seeking another special appropriation in the same amount in the 2017 legislative session.

The significant revenue shortfalls impacting the State have had a significant impact in how the agency conducts its regulatory responsibilities. From FY16 going into FY17, the agency's budget was reduced by \$300K with an additional \$300K reduction as mandated by a Special Session of the Legislature. These reductions have not allowed the agency to fill vacant positions resulting in a 23% vacancy rate. The budget reductions have also required the Agency to greatly reduce travel for compliance and enforcement inspections, and audits which could result in substandard oversight of gaming operations throughout the State of New Mexico.

Contacting the Board's Financial Management

This financial report is designed to provide citizens, taxpayers, customers, legislators, and other stakeholders a general overview of the Board's finances and to demonstrate the Board's accountability for the money it receives. If you have any questions about this report or need additional financial information, contact:

New Mexico Gaming Control Board
4900 Alameda Blvd. NE
Albuquerque, NM 87113
505-841-9700

**NEW MEXICO GAMING CONTROL BOARD
STATEMENT OF NET POSITION
JUNE 30, 2016**

	Governmental Activities
ASSETS	
Current Assets:	
Investment in State Treasurer General Fund Investment Pool (SGFIP)	\$ 469,967
Petty Cash	500
Other Accounts Receivable	94
Prepays	5,612
Total Current Assets	476,173
Non-Current Assets:	
Capital Assets, Net of Accumulated Depreciation	1,601,531
Total Assets	\$ 2,077,704
LIABILITIES AND NET POSITION	
LIABILITIES	
Current Liabilities:	
Accounts Payable	\$ 43,041
Accrued Payroll	123,924
Due to State General Fund	151,473
Due to Other State Agencies	139
Compensated Absences	177,528
Total Liabilities	496,105
NET POSITION	
Net Investment in Capital Assets	1,601,531
Restricted	151,484
Unrestricted	(171,416)
Total Net Position	1,581,599
Total Liabilities and Net Position	\$ 2,077,704

See accompanying Notes to Financial Statements.

**NEW MEXICO GAMING CONTROL BOARD
STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2016**

	Governmental Activities
	Expenses
EXPENSES	
General Government:	
Personnel Services	\$ 3,692,639
Contractual Services	822,693
Other Costs	1,101,439
Depreciation	514,716
Total Program Expenses	6,131,487
 GENERAL REVENUES	
State General Fund Appropriation, Net of Reversions	5,617,607
State Special Appropriations	50,000
Total General Revenues	5,667,607
 CHANGE IN NET POSITION	(463,880)
Net Position - Beginning of Year	2,045,479
 NET POSITION - END OF YEAR	\$ 1,581,599

See accompanying Notes to Financial Statements.

**NEW MEXICO GAMING CONTROL BOARD
BALANCE SHEET – GOVERNMENTAL FUNDS
JUNE 30, 2016**

	General Fund
ASSETS	
Investment in State Treasurer General Fund Investment Pool (SGFIP)	\$ 469,967
Petty Cash	500
Other Accounts Receivable	94
Prepaid Expenses	5,612
Total Assets	\$ 476,173
LIABILITIES AND FUND BALANCE	
LIABILITIES	
Accounts Payable	\$ 43,041
Accrued Payroll	123,924
Due to State General Fund	151,473
Due to Other State Agencies	139
Total Liabilities	318,577
FUND BALANCES	
Nonspendable	5,612
Spendable:	
Restricted	151,484
Assigned	500
Total Fund Balances	157,596
Total Liabilities and Fund Balances	\$ 476,173

See accompanying Notes to Financial Statements.

**NEW MEXICO GAMING CONTROL BOARD
RECONCILIATION OF THE BALANCE SHEET – GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
JUNE 30, 2016**

Total Fund Balance - Governmental Funds (Governmental Funds Balance Sheet)	\$ 157,596
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Amounts reported for governmental activities in the Statement of Net Position are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.

Cost of Capital Assets	2,783,745
Accumulated Depreciation	(1,182,214)
Total Capital Assets	1,601,531

Current compensated absences are not payable on June 30, 2016 and, therefore, are not reported in the fund financial statements.	(177,528)
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Net Position of Governmental Activities (Statement of Net Position)	\$ 1,581,599
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**NEW MEXICO GAMING CONTROL BOARD
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS
YEAR ENDED JUNE 30, 2016**

	<u>General Fund</u>
EXPENDITURES	
General Government:	
Current:	
Personnel Services	\$ 3,698,646
Contractual Services	822,693
Other Costs	1,101,439
Total Expenditures	5,622,778
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	(5,622,778)
OTHER FINANCING SOURCES (USES)	
State General Fund Appropriations	5,765,500
State Special Appropriations	50,000
FY16 Reversion	(147,893)
Total Other Financing Sources (Uses)	5,667,607
NET CHANGE IN FUND BALANCE	44,829
Fund Balance - Beginning of Year	112,767
FUND BALANCE - END OF YEAR	\$ 157,596

See accompanying Notes to Financial Statements.

**NEW MEXICO GAMING CONTROL BOARD
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2016**

Net Changes in Fund Balances - Total Governmental Funds (Statement of Revenues, Expenditures, and Changes in Fund Balances)	\$ 44,829
 Amounts reported for governmental activities in the Statement of Activities are different because:	
 Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. In the current period, these amounts were:	
Depreciation Expense	(514,716)
Compensated absences decreased by this amount during FY16	<u>6,007</u>
Change in Net Position of Governmental Activities (Statement of Activities)	<u><u>\$ (463,880)</u></u>

See accompanying Notes to Financial Statements.

**NEW MEXICO GAMING CONTROL BOARD
STATEMENT OF REVENUES AND EXPENDITURES – MAJOR GOVERNMENTAL FUNDS –
BUDGET AND ACTUAL (BUDGETARY BASIS)
YEAR ENDED JUNE 30, 2016**

	GENERAL FUND - TOTAL			
	Budgeted Amounts		Actual	Variance From
	Original	Final	Amounts (Budgetary Basis)	Final Budget Positive (Negative)
REVENUES				
General Fund	\$ 5,815,500	\$ 5,815,500	\$ 5,815,500	\$ -
Total Revenues	<u>5,815,500</u>	<u>5,815,500</u>	<u>5,815,500</u>	<u>-</u>
BUDGETED FUND BALANCE	106,657	106,657	-	(106,657)
TOTAL REVENUES AND BUDGETED FUND BALANCE	<u>\$ 5,922,157</u>	<u>\$ 5,922,157</u>	<u>\$ 5,815,500</u>	<u>\$ (106,657)</u>
P-680 EXPENDITURES				
Personnel Services and Employee Benefits	\$ 3,929,900	\$ 3,828,230	\$ 3,698,646	\$ 129,584
Contractual Services	806,100	832,770	817,524	15,246
Other Costs	1,029,500	1,104,500	1,101,439	3,061
Total P-680 Expenditures	<u>\$ 5,765,500</u>	<u>\$ 5,765,500</u>	<u>\$ 5,617,609</u>	<u>\$ 147,891</u>
SPECIAL APPROPRIATION EXPENDITURES				
Personnel Services and Employee Benefits	\$ -	\$ -	\$ -	\$ -
Contractual Services	155,657	155,657	5,169	150,488
Other Costs	1,000	1,000	-	1,000
Total Special Appropriation Expenditures	<u>\$ 156,657</u>	<u>\$ 156,657</u>	<u>\$ 5,169</u>	<u>\$ 151,488</u>
ALL EXPENDITURES				
Personnel Services and Employee Benefits	\$ 3,929,900	\$ 3,828,230	\$ 3,698,646	\$ 129,584
Contractual Services	961,757	988,427	822,693	165,734
Other Costs	1,030,500	1,105,500	1,101,439	4,061
Total All Expenditures	<u>\$ 5,922,157</u>	<u>\$ 5,922,157</u>	<u>\$ 5,622,778</u>	<u>\$ 299,379</u>
NET CHANGE IN FUND BALANCE			\$ 192,722	
REVERSIONS TO STATE GENERAL FUND (NOT BUDGETED)			<u>(147,893)</u>	
NET CHANGE IN FUND BALANCE			<u>\$ 44,829</u>	

See accompanying Notes to Financial Statements.

**NEW MEXICO GAMING CONTROL BOARD
STATEMENT OF FIDUCIARY ASSETS AND LIABILITIES –
LICENSING AND BACKGROUND FEES FUND (SHARE 95100)
JUNE 30, 2016**

ASSETS

Investment in State Treasurer's General Fund Investment Pool (SGFIP)	\$ 29,080
Accounts Receivable	<u>9,700</u>
Total Assets	<u><u>\$ 38,780</u></u>

LIABILITIES

Due to the State General Fund	\$ 6,280
Vouchers Payable	625
Receipts Held in Suspense	<u>31,875</u>
Total Liabilities	<u><u>\$ 38,780</u></u>

See accompanying Notes to Financial Statements.

NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016

NOTE 1 REPORTING ENTITY

The State of New Mexico New Mexico Gaming Control Board was established by the Gaming Control Act enacted at the 1997 session of the 43rd New Mexico State Legislature as House Bill 399, enrolled as Chapter 190, Laws of New Mexico, 1997, and codified at Section 60-2E-1 to 60-2E-62 NMSA.

The Board is responsible for:

Gaming Regulation - A body of rules and regulations to govern the conduct of gaming activities within New Mexico within the framework of the Gaming Control Act (Title 15, Chapter 1).

Gaming Investigation and Enforcement - The Board is responsible for the enforcement of the statutes and regulations governing gaming activities within the state. As a significant part of its enforcement activity, it aims to investigate the backgrounds of persons applying for licensure, and to monitor the activities of gaming operations in the State to ensure that they are complying with the laws and regulations.

Gaming Audit and Compliance - The Board is responsible for the enforcement of the statutes and regulations governing gaming activities within the State, determining compliance of gaming operators with minimum internal control standards and ensuring that all entities conducting gaming activities within the State report the activity and earnings fairly and accurately.

Gaming Machine Electronic Monitoring - The Board is charged by statute with continuous electronic monitoring of all gaming machines licensed in the State at racetracks, fraternal organizations, and veterans' organizations. It is also responsible for billing each operator licensee the gaming tax assessed by the Board's central monitoring system.

Tribal Gaming Monitoring - Under the provisions of the Gaming Control Act and the compacts signed by the State with the individual Gaming Tribes and Pueblos, the Board is charged with monitoring tribal gaming to ensure compliance with the compacts. The Board's State Gaming Representative is the State's liaison with the tribes. The State of New Mexico New Mexico Gaming Control Board was established by the Gaming Control Act enacted at the 1997 session of the 43rd New Mexico State Legislature as House Bill 399, enrolled as Chapter 190, Laws of New Mexico , 1997, and codified at Section 60-2E-1 to 60-2E-62 NMSA.

Gaming Licensing - The Board is charged by statute with licensing gaming machine manufacturers, distributors, and operators, and issuing work permits and key person certifications. The Board is also charged with the licensing of gaming machines.

The Board is a department of the State of New Mexico. Based upon the application of the criteria in GASB Statements No. 14 and No. 39, the Board had no component units as of June 30, 2016.

NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Government-Wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the Board. There is no effect from interfund activity that needs elimination because the Board has only one fund. The Board's governmental activities are supported by general fund appropriations from the State of New Mexico. The Board has no business-type activities.

The government-wide financial statements are presented using the economic resources measurement focus and the accrual basis of accounting. Revenues, expenses, gains, losses, assets, deferred outflows of resources, liabilities, and deferred inflows of resources resulting from exchange and exchange-like transactions should be recognized when the exchange takes place. Non-exchange transactions, in which the Board gives (or receives) value without directly receiving (or giving) equal value in exchange, include grants and appropriations. Revenue from grants is recognized in the fiscal year in which all eligibility requirements have been satisfied and related costs are incurred. Appropriations are recorded at the time the money is made available to a specific fund.

In the government-wide statement of net position, the governmental activities column is reported on a full accrual, economic resource basis, which recognized all long-term assets and receivables as well as long-term debt obligations. The Board's net position is reported in three parts – net investment in capital assets; restricted net position; and unrestricted net position.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function. Program revenues include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function; and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues. The Board's general fund appropriations are shown as general revenues.

Separate financial statements are provided for governmental funds, proprietary funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements. The Board did not have any funds classified as proprietary for the year ended June 30, 2016.

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Board considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Unavailable revenue is reported as a deferred inflow. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Assets, Liabilities and Net Position

The Board reports the following major governmental fund:

The General Fund is the Board's operating fund. Its fund number in the Statewide Human Resource Accounting and Management Reporting System (SHARE) is fund 53600. It is used to account for resources traditionally associated with government that are not required legally or by sound financial management to be accounted for in some other fund. The general fund is a reverting fund.

The Board also uses a fiduciary fund (Agency Fund) to account for funds received for licensing and background fees that are disbursed to the State of New Mexico General Fund per State statute (SHARE 95100). The Board has no budgetary control over these funds and acts solely as an agent. Agency funds are purely custodial (assets equal liabilities) and thus do not involve the measurement of results of operations.

Cash and Investments

For the fiscal year ended June 30, 2016, all of the Board's cash was maintained on deposit with the State Treasurer's General Fund Investment Pool (SGFIP). The State Treasurer has the authority to invest money held in demand deposits and not immediately needed for the operation of state government in securities in accordance with Sections 6-10-10 I through O, NMSA 1978 as amended. State law requires the New Mexico Department of Finance and Administration to complete the reconciliations of balances and accounts kept by the New Mexico State Treasurer's Office. The Board does not have a separate bank account.

Capital Assets and Depreciation

Capital assets purchased or acquired are carried at historical costs or estimated historical costs. Contributed assets are recorded at the fair values as of the date received. Additions, improvements, and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. The State's capitalization policy (i.e., the dollar value above which asset acquisitions are added to the capital accounts) is \$5,000 per section 12-6-10 NMSA 1978.

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position (Continued)

Capital Assets and Depreciation (Continued)

Computer software which has been developed for internal use and which meets the capitalization minimum of \$5,000 is capitalized and depreciated in accordance with the Board's depreciation guidelines.

Depreciation on all assets is provided on the straight-line basis over the estimated useful lives with no salvage value, as follows:

Machinery and equipment	5 to 7 years
Gaming machine electronic monitoring equipment and software	5 years

Compensated Absences

Vacation and sick leave earned and not taken is cumulative; however, upon termination of employment, sick pay for such leave hours accumulated up to 600 hours is forfeited, and vacation pay is limited to payment for 240 hours. Vacation leave up to the maximum of 240 hours is payable upon separation from service at the employee's current hourly rate. Sick leave is payable semiannually to qualified employees for hours accumulated above 600 hours at a rate equal to 50 percent of their hourly rate, not to exceed 120 hours each semiannual period. Upon retirement, payment for sick leave is limited to 400 hours accumulated in excess of 600 hours at the 50 percent hourly rate. The compensated absences payable is included in the government-wide financial statements.

When applicable, the compensated absence liability is presented in two parts in the government-wide financial statements, a current portion and long-term portion. The current portion is the amount estimated to be expended during fiscal year 2017.

Pensions

The Board, as part of the primary government of the State of New Mexico, is a contributing employer to a cost-sharing multiple employer defined benefit pension plan administered by the Public Employees Retirement Association (PERA). Overall, the total pension liability exceeds Plan net position resulting in a Net pension liability. The State has determined the State's share of the net pension liability to be a liability of the State as a whole, rather than any agency or department of the State and will not be reported in the department or agency level financial statements of the State. All required disclosures will be presented in the Comprehensive Annual Financial Report (CAFR) of the State of New Mexico. Information concerning the net pension liability, pension expense, and pension-related deferred inflows and outflows of resources of the primary government will be contained in the General Fund and the CAFR and will be available, when issued, from the Office of State Controller, Room 166, Bataan Memorial Building, 407 Galisteo Street, Santa Fe, New Mexico, 87501.

NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Assets, Liabilities and Net Position (Continued)

Fund Balance Classification Policies and Procedures

In the governmental fund financial statements, fund balances are classified as nonspendable, restricted, or unrestricted (committed, assigned, or unassigned). Restricted represents those portions of fund balance where constraints placed on the resources are either externally imposed or imposed by law through constitutional provisions or enabling legislation. Committed fund balance represents amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Legislative and Executive branches of the state. Assigned fund balance is constrained by the Legislature's and Executive Branch's intent to be used for specific purposes or in some cases by legislation. Unassigned fund balances represent the residual amount of fund balance after all classifications described above have been considered. As of June 30, 2016, the Board has nonspendable fund balance of \$5,612 for prepaid expenses. In addition, the Board has \$151,484 in amounts restricted pursuant to Laws of 2015 Section 5 item 28 and Laws of 2016 Section 5 item 25 for tribal arbitration.

Spending Policy Disclosure

When an expenditure is incurred for purposes for which both restricted and unrestricted resources are available, it is the State's policy to use restricted resources first. When expenditures are incurred for purposes, for which unrestricted (committed, assigned, and unassigned) resources are available, and amounts in any of these unrestricted classifications could be used, it is the State's policy to spend committed resources first. The Board has no authority to establish a minimum fund balance. This is the prerogative of the State Legislature and the Executive (Governor) Branch.

Net Position Classifications

The Statement of Net Position displays net position amounts in the following three components:

- 1) Net investment in capital assets. This classification of net position consists of capital assets net of accumulated depreciation as of June 30, 2016.
- 2) Restricted-This classification consists of net position with constraints placed on the use either by (a) external groups such as creditors, grantors, contributors, or laws or regulation of other governments; or (b) law through constitutional provisions or enabling legislation. The Board has \$151,484 in restricted amounts pursuant to Laws of 2015 section 5 item 28 and Laws of 2016 section 5 item 25 for tribal arbitration as of June 30, 2016.
- 3) Unrestricted-This classification consists of all other net position amounts that do not meet the definition of "Restricted" or "Net investment in capital assets."

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates. Significant estimates in the Board's financial statements include the current portion of compensated absences and useful lives of depreciable assets.

Funding

The Board's funding is subject to annual evaluation and appropriation and could end at any time.

Budgets and Budgetary Accounting

The Board follows these procedures in establishing the budgetary data reflected in the financial statements:

1. No later than September 1st, the New Mexico Gaming Control Board submits to the State Budget Division (SBD) of the New Mexico Department of Finance and Administration (DFA) an appropriation request for the fiscal year commencing the following July 1. Copies are also sent to the Legislative Finance Committee (LFC). The appropriation request includes proposed expenditures and the means of financing them.
2. Appropriation request is reviewed by the SBD and additional information is obtained, if needed. Agency budgets are consolidated, with revisions, and submitted as a tentative budget to the Governor of the State. The Governor's approved appropriation request is then submitted to the Legislature as the recommended appropriation request for the Board.
3. Budget hearings are scheduled before the New Mexico House Appropriations and Senate Finance committees. The final outcome of these hearings is incorporated into the General Appropriations Act.
4. The Act is signed into law by the Governor of the State of New Mexico within the legally prescribed time limit.
5. The Board submits, no later than May 1, to DFA an annual operating budget by category and line item based upon the appropriation made by the legislature. The DFA Budget Division reviews and approves the operating budget, which becomes effective on July 1. All subsequent budget adjustments must be approved by the director of the DFA - State Budget Division.
6. Budget control for expenditures and encumbrances is at the appropriation program level. The Board has only one program. All of the expenditures and encumbrances for that program are accounted for in the Board's general fund.

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Budgets and Budgetary Accounting (Continued)

7. Formal, budgetary integration is employed as a management control device during the fiscal year for the general fund.
8. The budget for the General Fund is on the modified accrual basis. There were no accounts payable at June 30, 2016 that were not paid within 31 days after the end of the fiscal year.
9. Any remaining SHARE fund 53600 balance not restricted for unexpended special or capital outlay multiple year appropriations must revert to the New Mexico State general fund by September 30th, as required by Section 6-5-10, NMSA 1978.

In accordance with the requirements of Section 2.2.2.10.A(2)(b) of NMAC Requirements for Contracting and Conducting Audits of Agencies and the allowance made by GASB Statement No. 34 footnote 53, the budgetary comparison statement has been included as part of the basic financial statements. It includes the reconciliation of the net change in fund balance (per budgetary basis) to the net change in fund balance stated on the statement of revenues, expenditures and changes in fund balance.

NOTE 3 STATE GENERAL FUND INVESTMENT POOL

Compliant with statute 6-10-3 (NMSA 1978), and to optimize state cash management and investment practices, funds of various state agencies are deposited in the State General Fund Investment Pool (SGFIP). This pool is managed by the New Mexico State Treasurer's Office (STO). Claims on the SGFIP are reported as financial assets by the various agencies investing in the SGFIP.

Agency claims against the SGFIP and fiduciary resources held at STO to fulfill those claims were not reconciled from the inception of SHARE (the State's centralized accounting system), in July 2006 through January 2013, which caused uncertainty as to the validity of the claims and the ability of fiduciary resources to fulfill those claims. As a result of business process and systems configuration changes made during the Cash Management Remediation Project Phase I, the Board of Finance and Administration's Financial Control division began reconciling transactional activity reported by the State's fiscal agent bank to the SHARE general ledger on a point-forward basis beginning February 1, 2013. In March 2015, the Financial Control Division implemented a reconciliation process that compares statewide agency claims against the resources held in the SGFIP at STO. This process is known as the claims to resources reconciliation.

The State Controller indicated on August 8, 2016 that calculated difference between resources maintained by STO and the agency claims has remained stable and within a narrow and acceptable range (< \$200k standard deviation) over the last twelve months; resources are sufficient to cover claims and there is no need to adjust any specific business unit claim on the SGFIP and that all claims will be honored at face value.

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 3 STATE GENERAL FUND INVESTMENT POOL (CONTINUED)

The Board has established daily and monthly procedures that mitigate the risk of misstatement of the Board's balances within the Pool. In addition, as required by Section 6-5-2.1 (J) NMSA 1978, DFA/FCD is to complete, on a monthly basis, reconciliation with the balances and accounts kept by the state treasurer and adopt and promulgate rules regarding reconciliation for state agencies.

State law (Section 8-6-3 NMSA 1978) requires the Board's cash be managed by the New Mexico State Treasurer's Office. Accordingly, the investments of the Board consist of an interest in the State General Fund Investment Pool managed by the New Mexico State Treasurer's Office.

At June 30, 2016, the Board had the following in pooled cash (Agency 46500) invested in the State General Fund Investment Pool.

Fund	SHARE Fund No.	Fair Value June 30, 2016
General Fund	53600	\$ 469,967
Agency Fund	95100	29,080
Total Investments		\$ 499,047

Interest Rate Risk

The New Mexico State Treasurer's Office has an investment policy that limits investment maturities to five years or less on allowable investments. This policy is a means of managing exposure to fair value losses arising from increasing interest rates. This policy is reviewed and approved annually by the New Mexico State Board of Finance.

Credit Risk

The New Mexico State Treasurer pools are not rated.

For investment disclosure information regarding cash and investments held by the New Mexico State Treasurer, the reader should see the separate audit report for the New Mexico State Treasurer's Office for the fiscal year ended June 30, 2016.

NOTE 4 ACCOUNTS RECEIVABLE

Applicants for gaming licenses are charged certain fees for both background investigations and for licenses to engage in gaming activities. At June 30, 2016, the Board's Agency fund was owed \$9,700 from various gaming entities. All amounts are considered to be collectible.

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 5 CAPITAL ASSETS

A summary of changes in capital assets and accumulated depreciation balance is as follows:

	Balance, June 30, 2015	Additions	Deletions	Balance, June 30, 2016
Assets Being Depreciated:				
Machinery and Equipment	\$ 283,745	\$ -	\$ -	\$ 283,745
Gaming Machine Electronic				
Monitoring Equipment and Software	2,500,000	-	-	2,500,000
Total Assets Being Depreciated	2,783,745	-	-	2,783,745
Less: Accumulated Depreciation:				
Machinery and Equipment	233,182	14,716	-	247,898
Gaming Machine Electronic				
Monitoring Equipment and Software	434,316	500,000	-	934,316
Total Accumulated Depreciation	667,498	514,716	-	1,182,214
Total Capital Assets, Net	<u>\$ 2,116,247</u>	<u>\$ (514,716)</u>	<u>\$ -</u>	<u>\$ 1,601,531</u>

Depreciation expense of \$514,716 was charged entirely to general government services. All capital assets are being depreciated.

NOTE 6 COMPENSATED ABSENCES

The changes in liabilities for compensated absences are as follows:

	Balance at June 30, 2015	Increase	Decrease	Balance at June 30, 2016	Due Within One Year
General Fund	<u>\$ 183,535</u>	<u>\$ 188,225</u>	<u>\$ 194,232</u>	<u>\$ 177,528</u>	<u>\$ 177,528</u>

NOTE 7 COMMITMENTS

Operating Leases

The Board leases a building located at 4900 Alameda Boulevard NE, Albuquerque, NM. The original lease dated May 1, 2005 had a term of fifteen years with a five-year renewal option. The lease was renegotiated effective July 1, 2011, extending the lease term to May 30, 2024. The lease has an escalation clause of 3.25% over years 8, 9, 10, 11, and 16 of the lease. Additionally, the Board leases certain other office space, office equipment, and vehicles under one year lease agreements. Operating leases are subject to future appropriations and shall terminate if sufficient authority and appropriations are not granted. During the year ended June 30, 2016, the Board paid approximately \$667,709 under its various lease agreements. Future minimum rental payments under the lease agreements are as follows:

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 7 COMMITMENTS (CONTINUED)

Operating Leases (Continued)

Year Ending June 30,	Amount
2017	\$ 657,751
2018	657,751
2019	657,751
2020	661,314
2021	679,128
2022 - 2024	1,980,791
Total	\$ 5,294,487

Computer Software Maintenance Contracts

The Board has a maintenance agreement on its initial gaming machine electronic monitoring software and hardware programs. Expenditures for the agreement were \$690,000 for the year ended June 30, 2016. A schedule of future commitments under this maintenance contact is as follows:

	Amount
2017	\$ 690,000
2018	690,000
Total	\$ 1,380,000

NOTE 8 PENSION PLAN – PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

Plan Description

Substantially all of the Board's full-time employees participate in a public employee retirement system authorized under the Public Employees' Retirement Act (Chapter 10, Article 11 NMSA 1978). The Public Employees Retirement Association (PERA) is the administrator of the plan, which is a cost-sharing multiple-employer defined benefit retirement plan. The plan provides for retirement benefits, disability benefits, survivor benefits and cost-of-living adjustments to plan members and beneficiaries. PERA issues a separate, publicly available financial report that includes financial statements and required supplementary information for the plan. That report may be obtained by writing to PERA, P.O. Box 2123, Santa Fe, New Mexico 87504-2123. The report is also available on PERA's website at <http://www.pera.state.nm.us>.

Funding Policy

The contribution requirements of plan members and the Board are established in State statute under Chapter 10, Article 11 NMSA 1978. During the fiscal year ended June 30, 2016, the employer and employee contribution rates were 16.99% and 7.42% or 8.92%, respectively. The requirements may be amended by acts of the legislature. The Board contributions to PERA for the years ended June 30, 2016, 2015 and 2014 were \$440,632, \$414,315 and \$400,946, respectively, equal to the amount of the required contributions for each fiscal year.

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 9 POST-EMPLOYMENT BENEFITS – STATE RETIREE HEALTH CARE PLAN

Plan Description

The Board contributes to the New Mexico Retiree Health Care Fund, a cost-sharing multiple-employer defined benefit postemployment healthcare plan administered by the New Mexico Retiree Health Care Authority (RHCA). The RHCA provides health care insurance and prescription drug benefits to retired employees of participating New Mexico government agencies, their spouses, dependents, and surviving spouses and dependents. The RHCA Board was established by the Retiree Health Care Act (Chapter 10, Article 7C, NMSA 1978). The Board is responsible for establishing and amending benefit provisions of the healthcare plan and is also authorized to designate optional and/or voluntary benefits like dental, vision, supplemental life insurance, and long-term care policies.

Eligible retirees are: 1) retirees who make contributions to the fund for at least five years prior to retirement and whose eligible employer during that period of time made contributions as a participant in the RHCA plan on the person's behalf unless that person retires before the employer's RHCA effective date, in which the event the time period required for employee and employer contributions shall become the period of time between the employer's effective date and the date of retirement; 2) retirees defined by the Act who retired prior to July 1, 1990; 3) former legislators who served at least two years; and 4) former governing authority members who served at least four years.

The RHCA issues a publicly available stand-alone financial report that includes financial statements and required supplementary information for the postemployment healthcare plan. That report and further information can be obtained by writing to the Retiree Health Care Authority at 4308 Carlisle NE, Suite 104, Albuquerque, NM 87107.

Funding Policy

The Retiree Health Care Act (Section 10-7C-13 NMSA 1978) authorizes the RHCA Board to establish the monthly premium contributions that retirees are required to pay for healthcare benefits. Each participating retiree pays a monthly premium according to a service based subsidy rate schedule for the medical plus basic life plan plus an additional participation fee of five dollars if the eligible participant retired prior to the employer's RHCA effective date or is a former legislator or former governing authority member. Former legislators and governing authority members are required to pay 100% of the insurance premium to cover their claims and the administrative expenses of the plan. The monthly premium rate schedule can be obtained from the RHCA or viewed on their website at www.nmrhca.state.nm.us.

The employer, employee and retiree contributions are required to be remitted to the RHCA on a monthly basis. The statutory requirements for the employer and employee contributions can be changed by the New Mexico State Legislature. Employers that choose to become participating employers after January 1, 1998, are required to make contributions to the RHCA fund in the amount determined to be appropriate by the board.

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

**NOTE 9 POST-EMPLOYMENT BENEFITS – STATE RETIREE HEALTH CARE PLAN
(CONTINUED)**

Funding Policy (Continued)

The Retiree Health Care Act (Section 10-7C-15 NMSA 1978) is the statutory authority that establishes the required contributions of participating employers and their employees. For employees that were members of an enhanced retirement plan (state police and adult correctional officer member coverage plan 1; municipal police member coverage plans 3, 4 or 5; municipal fire member coverage plan 3,4 or 5; municipal detention officer member coverage plan 1; and members pursuant to the Judicial Retirement Act) during the fiscal year ended June 30, 2016, the statute required each participating employer to contribute 2.5% of each participating employee’s annual salary; and each participating employee was required to contribute 1.25% of their salary. For employees that were not members of an enhanced retirement plan during the fiscal year ended June 30, 2016, the statute required each participating employer to contribute 2.0% of each participating employee’s annual salary; each participating employee was required to contribute 1.0% of their salary. In addition, pursuant to Section 10-7C-15(G) NMSA 1978, at the first session of the Legislature following July 1, 2016, the Legislature shall review and adjust the distributions pursuant to Section 7-1-6.1 NMSA 1978 and the employer and employee contributions to the authority in order to ensure the actuarial soundness of the benefits provided under the Retiree Health Care Act.

The Board’s contributions to the RHCA for the years ended June 30, 2016, 2015 and 2014 were \$51,831, \$48,789, and \$48,418, respectively, which equal the required contributions for each year.

NOTE 10 INTERAGENCY TRANSFERS

The Board received the following inter-agency operating transfers from the New Mexico Department of Finance and Administration (DFA) during the fiscal year ended June 30, 2016:

Inter-Agency Transfers					
Agency/Fund	Board Agency Number	Board Fund Number	DFA Agency Number	DFA Fund Number	Transfers In
State General Fund Appropriations, General Appropriation Act of 2015	46500	53600	34101	85300	\$ 5,765,500
Special Appropriations- Tribal Arbitration and Litigation Laws of 2016, 2nd Session, Chapter 11, Section 5, Item 25	46500	53600	34101	85300	50,000
					<u>\$ 5,815,500</u>

**NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016**

NOTE 11 DUE TO STATE GENERAL FUND

The amount due to the State General Fund at June 30, 2016 is made up of the following:

	Amount
2016 Reversion	\$ 147,893
Other Deposits	3,580
Total	\$ 151,473

NOTE 12 DUE TO OTHER AGENCIES

The amount due to other state agencies as of June 30, 2016 is detailed below. The entire amount was paid in July of 2016.

Due To Other State Agencies	Fund No.	Amount
35600	17600	\$ 139
Total		\$ 139

NOTE 13 RISK MANAGEMENT

The Board is exposed to various risks of losses related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. Section 15-7-2 NMSA 1978 requires the General Services Department, Risk Management Division (RMD) to be responsible for the acquisition and administration of all insurance purchased by the state. Since 1977, various state statutes have been passed which allow RMD to insure, self-insure or use a combination of both. Risk management expenditures for the Board are accounted for in the general fund. Any claims are processed through RMD. There are no pending or known threatened legal proceedings involving material matters to which the Board is a party.

NOTE 14 SUBSEQUENT ACCOUNTING STANDARD PRONOUNCEMENT

GASB has issued the following statements, which are applicable in future years. At this time, management has not determined the impact, if any on the Board.

In June 2015, GASB Statement No. 75 Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions, was issued. Effective Date: The provisions of this Statement are effective for fiscal years beginning after June 15, 2017. The standard will be implemented during the fiscal year ended June 30, 2018. The Board is still evaluating how this pronouncement will effect the financial statements.

NEW MEXICO GAMING CONTROL BOARD
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2016

NOTE 15 JOINT POWERS AGREEMENTS

On June 1, 2015 the Board and the Indian Affairs Department executed a joint powers agreement with the Office of the Governor regarding legal services related to tribal gaming. The agreement terminated on June 30, 2016. The total estimated cost of the project is \$60,000 of which the Board's liability is \$20,000. The expenditures and reimbursements are audited annually in both the Board and Office of the Governor audits. The expenditures for legal services are accounted for as other services - interagency services in the Office of the Governor's accounting records. The reimbursements to the Office of the Governor for legal services are recorded as other services - interagency in the Board's accounting records. There is no fiscal agent clause associated with this specific joint powers agreement.

On March 1, 2015 the Board and the Indian Affairs Department executed a joint powers agreement with the Office of the Governor regarding legal services for the DOI Tenth Circuit Court Appeal. The agreement terminates on June 30, 2016. The total estimated cost of the project is \$20,000. The JPA is for reimbursement for legal services that are accounted for as other services - interagency in the Office of the Governor's accounting records. The reimbursements to the Office of the Governor for legal services are recorded as other services - interagency in the Board's accounting records. There is no fiscal agent clause associated with this specific joint powers agreement.

On October 1, 2015 the Board and the Indian Affairs Department executed a joint powers agreement with the Office of the Governor regarding legal services related to tribal gaming and expert advice on litigation's impact on gaming regulatory issues and future compact negotiations. The agreement terminated on June 30, 2016. The total estimated cost of the project is \$50,000 of which the Board's liability is \$10,000. The expenditures and reimbursements are audited annually in both the Board and Office of the Governor audits. The expenditures for legal services are accounted for as other services - interagency services in the Office of the Governor's accounting records. The reimbursements to the Office of the Governor for legal services are recorded as other services - interagency in the Board's accounting records. There is no fiscal agent clause associated with this specific joint powers agreement.

NEW MEXICO GAMING CONTROL BOARD
SCHEDULE I – SCHEDULE OF CHANGES IN FIDUCIARY ASSETS AND LIABILITIES –
LICENSING AND BACKGROUND FEES FUND – AGENCY FUNDS
YEAR ENDED JUNE 30, 2016

	<u>Balance, June 30, 2015</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance, June 30, 2016</u>
ASSETS				
Investment in State Treasurer's General Fund Investment Pool (SGFIP)	\$ 20,180	\$ 317,929	\$ 309,029	\$ 29,080
Accounts Receivable	<u>8,700</u>	<u>14,651</u>	<u>13,651</u>	<u>9,700</u>
Total Assets	<u><u>\$ 28,880</u></u>	<u><u>\$ 332,580</u></u>	<u><u>\$ 322,680</u></u>	<u><u>\$ 38,780</u></u>
LIABILITIES				
Due to State General Fund Vouchers Payable	\$ 3,380	\$ 309,179	\$ 306,279	\$ 6,280
Receipts Held in Suspense	<u>25,500</u>	<u>3,375</u> <u>12,000</u>	<u>2,750</u> <u>5,625</u>	<u>625</u> <u>31,875</u>
Total Liabilities	<u><u>\$ 28,880</u></u>	<u><u>\$ 324,554</u></u>	<u><u>\$ 314,654</u></u>	<u><u>\$ 38,780</u></u>

NEW MEXICO GAMING CONTROL BOARD
SCHEDULE II – SCHEDULE OF SPECIAL APPROPRIATIONS
YEAR ENDED JUNE 30, 2016

	Appropriation Period	Amount Appropriated	Current Year Revenue	Current Year Expenditures	Project to Date Expenditures	Unexpended Portion*	Unexpended and Reverted
Laws of 2012, Ch. 19 Sec. 5	2012-2017	\$ 200,000	\$ -	\$ 5,169	\$ 98,516	\$ 101,484	\$ -
Laws of 2016, Ch. 11 Sec. 5	2016-2017	50,000	50,000	-	-	50,000	-
Total Special Appropriations		<u>\$ 250,000</u>	<u>\$ 50,000</u>	<u>\$ 5,169</u>	<u>\$ 98,516</u>	<u>\$ 151,484</u>	<u>\$ -</u>

* The unexpended portion is reported as a restricted fund balance in the governmental funds balance sheet.

**NEW MEXICO GAMING CONTROL BOARD
 SCHEDULE III – SUPPLEMENTARY SCHEDULE OF VENDOR INFORMATION
 FOR PURCHASES EXCEEDING \$60,000 (EXCLUDING GRT) – UNAUDITED
 YEAR ENDED JUNE 30, 2016**

<i>RFB#/RFP#</i>	<i>Type of Procurement</i>	<i>Awarded Vendor</i>	<i>\$ Amount of Awarded Contract</i>	<i>\$ Amount of Amended Contract</i>	<i>Name and Physical Address, Per the Procurement Documentation, of <u>ALL</u> Vendor(s) That Responded</i>	<i>In-State/ Out-of-State Vendor (Y or N) (Based on Statutory Definition)</i>	<i>Was the Vendor In-State and Chose Veteran's Preference (Y or N) - For Federal Funds, Answer N/A</i>	<i>Brief Description of the Scope of Work</i>
No purchases exceeding \$60,000								



**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING
AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL
STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Chairman and Board Members
New Mexico Gaming Control Board and
Mr. Timothy Keller
New Mexico State Auditor

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the General Fund, the aggregate remaining fund information, and the budgetary comparison of the General Fund of the New Mexico Gaming Control Board (the Board) as of and for the year ended June 30, 2016, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements, and have issued our report thereon dated November 17, 2016.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Board's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control. Accordingly, we do not express an opinion on the effectiveness of the Board's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charge with governance.

Chairman and Board Members
New Mexico Gaming Control Board and
Mr. Timothy Keller
New Mexico State Auditor

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Board's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



CliftonLarsonAllen LLP

Albuquerque, New Mexico
November 17, 2016

**NEW MEXICO GAMING CONTROL BOARD
SCHEDULE OF FINDINGS AND RESPONSES
JUNE 30, 2016**

SECTION I – SUMMARY OF AUDITORS’ RESULTS

Financial Statements

Type of auditor’s report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? yes no

- Significant deficiency(ies) identified that are not considered to be material weaknesses? yes none reported

Noncompliance material to financial statements noted? yes no

SECTION II – FINANCIAL STATEMENT FINDINGS

There were no findings for the year ended June 30, 2016.

PRIOR YEAR FINDINGS

There were no findings for the year ended June 30, 2015.

**NEW MEXICO GAMING CONTROL BOARD
EXIT CONFERENCE
JUNE 30, 2016**

An exit conference was held with the Board on November 17, 2016. The conference was held at the Board's offices in Albuquerque, New Mexico. The conference was held in a closed meeting to preserve the confidentiality of the audit information prior to the official release of the financial statements by the State Auditor. In attendance were:

NEW MEXICO GAMING CONTROL BOARD

Jeffrey S. Landers, Chairman
Salvatore Maniaci, Commissioner
Paulette Becker, Commissioner
Donovan Lieurance, Acting Executive Director
Cynthia M. Ortega-Armijo, Administrative Services Division Director
Stefen Sloane, Senior Staff Counsel

CLIFTONLARSONALLEN LLP

Matt Bone, CPA, CGFM, CGMA, Engagement Principal
Jane Tinker, CPA, Engagement Director

PREPARATION OF FINANCIAL STATEMENTS

The financial statements presented in this report have been prepared by the Board, with guidance from the independent auditor. They are the responsibility of management, as addressed in the Independent Auditors' Report.