

Charles L. Henry

Certified Public Accountant

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New Mexico Racing Commission

FINANCIAL STATEMENTS

***For the Year Ended
June 30, 2018***

New Mexico Racing Commission

Table of Contents

June 30, 2018

	<u>Page</u>
Listing of Principal Officials	1
Independent Auditors' Report	2 - 5
Management's Discussion and Analysis	6 - 11
Basic Financial Statements:	
Statement of Net Position	12
Statement of Activities	13
Balance Sheet - Governmental Funds	14
Statement of Revenues, Expenditures and Changes in Fund Balance - Governmental Funds	15
Budget to Actual Comparison Statement - General Fund # 19200	16
Budget to Actual Comparison Statement - General Fund-Equine Testing Fund # 12140	17
Notes to Financial Statements	18 - 35
Supplemental Information:	
Combining Balance Sheet - General Fund Accounts	36
Combining Statement of Revenues, Expenditures and Changes in Fund Balance - General Fund Accounts	37
Other Information:	
Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements	38 - 39
Summary Schedule of Prior Year Audit Findings	40
Financial Statement Preparation and Exit Conference	41

New Mexico Racing Commission

LISTING OF PRINCIPAL OFFICIALS

June 30, 2018

COMMISSIONERS

<u>Name</u>	<u>Title</u>
Ray Willis	Chairman
Gayla McCulloch	Vice Chairman
Jerry Cospers, DVM	Member
Leonard Blach, DVM	Member
Kenneth L. Corazza	Member

ADMINISTRATIVE OFFICIALS

<u>Name</u>	<u>Title</u>
Ismael "Izzy" Trejo	Executive Director
Laura Valencia	Chief Financial Officer
Rosa Silva	Financial Specialist

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INDEPENDENT AUDITORS' REPORT

**Wayne Johnson
New Mexico Office of the State Auditor
The Commissioners of the
New Mexico Racing Commission
Albuquerque, New Mexico**

Report on Financial Statements

I 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 major fund, the aggregate remaining fund information, and the budgetary comparisons of the general fund and equine testing fund of the New Mexico Racing Commission (Commission), as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements as listed in the table of contents and have issued my report thereon dated October 25, 2018. I also have audited the financial statements of each of the Commission's fiduciary funds presented as supplementary information, as defined by the Government Accounting Standards Board, in the accompanying combining fund financial statements as of and for the year ended June 30, 2018.

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 misstatement, whether due to fraud or error

Auditor's Responsibility

My responsibility is to express opinions on these financial statements based on my audit. I conducted my 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 I 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, I 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.

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

Opinions

In my opinion, the financial statements referred to above previously present fairly, in all material respects, the respective financial position of the governmental activities, the major fund, and the aggregate remaining fund information of the Commission, as of June 30, 2018, and the respective changes in financial position thereof and the respective budgetary comparison for the general fund and equine testing fund for the year then ended in conformity with accounting principles generally accepted in the United States of America. In addition, in my opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the fiduciary funds of the Commission as of June 30, 2018, and the respective changes in financial position thereof 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 6 through 11 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. I 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 my inquiries, the basic financial statements, and other knowledge I obtained during my audit of the basic financial statements. I do not express an opinion or provide any assurance on the information because the limited procedures do not provide me with sufficient evidence to express an opinion or provide any assurance.

Other Information

As discussed in Note A 1, the financial statements of the New Mexico Racing Commission, State of New Mexico, are intended to present the financial position, and the changes in financial position of only that portion of the governmental activities, the major fund, the budgetary comparison for the general fund and equine testing fund, and the aggregate remaining fund information of the State of New Mexico that is attributable to the transactions of the New Mexico Racing Commission. They do not purport to, and do not, present fairly the financial position of the State of New Mexico as of June 30, 2018 and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

My audit was conducted for the purpose of forming opinions on the Commission's financial statements, and the combining and individual fund financial statements and budgetary comparisons. The additional schedules required by Section 2.2.2.NMAC listed as "supplemental information" and schedules in the table of contents are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The supplemental information and the schedule of cash accounts and investments required by 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 information required by 2.2.2 NMAC are fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards , I have also issued my report dated October 25, 2018 on my consideration of the Commission's internal control over financial reporting and on my 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 my 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 Commission's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "Charles L. Henry CPA". The signature is written in a cursive style with a large, stylized "C" at the beginning.

Charles L. Henry
Certified Public Accountant
October 25, 2018

NEW MEXICO RACING COMMISSION MANAGEMENT'S DISCUSSION AND ANALYSIS

OVERVIEW

Our discussion and analysis of the New Mexico Racing Commission's (Commission) financial performance provides an overview of our financial activities for the fiscal year ended June 30, 2018. It should be read in conjunction with the financial statements, which follow this discussion and analysis. This document will assist the reader in the following:

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

USING THIS ANNUAL REPORT

This annual report consists of a series of financial statements. The Statement of Net Position and the Statement of Activities provide information about the Commission as a whole and present a longer-term view of our finances. Financial data presented in these financial statements is for the activities of the Commission as a single agency. It does not purport to represent the State of New Mexico as a whole

Government Wide Financial Statements

The Statement of Net Position (Unrestricted and Restricted Net Position) report all assets and liabilities using the accrual basis of accounting, which is similar to the accounting used by most private sector companies. All current year revenues and expenses are reported regardless of when cash is received or paid. These financial statements do not include fiduciary activities. Fiduciary resources are not available to finance the government's programs and are excluded from the government-wide financial statements.

The government-wide financial statements include all activities of the Commission with the exception of the fiduciary funds that arise from the collection of racing participants and licensees' fees, taxes and fines. General fixed assets, formerly reported as separate account groups, are included in these financial statements. State general fund appropriations and collection of pari-mutuel taxes finance these activities. The SHARE accounts General Fund and the Equine Testing Fund are included in the government-wide financial statements and all receivables and payables have been eliminated as well as transfers.

**NEW MEXICO RACING COMMISSION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Fund Financial Statements

The SHARE Accounts General Fund (19200) and the Equine Testing Fund (12140) and Racing Receipts (81400) are combined to make up the general fund. Only individual governmental or individual proprietary funds can be considered for major fund status. The Commission's two kind 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 uses.

Governmental Funds.

All of the Commission's basic and designated services are reported in the governmental funds, which focus on the establishment of an appropriation by the state legislature and taxes collected and the expenditures of these monies in accordance with the budgets. If the General fund account (SHARE Acct# 19200) monies not expended or encumbered at the year-end, they revert to the State of New Mexico's General Fund. The Equine Testing Fund (SHARE Acct. # 12140) monies remain in the fund, unless the balance exceeds \$600,000 at year-end. Any monies greater than \$600,000 must revert to the State of New Mexico's General Fund. The fund is reported using an accounting method called modified accrual accounting, which measures cash and other financial assets that can readily be converted to cash. The difference between governmental activities and governmental funds are reconciled.

Fiduciary Funds.

The fiduciary funds are used to report assets held on behalf of the State of New Mexico or other statutory activities and are not available to support Commission activities. The reporting focus is upon the net position and changes in net position and employs the accrual basis of accounting. These funds, once earned, are generally revenues of the general fund of the State of New Mexico.

THE NEW MEXICO RACING COMMISSION AS A WHOLE

The New Mexico Racing Commission is funded by appropriations from the New Mexico State General Fund and the Equine Test Fund is funded through the collection of pari-mutuel taxes. The Commission is responsible for the regulation of the State's pari-mutuel horse racing industry. During the fiscal year ending June 30, 2018, there were 255 live race days regulated.

Condensed Statement of Net Position

Table A-1

	Governmental Activities		Increase (Decrease)
	2018	2017	
Current assets	\$ 254,490	\$ 123,694	\$ 130,796
Capital and non-current assets (net of depreciation)	8,350	10,238	(1,888)
Total Assets	\$ 262,839	\$ 133,931	\$ 128,908

**NEW MEXICO RACING COMMISSION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

	<u>Governmental Activities</u>		Increase
	<u>2018</u>	<u>2017</u>	<u>(Decrease)</u>
Current liabilities	\$ 314,146	\$ 277,470	\$ 36,676
Long-term liabilities	54,804	53,977	827
Due to State General Fund	79,689	-	79,689
Total Liabilities	<u>\$ 448,639</u>	<u>\$ 331,447</u>	<u>\$ 117,193</u>
 Net Position:			
Restricted	\$ 11,046	\$ 11,045	\$ -
Unrestricted (deficit)	(196,846)	(208,561)	11,715
Total Net Position	<u>\$ (185,800)</u>	<u>\$ (197,516)</u>	<u>\$ 11,715</u>

As summarized in Table A-1, Current liabilities increased due to an increase in accounts payable which was related to payment for equine testing. Net Position of (\$185,800) represents the difference between assets and liabilities of the Agency. The deficit presented in unrestricted net position is not a reflection that the agency overspent its funding authority. It represents the estimated future cost of compensated absences that will be funded and paid from future appropriations. The restricted portion relates to the availability of funds for the use of additional equine testing.

Condensed Statement of Activities

Table A-2

	<u>Governmental Activities</u>		Increase
	<u>2018</u>	<u>2017</u>	<u>(Decrease)</u>
General Revenues/Transfers:			
General fund appropriations	\$ 1,981,900	\$ 1,981,900	\$ -
Other sources	737,480	734,280	3,201
Transfer out - reversion	(15,373)	-	(15,373)
Total revenues/transfers	<u>2,704,007</u>	<u>2,716,180</u>	<u>(12,173)</u>
 Expenses			
Racing regulation	<u>2,692,292</u>	<u>2,879,165</u>	<u>(186,873)</u>
Increase (decrease) in net position	11,714	(162,985)	174,699
Beginning of year, net position (deficit)	(197,515)	(34,530)	(162,985)
End of year, net position (deficit)	<u>\$ (185,801)</u>	<u>\$ (197,515)</u>	<u>\$ 11,714</u>

**NEW MEXICO RACING COMMISSION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

ANALYSIS OF FINANCIAL POSITION

The Commission received 73% of its governmental fund revenues from an appropriation from the state legislature and the Equine Test Fund from the collection of pari-mutuel taxes for equine testing which was established the previous fiscal year. These SHARE fund accounts are expended by the Commission based on a budget submitted and approved by the state legislature and the Governor. During the current year, the Commission has had an increase in their budget largely due to Equine Testing fund created by the legislature for expenditures related to testing of urine and blood samples drawn from race horses and

ANALYSIS OF GOVERNMENTAL FUNDS

The Commission operates one governmental fund in which all activity related to horseracing regulation is recorded. The following financial statements present the financial position and results of operations for the governmental activities. Funding for the governmental funds is \$1,981,900 from the General Fund appropriation and \$737,480 in collection of Daily Capital Outlay Tax.

Governmental funds expenditures totaled \$2,704,008 and differs from the government-wide expenses of \$2,692,292 by one item as follows:

Government fund expenditures	\$ 2,704,008
Decrease in expenditures for annual depreciation expense	1,888
Decrease in liability for compensated absences	<u>(13,604)</u>
Agency government-wide expenses	<u>\$ 2,692,292</u>

ANALYSIS OF BALANCES AND TRANSACTIONS OF INDIVIDUAL FUNDS

The Commission maintains the General Fund and three fiduciary funds. The General Fund receives an appropriation by the state legislature and pari-mutuel taxes. The expenditures of this money are in accordance with a budget. The Commission's two fiduciary funds consist of Racing Receipts and Horse Racing Suspense Account.

The Racing Receipts Fund consists of collections of all pari-mutuel taxes, license, fines, and fee receipts. These receipts are transferred monthly to the state general fund, and withdrawals to statutory required payments to municipalities where qualifying racetracks are located. The total amount transferred to the State General Fund from the Racing Receipts Fund during the 2018 fiscal year was \$737,480.

The Horse Racing Suspense Account Fund is a statutory required fund to allow for the refund of fines and licensing fees adjudicated to be refunded.

**NEW MEXICO RACING COMMISSION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

GENERAL FUND BUDGETARY HIGHLIGHTS

The annual operating budget is approved by the Department of Finance and Administration and the Legislative Finance Committee. Over the course of the year, the Commission adjusts its budget as authorized under the Appropriations Act. Comparison of actual expenditures on a budgetary basis to approved budget amounts is presented on pages 16 and 17.

The Commission operates one governmental fund in which all activity related to horseracing regulation is recorded. The following financial statements present the financial position and results of operations for the governmental activities. Funding for the governmental funds is \$1,981,900 from the General Fund appropriation and \$737,480 in collection of gaming taxes. The budgetary basis expenditures for the General Fund account was within their budgeted amount in all functions as was the Equine Testing Fund account. The difference in budget to actual expenditures for the SHARE General Fund and Equine Testing fund total categories is (\$15,373).

CAPITAL ASSETS ADMINISTRATION

The Commission capitalizes and inventories capital assets with a cost of \$5,000 or more in compliance with HB (Section 12-6-10 NMSA 1978). During the year no assets were acquired that required to be capitalized. The Commission did recognize \$1,888 in depreciation on assets acquired in the current year.

The Commission does not have any current or long term debt.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

The Commission has set goals to restore the tradition of horse racing in the State of New Mexico. With these goals is the improved purpose to ensure transparency and accountability. Commission management and staff work to have continuous progress in equine testing and enforcement. The addition of an in-house veterinarian will allow for savings in contractual expenditures associated with medical expenses.

The next two years management will concentrate on racing oversight and higher expectations for fiscal accountability. Additional staff will be needed to meet the objectives necessary to achieve internal auditing and oversight of racetrack financials, which will also allow for savings in contractual services.

During fiscal year 2018, the agency had three vacant positions (veterinarian, investigator and secretary positions). It should be noted that with the fluctuation of racing season, it may appear that the Commission has several vacancies, but these positions are awaiting the start of a racetrack. In late FY18, the veterinarian position changed to a full time filled position.

**NEW MEXICO RACING COMMISSION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Although there have been significant changes in agency such as a new equine testing laboratory, in house veterinarian and the possibility of a new race track license, agency management will continue to work with legislators, oversight agencies and race track management promoting the State's horse racing industry.

The major challenge for the Commission and its staff continues to be budget availability without impeding its services or regulation. Within the next couple of years, there is the possibility for additional race days and a new racing entity, which will require additional budget and staff to ensure oversight of a new race track.

CONTACTING THE COMMISSION'S FINANCIAL MANAGEMENT

The financial report is designed to provide citizens, taxpayers, customers, legislators, investors and creditors with a general overview of the Commission's finances and to demonstrate the Commission's accountability for the funds it receives. If you have any questions about this report or need additional financial information contact:

*New Mexico Racing Commission
4900 Alameda Blvd NE - Suite A
nmrc@state.nm.us
Main Line (505) 222-0700 * Fax (505)222-0713
Albuquerque, NM 87113*

NEW MEXICO RACING COMMISSION

STATEMENT OF NET POSITION

June 30, 2018

	Governmental Activities
ASSETS:	
Investment in the State General Fund Investment Pool	\$ 175,190
Due From State General Fund	
Other Receivables	79,300
Investment in Capital Assets, Net of Accumulated Depreciation	<u>8,350</u>
Total Assets	\$ <u>262,839</u>
LIABILITIES:	
Accounts Payable	\$ 243,312
Accrued salaries and benefits	56,782
Other Liabilities	-
Due to State General Fund	79,689
Compensated Absences Payable	
Due Within One Year	14,052
Due After One Year	<u>54,804</u>
Total liabilities and net position	<u>448,639</u>
Net Position:	
Investment in Capital Assets	8,350
Restricted	11,046
Unrestricted (Deficit)	<u>(205,196)</u>
Total Net Position	<u>(185,800)</u>
Total Liabilities and Net Position	\$ <u>262,839</u>

The Accompanying Notes Are An Integral Part Of These Financial Statements

NEW MEXICO RACING COMMISSION

STATEMENT OF ACTIVITIES

For the Year Ended June 30, 2018

	<u>Governmental Activities</u>
Program Expenses:	
Personal Services / Employee Benefits	\$ 1,383,824
Contractual Services	1,064,584
Other - Including Depreciation Expense of \$1,888	<u>243,884</u>
Total Program Expenses	<u>2,692,292</u>
General Revenues/Transfers:	
State General Fund Appropriations	1,981,900
Pari-Mutuel Taxes	737,480
Transfers - Reversion To The State General Fund	<u>(15,373)</u>
Total General Revenues/Transfers	<u>2,704,007</u>
Change in net position	11,715
Net Position:	
Beginning of year	<u>(197,516)</u>
End of year	<u>\$ (185,800)</u>

The Accompanying Notes Are An Integral Part Of These Financial Statements

NEW MEXICO RACING COMMISSION
BALANCE SHEET - GOVERNMENTAL FUNDS
June 30, 2018

	<u>Governmental Activities</u>
ASSETS:	
Unrestricted Investment In The State General Fund	
Investment Pool	\$ 175,190
Due From State General Fund	-
Other Receivables	<u>79,300</u>
Total Assets	<u>\$ 254,490</u>
LIABILITIES:	
Accounts Payable	\$ 243,312
Accrued salaries and benefits	56,782
Other Liabilities	-
Due To State General Fund	<u>79,689</u>
Total Liabilities	<u>379,783</u>
FUND BALANCE:	
Restricted:	
Equine Testing	11,046
Unassigned	
General Operations	<u>(136,339)</u>
Total Fund Balance	<u>(125,293)</u>
Total Liabilities And Fund Balance	<u>\$ 254,490</u>
 <i>Amounts reported for governmental activities in the statement of net position are different because:</i>	
Fund Balance - Government Funds	\$ (125,293)
Investment in Capital Assets, Net of Accumulated Depreciation	8,350
Compensated Absences - Are not due and payable in the current period and therefore are not reported in the funds.	<u>(68,857)</u>
Net Position of Governmental Activities	<u>\$ (185,800)</u>

The Accompanying Notes Are An Integral Part Of These Financial Statements

NEW MEXICO RACING COMMISSION
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
GOVERNMENTAL FUNDS

For the Year Ended June 30, 2018

	Governmental Activities
EXPENDITURES	
Personal Services / Employee Benefits	\$ 1,397,428
Contractual Services	1,064,584
Other - Less Depreciation Expense of \$1,888	<u>241,996</u>
Total Expenditures	<u>2,704,008</u>
REVENUES	
Para Mutuel Taxes	\$ <u>737,480</u>
Total Revenue	<u>737,480</u>
OTHER FINANCING SOURCES (USES)	
State General Fund Appropriations	1,981,900
Other Uses - Pari-Mutuel Taxes	(737,480)
Other Sources - Equine Testing fund	737,480
Transfers	
Reversion To The State General Fund	<u>(15,373)</u>
Total Other Financing Sources (Uses)	<u>1,966,527</u>
TOTAL REVENUES AND OTHER FINANCING SOURCES (USES)	<u>2,704,007</u>
Net change in fund balance	-
Fund balance	
Beginning of year	(125,293)
End of year	<u>\$ (125,293)</u>
 Amounts reported for governmental activities in the statement of activities are different because:	
Net Change in Fund Balances - Total Government Funds	-
 Governmental funds report capital outlays as expenditures. In the Statement of Activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlays exceed depreciation.	
	(1,888)
 In the Statement of Activities, certain operating expenses - compensated absences payable - are measured by the amounts earned during the year. In the Governmental Fund, however, expenditures are measured by the amount of financial resources used (essentially the amount actually paid). The increase in the liability for compensated absences payable for the year was	
	<u>13,604</u>
Change in Net Position - Governmental Activities	<u>\$ 11,716</u>

The Accompanying Notes Are An Integral Part Of These Financial Statements

NEW MEXICO RACING COMMISSION
BUDGET TO ACTUAL COMPARISON STATEMENT - GENERAL FUND # 19200
For the Year Ended June 30, 2018

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Actual Over (Under) Budget</u>
REVENUES				
State General Fund Appropriations	\$ 1,981,900	\$ 1,981,900	\$ 1,981,900	\$ -
Other Sources - OFS Intra Agency	<u>880,000</u>	<u>880,000</u>	<u>737,480</u>	<u>(142,520)</u>
Total revenues	<u>\$ 2,861,900</u>	<u>\$ 2,861,900</u>	<u>2,719,380</u>	<u>\$ (142,520)</u>
EXPENDITURES				
Personal Service/Employee Benefits	\$ 1,312,400	\$ 1,312,400	1,397,427	\$ 85,027
Contractual services	1,330,100	1,330,100	1,064,584	(265,516)
Other	<u>219,400</u>	<u>219,400</u>	<u>241,996</u>	<u>22,596</u>
Total expenditures	<u>\$ 2,861,900</u>	<u>\$ 2,861,900</u>	<u>2,704,007</u>	<u>\$ (157,893)</u>
Net Change in Fund Balance			15,373	
Reversion due to the State General Fund			(15,373)	
FUND BALANCE				
Beginning of year			<u>(136,339)</u>	
End of year			<u>\$ (136,338)</u>	

The Accompanying Notes Are An Integral Part Of These Financial Statements

NEW MEXICO RACING COMMISSION

BUDGET TO ACTUAL COMPARISON STATEMENT - GENERAL FUND-EQUINE TESTING FUND # 12140

For the Year Ended June 30, 2018

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Actual Over (Under) Budget</u>
REVENUES				
Pari Mutuel Taxes	\$ 880,000	\$ 880,000	\$ 737,480	\$ (142,520)
Total revenues	\$ <u>880,000</u>	\$ <u>880,000</u>	737,480	\$ <u>(142,520)</u>
EXPENDITURES				
Other uses	\$ 880,000	\$ 880,000	737,480	\$ (142,520)
Total expenditures	\$ <u>880,000</u>	\$ <u>880,000</u>	737,480	\$ <u>(142,520)</u>
Net Change in Fund Balance			-	
FUND BALANCE				
Beginning of year			<u>11,044</u>	
End of year			\$ <u><u>11,044</u></u>	

The Accompanying Notes Are An Integral Part Of These Financial Statements

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES

The New Mexico Racing Commission (Commission) is administratively attached to the State of New Mexico Tourism Department. The Commission consists of five members, all of whom are appointed by the Governor of the State of New Mexico. Section 60-1A-4, NMSA 1978 empowers the state racing commission to make rules and regulations for the holding, conducting and operating of all race meets and races. Section 60-1A-20, NMSA 1978 empowers the racing commission to establish such qualifications for licenses to conduct horse race meets as it deems to be in the public interest. The duties include collecting taxes on behalf of the State of New Mexico Taxation and Revenue Department and other parties. The basic financial statements of the Commission only include the activities associated with these types of functions. They do not include the operating or capital improvement activities of the tracks with the exception of those receipts and disbursements for which the Commission operates as an agent of the tracks.

The financial statements of the Commission have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant accounting policies of the Commission are described below:

1. FINANCIAL REPORTING ENTITY

GASB Statement No. 61, The Financial Reporting Entity: Omnibus , effective for periods beginning after June 15, 2012, establishes standards for defining and reporting on the financial reporting entity. The requirements of GASB No. 61 apply at all levels to all state and local governments.

GASB No. 61 defines the financial reporting entity as consisting of the primary government, organizations for which the primary government is financially accountable. In addition, the primary government may determine, through exercise of management's professional judgment, that the inclusion of an organization that does not meet the financial accountability criteria is necessary in order to prevent the reporting entity's financial statements from being misleading. The primary government is financially accountable if it appoints a voting majority of the organization's governing body and (1) it is able to impose its will on that organization or (2) there is a potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the primary government.

No entities are considered component units of the Commission. The Commission's fiduciary funds are not included with the government-wide presentations.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

A primary government is any state government or general-purpose local government, consisting of all of the organizations that make up its legal entity. All funds, organizations, institutions, agencies, departments and offices that are not legally separate are, for financial reporting purposes, part of the primary government. The Commission, therefore, is part of the primary government of the State of New Mexico, and its financial data should be included with the financial data of the State. The State of New Mexico will present an Comprehensive Annual Financial Report (CAFR) inclusive of all agencies of the primary government for fiscal year 2018.

2. BASIC FINANCIAL STATEMENTS

The Commission's basic financial statements include both government-wide (based on the Commission as a whole) and fund financial statements. The reporting model focus is on either the Commission as a whole, or major individual funds (within the fund financial statements). Both the government-wide and fund financial statements (within the basic financial statements) categorize primary activities as either governmental or business type activities. In the government-wide Statement of Net Position, the governmental activities are presented and are reflected on a full accrual, economic resources basis measurement focus, which incorporates long-term assets, as well as long-term obligations. The Commission did not have any business-type activities during the year ended June 30, 2018. The effect of material interfund activity is removed from the governmentwide statements. There was no interfund activity during the year.

The government-wide Statement of Activities reflects both the gross and net costs per functional category (education, labor, transportation, etc.) that are otherwise being supported by general governmental revenues. The Statement of Activities reduces gross expenses (including depreciation) by related program revenues, operating grants, and capital grants. The program revenues must be directly associated with the function of a business-type activity. The Commission includes only one function (general government). When an expense is incurred for purposes when both restricted and unrestricted resources are available, the Commission utilizes the restricted resources first.

The net cost (by function of business-type activity) is normally covered by general revenues (taxes, intergovernmental revenues, interest income, etc.). The Commission does not currently employ an indirect cost allocation system.

The government-wide focus is more on the sustainability of the Commission as an entity and the change in aggregate financial position resulting from the activities of the fiscal period.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

The fund financial statements have an emphasis on the major funds in the governmental category. The Commission has one governmental fund, the General Fund, which consists of the general fund (Share Account# 19200) and the Equine Testing Fund (Share Account # 12140) and is the only major fund.

The governmental fund statements are presented on a current financial resource and modified accrual measurement focus of accounting. This presentation is deemed more appropriate to (a) demonstrate legal compliance, (b) demonstrate the source and use of liquid resources, and (c) demonstrate how the Commission's actual experience conforms to the budget or fiscal plan.

Since the governmental fund statements are presented on a different measurement focus and basis of accounting than the government-wide statements' governmental activities column, a reconciliation is also presented on the page, which briefly explains the adjustments necessary to transform the fund-based financial statements into the governmental activities column on the government-wide presentation.

The Commission's fiduciary funds (agency funds) are presented in the fund financial statements. Since by definition these assets are being held for the benefit of a third party and cannot be used to address activities or obligations of the government, these funds are not incorporated into the government-wide statements.

3. BASIS OF PRESENTATION

The financial transactions of the Commission are maintained on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund balance, revenues, expenditures or expenses, and other financing sources or uses. Government resources are allocated to, and accounted for, in individual funds based upon the purpose for which they are to be spent and the means by which spending activities are controlled. The various funds are summarized by type in the accompanying financial statements. The various funds are reported by generic classification within the financial statements.

GASB No. 34 sets forth minimum criteria for the determination of major funds based on a percentage of the assets, liabilities, revenues or expenditures/expenses of either fund category or governmental and enterprise combined. Due to the fund structure of the Commission, the only individual governmental fund, the General Fund, has been classified as a major fund.

The Commission uses the following fund types:

GOVERNMENTAL FUND TYPES

General Fund # 19200 - The General Fund is the general operating fund and is combined with the SHARE accounts General Fund and the Equine Testing Fund as the only major fund of the Commission. It is used to account for all financial resources except those required to be accounted for in another fund. The General Fund is funded through an appropriation from the New Mexico State Legislature. The unassigned fund balance reverts back to the State General Fund at fiscal year end.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

Equine Testing Fund # 12140 - The fund is combined with the SHARE account General Fund by the New Mexico Legislature under Chapter 60, Article 1A, Section 14.1. The Equine Testing fund purpose is to provide additional funding for equine testing. The fund is required to revert funds to the State General Fund all monies greater than \$600,000.

Racing Receipts Fund #81400 - This fund is a statutory required fund to account for collections of all Pari-mutual license, fines and fee receipts. These receipts are transferred to the state general fund. In addition, required gross receipts disbursements to municipalities where qualifying racetrack are located are made. In the past this fund was reflected as a Agency Fund but for the fiscal year ended June 30, 2018 it has been reclassified as a part of the general fund.

Suspense Refund Fund # 84500 - This is a statutory required fund to allow for the return of fines and licensi fees adjudicated to be refunded. In the past this fund was reflected as a Agency Fund but for the fiscal year ended June 30, 2018 it has been reclassified as a special revenue fund. There was no activity reflected in th fund for the year ended June 30, 2018.

4. BASIS OF ACCOUNTING

Basis of accounting refers to the point at which revenues and expenditures/expenses are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

Accrual. The government-wide financial statements and the fiduciary financial statements are presented on the accrual basis of accounting using an economic resources measurement focus.

Modified Accrual. The governmental fund financial statements are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the period or within 60 days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred.

5. BUDGETARY PROCEDURES AND ACCOUNTING

The State Legislature makes annual appropriations to the Commission. Legal compliance is monitored through the establishment of an annual budget. Annual budgets are adopted each fiscal year for the General Fund. Amendments to the budget require approval by the State's Financial Control Division of the Department of Finance and Administration.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

Per the General Appropriation Act, Laws of 2007, Chapter 28, Section 3, Item N, "For the purpose of administering the General Appropriation Act of 2007 and approving operating budgets, the State of New Mexico shall follow the modified accrual basis of accounting for governmental funds in accordance with the manual of model accounting practices issued by the Department of Finance and Administration". The budget is adopted on the modified accrual basis of accounting except for accounts payable accrued at the end of the fiscal year that do not get paid by the statutory deadline per Section 6-10-4 NMSA 1978. Those accounts payable that do not get paid timely must be paid out of the next year's budget. Encumbrances related to single year appropriations lapse at year-end.

Budgeted appropriation unit amounts may be amended upon approval from the Budget Division of the State of New Mexico Department of Finance and Administration within the limitation as specified in the General Appropriation Act. The budget amounts shown in the financial statements are both the original appropriation and the final authorized amounts as legally revised during the year.

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

1. By September 1st, the Commission prepares a budget request by appropriation unit to be presented to the next legislature;
2. The appropriation request is submitted to the Department of Finance and Administration's Budget Division (DFA) and to the Legislature;
3. DFA makes recommendations and adjustments to the appropriation request, which become the Governor's proposal to the Legislature;
4. The Legislative Finance Committee (LFC) holds hearings on the appropriation request, also submitting recommendations and adjustments before presentation to the Legislature;
5. Both the DFA's and LFC's recommended appropriation proposal are presented to the legislature for approval of the final budget plan;
6. Budgetary control is exercised at the appropriation unit level of the Commission as a whole and changes are approved by the DFA;
7. Appropriations, if reverting, lapse at the end of the year except for amounts in accounts payable after July 31;
8. The General Appropriation Act establishes the modified accrual basis of accounting for governmental funds as the budgetary basis of accounting for the State of New Mexico.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

6. CAPITAL ASSETS

Property, plant and equipment purchased or acquired is carried at historical cost or estimated historical cost. Contributed assets are recorded at the fair market 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.

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

<i>Furniture & Fixtures & Leashold Improvements</i>	7 Years
<i>Equipment</i>	5 Years
<i>Data Processing Equipment</i>	5 Years

7. ENCUMBRANCES ACCOUNTING

Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of funds are recorded in order to reserve that portion of the applicable appropriation, is employed as an extension of formal budgetary control in the General Fund during the operating year. Encumbrances outstanding that do not extend beyond the appropriation period (generally, the fiscal year ended June 30), lapse and must be re-encumbered against the new appropriation during the following fiscal year, as necessary or needed.

8. COMPENSATED ABSENCES PAYABLE

Compensatory time is accumulated by qualified employees as follows:

- a) Annual leave - A maximum of 240 hours of such accumulated annual leave may be carried forward into the beginning of the calendar year and any excess is lost. When employees terminate, they are compensated for accumulated unpaid annual leave as of the date of termination, up to a maximum of 240 hours;
- b) Sick Leave - Employees who have accumulated 600 hours of unused sick leave are entitled to be paid for unused sick leave in excess of 600 hours at a rate equal to fifty percent (50%) of their hourly rate of pay for up to 120 hours of sick leave. Payment for unused sick leave may be made only once per fiscal year on either the payday immediately following the first full pay period in January or the first full pay period in July;

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

- c) Compensatory time - An employee may accrue not more than 240 hours of compensatory time. Compensatory time shall be at a rate of not less than 1-1/2 hours for each hour of employment for which overtime compensation is performed. If compensation is paid to an employee for accrued compensatory time off, such compensation shall be paid at the regular rate by the employee at the time the employee receives such payment.

The compensated absences payable is included in the government-wide financial statements.

In accordance with GASB 16, accrued compensated absences consist of accumulated annual leave, sick leave between 600 and 720 hours, and compensatory leave for employees, including the related employers' matching FICA and Medicare payroll taxes. Office general fund resources have been used to liquidate accrued compensated absences.

9. DEFERRED INFLOWS OF RESOURCES

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of resources that applies to a future period and so will not be recognized as an inflow of resources (revenue) until that time. The Commission has no deferred inflows at year end June 30, 2018.

10. REVERSION TO STATE GENERAL FUND

The appropriation authorized to the New Mexico Racing Commission by the New Mexico State Legislature is classified as a "reverting fund". Section 6-5-10, NMSA 1978, requires "all unreserved, undesignated fund balances in reverting funds and accounts as reflected in the central accounting system as of June 30 shall revert by September 30, to the general fund.

The following is a computation of the reversion amount due at June 30, 2018 for fund 19200:

Fund balance assigned at July 1, 2017	\$ (136,339)
State general fund appropriation and other revenue	2,719,381
Budgetary basis expenditures	(2,690,404)
Non Budgetary Adjustments	(13,604)
Reversion due to the State General Fund June 30, 2018	<u>(15,373)</u>
Fund balance-assigned	<u>\$ (136,338)</u>

The Commission's reversions are calculated using the budgetary basis expenditures because the Commission does not have the legal authority to obligate the State for liabilities once the appropriation period has lapsed.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

11. NET POSITION

The Government-Wide Fund financial statements utilize a net position presentation. Net position is categorized as investment in capital assets, restricted and unrestricted.

Investment in Capital Assets - is intended to reflect the portion of assets which are associated with non-liquid, capital assets less outstanding capital asset related debt. The net related debt is the debt less the outstanding liquid assets and any associated unamortized cost.

The Commission did not have any related debt during the year ended June 30, 2018

Unrestricted Deficit - represents the deficit of total assets over total liabilities and net position invested in capital assets at June 30, 2018.

Restricted Net Position - net position should be reported as restricted when constraints placed on the net position are either:

- Externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or imposed by law through constitutional provisions or enabling legislation.
- Enabling legislation must be legally enforceable. Legal enforceability means that a government can be compelled by an external party - such as citizens, public interest groups or the judiciary - to use resources only for the purposes specified by the legislation.

The Equine Testing Fund account is restricted by enabling legislation under Chapter 60, Article 1A, Section 14.1.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE A - SUMMARY OF ORGANIZATION AND SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

12. FUND BALANCE

GASB Statement 54 "Fund Balance Reporting and Governmental Fund Type Definitions" provides more clearly defined fund balance categories to make the nature and extent of the constraints placed on a government's fund balance more transparent. The following classifications describe the relative strength of the spending constraints placed on the purposes for which resources can be used.

- i Nonspendable fund balance - amounts that are not in spendable form (such as inventory) or are required to be maintained intact;
- ii Restricted fund balance- amounts constrained to specific purposes by their providers (such as grantors), through constitutional provisions, or by enabling legislation;
- iii Committed fund balance- amounts constrained to specific purposes by the government itself, using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest level action to remove or change the constraint;
- iv Assigned fund balance- amounts a government intends to use for a specific; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority;
- v Unassigned fund balance- amounts that are available for any purpose.

13. 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.

NOTE B - CASH AND CASH EQUIVALENTS

The Commission maintained combined cash balances in two different financial institutions throughout the state until April 4, 2017 when they were closed and all funds were transferred to the state general fund investment pool. Until the accounts were closed these balances for demand deposits were insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000 for each of these financial institutions.

No security is required for the deposit of public money that is insured by the Federal Deposit Insurance Corporation according to Section 6-10-16 NMSA 1978.

Custodial Credit Risk - Deposits. Custodial credit risk is the risk that in the event of a bank failure, the Commission's deposits (in excess of FDIC insurance) may not be returned to them. As of June 30, 2018, the transfer of the Commission's bank balances at April 4, 2017 reduced Commission cash to zero and as such not exposed to custodial credit risk.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE C - INVESTMENT IN THE STATE GENERAL FUND INVESTMENT POOL

For cash management and investment purposes, the Commission's funds are deposited in the State General Fund Investment Pool (Pool), which is managed by the Office of the New Mexico State Treasurer. Claims on the Pool are reported as assets by various agencies investing in the Pool, including the Commission. The Commission has restricted cash that is restricted for the purpose of additional equine testing.

State law (Section 8-6-3 NMSA 1978) requires the Commission's cash be managed by the New Mexico State Treasurer's Office. Accordingly, the investments of the Office consist of their pro-rata interest in the State General Fund Investment Pool in the amount of \$175,190. The Commission's general program share of the SGFIP investment balance held at the State Treasury. The Commission's fund is reverting which does not allow excessive build up of cash at the end of the year. Unspent funding is reverted and appropriations and corresponding reversions have been audited each year. The consumer settlement fund is characterized by larger, less numerous transactions that are reviewed in depth by the legislature in addition to the Commission.

Such transactions have been validated by the Office each year. Additionally, the Commission maintains certain compensating controls for the monitoring of cash receipts and cash disbursements.

Due to characteristics of the primary revenue sources for the Commission and the presence of compensating controls, management believes that the SGFIP balance of \$175,190 materially approximates their share of the SGFIP at June 30, 2018. Any adjustments to the SGFIP balance that might exist at June 30, 2018 are not known at this time.

Investments of the Commission consist of its interest in the State General Fund Investment Pool, which is managed by the New Mexico State Treasurer. The fair value of the investments maintained at the New Mexico State Treasurer's Office at June 30, 2018 is as follows:

	Fair Value <u>6/30/2018</u>
Investment in New Mexico State Treasurer's Office General Fund Investment Pool	\$ <u>175,190</u>

Detailed information of the Commission's interest in the State General Fund Investment Pool is as follows:

<u>Fund</u>	<u>SHARE Fund No.</u>	<u>Fair Value 6/30/2018</u>
General Fund	19200	\$ 164,145
General Fund	12140	<u>11,045</u>
 Total		 <u>175,190</u>

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE C - INVESTMENT IN THE STATE GENERAL FUND INVESTMENT POOL - CONTINUED

Of the \$175,190 in the State General Fund Investment Pool, no amount is restricted for the purpose of additional equine testing.

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Commission does not have an investment policy that limits investment interest rate risk. Management estimates that the State General Fund Investment Pool is presented at a value which approximates fair value. For additional disclosure information regarding the investment in the State Treasurer's SGFIP, the reader should see the separate audit report for the State Treasurer's Office for the fiscal year ended June 30, 2018, and review the State Treasurer's Investment Policy at <http://www.stonm.org/Investments/InvestmentPolicy>

NOTE D - CAPITAL ASSETS

Following are the changes in capital assets for the year ended June 30, 2018:

	Balance <u>6/30/2017</u>	<u>Additions</u>	<u>Deletions</u>	Balance <u>6/30/2018</u>
Governmental Activities:				
Capital Assets Being Depreciated				
Furniture and fixtures	\$ 17,332	\$ -	\$ -	\$ 17,332
Equipment	48,028	-	-	48,028
Data Processing Equipment	198,872	-	-	198,872
Leasehold Improvements	13,217	-	-	13,217
	<u>277,449</u>	<u>-</u>	<u>-</u>	<u>277,449</u>
Less accumulated depreciation				
Furniture and fixtures	\$ 17,332	\$ -	\$ -	\$ 17,332
Equipment	48,028	-	-	48,028
Data Processing Equipment	198,872	-	-	198,872
Leasehold Improvements	2,979	1,888	-	4,867
	<u>267,211</u>	<u>1,888</u>	<u>-</u>	<u>269,099</u>
Governmental Activities Capital Assets, Net	<u>\$ 10,238</u>	<u>\$ (1,888)</u>	<u>\$ -</u>	<u>\$ 8,350</u>

Depreciation expense of \$1,888 is included in "Other" category in the statement of activities.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE E - COMPENSATED ABSENCES PAYABLE

Long-term liability activity for the Commission for the year ended June 30, 2018, is as follows:

	<u>Balance</u> <u>6/30/2017</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>6/30/2018</u>	<u>Due Within</u> <u>One Year</u>
Governmental Activities					
Other Liabilities					
Compensated absences	\$ 82,460	\$ 83,604	\$ 97,208	\$ 68,856	\$ 14,052

Compensated absences are paid out of the general fund.

NOTE F - PENSION PLAN - PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

Compliant with the requirements of Government Accounting Standards Board Statement No. 68, Accounting and Financial Reporting for Pensions, the State of New Mexico has implemented the standard for the fiscal year ending June 30, 2018. The Commission, 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 postemployment health care plan that provides comprehensive group health insurance for persons who have retired from certain public service positions in New Mexico. The other postemployment benefits (OPEB) Plan is administered by the Retiree Health Care Authority of the State of New Mexico. Overall, total OPEB liability exceeds OPEB Plan net position resulting in a net OPEB liability of the State as a whole, rather than any agency or department of the State and the liability 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 (CAFER) of the State of New Mexico.

Information concerning the net liability, benefit expenses, and benefit-related deferred inflows and deferred outflows of resources of the primary government will be contained in the State of New Mexico Comprehensive Annual Financial Report (CAFER) for the year ended June 30, 2018 and will be available when issued, from the Office of State Controller, Room 166, Bataan Memorial Building, 407 Galisteo Street, Santa Fe, New Mexico, 8

NOTE G - POSTEMPLOYMENT BENEFITS - STATE RETIREE HEALTH CARE PLAN

Plan Description. The Commission 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.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE G - POSTEMPLOYMENT BENEFITS - STATE RETIREE HEALTH CARE PLAN - CONTINUED

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 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;
- (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 RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE G - POSTEMPLOYMENT BENEFITS - STATE RETIREE HEALTH CARE PLAN - 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, 2018, the statutes required each participating employer to contribute 2.50% 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, 2018, the statute required each participating employer to contribute 2.00% of each participating employee's annual salary; each participating employee was required to contribute 1.00% of their salary. In addition, pursuant to Section 10-7C-15(G) NMSA 1978, at the first session of the Legislature following July 1, 2013, 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 Commission's contributions to the RHCA for the years ended June 30, 2018, 2017, and 2016 were \$16,004, \$16,899, and \$15,651, respectively, which equal the required contributions for each year.

Compliant with the requirements of Government Accounting Standards Board Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions, the State of New Mexico has implemented this standard for the fiscal year ended June 30, 2018.

The Commission, as part of the primary government of the State of New Mexico, is a contributing employer to cost-sharing multiple-employer defined benefit postemployment health care plan that provides comprehensive group health insurance for persons who have retired from certain public service positions in New Mexico. The other postemployment benefits (OPEB) Plan is administered by the Retiree Health Care Authority of the State of New Mexico. Overall, total OPEB liability exceeds OPEB Plan net position resulting in a net OPEB liability. The State has determined the State's share of the net OPEB liability to be a liability of the State as a whole, rather than any agency or department of the State and the liability 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 liability, benefit expense, and benefit-related deferred inflows and deferred outflows of resources of the primary government will be contained in the State of New Mexico Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2018 and will be available, when issued, from the Office of the State Controller, Room 166, Bataan Memorial Building, 407 Galisteo Street, Santa Fe, New Mexico 87501.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE H - DEFERRED COMPENSATION PLAN

The State offers its employees a deferred compensation plan created in accordance with Internal Revenue Code, Section 457. The plan, available to all State employees, permits them to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseeable emergency. All amounts of compensation deferred under the plan, all property and rights purchased with those amounts, and all income attributable to those amounts, property, or rights are (until paid or made available to the employee or other beneficiary) solely the property and rights of the State (without being restricted to the provisions of benefits under the plan), subject only to the claims of the State's general creditors. Participants' rights under the plan are equal to those of general creditors of the State in an amount equal to the fair market value of the deferred account of each participant.

It is the opinion of the State's legal counsel that the State has no liability for losses under the plan but does have the duty of due care that would be required of an ordinary prudent investor. The State believes that it is unlikely that it will use the assets to satisfy the claims of general creditors in the future.

Neither the Commission nor the State of New Mexico make any contributions to the deferred compensation plan. All contributions withheld from participants by the Commission have been paid to the New Mexico Public Employees' Retirement Association which administers the plan.

NOTE I - RECONCILIATION OF BUDGET BASIS TO GAAP - EXPENSES

	<u>Expenses</u>
Budget basis expenditures - General Fund # 19200	\$ 2,704,007
Depreciation Expense	1,888
Decrease in compensated absences	<u>(13,604)</u>
GAAP basis expenses	<u>\$ 2,692,291</u>

NOTE J - RISK MANAGEMENT

The Commission is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; and natural disasters for which the Commission carries insurance (Workers Compensation, Unemployment Compensation, Employee Liability, and Transportation Property) with the State of New Mexico Risk Management Division (RMD) of the General Services Department.

NOTE K - STATE GENERAL FUND APPROPRIATIONS

During the year ended June 30, 2018, State General Fund Appropriations consist of the following:

Laws 2015, 1st Session Chapter 101, Section 4	<u>\$ 1,981,900</u>
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NEW MEXICO RACING COMMISSION
NOTES TO FINANCIAL STATEMENTS
For the Year Ended June 30, 2018

NOTE L - TRANSFERS TO STATE GENERAL FUND

During the year, the following cash transfers were made from the Commission to the State of New Mexico's General Fund:

Racing Receipts Fund:

Transfer from Fund #81400 Affiliate of # 34101 to Fund #85300	\$ <u> -</u>
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Suspense Fund

Transfer from Fund #84500 Affiliate of # 34101 to Fund #85300	\$ <u> -</u>
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General Fund Reversions:

Transfer from Fund #19200 Affiliate of # 34101 to Fund #85300	\$ <u> 15,373</u>
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NOTE M - DUE TO STATE GENERAL FUND

Due to state general fund consists of the following items as of June 30, 2018:

General Fund Reversions:

Fiscal Year 2018 reversion	\$ <u> 15,373</u>
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NOTE N - NET POSITION- UNRESTRICTED (DEFICIT)

The net position - unrestricted (deficit) of \$205,196 in the Statement of Net Position is primarily due to the following: created from \$68,856 of compensated absences that were accrued at June 30, 2018 but will be paid for out of future appropriations and a (\$15,373) overpayment to the State General Fund

NOTE O - MEMORANDUM OF UNDERSTANDING

The Commission has a memorandum of understanding (MOU) with the State Personnel Office (SPO) for the fiscal year ending June 30, 2018. The SPO provided the maintenance of the personnel files and performed other human resource functions. The commission paid SPO (\$7,279).

NOTE P - SUBSEQUENT EVENTS

Events subsequent to June 30, 2018 have been evaluated by management through October 25, 2018, the date the financial statements are available for issuance. In the opinion of management, no events occurring after June 30, 2018 required disclosure or adjustment to the financial statements.

NOTE Q - LEASES

In October 2015, the Commission signed a 9 year 7 month lease of office space ending in April 2025. The lease has yearly escalation clauses, but can be terminated if certain conditions are met by the Lessee with penalty.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE R - GENERAL FUND INVESTMENT POOL NOT RECONCILED

By state statute, the New Mexico Department of Finance and Administration (DFA) is responsible for the performance of monthly reconciliations with the balances and accounts kept by the State Treasurer. Therefore, under the direction of the State Controller/Financial Control Division Director, the Financial Control Division (FCD) of the New Mexico Department of Finance & Administration undertook action to address the situation. DFA/FCD initiated the Cash Management Remediation Project (Remediation Project) in partnership with the Office of New Mexico State Treasurer, the New Mexico Department of Information Technology, and a contracted third party with expertise in the Enterprise System Software used by the State. Phase I of the Cash Management Remediation Project (completed in May 2013) implemented state wide business process changes and corrected numerous SHARE system configurations. As a result of the changes and corrections, DFA/FCD was able to begin reconciling activity reported by the State's fiscal agent bank to the SHARE general ledger on a go-forward basis beginning February 1, 2013. However, additional critical business process changes and corrections to configurations within the SHARE system remain to be completed; therefore, Cash Management Remediation Project, Phase II, commenced July 2014. Its scope was to perform reconciliations from July 2000 to January 2013.

The results of the historical Cash Reconciliation Project did not reconcile the accounts, but, progress was made in the overall reconciliation process and FCD has an operational model that effectively compares statewide claims against the SGFIP and resources held at the State Treasurer's office. This process has been operational since March 2015.

DFA/FCD provides the following assertions for FY2018:

1. As of June 30, 2018, resources held in the pool were equivalent to the corresponding business unit claims on those resources.
2. All claims as recorded in SHARE shall be honored at face value.

NOTE S - RACING FINES

The Racing Commission is governed under 60.1A.14 NMAC. and under this statute has a program that tests race horses to determine if there has been any improper substances administered to enhance performance. If these various tests detect the use of improper substances fines are imposed on the owner of the horse and also the trainer by the stewards of the Commission.

Fines imposed by the Stewards are to be paid within 30 days after the ruling is issued unless otherwise ordered. The fines that are not paid at the end of the 30 day period will have their racing license suspended until such fines are paid. The suspension of a racing license is recognized throughout the United States and is the main deterrent available to the Racing Commission with respect to maintaining a fair environment to this sport administered by the State of New Mexico.

NEW MEXICO RACING COMMISSION

NOTES TO FINANCIAL STATEMENTS

For the Year Ended June 30, 2018

NOTE 5 - RACING FINES - CONTINUED

A reconciliation of the fines as recorded in the Commission Records is provided below:

Fines Receivable June 30, 2017	\$ 477,150
Assessments made	824,526
Fines Paid	<u>(225,501)</u>
Fines Receivable June 30, 2018	1,076,175
Uncollectable portion as estimated by the Commission to be 95% of the total	<u>996,875</u>
Current portion	<u>\$ 79,300</u>

The amount of the fines imposed remain on the records of the Commission until paid but the ability to collect the imposed fines is limited and often impossible, as a result the uncollectable portion is very high. The Commission set the allowance amount to be fines in excess of 90 days old.

NEW MEXICO RACING COMMISSION
COMBINING BALANCE SHEET - GENERAL FUND ACCOUNTS

June 30, 2018

	<u># 19200</u>	<u># 12140</u>	<u># 81400</u>	
	General	Equine Testing	Racing Receipts	
	Fund	Fund	Fund	Total
Assets:				
Unrestricted investment in the State General				
Fund Investment Pool	\$ 164,145	\$ 11,045	\$ -	\$ 175,190
Fines Receivable - Net of Allowance				
for Uncollectable Fines of \$997,036			79,139	79,139
Due to other fund	-	-	-	-
Other receivables	161	-	-	161
	<u>161</u>	<u>-</u>	<u>-</u>	<u>161</u>
Total assets	\$ <u>164,305</u>	\$ <u>11,045</u>	\$ <u>79,139</u>	\$ <u>254,490</u>
Liabilities:				
Accounts Payable	\$ 243,312	\$ -	\$ -	\$ 243,312
Accrued salaries and benefits	56,782	-	-	56,783
Other Liabilities	-	-	-	-
Due To State General Fund	550		79,139	79,689
	<u>550</u>	<u>-</u>	<u>79,139</u>	<u>79,689</u>
Total liabilities	300,644	-	79,139	379,784
Fund Balance:				
Assigned to:				
Equine testing	1	11,045		11,046
General operations - Unassigned	(136,339)	-	-	(136,339)
	<u>(136,339)</u>	<u>-</u>	<u>-</u>	<u>(136,339)</u>
Total Fund Balance	(136,338)	11,045	-	(125,293)
	<u>(136,338)</u>	<u>11,045</u>	<u>-</u>	<u>(125,293)</u>
Total Liabilities and Fund Balance	\$ <u>164,306</u>	\$ <u>11,045</u>	\$ <u>79,139</u>	\$ <u>254,490</u>

The Accompanying Notes Are An Integral Part Of These Financial Statements

NEW MEXICO RACING COMMISSION
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
GENERAL FUND ACCOUNTS

For the Year Ended June 30, 2018

	# 19200 General Fund	# 12140 Equine Testing Fund	# 81400 Racing Receipts Fund	Total
Expenditures				
Personal services / employee benefits	\$ 1,397,427	\$ -	\$ -	\$ 1,397,427
Contractual services	1,064,584	-	-	1,064,584
Other	241,996	-	-	241,996
	<u>2,704,007</u>	<u>-</u>	<u>-</u>	<u>2,704,007</u>
Revenues				
Pari Mutual Taxes		<u>737,480</u>		<u>737,480</u>
Other Financing Sources (Uses)				
State general fund appropriations	1,981,900	-	-	1,981,900
Other Uses - Para Mutuel Tax	-	737,480	-	737,480
Transfers - reversion to the state general fund	(15,373)	-	-	(15,373)
Other Sources - Equine Testing fund	737,480	-	-	737,480
	<u>2,704,007</u>	<u>737,480</u>	<u>-</u>	<u>3,441,488</u>
Net change in fund balance	-			-
Fund balance				
Beginning of year	<u>(136,339)</u>	<u>11,045</u>	<u>-</u>	<u>(125,293)</u>
End of year	<u>\$ (136,338)</u>	<u>\$ 11,045</u>	<u>\$ -</u>	<u>\$ (125,293)</u>

The Accompanying Notes Are An Integral Part Of These Financial Statements

Charles L. Henry

Certified Public Accountant

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(505) 681-9762

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

**Wayne Johnson
New Mexico Office of the State Auditor
The Commissioners of the
New Mexico Racing Commission
Albuquerque, New Mexico**

I 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 major fund, the aggregate remaining fund information, and the budgetary comparison for the general fund and the equine testing fund of the Commission as of and for the year ended June 30, 2018, and the related notes to the financial statements, which collectively comprise the New Mexico Racing Commission's (Commission) basic financial statements, and the combining statement of fiduciary assets and liabilities presented as supplemental information and have issued my report thereon dated October 25, 2018.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Commission's internal control over financial reporting (internal control) to determine the auditing 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 Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Commission'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 import enough to merit attention by those charged with governance.

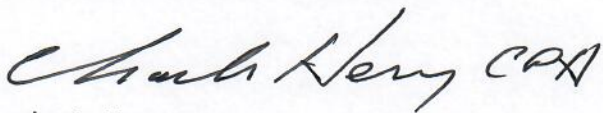
My consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during my audit I did not identify any deficiencies in internal control that I consider to be material weaknesses.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the State of New Mexico, New Mexico Racing Commission's financial statements are free from material misstatement, I 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 my audit, and accordingly, I do not express such an opinion. The results of my 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 my testing of internal control and compliance and the results 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.



Charles L. Henry
Certified Public Accountant
October 25, 2018

NEW MEXICO RACING COMMISSION
SUMMARY SCHEDULE OF PRIOR YEAR AUDIT FINDINGS
For the Year Ended June 30, 2018

PRIOR-YEAR AUDIT FINDINGS

NONE

**CURRENT-YEAR FINDINGS PERTAINING TO THE FINANCIAL STATEMENTS WHICH ARE
REQUIRED TO BE REPORTED**

NONE

NEW MEXICO RACING COMMISSION
FINANCIAL STATEMENT PREPARATION AND EXIT CONFERENCE
For the Year Ended June 30, 2018

Financial Statement Preparation

Charles L. Henry CPA prepared draft financial statements and note disclosures from trial balances and records provided by the Commission's management which is responsible for ensuring that the books and records adequately support the preparation of financial statements in accordance with generally accepted accounting principles and that records are current and in balance. Management has reviewed and approved the financial statements.

Exit Conference

An exit conference was held on October 25, 2018, to discuss the audit. The following individuals were in attendance:

New Mexico Racing Commission

Jerry Cospers, DVM, Board Member
Ismael "Izzy" Trejo Executive Director

Audit Firm - Charles L. Henry CPA

Charles L. Henry CPA