

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
ANNUAL FINANCIAL REPORT  
JUNE 30, 2008

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## INTRODUCTORY SECTION

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STATE OF NEW MEXICO  
 NEW MEXICO BEEF COUNCIL  
 ANNUAL FINANCIAL REPORT  
 For the Fiscal Year Ended June 30, 2008

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STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
OFFICIAL ROSTER  
June 30, 2008

COUNCIL

Tammy Oglivie	Chairman
Manuel Salazar	Vice-Chairman
Chad Davis	Secretary
Joe Clavel	Member
Jim Bob Burnet	Member
Cliff Copeland	Member
Tom Spindle	Member
Luke Woelber	Member
Bill Porter	Member
Jane Frost	Ex-Officio Member
Margie McKeen	Ex-Officio Member
Pat Woods	Ex-Officio Member

ADMINISTRATIVE OFFICIAL

Dina C. Reitzel	Executive Director
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## FINANCIAL SECTION

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INDEPENDENT AUDITOR'S REPORT

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Hector H. Balderas  
New Mexico State Auditor  
The Office of Management and Budget  
and  
To the Council Members of the  
New Mexico Beef Council

We have audited the accompanying financial statements of the governmental activities, the major fund, and the budgetary comparison statement of The State of New Mexico, New Mexico Beef Council (Council), as of and for the year ended June 30, 2008, which collectively comprise the Council's basic financial statements as listed in the table of contents. These financial statements are the responsibility of Council's management. Our responsibility is to express opinions on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinions.

As discussed in Note 1, the financial statements of the Council are intended to present the financial position, and the changes in financial position of only that portion of the governmental activities and major fund of the State of New Mexico that is attributed to the transactions of the New Mexico Beef Council. They do not purport to, and they do not, present fairly the financial position of the State of New Mexico as of June 30, 2008, and the changes in its financial position of the year then ended in conformity with accounting principles generally accepted in the United States of America.

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In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the major fund of the Council, as of June 30, 2008, and the respective change in financial position, thereof and the budgetary comparison statement for the General Fund for the year then ended in conformity with accounting principles generally accepted in the United States of America.

As discussed in Note 4, the New Mexico Livestock Board (NMLB), a New Mexico State Agency, collects on behalf of the Council a major part of their assessment revenue. During the year ended June 30, 2007 and the first six months of the year ended June 30, 2008, the NMLB has been unable to accurately determine dollars assessed and collected by their agency. NMLB has remitted estimates of these assessments to the Council based on prior year amounts. The reported assessment revenues and assessments remitted to the Cattlemen's Beef Board and the reported receivable and payable applicable to the revenues received and remitted are necessarily based upon the NMLB estimates. It is at least reasonably possible that the effect of any adjustments from the final determination would be material to those financial statements.

In accordance with *Governmental Auditing Standards*, we have also issued our report dated September 3, 2008, on our consideration of the Council's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*, and should be considered in assessing the results of our audit.

The management's discussion and analysis is not a required part of the basic financial statements but is supplementary information required by accounting principles generally accepted in the United States of America. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the management's discussion and analysis. However, we did not audit the information and do not express an opinion on it.

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Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Council's basic financial statements. The schedule of cash accounts and pledge collateral is presented for the purpose of additional analysis and is not a required part of the basic financial statements. This information has been subjected to the auditing procedures applied in the audit of the basic financial statements. The information in that schedule has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all materials respects in relation to the basic financial statements taken as a whole.

Macias, Gutierrez & Co., CPAs, P.C.  
Española, New Mexico  
September 3, 2008

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STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

This discussion and analysis of the New Mexico Beef Council (NMBC) provides an overview of financial activities for the fiscal year ended June 30, 2008. It should be read in conjunction with financial statements on page 19 to 38.

This document will:

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

## **BASIC FINANCIAL STATEMENTS**

### Government-Wide Statements

The government-wide statements report information about the New Mexico Beef Council as a whole using accounting methods and disclosures similar to those used by private-sector companies. The statement of net assets includes all of the NMBC assets and liabilities. All of the current year revenues and expenses are accounted for in the statement of activities regardless of when cash is received or paid. This statement also reports the NMBC net assets and how they have changed. Net assets, the difference between NMBC assets and liabilities, is one way to measure NMBC's financial health and position.

Prior period unrestricted net assets may be used to continue beef marketing efforts in response to increased beef supply due to the closure of export markets resulting from Bovine Spongiform Encephalopathy or Mad Cow Disease. Declining cattle numbers in New Mexico as a result of the prolonged drought may lead to the use of the unrestricted assets. None, however, were used in fiscal year ended 06/30/08.

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

Fund Statements

A fund is an accountability unit used to maintain control over resources segregated for specific activities. The Council uses one fund to ensure and demonstrate compliance with finance related laws and regulations. The focus of fund statements is on short term fiscal accountability reflecting use of spendable resources during the year and the balance of spendable resources available at end of year. The government wide statements include long term assets while the fund statements do not. Both the fund statement balance sheet and the fund statement of revenues, expenditures and changes in fund balance provide a reconciliation to the government wide statements to assist in understanding the differences between the two perspectives. A budgetary statement is included to demonstrate compliance with the Council adopted and final revised budgets.

FINANCIAL HIGHLIGHTS

The NMBC is a designated Qualified State Beef Council. NMBC collects and administers the federally mandated Beef Check-off in New Mexico. The Beef Check-off is a self-help beef marketing program instituted by United States beef producers and is funded entirely by the producers. One dollar per head is assessed the producer on each bovine animal sold in the U.S. As per the federal law, fifty cents of each dollar collected in New Mexico remains in the state. The NMBC oversees the collection and investment of the producer's check-off dollars in marketing programs meant to increase the demand for beef products and enhance the image of the beef industry. The sole purpose of the Beef Check-off program is to increase profit opportunities for beef producers.

The federal law that established the beef check-off also mandates the beef marketing programs to include Promotion, Consumer Information, Research, Producer Communications and Industry Information Programs.

The Beef Check-off is the sole source of funding for this marketing program. The amount of check-off dollars collected is entirely dependent on the number of cattle sold annually in the state. There are many factors that affect the number of cattle marketed and total cattle inventory in New Mexico.

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

The following charts reflect the Council's continued summary of the Statement of Net Assets as of June 30, 2007 and 2008

<u>Assets</u>	2008	2007
Current and Other Capital Assets, Net of Depreciation	\$559,841	\$464,827
Total Assets	<u>25,976</u> \$585,817	<u>33,586</u> \$498,413

<u>Liabilities</u>	2008	2007
Current Liabilities	\$274,083	\$209,320
Long Term Liabilities	<u>13,056</u> 287,139	<u>12,029</u> 221,349

<u>Net Assets</u>	2008	2007
Invested in Capital Projects	\$ 25,976	\$ 33,586
Unrestricted	<u>272,702</u>	<u>243,478</u>
Total Liabilities and Net Assets	<u>\$585,817</u>	<u>\$498,413</u>

The following table presents a condensed summary of data from the Council's Statement of Activities.

	2008	2007
Gross assessments received	\$1,213,978	\$1,192,179
Less amounts remitted to other entities	<u>(613,270)</u>	<u>(601,168)</u>
	600,708	591,011
Program Expenses	(587,328)	(532,006)
Investment Revenues	<u>5,233</u>	<u>2,230</u>
Change in Net Assets	<u>\$ 21,613</u>	<u>\$ 61,235</u>

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

Operating Assets

Operating assets of the NMBC include cash and receivables which may vary significantly during the year because of timing, operations and weather conditions. Cash and receivables amounted to \$554,860. at year end compared to \$449,017 for the prior year. \$ 33,588 of the \$554,860 has no relationship to check off revenue but is being held in trust for the New Mexico Beef Initiative Task Force and is not available for continued operations of the New Mexico Beef Council.

Capital Assets

Current year acquisitions less depreciation, decreased capital assets by \$7,610. With the implementation of GASB 34, NMBC adopted a policy of not capitalizing assets which cost less than \$5,000. Current year depreciation was \$17,025.

Liabilities

The majority of accounts payables were satisfied with the July FY 2007-2008 check run. Balances at year end amounted to \$228,330 compared to \$197,329 in the prior year. The increase primarily relates to a full year liability due to the NMLB for collection fees not billed or paid. Accrued expense representing the liability for employee sick and vacation leave increased by \$1,499.

Fund Balances/ Net Assets

Fund balances are presented in categories. The category labeled restricted for capital assets represents the net amount invested in the capital asset which amounted to \$25,976 at June 30, 2008. There are no liabilities connected to capital assets. A category containing \$46,513 of pre-federal check-off dollars is maintained separately due to different restrictions from federal check-off funds. A portion of fund balance amounting to \$4,981 is reserved for prepaid expenses. The remaining fund balance is available for investment in Promotion, Consumer Information, Producer Communications and Industry Information Programs. Total net assets per the statement of net assets are \$585,817, up 17.53% from total net assets of \$498,413 in the prior year. Net assets are up due to the Council reducing expenses due to the uncertainty of the estimated revenues remitted by the NMLB.

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

Revenue

The NMBC's sole source of revenue is beef check-off dollars. NMBC is fortunate, in that these producer funds are required by state statute to be collected by the New Mexico Livestock Board (NMLB). NMLB underwent two changes in their fiscal operations during the current year. They were incorporated into the states new SHARE program, and at the same time instituted a computerized in house collection process. The initial result in this massive undertaking was uncertainty in reconciling collections, and check-off funds not being remitted to the NMBC in a timely manner. NMLB elected to remit check-off collections based on collections for FYE June 30, 2006. Under the leadership of a new director NMLB began remitting checkoff collections based on actual funds received. All revenue reported in this fiscal year is a reflection of actual funds received by NMLB. The reason for the 5.6% increase in actual revenue from the prior year is because more cattle revenue exceeded budgeted checkoff collection revenue by \$82,616 due in a large part to the basic cow herds being reduced because of the extended drought in the state. However, there are many factors that effect the number of cattle marketed and total cattle inventory in New Mexico.

The amount collected that stays in the state of \$600,708 is up 7.4% from budgeted amounts, and is also up 1.64% from the prior year actual of \$591,011.

Interest earned is up 227%, from original budget, but is up 193.4% from actual interest earned in the prior year due to less funds earning interest.

Expenditures

No significant or material deviation from the amounts budgeted occurred in FYE June 30, 2008, other than noted below. There were no unusual or infrequent items that had a material effect on the results of operations. Actual expenditures exceeded budgeted amounts by 1.4%. Variances although not deemed significant are discussed below.

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

PROGRAM EXPENSES BY FUNCTION

National Program

The NMBC participates in the National Cattlemen's Beef Association (NCBA) and the United States Meat Export Federation (USMEF) by purchasing board seats. Each board seat purchased entitles the NMBC to representation on the respective boards. This participation is important to the New Mexico producers as both organizations are major beef check-off program contractors. Representation in the organizations allows producers to give input on marketing programs paid for with beef check-off dollars. The New Mexico representatives on the two boards are responsible for providing feedback to the state's producers on the business conducted at the NCBA and USMEF meetings. Expenditures amounted to \$37,752 in the current year versus \$36,486 in the prior year.

Promotion Programs

Promotion Programs include advertising, retail, foodservice and school foodservice promotions. Current year's expenditures were down from the prior year expenditure for Promotion Programs by 1.86%, primarily due to planning and the timing of funds available. Expenditures amounted to \$99,333 in the current year versus \$101,212 in the prior year. Expenditures in the amount of \$104,765 had originally been budgeted.

Consumer Information Programs

Consumer Information Programs include Public Relations, Health Education, Education and Cowbelle Education Partnerships. Expenses for Consumer Information Programs were up 28.07% from the prior year and up 4.68% from budgeted. Expenditures amounted to \$197,501 in the current year versus \$154,212 in the prior year.

Research

Beef check-off dollars are often used to fund research in the areas of Market, Product, Beef Safety, Nutrition, and Product Technology. The NMBC did not fund research in the current fiscal year. Extensive research in this area is being conducted at the national level.



STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

Producer Communications

Producer Communications projects are aimed at keeping beef producers informed about the beef check-off program and the results of the program. Expenses for Producer Communications programs were down 5.28% from prior year and up 2.6% from budgeted amounts. Expenditures amounted to \$88,811 in the current year versus \$93,758 in the prior year. Expenditures in the amount of \$86,540 had originally been budgeted.

Industry Information Programs

Industry Information Programs are education programs for beef producers. The education programs focus on teaching producers about management practices that affect the quality of the end product and informing producers about their product's acceptance. NMBC budgeted and spent \$2,000 in this program area.

Collections

New Mexico State Statute designates the New Mexico Livestock Board (NMLB) as the collecting point for beef check-off dollars in the state. The NMLB is compensated 4% for each dollar it collects. Collections expense includes this fee as well as an education program for the livestock inspectors on check-off compliance and programs. Collection expenses go up or down with amount of revenue collected. Expenditures amounted to \$81,143 in the current year versus \$82,524 in the prior year. NMBC had budgeted \$80,860 in the current fiscal year.

Administrative Expenses

This year's actual budget basis administrative expenses before allocation (which include capital outlay) were up 31.13% from the prior year costs. The actual amount expended was .11% less than originally budgeted. Administrative expenditures after allocation amounted to \$62,763 in the current year versus \$47,863 in the prior year. NMBC had budgeted \$62,868 for the current fiscal year but did not anticipate higher auto and travel costs.

Total Expenditures

Actual total expenditures on the budgetary basis of \$575,219 were up 2.48% from budget, and is also up 10% from the prior year actual of \$522,717. Total expenditures were up due to the reasons enumerated above.

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STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
MANAGEMENT DISCUSSION AND ANALYSIS (UNAUDITED)  
FOR THE YEAR ENDED JUNE 30, 2008

Conclusion

Due to continuing concerns about the livestock industry in New Mexico, the Council has carried over \$30,722 of current year excess revenues to next year and has been conservative in compiling the budget for the 2008/2009 year. For the year ending June 30, 2008, the Council has approved a budget with projected revenues of \$565,000 and expenditures of \$564,534.

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**STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL**

EXHIBIT A-1

Statement of Net Assets  
June 30, 2008

	Governmental Activities
<b>ASSETS</b>	
Cash and cash equivalents	471,506
Cash on hand	325
Receivable from New Mexico Livestock	
Board and others	83,029
Prepaid expenses	4,981
Capital assets, net of accumulated depreciation	<u>25,976</u>
 Total Assets	 <u><u>\$ 585,817</u></u>
 <b>LIABILITIES</b>	
Accounts payable	\$ 228,330
Payroll taxes and withholdings payable	35,905
Accrued sick leave and vacation payable-	
Amount due within one year	9,848
Amount due in more than one year	<u>13,056</u>
 Total Liabilities	 287,139
 <b>NET ASSETS</b>	
Invested in capital assets	25,976
Unrestricted	<u>272,702</u>
 Total net assets	 <u>298,678</u>
 Liabilities and Net Assets	 <u><u>\$ 585,817</u></u>

The accompanying notes are an integral part of these financial statements

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**STATE OF NEW MEXICO**  
**NEW MEXICO BEEF COUNCIL**  
STATEMENT of ACTIVITIES  
For the Year Ended June 30, 2008

Exhibit A-2

	Governmental Activities
<b>EXPENSES</b>	
National program	\$ 37,752
Promotion	99,333
Consumer information	197,501
Producer communications	88,811
Collections	81,143
Administrative	62,763
Depreciation, unallocated	<u>17,025</u>
<i>Total expenses</i>	<u>584,328</u>
<b>Program Revenues:</b>	
Gross assessment revenues collected	1,213,978
Less assessment revenues remitted to other states	(12,562)
Less assessment revenue remitted to Cattlemen's Beef Board	<u>(600,708)</u>
Total program revenues	600,708
NET PROGRAM REVENUE	16,380
GENERAL REVENUE	
Investment earnings	<u>5,233</u>
Change in Net Assets	21,613
Net assets, beginning	<u>277,065</u>
Net assets, ending	<u><u>\$ 298,678</u></u>

The accompanying notes are an integral part of these financial statements

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**STATE OF NEW MEXICO**  
 New Mexico Beef Council  
 Balance Sheet  
 Governmental Funds-General Fund  
 June 30, 2008

<i>Assets</i>	
Cash and cash equivalents	\$ 471,831
Receivable from Livestock Board and others	83,029
Prepaid expenses	<u>4,981</u>
<i>Total assets</i>	<u><u>\$ 559,841</u></u>
 <i>Liabilities and fund balances</i>	
<i>Liabilities</i>	
Accounts payable	\$ 228,330
Accrued salaries and benefits	<u>35,905</u>
<i>Total liabilities</i>	<u>264,235</u>
 <i>Fund balances</i>	
Reserved for:	
Prepaid expenses	4,981
Pre-\$1 checkoff	46,513
Unreserved	<u>244,112</u>
<i>Total fund balances</i>	<u>295,606</u>
 <i>Total liabilities and fund balances</i>	 <u><u>\$ 559,841</u></u>

The accompanying notes are an integral part of these financial statements

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STATE OF NEW MEXICO

New Mexico Beef Council

Governmental Funds

Reconciliation of the Balance Sheet to the Statement of Net Assets

June 30, 2008

Exhibit B-1

Page 2 of 2

Amounts reported for governmental activities in the statements of net assets are different because:

Fund balances - total governmental funds	\$	295,606
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds		25,976
Other long-term assets are not available to pay for current period expenditures and therefore, are deferred in the funds:		
Accrued compensated absences		(22,904)
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds		<u>-</u>
Net assets of governmental activities	\$	<u><u>298,678</u></u>

The accompanying notes are an integral part of these financial statements

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**STATE OF NEW MEXICO**  
 New Mexico Beef Council  
 Statement of Revenues, Expenditures and Changes in Fund Balance  
 Governmental Funds  
 For the Year Ended June 30, 2008

<b>Revenues:</b>	
Gross assessment revenues collected	\$ 1,213,978
Less assessment revenues remitted to other states	-
	(12,562)
Less assessment revenue remitted to Cattlemen's Beef Board	(600,708)
Investment Income (Loss)	5,233
Miscellaneous	-
	<hr/>
Total revenues	605,941
	<hr/>
<b>EXPENDITURES</b>	
National program	37,752
Promotion	99,333
Consumer information	197,501
Producer communications	88,811
Collections	81,143
Administrative	70,677
Less allocated to functions	-
	<hr/>
Total expenses	575,217
	<hr/>
<i>Net change in fund balance</i>	30,724
<i>Fund balance - beginning of year</i>	264,883
	<hr/>
<i>Fund balance - end of year</i>	\$ 295,607
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The accompanying notes are an integral part of these financial statements

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STATE OF NEW MEXICO  
 New Mexico Beef Council  
 Reconciliation of the Statement of Revenues, Expenditures and Changes  
 in Fund Balance of Governmental Funds to the Statement of Activities  
 For the Year Ended June 30, 2008

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

Net change in fund balances - total governmental funds	\$	30,724
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Governmental funds report capital outlays as expenditures. However in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense:

Capital expenditures capitalized		9,415
Depreciation expense		(17,025)

The issuance of long-term debt (e.g. bonds, notes, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net assets.

Increase in accrued compensated absences		<u>(1,501)</u>
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Change in Net Assets of Governmental Activities	\$	<u><u>21,613</u></u>
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The accompanying notes are an integral part of these financial statements

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**STATE OF NEW MEXICO**  
New Mexico Beef Council  
General Fund  
Statement of Revenues and Expenditures  
Budget and Actual (GAAP Basis)  
For the Year Ended June 30, 2008

	Budgeted Amounts		Actual	Variances
	Original	Final	(GAAP Basis)	Favorable (Unfavorable) Final to Actual
<i>Revenues:</i>				
Gross assessment revenues collected	1,132,800	1,213,978	1,213,978	\$ -
Less assessment revenues remitted to another state	(14,000)	(12,562)	(12,562)	-
Less assessment revenues remitted to Cattlemen's Beef Board	(559,400)	(600,708)	(600,708)	-
Miscellaneous	1,900	5,233	5,233	-
<i>Total revenues</i>	<u>561,300</u>	<u>605,941</u>	<u>605,941</u>	<u>-</u>
<i>Expenditures:</i>				
<i>Current:</i>				
National program	33,600	37,752	37,752	-
Promotion	104,765	99,333	99,333	-
Consumer information	188,669	197,501	197,501	-
Producer communications	90,537	88,811	88,811	-
Collections	80,857	81,143	81,143	-
<i>Administrative</i>				
Director salary	74,178	75,332	75,332	-
Rent and utilities	34,260	34,260	34,260	-
Administrative assistant salary	32,277	32,227	32,227	-
Payroll burden	25,523	23,213	23,213	-
Insurance	20,000	19,957	19,957	-
Contract services	12,000	12,837	12,837	-
Office and postage	7,000	8,911	8,911	-
Staff travel	8,500	13,802	13,802	-
Auto and travel, council	11,000	7,629	7,629	-
Telephone	8,500	5,704	5,704	-
Capital and noncapital expenditures	10,000	10,295	10,295	-
Audit and legal	6,000	5,919	5,919	-
Staff salary	5,980	4,260	4,260	-
Auto, director and staff	4,200	5,426	5,426	-
Council meetings	4,000	7,701	7,701	-
Stationary and supplies	2,004	711	711	-
Amount allocated to function	(202,550)	(197,505)	(197,505)	-
<i>Total expenditures</i>	<u>561,300</u>	<u>575,219</u>	<u>575,219</u>	<u>-</u>
<i>Excess (deficiency) of revenues over expenditures</i>	<u>\$ -</u>	<u>\$ 30,722</u>	<u>\$ 30,722</u>	<u>\$ -</u>

The accompanying notes are an integral part of these financial statements

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STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2008

NOTE 1 ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The New Mexico Beef Council (Council) was created in 1979, pursuant to the New Mexico Beef Council Act, Article 2A, Section 77, NMSA, 1978 Compilation, as amended. The Council comes under the auspices of the Director of the New Mexico Department of Agriculture. The Director appoints nine council members with the approval of the Governor for terms of three years or less so that the terms of three members expire each June 30. All members of the Council shall be engaged in the business of raising, breeding, feeding, or growing cattle or calves for beef production or for dairy production. Appointments of Council members are to be made from lists of individuals recommended by farm organizations, producer associations and individual producers. The Director appoints one member to represent fluid milk producers, five to represent beef producers, one to represent breeders of registered purebreds and two to represent commercial cattle feeders. The Director serves as a non-voting ex-officio member of the Council. The Council was created to promote the beef industry in New Mexico through public relations, research, education, and market development programs.

The Council is a quasi agency of the State of New Mexico. The New Mexico Beef Council Act creates the Council as a separate entity with a special source of funds separate and apart from the State of New Mexico general fund. The Council fund balance is non-reverting. The financial statements present the financial position and results of operations of only those funds over which the New Mexico Beef Council has oversight responsibility.

The Council's financial statements are prepared in accordance with generally accepted accounting principles. The Council presents their financial statements following Governmental Accounting Standard Statement No. 34, Basis Financial Statements and Management's Discussion and Analysis - for State and Local Governments. Certain of the significant elements of that Standard include:

- A management discussion and analysis (MD&A) section providing an analysis of the Council's overall financial position and results of operations.
- Financial statements prepared using full accrual accounting for all Council activities including presentation of capital assets and related depreciation.

Other significant accounting policies established and used by the Council are discussed below.

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2008

NOTE 1 ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES  
(Continued)

A. Reporting Entity

The Council's basic financial statements include the accounts of all Council operations which are financially accountable to the Council members. There are no component units included in the reporting entity.

B. Basic Financial Statements- Government- Wide and Individual Fund Financial Statements

The Council's basic financial statements include both government-wide (reporting the Council as a whole) and fund financial statements (reporting the Council's only and major fund). Both the government-wide and individual fund financial statements are all governmental type activities which include the classification of activities as national program, promotion, consumer information, producer information, market research, collection and or administrative expenditures/expense.

The government-wide financial statements are reported using the economic resource measurement focus and the accrual basis of accounting. Therefore, in the statement of net assets, all long term assets and receivables are recognized as well as all long term debt and obligations. The Council's net assets are reported in three parts - invested in capital assets, net of related debt; restricted net assets (none held at June 30, 2008); and unrestricted net assets. The government-wide statement of activities reports the gross/net cost of the Council's beef promotion program. The Council is also supported by general investment earnings. The Council allocates a certain portion of administrative costs to the classifications described above using a percentage cost allocation approach. The government-wide focus is more on the sustainability of the Council as an entity and the changes in the Council's net assets resulting from current year's activities.

The financial transactions of the Council are reported in individual funds in the fund financial statements. The Council maintains one governmental fund being the general fund. The general fund accounts for all financial resources of the Council. This fund is accounted for by providing a separate set of self-balancing accounts that comprise its assets, liabilities, reserves, fund equity,

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
NOTES TO FINANCIAL STATEMENTS  
JUNE 30, 2008

NOTE 1 ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES  
(Continued)

revenues and expenditures/expenses. The focus of the government general fund measurement is upon determination of financial position and changes in financial position (sources, uses, and balances of financial resources) rather than upon net income.

C. Basis of Accounting

Basis of accounting refers to the timing at which revenues or 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.

1. Accrual - All governmental activities in the government-wide financial statements are presented on the accrual basis of accounting using the economic resources measurement focus. Revenues are recognized when earned and expenses are recognized as incurred.
2. Modified Accrual - The governmental general fund financial statements are presented on the modified accrual basis of accounting using the current financial resources measurement focus. Under this method, revenues are recorded when susceptible to accrual; i.e., both measurable and available. "Available" means collectible within the current 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. The exception to this general rule is that principal and interest on general obligation long-term debt, if any, is recognized when due.

The one-dollar assessment is considered measurable and available when held by the collecting entity, the New Mexico Livestock Board.

D. Budgets and Budgetary Accounting

The Council follows these procedures in establishing the budgetary data reflected in the individual fund financial statements:

1. The Executive Director presents the budget to the Council for approval no later than April 25 for the fiscal year beginning July 1.
2. The proposed budget is submitted to the Director of the New Mexico Department of Agriculture by May 1 for the fiscal year beginning July 1. The Director also submits the budget to the New Mexico Department of Finance and Administration.
3. Budgets for the General Fund are adopted on a modified accrual basis of accounting.
4. Budget control is exercised at the fund level.
5. Budget information has been revised and the revision was made pursuant to Council approval.

STATE OF NEW MEXICO  
 NEW MEXICO BEEF COUNCIL  
 NOTES TO FINANCIAL STATEMENTS  
 JUNE 30, 2008

NOTE1 ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES  
 (Continued)

E. Prepaid Expenses

These amounts represent expenses which have benefit to the Council beyond the year June 30, 2008. Prepaid expenses are expensed when consumed and allocated to the fiscal year in which they are used.

F. Capital Assets

Capital assets purchased or acquired with an original cost of \$5,000 or more (per Section 12-6-10 NMSA 1978) are reported at historical cost or estimated historical cost. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. The Council has no capitalized computer software costs. Other costs incurred for repairs and maintenance are expensed as incurred. All capital assets of the Council are in the furniture and equipment class, for which depreciation is provided on the straight line basis over useful lives ranging from five to sixteen years. Depreciation expense is not allocated to program functions of the Council.

G. Compensated Absences

The Council accrues accumulated vacation and sick leave and associated employee related costs when earned by full time employees. Vacation leave accrues per month of service ranging from seven days to twenty seven days per year based on years of service. Unused vacation time at year end is lost, with the exception of the Executive Director who may carry over 15 days of unused vacation. Sick leave accrues per month of service aggregating not more than seventeen days per year based on years of service. Employees may carryover unused sick leave at the end of a fiscal year subject to a 720 hour limitation. Upon termination with notice, the Council will compensate an employee for fifty percent of accrued and unused sick leave at current employee pay rates.

Compensated absences have been liquidated in the general fund. Changes were as follows:

Compensated absences	6/30/07	Increases	Decreases	6/30/08
Balances	\$21,405	3,597	2,098	\$22,904

H. Use of 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 the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Accordingly, actual results could differ from those estimates.

I. Risk Management

The Council is exposed to various risks of loss for which the Council carries insurance (Auto, Employee Fidelity Bond, General Liability and Workers Compensation) with the State of New Mexico Risk Management Division. There have been no settled claims which have exceeded insurance coverage in any of the past three fiscal years.

STATE OF NEW MEXICO  
 NEW MEXICO BEEF COUNCIL  
 NOTES TO FINANCIAL STATEMENTS  
 JUNE 30, 2008

NOTE 2 CASH AND INVESTMENTS

The Council is authorized to deposit its money in banks, savings and loan associations and/or credit unions whose accounts are insured by an agency of the United States Government. At June 30, 2008, the carrying amount of the Council's cash amounted to \$471,505. The total bank balance of \$477,449 was comprised of a checking account with a balance of \$159,246 and a bank money market account with a balance of \$318,203. In addition, the Council had \$326 of cash on hand.

Custodial credit risk is defined as the risk that the government's deposits may not be returned to it in the event of a bank failure. As of June 30, 2008, \$371,830 of the Council's bank balance custodial risk is summarized as follows:

Insured	\$	100,000
Collateralized:		
Collateral held by pledging financial institution's agent but not in Council's name		<u>377,450</u>
Total deposits	\$	<u>477,450</u>

In accordance with Section 6-10-16 NMSA 1978, deposits of public monies are required to be collateralized in amounts equal to one half of the amount of insured public money in each financial institution. The Council's position with regard to the State of New Mexico collateral requirement is summarized as follows:

50% Pledged collateral requirement per statute	\$	188,725
Total pledged Collateral		524,675
Pledged collateral over the requirement	\$	335,950

Pursuant to federal statute and defined by the U.S. Department of Agriculture, investments must be short term, high quality, interest bearing instruments that are U.S. Government securities, related money market funds or repurchase agreements collateralized by securities fully insured or guaranteed by U.S. Government agencies/corporations. The Council had no investments during 2008.

NOTE 3 CAPITAL ASSETS

Capital assets activity for the year ended June 30, 2008 was as follows:

	<u>June 30, 2007</u>	<u>Increases</u>	<u>Decreases</u>	<u>June 30, 2008</u>
Furniture and equipment	\$ 149,729	9,415	(6,218)	152,926
Less accumulated depreciation	<u>( 116,143)</u>	<u>(17,025)</u>	<u>6,218</u>	<u>(126,950)</u>
Net	<u>\$ 33,586</u>	<u>(7,610)</u>	<u>-</u>	<u>25,976</u>

STATE OF NEW MEXICO  
 NEW MEXICO BEEF COUNCIL  
 NOTES TO FINANCIAL STATEMENTS  
 JUNE 30, 2008

NOTE 4 ASSESSMENT REVENUES/RECEIVABLE FROM NEW MEXICO LIVESTOCK BOARD

The Council is mandated by Federal statute to levy and impose an assessment (check-off dollars) to be fixed at a rate of one dollar per head on all cattle involved in a transfer of ownership within the state. Fifty percent of collections for cattle originating in New Mexico is forwarded to the Cattlemen's Beef Promotion and Research Board. 100% of collections for cattle not originating in New Mexico are forwarded to the state in which they originated. The assessments retained by the Council are used to accomplish the purpose of the Council, which is the promotion of the beef industry.

The New Mexico Livestock Board (NMLB), a New Mexico State Agency, collects on behalf of the Council the assessment described above with respect to cattle transactions that are subject to the oversight and jurisdictional powers of the NMLB. Monthly, the NMLB is required to remit to the Council the assessment collections from the previous month.

During the year ended June 30, 2007 and the first six months of the year ended June 30, 2008, the NMLB has been unable to accurately determine check-off dollars assessed and collected by their agency on behalf of the Council. As a result, the NMLB has remitted estimated assessment amounts to the Council for the entire year ended June 30, 2007 and the first six months of the year ended June 30, 2008. The Council has remitted estimated amounts to the Cattlemen's Beef Promotion and Research Board for their 50% share. The Council anticipates that the NMLB may determine actual check-off dollars for the eighteen months mentioned above in the near term, and that it is at least reasonably possible that the effect of any adjustment from this determination would be material to these financial statements.

Additionally, the NMLB is authorized to charge a collection fee for their role in collecting assessments from producers pursuant to New Mexico State Statute. The Statute mandates that the NMLB charge a collection fee of not more than four cents (\$.04) per head on those cattle involved in a transfer of ownership. During the year ended June 30, 2007 and the year ended June 30, 2008, the NMLB has not billed the Council the collection fee.

The following amounts included in the accompanying financial statements are affected by the estimations made during the year ended June 30, 2008:

Gross assessment revenue for New Mexico cattle transfers	\$1,213,978
Assessment revenue remitted to Cattlemen's Beef Board	
on these cattle transfers	<u>(600,708)</u>
Net Assessment Revenue for New Mexico cattle transfers	\$ 600,708
Receivable from the NMLB at June 30, 2008	\$ 83,029
Accounts payable to the Cattlemen's Beef Board at June 30, 2008	\$ 40,970
Accounts payable to the NMLB at June 30, 2008	\$ <u>93,510</u>

NOTE 5 RETIREMENT PLAN

All of the Council's employees participate in a Simplified Employee Pension (SEP) Plan. The Council contributions are made for each employee who has reached age 21, and has been employed by the Council for at least one year. The contributions made by the Council to the SEP on behalf of employees for the year ended June 30, 2008 was 15% of each employee's compensation and amounted to \$11,253.



STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
SCHEDULE OF CASH ACCOUNTS AND PLEDGED COLLATERAL  
JUNE 30, 2008

New Mexico Bank & Trust

	Checking	Money Market	Total
Balance per bank	\$ 159,246	\$ 318,203	\$ 477,449
Less: FDIC coverage	\$( 100,000)	\$ -	\$ ( 100,000)
 Total uninsured public funds	 \$ 59,246	 \$ 318,203	 \$ 377,449
 New Mexico State Statute collateral requirement (at 50%)	 \$ 29,623	 \$ 159,102	 \$ 188,725

Pledged collateral:

FHLB 3.75% 8/15/08 CUSIP # 3133XIXC6 (Par Value \$500,000) (fair market value \$524,675)			\$ <u>524,675</u>
Collateral held by agent of New Mexico Bank & Trust, Kansas City, Missouri			
Over (under) collateralized			\$ <u>335,950</u>

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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH  
THE BEEF PROMOTION AND RESEARCH BOARD  
INVESTMENT POLICY FOR QUALIFIED STATE BEEF COUNCILS

To the Council Members of the New Mexico Beef Council

We have audited the financial statements of the governmental activities and the major fund of the State of New Mexico, New Mexico Beef Council (Council), as of and for the year ended June 30, 2008, which collectively comprise the Council's basic financial statements and have issued our report thereon dated September 3, 2008. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

In connection with our audit, nothing came to our attention that caused us to believe the Council was not in compliance with the provisions of the Beef Promotion and Research Board Investment Policy for Qualified State Beef Councils dated February 1, 2007, which describes the type of instruments in which the Council may invest. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance.

With respect to the items tested, the results of those procedures disclosed no material instances of noncompliance with the requirements of the Investment Policy. With respect to items not tested, nothing came to our attention that caused us to believe that the Council had not complied, in all material respects, with those requirements. This report is intended solely for the information and use of the Members of the Council, the Beef Promotion and Research Board and the United States Department of Agriculture and should not be used for any other purpose.

Macias, Gutierrez & Co., CPAs P.C.

September 3, 2008

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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE  
WITH THE BEEF PROMOTION AND RESEARCH ACT OF 1985 AND  
THE BEEF PROMOTION AND RESEARCH ORDER

To the Council Members of the New Mexico Beef Council

We have audited the financial statements of the governmental activities and the major fund of the State of New Mexico, New Mexico Beef Council (Council), as of and for the year ended June 30, 2008, which collectively comprise the Council's basic financial statements and have issued our report thereon dated September 3, 2008. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

In connection with our audit, nothing came to our attention that caused us to believe the Council was not in compliance with the provisions of the Beef Promotion and Research Act of 1985 and Section 1260.181 (b) (7) of the Beef Promotion and Research Order relative to the use of funds collected by the Council. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance.

With respect to the items tested, the results of those procedures disclosed no material instances of noncompliance with the requirements listed in the second paragraph of this report. With respect to items not tested, nothing came to our attention that caused us to believe that the Council had not complied, in all material respects, with those requirements.

This report is intended solely for the information and use of the Members of the Council, the Beef Promotion and Research Board and the United States Department of Agriculture and should not be used for any other purpose.

Macias, Gutierrez & Co., CPAs P.C.

September 3, 2008

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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*

Hector H. Balderas  
New Mexico State Auditor  
and  
To the Council Members of the  
New Mexico Beef Council

We have audited the financial statements of the governmental activities, the major fund and the budgetary comparison statement of the State of New Mexico, New Mexico Beef Council (Council), as of and for the year ended June 30, 2008, which collectively comprise the Council's basic financial statements and have issued our report thereon dated September 3, 2008. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Council's internal control over financial reporting as a basis for designing our auditing procedures 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 Council's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Council'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 Council'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 Council's financial statements that is more than inconsequential will not be prevented or detected by the Council'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 Council's internal control.

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Our 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 internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

#### Compliance and Other Matters

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

We noted a matter that is required to be reported under Government Auditing Standards January 2007 Revision paragraph 5.14 and 5.16, and Section 12-6-5 NMSA 1978, which is described in the accompanying schedule of findings and responses as finding 2007-1.

The Council's response to the finding identified in our audit is described in the accompanying schedule of findings and responses. We did not audit the Council's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of the Council Board Members, management, the U.S. Department of Agriculture, and the New Mexico State Auditor, the Department of Finance and Administration and the New Mexico State Legislature and is not intended to be and should not be used by anyone other than these specified parties.

Macias, Gutierrez & Co., CPA, P.C.

September 3, 2008

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STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
SCHEDULE OF FINDINGS AND RESPONSES  
JUNE 30, 2008

Prior Year Findings

2007-1            Monthly Receipts from the New Mexico Livestock Board (Repeated)

Current Year Finding

2007-1            Monthly Receipts from the New Mexico Livestock Board (Repeat)

Criteria:

Timely and accurate receipt of Beef Check-off revenue is critical to the operations, cash flow and federal law compliance of the Council in accordance with Beef Promotion and research Act of 1985, PL. 99-198.

Condition

The New Mexico Livestock Board (NMLB) was unable to accurately determine check-off funds collected on behalf of the Council for the first six months of the fiscal year, and made remittances to the Council based upon estimates. The NMLB has remitted funds to the Council significantly later than internal policy and federal and state law allow.

Effect

The Council has experience interruptions in cash flow and has received estimated amounts of revenue. This fact has disrupted the operations and purpose of the Council as revenues received cannot be definitively be relied upon as a basis for operations.

Cause

The Council relies on the NMLB to accurately and timely collect and submit funds. Although the Council has maintained close contact with NMLB to address both the estimations and the delinquent payments, the issues were not resolved until January, 2008.

Recommendation

The Council should continue the practice of constant and continuous contact and vigilance with NMLB. The Council may consider incentives such as late fees to encourage prompt payment in the future.

Response

The New Mexico beef council and staff will continue to monitor the beef checkoff collections for timeliness and accuracy. We will work with the New Mexico Livestock Board's Executive Director, encouraging his continued cooperation, to ensure that beef checkoff funds collected are accurate and submitted on time.

STATE OF NEW MEXICO  
NEW MEXICO BEEF COUNCIL  
JUNE 30, 2008

An exit conference was held on September 30, 2008, and the contents of this report were discussed. Present at the conference were:

Jim Clavel	Audit Committee Chair, Board Member
Tom Spindle	Current Chair, NMBC
Cliff Copeland	Board Member
Chad Davis	Board Member
Dina Reitzel	Executive Director
Don Umbrage, CPA	Contract Accountant
C Jack Emmons CPA	Independent Accountant

Financial Statement Preparation

The New Mexico Beef Council contracts with an outside independent public accountant to prepare the financial statements.