



State of New Mexico Office of African American Affairs

Financial Statements and Schedules

with

Independent Auditor's Report

For the Fiscal Year Ended June 30, 2009

Gwen K. Farner, CPA

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS**

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INTRODUCTORY SECTION

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS**

OFFICIAL ROSTER

JUNE 30, 2009

<u>Name</u>	<u>Title</u>
Dr. Harold Bailey	Executive Director
Gary D. Williams	Deputy Director
Danielle R. Green	Budget Analyst
E. Hakim Bellamy	Community Program Coordinator
Koren Stewart	Community Program Coordinator

Gwen K. Farner

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INDEPENDENT AUDITOR'S REPORT

Dr. Harold Bailey, Executive Director
Office of African American Affairs
and
Honorable Hector H. Balderas
New Mexico State Auditor

I have audited the accompanying financial statements of the governmental activities, the major fund and the budgetary comparison for the general fund of the State of New Mexico Office of African American Affairs (Office), as of and for the year ended June 30, 2009, which collectively comprise the Office's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Office's management. My responsibility is to express an opinion on these financial statements based on my audit.

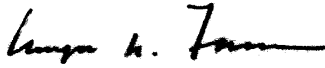
I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. I believe that my audit provides a reasonable basis for my opinions.

As discussed in Note 2. A. the financial statements of the Office are intended to present the financial position, and changes in financial position of only that portion of the government-type activities, each major fund of the State that is attributable to the transactions of the Office. They do not purport to, and do not, present fairly the financial position of the entire State of New Mexico as of June 30, 2009, and the changes in financial position thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In my opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Office, as of June 30, 2009, and the respective changes in financial position, thereof and the respective budgetary comparison for the general fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, I have also issued my report dated October 29, 2009 on my consideration of the Office'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* and should be considered in assessing the results of my audit.

Management's discussion and analysis on pages 5 through 11 are not a required part of the basic financial statements, but are supplementary information required by accounting principles generally accepted in the United States of America. I have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, I did not audit the information and express no opinion on it.



Gwen K. Farner, CPA
Corrales, New Mexico
October 29, 2009

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
June 30, 2009**

MANAGEMENT'S DISCUSSION AND ANALYSIS

Management's Discussion and Analysis (MD&A) of the State of New Mexico Office of African American Affairs (Office) is designed to: (a) provide a brief overview of the Office's history and mission; (b) assist the reader in focusing on significant financial issues; (c) provide an overview of the Office's financial activity; (d) identify changes in the Office's financial position (ability to address future year challenges); (e) identify any material deviations from the financial plan (approved budget); and (f) identify fund issues or concerns. It focuses on the current year's activities, resulting changes and currently known facts.

FINANCIAL HIGHLIGHTS

The Office has a general fund which is used to account for the Office's operational expenses, African American community outreach, health, and arts programs for fiscal 2009. The government wide financial statements and the government fund financial statements are presented in accordance with GASB #34. This GASB #34 reporting was required of the Office as of July 1, 2001. The government-wide financial statements report the Office's total assets and total liabilities and the difference is labeled as net assets on the statement of financial position. The Statement of Activities reports revenues and expenses of the Office's financial position as of June 30, 2009 as a whole. The Statement of Activities reports the direct expenses of the Office's appropriation.

OFFICE HIGHLIGHTS

The Office is a state agency that works with the New Mexico African American community providing them information to increase awareness of health issues, scholarships, financial assistance, and career development for youth.

MANAGEMENT'S DISCUSSION AND ANALYSIS

MD&A should provide an objective and easily read analysis of the government's financial activities based on currently known facts, decisions, or conditions. It should provide an analysis of the government's overall financial position and results of operations to assist users in assessing whether the financial position has improved as a result of the year's activities. Additionally, it should provide an analysis of significant changes that occur in funds and significant budget variances.

GOVERNMENT-WIDE FINANCIAL STATEMENTS

The government-wide financial statements are designed to be corporate-like in that all governmental type and business-type activities are consolidated into columns that add to a total for the primary government transactions and consist of a statement of net assets and a statement of activities. These statements should report all of the assets, liabilities, revenues, expenses, and gains and losses of the government. Both statements distinguish between the governmental and business-type activities of the primary government. Fiduciary activities whose resources are not available to finance the government's program are excluded from government-wide statements. The Office does not have any fiduciary activities and therefore is unaffected by this financial report.

All of the Office's basic services are included in the category of Governmental Activities that consist of general fund used for general operations and other financial uses.

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
June 30, 2009

MANAGEMENT'S DISCUSSION AND ANALYSIS

FUND FINANCIAL STATEMENTS

Fund financial statements consist of a series of statements that focus on information about the major governmental fund. Governmental fund financial statements are prepared using the current financial resources measurement focus and the modified accrual basis of accounting.

The fund financial statements are similar to the financial statements presented in the previous accounting model. Emphasis here is on the major funds in the governmental category. Non-major funds or fund type are summarized into a single column. Due to the limited fund structure of the Office, its one general fund is classified as a Major Fund.

NOTES TO THE FINANCIAL STATEMENTS

Notes to the financial statements consist of information essential to a user's understanding of the basic financial statements.

INFRASTRUCTURE ASSETS

As part of GASB #34, there is a new reporting requirement regarding local government's infrastructure (roads, bridges, etc.). The Office does not own any infrastructure assets and therefore is unaffected by this requirement.

BUDGETARY COMPARISONS

In addition to MD&A, GASB #34 requires budgetary comparison schedules for the general fund and for each major special revenue fund having a legally adopted annual budget be presented as Required Supplementary Information (RSI). The budgetary comparison schedules should present both the original and the final appropriated budgets for the reporting period as well as the actual inflows, outflows and balances, stated on the government's budgetary basis.

As required by the Office of the State Auditor under NMAC 2.2.2 the Statements of Revenues and Expenditures – Budget and Actual are also represented. This information is provided at the approved budget level to demonstrate compliance with legal requirements.

Per General Appropriation Act, Laws of 2006, Chapter 109, Section 3, Subsections O and N, the budget is adopted on the modified accrual basis of accounting, except for the 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 in a timely manner must be paid out to the next year's budget.

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
June 30, 2009**

MANAGEMENT'S DISCUSSION AND ANALYSIS

FINANCIAL ANALYSIS OF THE OFFICE AS A WHOLE

NET ASSETS:

Table A-1 below summarizes the Office's comparative statement of net assets. Net assets for Governmental Activities were deficit of \$34,959 and \$27,078 for the years ending June 30, 2009 and 2008 respectively. This deficit increased 29.10%; this does not mean the Office does not have resources available to pay its bills next year; rather, it is the result of having long-term commitments that are greater than currently available resources. Specifically, the Office did not include in past annual budgets the full amounts needed to finance future liabilities to pay for unused employee vacation and sick days.

**TABLE A-1
THE OFFICE'S COMPARATIVE STATEMENT OF NET ASSETS**

	Governmental Activities		Total Percentage Change
	June 30, 2009	June 30, 2008	2008-2009
Assets:			
Current assets and other assets	\$ 180,964	\$ 278,819	-35.10%
Capital and non-current assets	8,778	12,453	-29.51%
Total assets	<u>189,742</u>	<u>291,272</u>	-34.86%
Total liabilities	<u>224,701</u>	<u>317,825</u>	-29.30%
Net assets:			
Investment in capital assets	8,778	12,453	-29.51%
Unrestricted	(43,737)	(39,531)	10.64%
Total net assets	<u>\$ (34,959)</u>	<u>\$ (27,078)</u>	29.10%

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
June 30, 2009**

MANAGEMENT'S DISCUSSION AND ANALYSIS

COMPARATIVE STATEMENT OF ACTIVITIES

Table A-2 below summarizes the comparative Statement of Activities for fiscal years ended June 30, 2009 and 2008. This report compliments the Statement of Net Assets by showing overall change in the Office's net assets.

**TABLE A-2
OFFICE'S COMPARATIVE STATEMENT OF ACTIVITIES**

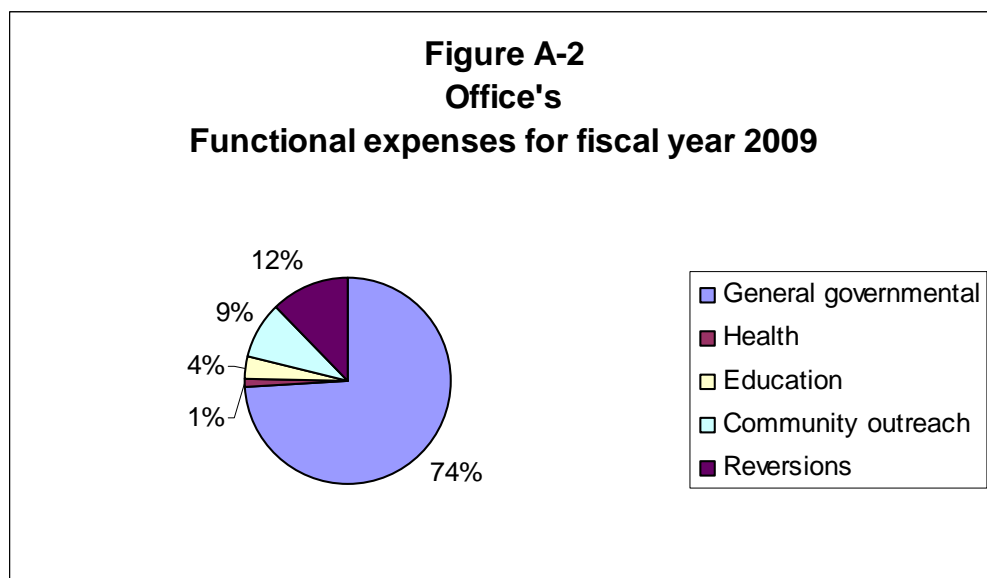
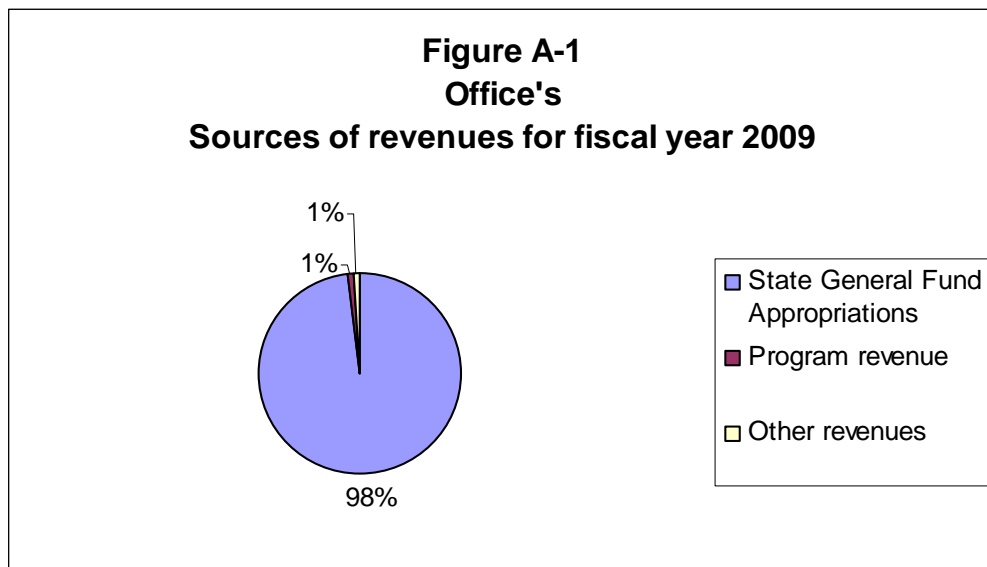
	<u>June 30, 2009</u>	<u>June 30, 2008</u>	<u>Percentage change 2008-2009</u>
Revenues:			
Appropriation	\$ 844,500	\$ 1,152,600	-26.73%
cultural arts revenue	-	45,230	-100.00%
Other - miscellaneous	9,609	9,174	4.74%
Total revenues	<u>854,109</u>	<u>1,207,004</u>	-29.24%
Expenses:			
General expenses	639,526	514,049	24.41%
Cultural arts	-	349,019	-100.00%
Health	8,300	19,375	-57.16%
Education	31,298	197,678	-84.17%
community outreach	77,191	68,788	12.22%
Total expenses	<u>756,315</u>	<u>1,148,909</u>	-34.17%
Reversion	(105,675)	(70,547)	49.79%
Decrease in net assets	(7,881)	(12,452)	-36.71%
Beginning net assets	<u>(27,078)</u>	<u>(14,626)</u>	85.14%
Ending net assets	<u>\$ (34,959)</u>	<u>\$ (27,078)</u>	29.10%

The office's total revenues decreased by 29.24 percent to \$854,019 compared from prior fiscal year, and expenditures also decreased by 34.17 percent to \$756,315 (see table A-2). The decrease of revenues and expenses were due to budget cuts and decrease in providing services to cultural art and health programs.

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
June 30, 2009**

MANAGEMENT'S DISCUSSION AND ANALYSIS

For fiscal year 2009, \$844,500 was funded by General Fund appropriation. This amount was incumbent of \$825,800 for general purpose of the public awareness program to provide information and advocacy services to all New Mexicans and to empower African Americans of New Mexico to improve their quality of life. This included \$ 8,000 for the expenditures in fiscal year to contract with a community organization serving African American, Hispanic and low-income youth in southwestern and southeastern Albuquerque to help eliminate underage and binge drinking through community involvement. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the General Fund.



**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
June 30, 2009**

MANAGEMENT'S DISCUSSION AND ANALYSIS

BUDGETARY HIGHLIGHTS

The New Mexico State Legislature makes annual appropriations to the Office. Amendments to the appropriated budget require approval by the Budget Division of the Department of Finance and Administration with review by the Legislative Finance Committee. Over the course of the year, the Office adjusts its budget as authorized in the Appropriation Act. These budget adjustments fall into three categories:

- Supplemental and special appropriations that are reflected in the actual beginning account balances (correcting the estimated amounts in the budget adopted for the fiscal year).
- Budget adjustment requests made during the fiscal year to allow the Office to utilize funds where needed.
- Budget adjustment requests that increase or decrease other State funds based on actual revenues.

The General Fund actual expenditures were less than the final budgeted amounts by 19.8 percent (19.8%). The significant variances were due to current economic events and decrease in providing the cultural art and health programs. The Governor of New Mexico requested all state agencies reduce spending by 5% across the board; therefore, the Office was adjusting its budget expenditures and its programs. The unexpended balance remaining at the end of fiscal year is required to revert to the State General Fund.

SIGNIFICANT CAPITAL ASSET

GASB #34 requires the recording and depreciation of infrastructure assets such as roads, bridges etc. The Office does not own any infrastructure assets.

The Office's capitalization policy requires asset acquisitions equal to or exceeding \$5,000 be capitalized.

**TABLE A-3
OFFICE'S CAPITAL ASSETS**

	<u>Governmental Activities</u>		<u>% Change 2007-2008</u>
	<u>June 30, 2009</u>	<u>June 30, 2008</u>	
Furniture and equipment	\$ 35,678	\$ 35,678	0.00%
less: Accumulated depreciation	<u>(26,900)</u>	<u>(23,225)</u>	15.82%
Total net capital assets	<u>\$ 8,778</u>	<u>\$ 12,453</u>	-29.51%

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
June 30, 2009**

MANAGEMENT'S DISCUSSION AND ANALYSIS

Office capital assets remain the same as prior year. As of June 30, 2009 net of accumulated depreciation was \$8,778. Office assets decreased 29.51%, in the amount of \$3,675, mainly due to depreciation.

GASB #34 requires the recording and depreciation of infrastructure assets such as roads, bridges, and traffic signals. The Office does not own any infrastructure assets.

LONG-TERM DEBT

Long-term debt increased by \$8,252 from the prior year due to increase in compensated absences to its employees. As of June 30, 2009, the Office's compensated absences payable amount increased to \$39,006.

ECONOMIC OUTLOOK

For fiscal year 2010, the Office was awarded \$820,700 by legislative appropriation. This funding will allow the Office to continue its mission of serving as an advocate for African American citizens of New Mexico and provide services in the areas of health, education, and community service. This appropriation does not include funding for the Office's New Mexico State Fair program which will be funded by the New Mexico EXPO.

CONTACT INFORMATION

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STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
STATEMENT OF NET ASSETS
JUNE 30, 2009

ASSETS	
Current assets:	
Investment	\$ 180,864
Petty cash	100
Total current assets	180,964
Noncurrent assets:	
Capital assets	35,678
Less: accumulated depreciation	(26,900)
Total noncurrent assets	8,778
Total assets	189,742
LIABILITIES	
Current liabilities:	
Accounts payable	59,590
Accrued payroll	8,563
Payroll tax payable	3,076
Payroll benefits payable	4,707
Due to State General Fund	105,675
Compensated absences payable	43,090
Total current liabilities	224,701
Total liabilities	224,701
NET ASSETS	
Invested in capital assets	8,778
Unrestricted	(43,737)
Total net assets	\$ (34,959)

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2009

Functions/Programs	Expenses	Program Revenues Operating Grants and Contributions	Net (Expenses) Revenues and Changes in Net Assets
Governmental activities:			
General governmental	\$ 635,851	\$ 9,609	\$ (626,242)
Depreciation	3,675	-	(3,675)
Programs:			
Health	8,300	-	(8,300)
Education	31,298	-	(31,298)
Community outreach	77,191	-	(77,191)
Total governmental activities	\$ 756,315	\$ 9,609	(746,706)
Transfers:			
General Fund appropriations			833,800
Compensation allocation			10,700
Transfers - reversion to State General Fund - FY09:			
Transfers			(105,675)
Total general revenues and transfers			738,825
Change in net assets			(7,881)
Net assets, beginning			(27,078)
Net assets, ending			\$ (34,959)

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2009**

Assets	
Investment	\$ 180,864
Petty cash	<u>100</u>
Total assets	<u>180,964</u>
Liabilities and Fund balances	
Liabilities:	
Accounts payables	59,590
Accrued net payroll	8,563
Payroll tax payables	3,076
Payroll benefits payable	4,707
Due to State General Fund	105,675
Deferred revenues	<u> </u>
Total liabilities	<u>181,611</u>
Fund balances:	
Fund balances	<u>(647)</u>
Total fund balances	<u>(647)</u>
Total liabilities and fund balances	<u><u>\$ 180,964</u></u>

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE
STATEMENT OF NET ASSETS
June 30, 2009**

Total fund balances for governmental funds \$ (647)

Total net assets reported for governmental activities in the statement of net assets is different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds. Those assets consist of:

Total cost of capital assets is	\$ 35,678	
Accumulated depreciation is	<u>(26,900)</u>	8,778

Compensated absences accrued in the government-wide financial statements and not budgeted in the current period, therefore, excluded from the governmental funds.

Current portion of compensated absences (43,090)

Total net assets-governmental activities \$ (34,959)

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2009

Revenues:	
Other - miscellaneous	\$ 9,609
Total revenues	<u>9,609</u>
Expenditures:	
Current	
Personal services and employee benefits	362,092
Contractual services	185,275
Operating costs	<u>201,189</u>
Total expenditures	<u>748,556</u>
Excess (deficiency) of revenues over expenditures	<u>(738,947)</u>
Other financing sources (uses):	
Transfers - State General Fund appropriations	833,800
Compensation allocation	10,700
Transfers - reversion to State General Fund - FY09	<u>(105,675)</u>
Total other financing sources (uses)	<u>738,825</u>
Net change in fund balances	(122)
Fund balances - beginning	<u>(525)</u>
Fund balances - ending	<u>\$ (647)</u>

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
RECONCILIATION OF STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND
BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED JUNE 30, 2009

Total net change in fund balances-governmental funds \$ (122)

Amounts reported for governmental activities in the statement of activities are different because:

Capital assets are reported in governmental funds as expenditures. However, for governmental activities those costs are shown in the statement of net assets as capital assets and are depreciated over their estimated useful lives as annual depreciation expenses in the statement of activities. This is the amount by which depreciation exceeds capital assets in the period.

	Depreciation expense	<u>\$ (3,675)</u>	
	Excess of capital assets over depreciation expense		(3,675)

Net Changes in Long-Term Debt:

In the governmental funds, expenditures are recorded for items and measured by the amount of financial resources used (essentially, the amounts are liable and will be paid).

Net change (Note 5), decrease in the liability for the year is: (4,084)

Change in net assets of governmental activities \$ (7,881)

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL
GENERAL FUND
FOR THE YEAR ENDED JUNE 30, 2009

	Budgeted Amounts		Actual	Variance
	Original	Final	Budgetary Basis	Favorable (Unfavorable)
Revenues:				
Miscellaneous revenue	\$ 5,177	\$ 5,177	\$ 9,609	\$ 4,432
Total revenues	<u>5,177</u>	<u>5,177</u>	<u>9,609</u>	<u>4,432</u>
Expenditures:				
General government:				
Current year:				
Personal services and				
Employee benefits	422,400	422,400	362,092	60,308
Contractual services	203,200	203,200	185,275	17,925
Operating costs	271,100	271,100	201,067	70,033
Total expenditures	<u>896,700</u>	<u>896,700</u>	<u>748,434</u>	<u>148,266</u>
Excess (deficiency) revenues over expenditures	<u>(891,523)</u>	<u>(891,523)</u>	<u>(738,825)</u>	<u>152,698</u>
Other financing sources (uses)				
State General Fund appropriations	844,500	844,500	844,500	-
Other financing	47,023	47,023	-	(47,023)
Net other financing sources (uses)	<u>891,523</u>	<u>891,523</u>	<u>844,500</u>	<u>(47,023)</u>
Net change in fund balance, before reversion	<u>\$ -</u>	<u>\$ -</u>	\$ 105,675	<u>\$ 105,675</u>

RECONCILIATION TO GOVERNMENTAL FUND BALANCE:

Transfers:

Reversion to State General Fund	(105,675)
Request to Pay Prior Year	(122)
Fund balances - beginning	<u>(525)</u>
Fund balances - ending	<u>\$ (647)</u>

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

NOTE 1. HISTORY, MISSION AND ORGANIZATION

- The Office of African American Affairs was created by the Laws of 1999, Chapter 163 and African American Affairs Act. The statutory authority is contained in Chapter 28, Article 21 (28-21-1 through 28-21-4 NMSA 1978).
- The director is appointed by and serves at the pleasure of the Governor. The Office, which works in conjunction with the Martin Luther King, Jr. Commission, serves the following purposes:
 - Study issues important to African Americans, including history and culture, education, scholarships and other financial assistance for education and career development; economic and social problems and issues such as jobs, housing, discrimination, family support, youth idleness and crime; health care, maternal and child health, teen pregnancy, access and other health issues.
- Secure recognition of African American's accomplishments and contributions to New Mexico and the United States.
- Cooperate with and assist public and private entities dealing with issues important to African Americans.
- Where appropriate, conduct periodic conferences throughout the state to inform African Americans of the opportunities available to them through state and private sources.
- Act as an advocate for African American citizens of New Mexico.

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING PRACTICES

The Office's financial statements have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the standard-setting body for governmental accounting and financial reporting. The GASB periodically updates its codification of the existing Governmental Accounting and Financial Reporting Standards, which along with subsequent GASB pronouncements (Statements and Interpretations), constitutes GAAP for governmental units. The more significant of the Office's accounting policies are described below.

A. FINANCIAL REPORTING ENTITY

The accompanying financial statements of the Office include all funds and activities over which the Office has oversight responsibility. The Office is an agency of the State of New Mexico and included in the Statewide Comprehensive Annual Financial Report (CAFR) as defined in Section 2100, Codification of Governmental Accounting and Financial Reporting Standards. Even though the Governor appoints the director, the director has decision-making authority, the power to designate management, the responsibility to significantly influence operations and primary accountability for fiscal matters.

According to the African American Affairs Act, the Office is administratively attached to the State of New Mexico Human Services Department. The Human Services Department and the Children, Youth and Families Department entered an agreement whereby the Office is administratively attached to the Children, Youth and Families Department. The administrative head of the Office of African American Affairs serves as director. The director solely conducts the functions of the entity with accounting and administrative assistance provided by the State of New Mexico Children, Youth and Families Department. There are no component units presented in the financial statements.

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

B. BASIS OF PRESENTATION

GOVERNMENT-WIDE STATEMENTS: The statement of net assets and the statement of activities display information about governmental activities. These statements include primary activities, noting that neither fiduciary funds nor component units that are fiduciary in nature are included. Eliminations have been made to minimize the double counting of internal activities. These statements distinguish between the governmental and *business-type activities* of government. Governmental activities generally are financed through taxes, intergovernmental revenues, and other nonexchange transactions. Business-type activities are financed in whole or in part by fees charged to external parties.

The Office is a single-purpose government entity and has no business type activities. In the government-wide statement of net assets and statement of activities government activities are presented on a consolidated basis and are reflected on the full accrual basis of accounting, economic resource measurement focus. The statement of activities presents a comparison between direct expenses and program revenues for the different type activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Indirect expense allocations that have been made in the funds have been reversed for the statement of activities. Program revenues include grants, donations and other state and local contributions that are restricted to meeting the operational or capital requirements of a particular program. General revenues are funded from General Appropriation Act, Law of 2007, and General Fund Compensation Package.

FUND FINANCIAL STATEMENTS: The governmental fund financial statements provide information about the Office's current financial resource measurement focus and the modified accrual basis of accounting. Under this method, revenues are recognized when measurable and available. "Available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Their reported fund balance (net current assets) is considered a measure of available spendable resources. Governmental fund operating statements present increases (revenues and other financing sources) and decreases (expenditures and other financing uses) in net current assets. Accordingly, they present a summary of sources and uses of available spendable resources during a period. Due to their spending measurement focus, expenditure recognition for governmental fund types excludes amounts represented by noncurrent liabilities. Since they do not affect net current assets, such long-term amounts are not recognized as governmental fund type expenditures of fund liabilities.

All governmental activities of the Office follow FASB Statements and Interpretations issued on or before November 30, 1989, Accounting Principles Board Opinion, and Accounting Research Bulletins, unless those pronouncements conflict with GASB pronouncements.

REVENUE RECOGNITION FOR NON-EXCHANGE TRANSITIONS: Revenue from nonexchange transactions should be recognized "in the accounting period when they become available and measurable." Recipients should recognize revenues in the period when all applicable eligibility requirements have been met and the resources are available

The Office reports the following governmental funds:

GENERAL FUND:

The *general fund* (SHARE Fund #28400) is the Office's primary operating fund. It accounts for all financial resources except those required to be accounted for in another fund. The operations of the Office are funded primarily by appropriations from the state general fund, which if not expended or accrued at year-end shall revert to the state general fund.

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JUNE 30, 2009

C. MEASUREMENT FOCUS, BASIS OF ACCOUNTING

GOVERNMENT-WIDE, PROPRIETARY, AND FIDUCIARY FUNDS FINANCIAL STATEMENTS:

Government-wide, proprietary, and fiduciary funds financial statements are reported using the economic resources measurement focus and accrual basis of accounting. Revenue, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions should be recognized when the exchange takes place. Program revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of the related cash flows. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. General Fund appropriations, revenue from grants, entitlements, and donations are recognized in the fiscal year in which all eligibility requirements have been satisfied. For modified accrual presentation, property tax revenues are recognized when they become available; available means due or past due and receivable within the current period, usually within 60 days. However, the Office does not receive property taxes.

GOVERNMENTAL FUND FINANCIAL STATEMENTS:

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Under this method, program revenues are recognized when measurable and available. "Available" means collectible within current period or soon enough thereafter to be used to pay liabilities of the current period. Program expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general long-term debt, if any, is recognized when due. The Office considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end. Program expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in governmental funds. Proceeds of general long-term debt and acquisition under capital leases are reported as other financing sources.

Under the terms of grant agreements, the Office funds certain programs by a combination of specific cost reimbursement grants, categorical block grants, and general revenues. Thus, when program expenses are incurred, there are both restricted and unrestricted net assets available to finance the program. It is the Office's policy to first apply cost-reimbursement grant resources to such programs, followed by categorical block grants, and then by the general revenues.

D. BUDGETS AND BUDGETARY ACCOUNTING

The Office has followed these procedures in establishing the budgetary data reflected in the financial statements:

- a. By September 1st, the Office prepares a budget appropriation request by category to be presented to the next legislature.
- b. The appropriation request is submitted to the Department of Finance and Administration's Budget Division (DFA) and to the Legislative Finance Committee (LFC).
- c. DFA makes recommendations and adjustments to the appropriations request, which becomes the Governor's proposal to the Legislature.
- d. LFC holds hearings on the appropriations request, also submitting recommendations and adjustments before presentation to the Legislature.
- e. Both DFA's and LFC's recommended appropriation proposals are presented to the Legislature for approval of the final budget plan.

STATE OF NEW MEXICO
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JUNE 30, 2009

- f. Per the General Appropriation Act 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. Appropriation periods are sometimes for periods in excess of twelve months (multiple-year appropriations). When multiple-year appropriation periods lapse, the authority for the budget also lapses and encumbrances can no longer be charged to that budget. The legal level of budgetary control should be disclosed.

In accordance with the requirements of Section 2.2.2 10.A (2) (b) of 2.2.2 NMAC *Requirements for Contracting and Conducting Audits of Agencies* and the allowance made by GASB 34 footnote 53, the budgetary comparison statement for the General Fund and major special revenue funds have been included as part of the basic financial statements.

Budgetary control is exercised at the category level of the Office as a whole and changes are approved by DFA.

E. ASSETS, LIABILITIES AND EQUITY

(1). INTEREST IN STATE INVESTMENT POOL

The Office funds are held by the State Treasurer as an interest in the State Investment Pool for purposes of cash flows, the Office considers all highly liquid investments, which are on deposit with the State Treasurer as interest in the state investment pool.

(2). INVENTORIES

Office supply inventory items are expensed when purchased. Therefore, the financial statements do not reflect inventories of office supplies on hand at June 30, 2009.

(3). 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 value 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 is 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. There is no software included in Office capital assets.

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

Depreciation on all assets is provided on the straight-line basis over the estimated useful lives with no salvage value. The Office utilizes IRS Publication 946 to estimate the useful lives on fixed assets as follows:

Office Furniture, Fixtures & Equipment	10 years
Data Handling Equipment	6 years
Land Improvements	20 years
Real Property (Buildings)	40 years

(4). ACCOUNTS AND VOUCHERS PAYABLE

Accounts payable are amounts due for goods and services received before June 30, 2009 to be paid from subsequent year funds. Amounts due to the state general fund are unexpended and unencumbered state general fund appropriations that are generally reverted to the state general fund.

(5). ACCRUED PAYROLL

A portion of payroll expenditures (twelve working days) pertaining to the year ended June 30, 2009. The pay period ending June 26, 2009 was paid on July 3, 2009, ten (10) working days from June 13 through 26, 2009), and period ending June 30, 2009 was paid on July 17, 2009 for two (2) working days. Since the disbursements did not occur until after fiscal year ended, accrued salaries, payroll taxes and benefit payables totaling \$16,346 was reflected in the balance sheet statements as of June 30, 2009.

(6). DUE FROM STATE GENERAL FUND AND REVERSIONS

Reversions -- Unexpended and unencumbered cash balances of certain funds revert to the State General Fund at year-end.

The following is a summary of the amounts due to/from the State General Fund and other agency at June 30, 2009:

	State General Fund
Beginning balance at July 1, 2008	
Due to other State General Fund	\$ 173,682
Reversion to General Fund for FY08	(173,682)
Less: Current year reversion	<u>(105,691)</u>
Ending balance at June 30, 2009	
Total due to other agencies	<u>\$ (105,691)</u>

STATE OF NEW MEXICO
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NOTES TO FINANCIAL STATEMENTS
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(7). COMPENSATED ABSENCES

Qualified employees are entitled to accumulate annual leave according to a graduated leave schedule of 80 to 160 hours per year, depending upon length of service and employees' hire date. A maximum of thirty working days (240 hours) of such accumulated annual leave may be carried forward into the beginning of the calendar year and any excess leave 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. Accumulated vacation leave is not expected to be liquidated with expendable available financial resources and is reported in the long-term liability account.

Qualified employees are entitled to accumulate sick leave at the rate of 3.69 hours per pay period. There is no limit to the amount of sick leave that an employee may accumulate. Once per fiscal year in either January or July, employees may elect to be paid for 50% of accrued sick leave in excess of 600, up to 720 hours, not to exceed 120 hours (net 60 hours can be paid). In the case of retiring employees, up to 200 net hours can be paid. All sick leave balances from 600 to 720 hours have been recorded as 50% of the employee's current hourly rate in the long-term liability account including those amounts paid in July of the subsequent fiscal year, because no expendable financial resources are available as of the balance sheet date to liquidate the liability. For fiscal year 2009, the compensated absences increased by \$4,084 bringing the total accrued compensated absences payable to \$43,090 and \$39,006 as of June 30, 2009 and June 30, 2008, respectively.

F. REVENUES, EXPENDITURES AND EXPENSES

Substantially, all government fund revenues are accrued and expenditures are recognized when the related fund liability is incurred.

G. NET ASSETS

The government-wide and business-types fund financial statements utilize a net asset presentation. Net assets are categorized as investment in capital assets (net the related debt), restricted and unrestricted.

INVESTED IN CAPITAL ASSETS (NET RELATED DEBT) -- is intended to reflect the portion of net assets which are associated with non-liquid, capital assets less outstanding debt.

RESTRICTED ASSETS – are liquid assets (generated from revenues and not bond proceeds), which have third-party (statutory, bond covenant or granting agency) limitation on their use.

UNRESTRICTED ASSETS – represent unrestricted liquid assets.

The Office allocates expenses to restricted or unrestricted resources based on the budgeted source of funds.

H. USE OF ESTIMATES

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

NOTE 3. INVESTMENT – STATE TREASURER’S LOCAL GOVERNMENT INVESTMENT POOL

GASB statement 40, Deposit and Investment Risk Disclosures, relates to how deposits and investments are reported in the annual financial statements of governmental entities. The Statement is designed to inform financial statement users about deposit and investment risks that could affect a government’s ability to provide services and meet its obligations as they become due. Governments need to report deposit and investment risks related to credit risk (including custodial credit risk), concentration of credit risk, interest rate risk, and foreign currency risk.

The Office maintains all funds with the New Mexico State Treasurer General Fund Investment Pool (STGFIP). The Office does not have an investment policy that limits investment interest rate risk.

The STGFIP is not SEC registered. The State Treasurer is authorized to invest the short-term investment fund, with the advice and consent of the State Board of Finance, in accordance with Sections 6-10-10 I through Section 6-10-10 P and Sections 6-10-10.1 A and E, NMSA 1978. The pool does not have unit shares. Per Section 6-10-10.1F, NMSA 1978, at the end of each month all interest earned is distributed by the State Treasurer to the contributing entities in amounts directly proportionate to the respective amounts deposited in the fund and the length of time the fund amounts were invested. Participation in the local government investment pool is voluntary.

In respect to credit risk, the New Mexico STGFIP, a government investment pool, is rated AAAm by Standard & Poor’s, or rated at AAA for credit risk. Public funds are not required to disclose custodial credit risk for external investment pools; therefore the Office’s investment in New Mexico STGFIP is exempt from this requirement.

Concentration of credit risk is defined as investments of more than 5% in any one issuer. External investment pools, such as the New Mexico STGFIP, are excluded from the requirement of disclosing concentration of credit risk; therefore, investments in the New Mexico STGFIP are exempt from this disclosure.

Interest rate risk is the risk that interest rate variations may adversely affect an investment’s fair value. The prices of securities fluctuate with market interest rates and the securities held in a portfolio will decline if market interest rates rise. The portfolio’s weighted average maturity (WAM) is a key determinant of the tolerance of a fund’s investments to rising interest rates. In general, the longer the WAM, the more susceptible the fund is to rising interest rates. The following is the disclosure of the STGFIP investment rates:

June 30, 2009		Fair market value	
New Mexico STGFIP	AAAm rated	\$180,864	43 day WAM

According to GASB Statement 40, an acceptable method for reporting interest rate risk is WAM, which is the method used for reporting purposes for the New Mexico STGFIP investment report. The annual financial audit report may be obtained by writing to the State Treasurer Office P.O. Box 608 Santa Fe, New Mexico 87504-0608, and it also available on the State Treasurer’s website: www.stonm.org.

**STATE OF NEW MEXICO
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NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

The New Mexico STGFIP has no foreign currency risk as all investments in the Investment Pool and is not rated for credit risk as of June 30, 2009. The Office's investment pool as of June 30, 2009 as follows:

Name of Depository	Account Name	Fund Type	SHARE Fund No.	Type of Account	Interest Bearing	Bank balance (Outstanding Items)	Reconciled Balance at June 30, 2009
State Treasury	Office of African						
	American Affairs	General	28400	STGFIP (money market account)	No	\$ 180,864	\$ 180,864
Petty cash		General	28400	Cash	No	100	<u>100</u>
Total							<u><u>\$ 180,964</u></u>

CUSTODIAL CREDIT RISK -- DEPOSITS

Custodial credit risk is the risk that in the event of failure of a depository financial institution, the government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. The Office does not have any funds held by an outside party; therefore, the Office's cash balance as of June 30, 2009 is not exposed to custodial credit risk.

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

NOTE 4. CAPITAL ASSETS

For fiscal year ended 2008 depreciation expense is \$3,675. Depreciation expenditure is charged to general governmental activity. The changes in capital assets for the year ended June 30, 2009 are as follows:

	Beginning Balance 7/1/2008	Additions	Deletions	Ending Balance 6/30/2009
<u>Capital assets not being depreciated</u>				
Artwork	\$ 3,000	\$ -	\$ -	\$ 3,000
<u>Other capital assets</u>				
Data processing equipment	1,915	-	-	1,915
Furniture and fixture	16,806	-	-	16,806
Equipment and machinery	13,957	-	-	13,957
Total capital assets	<u>32,678</u>	<u>-</u>	<u>-</u>	<u>32,678</u>
Less accumulated depreciation for:				
Data processing equipment	(1,915)	-	-	(1,915)
Furniture and fixture	(9,516)	(1,681)	-	(11,197)
Equipment and machinery	(11,794)	(1,994)	-	(13,788)
Total accumulated depreciation	<u>(23,225)</u>	<u>(3,675)</u>	<u>-</u>	<u>(26,900)</u>
Governmental activities net capital assets	<u>\$ 12,453</u>	<u>\$ (3,675)</u>	<u>\$ -</u>	<u>\$ 8,778</u>

NOTE 5. CHANGE IN LONG-TERM DEBT

A summary of changes in long-term debt for compensated absences payable as of June 30, 2009 is as follows:

	Balance 07/01/08	Increases	Decreases	Balance 06/30/09	Amount Due within One Year
Compensated absences payable:					
General Fund	\$ 39,006	29,354	25,270	\$ 43,090	\$ 43,090
Total compensated absences payable	<u>\$ 39,006</u>	<u>29,354</u>	<u>25,270</u>	<u>\$ 43,090</u>	<u>\$ 43,090</u>

Compensated absences typically have been liquidated in the general governmental funds. Claims liabilities typically have been liquidated in the general fund.

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009**

NOTE 6. OPERATING LEASE COMMITMENT

The Office entered into non-cancelable operating leases primarily for office space and office equipment. Rental expense under all operating lease agreements was approximately \$66,211 for the twelve months ended June 30, 2009.

Future annual minimum lease payments:

Due Year Ending June 30	Amount
2010	\$ 56,956
2011	58,665
2012	61,795
2013	15,674
2014	-
2015 - 2019	-
Total	\$ 193,090

NOTE 7. DEFERRED COMPENSATION PLAN – STATE OF NEW MEXICO

The State of New Mexico offers state, local government and school district employees a deferred compensation plan created in accordance with Internal Revenue Code, Section 457. The plan, available to all State employees and those local government and school district employees whose employers have elected participation in the plan, permits participants to defer a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death or unforeseen 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 beneficiary) solely the property and rights of the State of New Mexico (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.

Neither the Office nor the State of New Mexico makes any contributions to the deferred compensation plan. All contributions withheld from participants by the Office have been paid to the New Mexico Public Employees' Retirement Association (PERA), which administers the plan.

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

NOTE 8. PERA PENSION PLAN – PUBLIC EMPLOYEES RETIREMENT ASSOCIATION

PLAN DESCRIPTION

Substantially all of the Office'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, NM 87504-2123. The report is also available on PERA's website at www.pera.state.nm.us.

FUNDING POLICY:

Plan members are required to contribute 7.42% of their gross salary. The Office is required to contribute 16.59% of the gross covered salary. The contribution requirements of plan members and the Office are established under Chapter 10, Article 11, NMSA 1978. The requirements may be amended by acts of the legislature. The Office's contribution to PERA for the fiscal years ending June 30, 2009, 2008 and 2007 were \$42,824, \$54,185, and \$34,548, respectively, which equal the amount of the required contributions for each fiscal year.

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

Plan Description. Office 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.

STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2009

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 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. The statute requires each participating employer to contribute 1.3% of each participating employee's annual salary; each participating employee is required to contribute .65% of their salary.

Employers joining the program after January 1, 1998, are also required to make a surplus-amount contribution to the RHCA based on one of two formulas at agreed-upon intervals. The RHCA plan is financed on a pay-as-you-go basis. The employer, employee and retiree contributions are required to be remitted to the RHCA on a monthly basis. The statutory requirements for the contributions can be changed by the New Mexico State Legislature.

The Office's contributions to the RHCA for the years ended June 30, 2009, 2008 and 2007 were \$3,356, \$3,070 and \$2,392, respectively, which equal the required contributions for each year.

NOTE 10. EMPLOYEE FIDELITY BOND

Public employee fidelity bonding coverage is insured through the State of New Mexico's General Services Department – Risk Management Division. The current policy year is July 1, 2007 to June 30, 2009. The limit of coverage is \$5,000,000 with \$1,000 deductible per occurrence. This bond covers all Office employees.

Section 15-7-2 NMSA 1978 requires the State of New Mexico, General Services Department – Risk Management Division (RSD) to be responsible for the acquisition and administration of all insurance purchased by the "state" including the Office. The Office purchases insurance from the RSD for all coverage relating to torts; theft or damage to the destruction of assets; errors and omissions; and natural disasters.

NOTE 11. VIOLATION OF FINANCE LEGAL OR CONTRACTUAL PROVISIONS

The Office must place all deposits with the State Treasurer or with the authorized banking institution by the close of the next business day after receipt. All checks or negotiable instruments must place a restrictive endorsement "for Deposit Only To" the Office's authorized account, and complete account information should be recorded as part of the endorsements to ensure that the monies are recorded accurately and to facilitate chargeback of items.

SUPPLEMENTARY INFORMATION

**INDEPENDENT AUDITOR'S 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**

Dr. Harold Bailey, Executive Director
Office of African American Affairs
and
Honorable Hector H. Balderas
New Mexico State Auditor

I have audited the accompanying financial statements of the governmental activities, the major fund and the budgetary comparison for the general fund of the State of New Mexico, Office of African American Affairs (Office) as of and for the year ended June 30, 2009, which collectively comprise Office's financial statements and have issued my report thereon dated October 29, 2009. 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 State.

INTERNAL CONTROL OVER FINANCIAL REPORTING

In planning and performing my audit, I considered the Office's internal control over financial reporting as a basis for designing my auditing procedures for the purpose of expressing my opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Office's internal control over financial reporting. Accordingly, I do not express an opinion on the effectiveness of the Office's internal control over financial reporting.

A control deficiency 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 misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the Office's financial statements that is more than inconsequential will not be prevented or detected by the Office's internal control.

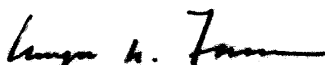
A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Office's internal control.

My consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in the internal control that might be significant deficiencies or material weaknesses. I did not identify any deficiencies in internal control over financial reporting that I consider to be material weaknesses, as defined above.

COMPLIANCE AND OTHER MATTERS

As part of obtaining reasonable assurance about whether the Office's financial statements are free of 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*.

This report is intended solely for the information and use of Office's management Office of the State Auditor, New Mexico Department of Finance and Administration, the Legislative body of the State of New Mexico, and applicable federal grantors, and is not intended to be and should not be used by anyone other than these specified parties.



Corrales, New Mexico
October 29, 2009

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
SCHEDULE OF FINDINGS AND RESPONSES
FOR THE YEAR ENDED JUNE 30, 2009**

Prior year findings:

07-2 Office failed to revert funds to State General Fund (Resolved)

Current year findings:

NONE

**STATE OF NEW MEXICO
OFFICE OF AFRICAN AMERICAN AFFAIRS
OTHER DISCLOSURES
FOR THE YEAR ENDED JUNE 30, 2009**

PREPARATION OF FINANCIAL STATEMENTS

The basic financial statements and notes to the financial statements for the year ended June 30, 2009, were substantially prepared by the independent certified public accountant performing the audit; however, maintaining the audited entity's books and records is the responsibility of its management. Accordingly, management is responsible for ensuring that these 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.

EXIT CONFERENCE

The exit conference was held on October 29, 2009, to discuss the audit. The following individuals were in attendance:

STATE OF NEW MEXICO, OFFICE OF AFRICAN AMERICAN AFFAIRS

Dr. Harold Bailey, Executive Director

Danielle Green, Budget Analyst

Audit Firm

Gwen K Farner, CPA