

# NEW MEXICO LOTTERY AUTHORITY

FINANCIAL STATEMENTS

JUNE 30, 2011 and 2010



Certified Public Accountants | Business Consultants

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#### **OFFICIAL ROSTER**

June 30, 2011

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#### **OFFICIALS OF THE NEW MEXICO LOTTERY AUTHORITY**

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#### ORGANIZATIONAL DIVISIONS OF THE NEW MEXICO LOTTERY AUTHORITY

The Executive Division, under the direction of the Chief Executive Officer, provides leadership for all activities of the New Mexico Lottery Authority (the Lottery) to carry out its objectives and overall statutory mission to maximize net revenues for the Lottery's beneficiaries. The division establishes and directs the organization's day-to-day operating strategy and plan. In addition, the division performs as a liaison among the Board, the Governor, the Legislature, governmental entities, external providers of goods and services, retailers, the public and Lottery divisions and employees. Also, within the Executive Division is Product Development, which manages and monitors the instant products, including such areas as game launches, game endings, and performance analysis using several key performance indicators.

The Finance Division, under the direction of the Director of Finance, performs all the activities associated with the financial and accounting functions of the Lottery, including the general ledger; cash management; retailer accounts receivable and debt collection; fixed asset accounting; game accounting; payroll and benefit accounting, payment, and review; and tax reporting and payment. In addition, the division provides financial reporting, disclosure, and compliance with generally accepted accounting practices and budget compilation, including the quarterly and annual financial reporting of revenues, expenses, and net revenues to the State of New Mexico; the financial audit and related compilation of financial statements, related notes, and the Management's Discussion and Analysis (MDA) for the fiscal year; the statutorily required annual proposed operating budget for the Lottery for the succeeding fiscal year and the final proposed budget for the procurement of materials and services; claims center payment of prizes and sales of tickets; and accounts payable.

The Human Resources Division, under the direction of the Director of Human Resources, oversees the development and implementation of human resources policies, programs and services, including recruitment, selection, retention, legal compliance, employee benefits, employee insurance reconciliation, employee relations, employment practices and procedures, employee communications and employee events.

The Internal Audit Department, under the direction of the Internal Auditor, conducts and coordinates comprehensive audits for all aspects of the Lottery as spelled out in the New Mexico Lottery Act. Audits are carried out pursuant to an annual audit plan that is approved by the Board of Directors.

The Marketing and Communications Division, under the direction of the Director of Marketing and Communications, is responsible for implementing, managing and administering the activities associated with marketing the Lottery and its products, including advertising, communications, television drawings, promotions and special events. This entails creating and producing multi-media advertising campaigns, in-store

#### ORGANIZATIONAL DIVISIONS OF THE NEW MEXICO LOTTERY AUTHORITY - CONTINUED

point of sale materials and player and retailer publications; as well as negotiating and overseeing the Lottery's participation in a number of statewide promotions and special events. The division is also responsible for all aspects of corporate communications including creating news releases and annual reports and responding to requests for information by the public and the media.

The Management Information Systems (MIS) Division, under the direction of the Director of MIS, performs all the activities associated with the systems and data processing functions of the Lottery, including instant ticket transaction processing, back office functionality, order and distribution systems, financial applications, retailer network support, and game management.

The Sales Division, under the direction of the Director of Sales, is responsible for developing and implementing all sales activities and programs for the Lottery, including retailer visits, customer relationship management, ticket sales, inventory management, point of sales material distribution, retailer installations, promotional and event participation and preparation, as well as maximizing sales initiatives.

The Security Division, under the direction of the Executive Vice President of Security, statutorily as a law enforcement agency is responsible for administering, enforcing and ensuring compliance with the security provisions of the New Mexico Lottery Act. The division conducts backgrounds of all prospective employees, lottery retailers, lottery vendors and lottery contractors. It also supervises ticket verification and Lottery drawings and conducts drawings when the prize amount is more than \$5,000. The division functions as liaison among the Attorney General's Office, District Attorney Offices and law enforcement agencies in general. It is also responsible for building and employee security and safety. The warehouse component of the Security Division is responsible for the packing and shipment of the Lottery's instant scratcher tickets and for the maintenance and shipping of Lottery premium and point of sale items. The division is responsible for the management of building and grounds maintenance.

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#### **Report of Independent Auditors**

Board of Directors New Mexico Lottery Authority

We have audited the accompanying financial statements of the business-type activities, and the aggregate remaining fund information of the State of New Mexico Lottery Authority (Lottery), a component unit of the State of New Mexico, as of and for the years ended June 30, 2011 and 2010, which collectively comprise the Lottery's basic financial statements as listed in the table of contents. We have also audited the budgetary comparison statements presented as supplementary information in the accompanying financial statements for the years ended June 30, 2011 and 2010, as listed in the table of contents. These financial statements are the responsibility of the Lottery's management. Our responsibility is to express opinions on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. 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 Lottery'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 audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the business-type activities, and the aggregate remaining fund information of the Lottery as of June 30, 2011 and 2010, and the changes in its financial position and, where applicable, cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America. In addition, in our opinion, the financial statements referred to above presents fairly, in all material respects, the budgetary comparison statements for the years ended June 30, 2011 and 2010 in conformity with accounting principles generally accepted in the United States of America.



Board of Directors New Mexico Lottery Authority

The management's discussion and analysis, on pages 3 through 20, 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 required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming opinions on the basic financial statements and budgetary comparison statements. The accompanying Schedule of Percentage Return to the State of New Mexico listed in the table of contents as supplemental information is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information 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 material respects in relation to the basic financial statements taken as a whole.

Mess adams LLP

Albuquerque, New Mexico October 12, 2011

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED)

This Management's Discussion and Analysis of the New Mexico Lottery Authority (Lottery), offers readers of the Lottery's financial statements a narrative overview and analysis of the financial activities of the Lottery for the fiscal years ended June 30, 2011 and 2010 with comparative numbers for the fiscal year ended June 30, 2009. Please read it in conjunction with the financial statements, which begin on page 21.

### FINANCIAL HIGHLIGHTS

- At the end of fiscal year 2011, the Lottery's total current assets increased by 17.2% or \$1,390,596, whereas at the end of fiscal year 2010, total current assets decreased by 5.4% or \$464,295, in comparison to June 30<sup>th</sup> of each previous fiscal year.
- Compared to the end of the two previous fiscal years, the Lottery's total liabilities increased by \$1,241,164 or 14.7% at the end of fiscal year 2011, while at the end of fiscal year 2010 total liabilities decreased by \$401,391, (4.5)%.
- In fiscal year 2011, total revenues were \$135,541,708, a decrease of \$7,997,064, (5.6)% less than the prior fiscal year. In fiscal year 2010, total revenues were \$143,538,772, an increase of \$1,222,555 or a 0.9% increase, compared to total revenues for fiscal year 2009 of \$142,316,217.
- From the prior fiscal years, total game expenses decreased by \$5,692,070 (6.0)% in fiscal year 2011 and \$1,370,167 (1.4)% in fiscal year 2010.
- Total operating expenses decreased by 0.7% or \$35,540 in fiscal year 2011 and 7.1% or \$383,045 in fiscal year 2010 in comparison to each previous fiscal year.
- Non-operating income decreased in both fiscal years 2011 and 2010 by \$32,082, (47.86)%, and by \$181,313, (73.0)%, respectively.
- Net income was \$41,307,290 in fiscal year 2011, a decrease of \$2,301,536, (5.3)%, compared to the prior fiscal year. Net income in fiscal year 2010 was \$43,608,826, a \$2,794,454 or a 6.8% increase over fiscal year 2009. Beginning July 1, 2007, the Lottery was required by the New Mexico Lottery Act to transmit at least twenty-seven percent of its gross revenues to the State of New Mexico and then at least 30% beginning in January 2009. In fiscal year 2010, the Lottery transmitted 30.47% in net revenues to the State. In each of the last two fiscal years the Lottery surpassed the 30% required gross revenue return each month. The Lottery has continued to transfer its actual net income each month, regardless of whether or not the amount of net income exceeded the statutory requirement.
- Including the final transfer on July 29, 2011 of June 2011's net revenues (net income), the Lottery has transferred \$487,480,103 to the State of New Mexico since the commencement of sales in April 1996.

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

### **OVERVIEW OF THE FINANCIAL STATEMENTS**

The Lottery was established in 1995 as a public body, politic and corporate, separate and apart from the State of New Mexico and constituting a governmental instrumentality and, therefore, is accounted for as such, reporting all of the Lottery's assets and liabilities using the accrual basis of accounting, much like any private-sector business entity. Since the Lottery is a component unit of the State, the Lottery's financial statements are incorporated into the State of New Mexico's Comprehensive Annual Financial Reports.

This report consists of four parts—the Management's Discussion and Analysis (this section), the basic financial statements, including the notes to the financial statements, required supplementary information, the Budgetary Comparison Statements, and supplementary information, the Schedules of Percentage Return to the State of New Mexico.

**Financial Statements.** The Statements of Net Assets on Page 21 and the Statements of Revenues, Expenses, and Changes in Net Assets on page 22 report the Lottery's assets, liabilities, revenues and expenses in comparative format for fiscal year 2011 and fiscal year 2010. The Statements of Cash Flows on pages 23 and 24 report the sources and uses of cash for fiscal years 2011 and 2010. The Statements of Fiduciary Net Assets on page 25 and Statements of Changes in Fiduciary Net Assets on page 26 report the balances and activity of the Lottery's Retirement Plan for fiscal years 2011 and 2010.

**Notes to Financial Statements.** The Notes to Financial Statements on pages 27 to 45 provide additional information that is essential for a full understanding of the financial statements and provide more detailed data.

**Budgetary Comparison Statements.** The Budgetary Comparison Statements on page 46 show the variances between the budgets and actual Lottery performance.

**Schedules of Percentage Return to the State of New Mexico.** The Schedules of Percentage Return to the State of New Mexico on page 47 reports the percentages of gross revenues that were returned to the State of New Mexico for fiscal years 2011 and 2010 in compliance with the New Mexico Lottery Act.

To assess the Lottery's financial position and financial health, the reader of these statements should pay particular attention to changes in the components of assets and liabilities as set forth in the Statements of Net Assets; in changes in total revenues, game expenses, operating expenses, non-operating income and net income as set forth in the Statements of Revenues, Expenses, and Changes in Net Assets; and in the sources and uses of cash as set forth in the Statements of Cash Flows.

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

#### FINANCIAL ANALYSIS

#### **Total Net Assets**

At the end of fiscal years 2011 and 2010, the Lottery's total assets and total liabilities were equal with total net assets reduced to zero. The Lottery has no reserve balances on its books, transferring its net revenues for the previous month to the Lottery Tuition Fund each month.

#### <u>Assets</u>

				Table 1 Assets			
	2011	2010	2009	Increase (Decrease) \$ Change 2010 to 2011	Increase (Decrease) % Change 2010 to 2011	Increase (Decrease) \$ Change 2009 to 2010	Increase (Decrease) % Change 2009 to 2010
Cash and cash							
equivalents	\$ 5,561,825	\$ 2,988,826	\$ 4,089,266	\$ 2,572,999	86.1%	\$ (1,100,440)	(26.9)%
Accounts receivable,							
net	885,691	2,219,806	1,717,935	(1,334,115)	(60.1)	501,871	29.2
Reserves on deposit	2,925,251	2,698,135	2,648,344	227,116	8.4	49,791	1.9
Inventory	11,334	96,342	9,262	(85,008)	(88.2)	87,080	940.2
Prepaid expenses	113,005	103,401	105,998	9,604	9.3	(2,597)	(2.5)
Total current assets	9,497,106	8,106,510	8,570,805	1,390,596	17.2	(464,295)	(5.4)
Capital assets, net	168,065	317,497	254,593	(149,432)	(47.1)	62,904	24.7
Total assets	\$ 9,665,171	\$ 8,424,007	\$ 8,825,398	\$ 1,241,164	14.7%	\$ (401,391)	(4.5)%

Compared to each prior fiscal year, the Lottery's cash and cash equivalents increased at the end of fiscal year 2011 by \$2,572,999 or 86.1% and decreased at the end of fiscal year 2010 by \$1,100,440 (26.9)%. The changes in cash and cash equivalents relate mainly to changes in accounts receivable, accounts payable and prizes payable at the end of each fiscal year compared to the prior fiscal year.

Accounts receivable from the Lottery's retailers are collected weekly each Thursday through electronic bank transfers. Receivables are equal to sales by retailers net of any prizes paid by the retailers and any commissions earned, less the allowance for bad debts and plus any miscellaneous receivables from any other source. Accounts receivable decreased at the end of fiscal year 2011 by \$1,334,115, (60.1)%. This decrease mainly occurred because the regular electronic bank transfers of \$1,412,866 were collected on the last day of the fiscal year, Thursday, June 30<sup>th</sup>, which also contributed to the increase of cash at year-end. Accounts receivable increased at the end of fiscal year 2010 by \$501,871 or 29.2%. In fiscal year 2010, sales for the last week and a half were higher than in the prior fiscal year, partially from including one additional day of sales in accounts receivable.

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

### FINANCIAL ANALYSIS - CONTINUED

### **Total Assets -Continued**

The Lottery has amounts on deposit with MUSL called reserves on deposit, as required by the Powerball® (Powerball), Hot Lotto® (Hot Lotto), and Mega Millions® (Mega Millions) game rules and an unreserved account for payment of expenses and to record receipts of interest on the deposits. The changes in these accounts in both fiscal years 2011 and 2010 of \$227,116 and \$49,791, respectively, were caused by the receipt of interest earned on the deposits with MUSL; payments of game expenses; additions to the Hot Lotto reserve account, as required by the Hot Lotto game rules; and re-balancing of the Powerball reserve accounts. Additionally, in fiscal year 2010, a reserve account for the new game, Mega Millions, was established in compliance with the Mega Millions game rules and in fiscal year 2011 this reserve account grew by \$146,009.

The inventory balance at the end of fiscal year 2011 decreased by \$85,008, (88.2)%, whereas in fiscal year 2010 the balance increased by \$87,080, a 940.2% increase. The Lottery has agreements signed in March 2003 and 2010, with its primary instant ticket printer, whereby the tickets printed are owned by the vendor with the Lottery having an obligation to pay for the tickets when the tickets are sold. But, under an agreement signed with a secondary instant ticket printer in March 2010, the Lottery began purchasing the instant tickets printed by this vendor. The Lottery has accounted for four games printed under this agreement as ticket inventory using the specific identification method at the lower of cost or market. The inventory balance for these tickets at June 30, 2010 was \$96,342. During fiscal year 2011, three of the four games' tickets were depleted and the games were ended leaving a residual inventory balance of \$11,334 for only one game. Furthermore, there were no merchandise prizes for second chance drawings in prize inventory in either fiscal year 2011 or fiscal year 2010, as there had been in previous fiscal years.

As part of the agreement with INTRALOT, Inc. to provide an updated on-line gaming system, the Lottery installed and implemented a new internal control system (ICS) in fiscal year 2009. The cost of the ICS is included in the fixed fee paid to the vendor as a percentage of net sales. The Lottery has accounted for this transaction as a capital lease and, therefore, the ICS cost of \$43,600 is reflected in capital assets. The related liability for the ICS is included in the current portion of capital lease obligation (\$6,228 and \$6,229 at June 30, 2011 and 2010, respectively) and in the noncurrent portion of capital lease obligation (\$21,281 and \$27,509 at June 30, 2011 and 2010, respectively).

There were no significant changes in capital assets in fiscal years 2011 and 2010; \$11,402 and \$201,536 in capital asset purchases and \$160,834 and \$138,632 in depreciation, for the two fiscal years, respectively.

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

#### **FINANCIAL ANALYSIS – CONTINUED**

#### <u>Liabilities</u>

Table 2 Liabilities

	2011	2010	2009	Increase (Decrease) \$ Change 2010 to 2011	Increase (Decrease) % Change 2010 to 2011	Increase (Decrease) \$ Change 2009 to 2010	Increase (Decrease) % Change 2009 to 2010
Accounts pay-							
able and other							
current liabilities	\$ 1,829,650	\$ 1,674,615	\$ 1,883,818	\$ 155,035	9.3%	\$ (209,203)	(11.1)%
Current portion							
of capital lease							
obligation	6,228	6,229	6,228	(1)	-	1	-
Prizes payable	4,592,530	3,314,240	4,142,150	1,278,290	38.6	(827,910)	(20.0)
Due to Lottery							
Tuition Fund	3,215,482	3,401,414	2,759,464	(185,932)	(5.5)	641,950	23.3
Total current liabilities	9,643,890	8,396,498	8,791,660	1,247,392	14.9	(395,162)	(4.5)
Noncurrent por-							
tion of capital							
lease obligation	21,281	27,509	33,738	(6,228)	(22.6)	(6,229)	(18.5)
Total liabilities	\$ 9,665,171	\$ 8,424,007	\$ 8,825,398	\$ 1,241,164	14.7%	\$ (401,391)	(4.5)%

Accounts payable and other current liabilities increased by \$155,035 or 9.3% at the end of fiscal year 2011, while in fiscal year 2010 the balance decreased by \$209,203, (11.1)%. In both fiscal years, the changes compared to the prior fiscal year were mainly due to amounts owed to four vendors for advertising, on-line system, and instant ticket printing fees and the lottery's share of prizes payable to MUSL for Powerball, Hot Lotto, and Mega Millions. Sales amounts and advertising placed during the last few weeks of each fiscal year will generally determine the amounts owed at the end of each fiscal year to these vendors and whether that amount is higher or lower than in the prior fiscal year.

Prizes payable is essentially comprised of amounts accrued based on the Lottery's game designs and prize structures for drawing game and instant game prizes, the related unremitted federal and state taxes withheld on prizes claimed, and any unclaimed prizes in the prize fund. At the end of fiscal year 2011 prizes increased by \$1,278,290 or 38.6%, whereas at the end of fiscal year 2010, prizes payable decreased by \$827,910 or (20.0)%. These differences relate to the changes of prizes payable on individual Lottery games between the years as a result of sales in each year and prizes not yet claimed. At the end of fiscal year 2011,

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

#### FINANCIAL ANALYSIS – CONTINUED

#### <u>Liabilities – Continued</u>

the liability increased for instant games by \$920,333, for Pick 3 by \$990, and for Mega Millions by \$10,481, but decreased for Powerball by \$106,354, for Roadrunner Cash by \$33,627 and for Hot Lotto by \$18,802. At the end of fiscal year 2010, the liability decreased from the previous fiscal year for instant game prizes by \$431,888, for Powerball by \$448,813, for Pick 3 by \$6,255, and for Hot Lotto Payable by \$9,724. The Prize Payable was more than for the previous fiscal year for Roadrunner Cash and the new game, Mega Millions by \$36,441 and \$47,303, respectively. These changes in individual prize liability contributed to the change in prizes payable at the end of each fiscal year compared to the prior fiscal year. In addition, at the end of the previous two fiscal years, the changes in prizes payable can also be attributed to changes in unclaimed prizes being carried over for planned use in the game designs and prize structures of Lottery games of \$507,769 and (\$17,464), respectively, for fiscal years 2011 and 2010.

At the end of fiscal years 2011 and 2010, \$3,215,482 and \$3,401,414, respectively, of net revenues for the month of June were due to the Lottery Tuition Fund. These funds were transferred to the New Mexico State Treasurer by the end of July of each year.

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

#### FINANCIAL ANALYSIS - CONTINUED

#### **Net Sales and Prize Expense**

Table 3 Net Sales and Prize Expense								
		_		2011				
		Net Sales		Prize Expense		Gross Margin		
Instant ticket, net of prize, stolen, and promotional tickets	\$	75,763,424	\$	42,313,901	\$	33,449,523		
Powerball, net of spoiled and promotional tickets		29,080,968		14,519,181		14,561,787		
Mega Millions, net of spoiled and promotional tickets		10,655,528		5,450,887		5,204,641		
Roadrunner Cash, net of spoiled and promotional tickets		8,748,662		5,524,466		3,224,196		
Hot Lotto, net of spoiled and promotional tickets		7,563,516		3,655,097		3,908,419		
Pick 3, net of spoiled and promotional tickets		3,728,936		2,149,805		1,579,131		
Total	\$	135,541,034	\$	73,613,337	\$	61,927,697		

-

Instant ticket, net of prize, stolen, and promotional tickets Powerball, net of spoiled and promotional tickets Mega Millions, net of spoiled and promotional tickets Roadrunner Cash, net of spoiled and promotional tickets Hot Lotto, net of spoiled and promotional tickets Pick 3, net of spoiled and promotional tickets

Total

2010								
	Net Sales		Prize Expense		Gross Margin			
\$	78,420,660	\$	45,033,793	\$	33,386,867			
	41,134,525		20,583,573		20,550,952			
	3,846,692		2,002,238		1,844,454			
	7,648,383		4,469,653		3,178,730			
	9,130,469		4,467,962		4,662,507			
	3,405,693		2,049,350		1,356,343			
\$	143,586,422	\$	78,606,569	\$	64,979,853			

Instant ticket, net of prize, stolen, and promotional tickets Powerball, net of spoiled and promotional tickets Roadrunner Cash, net of spoiled and promotional tickets Hot Lotto, net of spoiled and promotional tickets Pick 3, net of spoiled and promotional tickets

Total

\$ (Decrease) from FY 2010 to FY 2011

% (Decrease) from FY 2010 to FY 2011

\$ Increase from FY 2009 to FY 2010

% Increase from FY 2009 to FY 2010

	2000		
Net Sales	2009 Prize Expense		Gross Margin
\$ 80,579,767	\$ 46,955,185	\$	33,624,582
43,938,481	21,996,737		21,941,744
6,444,473	3,489,220		2,955,253
8,418,573	4,129,217		4,289,356
2,894,735	1,736,980		1,157,755
\$ 142,276,029	\$ 78,307,339	\$	63,968,690
\$ (8,045,388)	\$ (4,993,232)	\$	(3,052,156)
(5.6)%	(6.4)%		(4.7)%
\$ 1,310,393	\$ 299,230	\$	1,011,163
0.9%	0.4%		1.6%

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

### FINANCIAL ANALYSIS – CONTINUED

#### Net Sales and Prize Expense - Continued

Table 3 compares net sales, prize expense and gross margin (net sales minus prize expense) for each lottery game for fiscal years 2011, 2010, and 2009. In fiscal year 2011, Mega Millions, Roadrunner Cash, and Pick 3 net sales, prize expense, and gross margin increased, but net sales, prize expense and gross margin decreased for Powerball and Hot Lotto. Although net sales for instant tickets in fiscal year 2011 decreased by 3.39%, gross margin increased by more than \$62,656 in comparison to the previous fiscal year. This change was due to a lower prize expense for instant tickets in fiscal year 2011. In fiscal year 2010, Hot Lotto, Roadrunner Cash and Pick 3 net sales, prize expense and gross margin increased, but decreased for instant games and Powerball. Mega Millions was introduced at the end of January 2010 providing over \$1.8 million in gross margin.

### Net Sales

In both fiscal years 2011 and 2010, the Lottery has continued to use the customer relationship management (CRM) system for placing instant game tickets at retailer locations. The Lottery's customer service representatives continue to place calls each week to each retailer location, review the inventory at each location with the retailer, and place orders continually as needed based on the inventory turnover at each location. In fiscal year 2011, forty-eight new instant ticket games were launched - 20 - \$1, 10 - \$2, 7 - \$3, 9 - \$5, 1 - \$10, and 1 - \$20-2 less \$1, 4 less \$2, 1 more \$5, and 1 less \$10 game than in fiscal year 10. In fiscal year 2010, fifty-four new instant ticket games were launched - 22 - \$1, 14 - \$2, 7 - \$3, 8 - \$5, 2 - \$10, 1 - \$20-5 more \$1, 2 less \$3, 2 less \$5, 1 less \$20 than in fiscal year 2009. In fiscal year 2011, the Lottery launched 24 games with free (prize) tickets and 24 games without free tickets, while in fiscal year 2010, the Lottery launched 22 games with free tickets and 32 games without free Instant tickets sales for 11 months of fiscal year 2011 were lower than the tickets. comparable month in the prior fiscal year, with only June 2011 having higher sales than in June 2010. Instant tickets sales for 9 months of fiscal year 2010 were lower than in the comparable month in the previous fiscal year, with only November 2009, December 2009, and March 2010 sales being higher in fiscal year 2010. From fiscal year 2007 when net instant ticket sales were \$91.4 million, net instant ticket sales have decreased by \$15.6 million or an approximate 17% drop in net instant ticket sales.

Powerball sales are generally driven by the advertised jackpot. In fiscal year 2011, the highest jackpot for the year was \$221.7 million with two other jackpots reaching \$201.9 million and \$182.1 million, three smaller jackpots reaching \$116, \$128.6 and \$122.1 million and ten jackpots that were less than \$100 million at the time that they were won. Smaller dollar jackpots than in previous fiscal years and ten jackpots being won at levels less than \$100 million, as well as having another similar national game, Mega Millions, contributed to fiscal year 2011 net sales being less than in the previous fiscal year by over \$12 million dollars. In fiscal year 2010, there were 3 jackpots that surpassed \$250 million with one other jackpot reaching \$211.7 million and three other jackpots exceeding \$125 million before being won.

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

### FINANCIAL ANALYSIS - CONTINUED

#### <u>Net Sales and Prize Expense - Continued</u>

#### Net Sales – Continued

Compared to fiscal year 2011, only five jackpots were won in fiscal year 2010 that were less than \$100 million. Powerball sales in fiscal year 2010 were also affected by another national jackpot game, Mega Millions, being introduced by the Lottery at the end of January 2010. Two Powerball jackpots in fiscal year 2010 of \$258.5 million and \$261.6 million following the introduction of Mega Millions did not produce the sales that a similar jackpot of \$259.9 million had produced earlier in the fiscal year in August. Adding a new big jackpot game in fiscal year 2010 and the lower jackpot amounts reflect in the Powerball net sales for both fiscal years. Since fiscal year 2008, there have not been any jackpots that reached the level of fiscal year 2008's \$314.3 million jackpot and \$276.3 million jackpot before being won. Since fiscal year 2008, Powerball net sales have decreased by \$15.4 million or a decrease of approximately 34.6%.

Mega Millions' sales are also driven by the jackpot amount. In fiscal year 2011, there were two jackpots that climbed to \$355 and \$312 million dollars with two jackpots rising to \$133 and \$140 million dollars and seven jackpots at levels less than \$100 million before being won. Although, Mega Millions' jackpots rose to over \$300 million on two occasions during the year, the average monthly net sales were \$888,000 compared to Powerball's average monthly net sales of \$2.4 million. In fiscal year 2010, following the commencement of sales on January 31, 2010, there was one jackpot that climbed to \$266 million and one jackpot that rose to \$133 million with five jackpots that were at levels less than \$100 million before being won. Net sales for the five month period in fiscal year 2010 were \$3.8 million or an average of \$769,000 per month. For fiscal year 2010, Powerball monthly net sales averaged more than \$3.4 million.

Similar to the Powerball and Mega Millions games, Roadrunner Cash sales are driven by the jackpot prize amount. In fiscal year 2011, the jackpot climbed to more than \$150,000 ten times, rising to \$495,000 before being won on January 1, 2011 and to \$470,000 in July and September 2010. In fiscal year 2010, the jackpot rose to more than \$150,000 on eight occasions; climbing to \$502,000 and \$462,000 in April and January 2010, respectively. These differences in the top prizes reflected on the net sales in these fiscal years and the respective monthly net sales during these jackpot increases.

The MUSL game, Hot Lotto, is another smaller national jackpot game offered by the Lottery. Hot Lotto began fiscal year 2011 with a \$2.3 million jackpot prize, which continued to climb for six months to \$16.5 million when it was won at the end of December 2010. The jackpot then climbed again until the beginning of May 2011 to \$9.09 million before being won and then climbed again to \$2.24 million and \$1.05 million before being hit twice in June. Monthly Hot Lotto net sales in fiscal year 2011 reflect the changes in the jackpots during the year.

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

### FINANCIAL ANALYSIS - CONTINUED

### Net Sales and Prize Expense - Continued

During fiscal year 2010 the jackpot prize climbed to \$16.6 million, to \$6.78 million, to \$3.61 million, and to \$9.9 million along with smaller jackpots of \$1.1 million and 1.15 million before being won. Monthly net sales reflect these changes in jackpot during the fiscal year.

Pick 3 net sales in the last two fiscal years increased by \$323,243 and \$510,958, respectively, compared to the net sales in the previous fiscal years. Pick 3 has become a core game for the Lottery bringing in steady monthly net sales.

### Prize Expense

Prize expense for the drawing games of Powerball, Mega Millions and Hot Lotto is based on the overall prize payout per the game design, while prize expense for Roadrunner Cash and Pick 3 is determined by the prizes won for each drawing. The prizes included in the prize structure for each instant game printed determine prize expense for instant games. In general, prize expense increases or decreases from year-to-year relative to the increases or decreases in sales for each Lottery product and the prize structures of the games. In fiscal year 2011, prize payout decreased by approximately 1.8% prior to the application of unclaimed prizes, while in fiscal year 2010, prize payout for all the Lottery's games decreased by approximately .25% prior to the application of unclaimed prizes; each fiscal year compared to the respective prior fiscal year.

At the end of the claim period for each game, unclaimed prizes for the Lottery's instant games and drawing games are paid into the "Prize Fund," in accordance with the New Mexico Lottery Act. These unclaimed prizes from the Lottery's prize fund are used to supplement the prizes in instant and drawing games and for second chance drawings and, therefore, reduce the prize expense for Lottery products and help the Lottery to maximize its sales and its return to education.

# Prize Tickets

In fiscal year 2011, prize tickets claimed for instant games increased by \$287,376 or 10.27%, while in fiscal year 2010, prize tickets claimed for instant games increased by \$1,210,236 or 76.2%, in comparison to the previous fiscal years. Prize tickets are placed in the prize structure of the game in lieu of the breakeven prizes. Prize tickets give a player a prize of another instant game ticket of the same price point as the instant ticket that had the winning prize ticket. In the past few years, the Lottery has been studying the market to determine the optimum quantity of prize tickets to place each fiscal year in its instant ticket games in order to optimize its instant ticket sales.

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

#### FINANCIAL ANALYSIS – CONTINUED

#### **Game Expenses**

#### Table 4 Game Expenses

	2011	2010	2009	Increase (Decrease) \$ Change 2010 to 2011	Increase (Decrease) % Change 2010 to 2011	Increase (Decrease) \$ Change 2009 to 2010	Increase (Decrease) % Change 2009 to 2010
Prize expense	\$ 73,613,337	\$ 78,606,569	\$ 78,307,339	\$ (4,993,232)	(6.4)%	\$ 299,230	0.4%
Retailer							
commissions	8,859,206	9,363,616	9,271,602	(504,410)	(5.4)	92,014	1.0
Advertising	2,286,794	2,160,112	2,177,579	126,682	5.9	(17,467)	(0.8)
On-line vendor							
fees	2,170,366	2,290,586	4,009,103	(120,220)	(5.2)	(1,718,517)	(42.9)
Ticket vendor							
fees	1,350,379	1,597,118	1,596,931	(246,739)	(15.4)	187	0.0
Other game							
expenses	1,014,200	968,351	993,965	45,849	4.7	(25,614)	(2.6)
Total game							
expenses	\$ 89,294,282	\$ 94,986,352	\$ 96,356,519	\$ (5,692,070)	(6.0)%	\$ (1,370,167)	(1.4)%

The changes in retailer commissions for fiscal years 2011 and 2010 are consistent with the changes in gross ticket sales for the two years and are equivalent to 6.5% of gross revenues for the two years. Retailer commissions are paid to the Lottery's retailers for selling Lottery tickets, cashing Lottery prizes and for selling a jackpot prize for Powerball, Mega Millions and Hot Lotto and a top prize of more than \$100,000 for Roadrunner Cash.

Prior to November 21, 2008, on-line vendor fees were made up of two fees that were paid to the provider of the Lottery's on-line gaming system. One fee was 8.5236% of drawing game sales. The other fee was a weekly communication fee of \$24.00 for each retailer terminal. Since November 21, 2008, the on-line vendor fee has been a fixed 1.5% of net sales, plus applicable gross receipts taxes, with no additional terminal fee. Normally, the on-line fee, the old and new fee, increases or decreases as drawing game/net sales increase or decrease and the communication fee increased or decreased depending on the number of sales terminals located at the Lottery's retailer locations. The changes in the on-line vendor fees for the two fiscal years are consistent with the changes in drawing game sales/net sales and changes in fee structure in fiscal years 2011 and 2010 and are equivalent to 1.6% of gross revenues for the two years.

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

#### **FINANCIAL ANALYSIS – CONTINUED**

#### **Game Expenses - Continued**

Advertising is expended to market the Lottery and its products to the public and to inform the public about the games that are available, the jackpot and top prize amounts for the drawing games, to provide security tips and gambling awareness for our players and benefit messages to New Mexico students and their families, and to keep the lottery products fresh in the public's minds, all in order to maximize sales. Advertising expense was approximately 1.69% and 1.50% of gross revenues, respectively, for fiscal years 2011 and 2010 and stayed within the Lottery Board approved budgets of \$2,300,000 and \$2,280,000, respectively, for each fiscal year.

In fiscal years 2010 and 2003, the Lottery signed contracts with its primary ticket printer effective in March of each respective year. Under these contracts, the instant tickets are owned by the vendor with the Lottery expensing the cost to ticket vendor fees and paying for the tickets as a percentage of sales when the tickets are sold. The cost for the tickets under the 2003 contract also included the cost for the CRM system used by the Lottery. In addition, in March 2010, the Lottery signed a contract with a secondary printer, whereby the Lottery would be purchasing the tickets printed. These tickets are included in inventory with the cost of the tickets being recorded as ticket vendor fees as the tickets are consigned to retailers. In fiscal year 2011 and 2010, the cost for any licensing fees or special printing costs are also included in ticket vendor fees, rather than being allocated to the prize structure for the game as in previous years. The ticket vendor fees for fiscal year 2011 are less due to lower instant ticket sales, but also as a result of payment of a lower percentage of net sales to the primary ticket printer compared to fiscal year 2010 where the percentage was higher and was paid on gross sales rather than net sales. This lower fee is reflected in the lower percentage of gross revenues for ticket vendor fees of 1.00% compared to the previous year's 1.11% of gross revenues.

Included in other game expenses are shipping and postage, promotions, drawing game, responsible gaming, game membership, and instant ticket vending machine lease expenses. Fiscal years 2011 and 2010 reflect an increase of \$45,849 or a 4.7% increase and a \$25,614 (2.6)% decrease in other game expenses, respectively. In fiscal year 2011 this increase was due to an increase in the shipping cost to distribute instant tickets to the Lottery's retailers and to the cost of purchasing replacement ticket dispensers for the Lottery's retailers, offset with savings in drawing game expenses. In fiscal year 2010 this decrease is primarily due to no longer having to pay an additional fee for the ticket vending machines and savings in game membership expenses, offset with an increase in shipping and postage expenses for instant ticket shipments to retailers. Ticket vending machines for both drawing game tickets and instant game tickets are included as part of the on-line system agreement's percentage of net sales fee, effective in November 2008.

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

#### FINANCIAL ANALYSIS - CONTINUED

#### **Operating Expenses**

	2011	2010	2009	(Decrease) \$ Change 2010 to 2011	(Decrease) % Change 2010 to 2011	Increase (Decrease) \$ Change 2009 to 2010	Increase (Decrease) % Change 2009 to 2010
Salaries, wages,							
and benefits	\$ 3,456,748	\$ 3,468,593	\$ 3,580,649	\$ (11,845)	(0.3)%	\$ (112,056)	(3.1)%
Leases and							
insurance	593,740	613,877	610,217	(20,137)	(3.3)	3,660	0.6
Other operating							
expenses	924,601	928,159	1,202,808	(3,558)	(0.4)	(274,649)	(22.8)
Total operating							
expenses	\$ 4,975,089	\$ 5,010,629	\$ 5,393,674	\$ (35,540)	(0.7)%	\$ (383,045)	(7.1)%

#### Table 5 Operating Expenses

Operating expenses are made up of salaries, wages and benefits, leases and insurance, and other operating expenses, which include utilities and maintenance, professional fees, depreciation and amortization, materials and supplies, travel, and other expenses. In fiscal year 2011 and 2010, the Lottery decreased its total operating expenses by \$35,540 (0.7)% and \$383,045 (7.1)%, respectively. The decreases in fiscal year 2011 and 2010 are partially due to \$11,845 and \$112,056, savings in salaries, wages and benefits. Several vacated positions were not immediately filled in both years, thus, resulting in some cost savings in this area. Also, in fiscal year 2011, the Lottery had savings in lease and insurance expense by protesting and reducing its property taxes and by reducing the insurance premiums paid. In fiscal year 2011, the Lottery also had savings in equipment and building maintenance costs and in the cost of legal and other professional fees, which were offset by increases in depreciation and amortization, material and supplies purchases, travel expenses and other expenses. In fiscal year 2010, the Lottery did not have the on-line conversion costs from the previous fiscal year and had a decrease in depreciation and professional fees expenses.

### **Non-Operating Income**

Non-operating income decreased in fiscal years 2011 and 2010 mainly due to the decrease in interest rates and the related interest earned on the Lottery's deposits. In addition, in both fiscal years, other income was reduced because the sublease for the building occupied by the former on-line vendor ended in January 2009.

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

#### FINANCIAL ANALYSIS - CONTINUED

#### <u>Net Income</u>

	Total Revenues	Net Income	
Fiscal Year 2011	\$ 135,541,708	\$ 41,307,290	
Fiscal Year 2010	\$ 143,538,772	\$ 43,608,826	
Fiscal Year 2009	\$ 142,316,217	\$ 40,814,372	
Decrease from FY 2010 to FY 2011	\$ (7,997,064)	\$ (2,301,536)	
% Decrease from FY 2010 to FY 2011	(5.6)%	(5.3)%	
Increase from FY 2009 to FY 2010	\$ 1,222,555	\$ 2,794,454	
% Increase from FY 2009 to FY 2010	0.9%	6.8%	

Effective July 1, 2007, the New Mexico Lottery Act, Chapter 6, Article 24 NMSA 2978, was changed to require the Lottery to transmit at least twenty-seven percent of its gross revenues to the State Treasurer until December 31, 2008 and at least thirty percent of its gross revenues thereafter. In fiscal years 2011 and 2010, the Lottery transmitted its net income each month, totaling \$41,307,290 and \$43,608,826, respectively. The gross revenue percentage return for fiscal year 2011 was 30.47% and for fiscal year 2010 was 30.37%. The Lottery was able to meet the 30% gross revenue percentage returns each month in both fiscal years.

The changes in net income for fiscal years 2011 and 2010 were related to the changes in sales for the Lottery's games during the two years netted against savings in the cost of the product and operating expenses during the two fiscal years.

In addition to the changes that had been made in fiscal year 2008 of reducing staffing, retailer and sales staff incentives, advertising costs, and prize expense to meet the statutory requirement of 27% through December 2008 and 30% thereafter for gross revenue percentage return; the Lottery also commenced a new on-line system agreement in November 2008, whereby the fee to the on-line vendor was reduced, and separate terminal communication fees and vending machine fees that had previously been paid were eliminated. This change has provided a percentage reduction of the on-line vendor fees to gross revenues of over 3% in both fiscal year 2011 and 2010 compared to fiscal year 2008.

# MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

### FINANCIAL ANALYSIS – CONTINUED

### **Budgetary Comparison**

			2011		
	Original Budget	Final Budget	Actual	Variance with Final Budget	% Variance with Final Budget
Total revenues	\$ 146,000,000	\$ 132,700,000	\$ 135,541,708	\$ 2,841,708	2.1%
Total game expenses	96,271,000	87,567,000	89,294,282	1,727,282	2.0
Total operating expenses	5,975,000	5,344,000	4,975,089	(368,911)	(6.9)
Operating income	43,754,000	39,789,000	41,272,337	1,483,337	3.7
Total non-operating income Net income before transfers to	75,000	30,000	34,953	4,953	16.5
Lottery Tuition Fund	\$ 43,829,000	\$ 39,819,000	\$ 41,307,290	\$ 1,488,290	3.7%
			2010		
	Original Budget	Final Budget	Actual	Variance with Final Budget	% Variance with Final Budget
Total revenues	\$ 139,000,000	\$ 140,930,000	\$ 143,538,772	\$ 2,608,772	1.9%
Total game expenses	91,560,000	93,254,000	94,986,352	1,732,352	1.9
Total operating expenses	5,900,000	5,378,000	5,010,629	(367,371)	(6.8)
Operating income	41,540,000	42,298,000	43,541,791	1,243,791	2.9
Total non-operating income Net income before transfers to	228,000	125,000	67,035	(57,965)	(46.4)
Lottery Tuition Fund	\$ 41,768,000	\$ 42,423,000	\$ 43,608,826	\$ 1,185,826	2.8%

In fiscal year 2011, the original fiscal year budget was revised because instant ticket, Powerball, Mega Millions and Hot Lotto sales were not performing as planned and Roadrunner Cash and Pick 3 sales were exceeding the budgeted sales. The sales budget was

#### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) - CONTINUED

#### FINANCIAL ANALYSIS - CONTINUED

#### **Budgetary Comparison**

reduced by a total of \$13.9 million, which was made up of a reduction in instant ticket sales of \$6.5 million, Powerball sales of \$9 million, Mega Million sales of \$1.5 million, and Hot Lotto sales of \$1 million and increasing Roadrunner Cash sales by \$3.5 million and Pick 3 sales by \$600,000. Prize tickets were also reduced by \$550,000, spoiled, stolen, and promotional tickets were reduced by \$55,000 and retailer fees were reduced by \$5,000. All of these changes decreased total revenues by \$13.3 million. Non-operating revenues were also reduced by \$45,000 due to the continued reduction in interest rates. In total, gross revenues were decreased by \$13,345,000.

Related game expenses for prize expense, retailer commissions, on-line vendor fees, ticket vendor fees, promotions and game membership expense were also reduced in accordance to the changes in sales with a total reduction in game expenses of \$8.7 million. Shipping and postage was increased due to the additional cost of distributing instant tickets to the retailers and drawing game cost was also increased slightly. Advertising and responsible gaming costs were kept at the same amounts in the fiscal year revised budget as they were in the original budget. Operating expenses were reduced by \$631,000, which was primarily made up of reductions of \$477,000 in salaries, wages and benefits, \$80,000 in utilities and maintenance, and \$56,000 in travel. Four other operating expense line items were also reduced and only one line item in operating expenses was increased, which was professional fees. Professional fees were increased for the cost of a network upgrade, which was planned for the end of the fiscal year, but then moved into fiscal year 2012. Net income was reduced by just over \$4 million, with the budget still forecast to return 30% of gross revenues.

In fiscal year 2010, the original fiscal year budget was revised as a result of adding a new jackpot game, Mega Millions, at the end of January 2010 and due to instant ticket and Powerball sales under performing and Roadrunner Cash, Hot Lotto, and Pick 3 sales staying ahead of the original budget. The sales budget was increased by \$1.5 million made up of a reduction in instant ticket sales of \$3 million and in Powerball sales of \$4 million; an increase of \$1 million for Roadrunner Cash sales, \$1.5 million for Hot Lotto sales, and \$700,000 for Pick 3 sales; and adding \$5.3 million as Mega Million sales for the five months remaining in the fiscal year. Prize tickets were also reduced by \$300,000, spoiled, stolen and promotional tickets reduced by \$117,000; and retailer fees increased by \$13,000. All of these changes increased total operating revenues by \$1,930,000. Non-operating income was reduced by \$103,000 due to a decrease in interest rates in the current year. Gross revenues increased by \$1,827,000.

Related game expenses for prize expense, retailer commissions, on-line vendor fees, advertising, ticket vendor fees, and other game expenses were adjusted in accordance to the changes in sales with a total adjustment of \$1,694,000 to game expenses. Each line item in operating expenses was reduced for a total reduction of \$522,000 and net income was increased by \$655,000, still returning over 30% of gross revenues.

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

### FINANCIAL ANALYSIS - CONTINUED

### **Budgetary Comparison - Continued**

Actual net sales for fiscal year 2011 improved by year end, with total revenues exceeding the revised budget by over \$2.8 million; ending the fiscal year at over 102.14% of the revised budget. Net income exceeded the revised budget by nearly \$1.5 million; ending the fiscal year at 103.74% of the revised budget. Operating expenses were reduced beyond the revised budget by \$369,000; ending the year at 93.1% of the revised budget. Savings in operating expenses, as well as savings in game expenses assisted in producing a higher net income return than expected per the revised budget.

Net sales for the fiscal year exceeded expectation for 2010 with actual total revenues surpassing the revised budget by \$2,608,772 or ending the year at 101.9% of the revised budget. Along with the increase in net sales, game expenses directly increased by \$1,732,352 staying in line with the increase in net sales and at 101.9% of the revised budget. Operating expenses were \$367,371 less than the revised budget at 93.17%, with cost savings in salaries, wages and benefits of \$161,407, in professional fees of \$60,006, in utilities and maintenance of \$45,308 and in each of the other operating expense line items for a total of \$100,650. Net income exceeded the revised budget by \$1,185,826 and ended the year at 102.8% of the revised budget.

### Subsequent Event

Effective January 15, 2012, the Powerball game will be changing to a \$2 price point from the current \$1 price point. Along with this price change, the jackpot will start at \$40 million, up from the current \$20 million jackpot. This will be a 5 of 59 and 1 of 35 game with the first set of numbers remaining the same and the second set of numbers going from 39 to 35. Two prize levels are changing. The Match 5 + 0 prize level is changed from a \$200,000 cash prize to \$1 million cash prize. The Match 0 + 1 prize level is changed from a \$3 prize to a \$4 prize. All other prize levels remain the same. The odds of winning a prize playing Powerball will improve from 1 in approximately 35 to 1 in approximately 31.8. The jackpot odds will improve from 1 in approximately 195 million to 1 in approximately 175 million. Power Play will still be \$1 per wager. The multiplier options (2x, 3x, 4x, and 5x) will be discontinued. Instead, the Power Play option will offer increased set prizes levels; starting with the Match 5 + 0 and Power Play paying \$2 million and going to the lowest prizes for Match 0 + 1 and Power Play or Match 1 + 1 and Power Play paying a \$12 prize with incremental Power Play prizes in between. The Match 5 BONUS Roll Down prize, which occurred when the jackpot is capped at the previous "record" jackpot by jumps of no more than \$25 million annuity, has been removed and will no longer be used. The effect on the Lottery's Powerball ticket sales because of these game changes is not known at this time, but may result in loss in wagers.

### MANAGEMENT'S DISCUSSION AND ANALYSIS (UNAUDITED) – CONTINUED

### FINANCIAL ANALYSIS - CONTINUED

### **Requests for Additional Financial Information**

This financial report is designed to provide the executive and legislative branches of the State of New Mexico, the public, the Lottery's retailers, vendors, creditors, and other interested parties with a general overview of the financial position as of June 30, 2011 and 2010, and results of its operations, cash flows, variances from budgets, and percentage return to the state for the years then ended for the Lottery and to demonstrate the Lottery's accountability for the revenues it receives. If you have any questions about this report or need additional information, contact the Director of Finance at the New Mexico Lottery Authority, P.O. Box 93130, Albuquerque, New Mexico 87199.

# **STATEMENTS OF NET ASSETS**

## June 30, 2011 and 2010

		2011		2010
CURRENT ASSETS				
Cash and cash equivalents	\$	5,561,825	\$	2,988,826
Accounts receivable (net of allowance				
for doubtful accounts)		885,691		2,219,806
Reserves on deposit		2,925,251		2,698,135
Inventory		11,334		96,342
Prepaid expenses		113,005		103,401
Total current assets		9,497,106		8,106,510
CAPITAL ASSETS, NET		168,065		317,497
Total assets	\$	9,665,171	\$	8,424,007
CURRENT LIABILITIES				
Accounts payable and other current liabilities	\$	1,829,650	\$	1,674,615
Current portion of capital lease obligation	·	6,228	·	6,229
Prizes payable		4,592,530		3,314,239
Due to Lottery Tuition Fund		3,215,482		3,401,415
Total current liabilities		9,643,890		8,396,498
LONG-TERM LIABILITIES				
Noncurrent portion of capital lease obligation		21,281		27,509
Total liabilities	\$	9,665,171	\$	8,424,007
NET ASSETS				
Invested in capital assets, net of related debt	\$	168,065	\$	317,497
Unrestricted net assets (deficit)	Ŧ	(168,065)	•	(317,497)
-				
Total net assets	\$	-	\$	-

#### STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS

#### Years ended June 30, 2011 and 2010

	2011	2010
REVENUES		¢ 01 001 107
Instant ticket sales	\$ 78,857,176	\$ 81,231,127
Powerball sales	29,113,287	41,177,600
Mega Millions sales	10,665,551	3,846,692
Roadrunner Cash sales	8,754,477	7,654,480
Hot Lotto sales	7,571,584	9,138,601
Pick 3 sales	3,731,680	3,408,240
Retailer fees	12,674	32,350
Prize tickets	(3,086,281)	(2,798,905)
Spoiled, stolen, and promotional tickets	(66,440)	(71,413)
Bad debts	(12,000)	(80,000)
Total revenues	135,541,708	143,538,772
GAME EXPENSES		
Prize expense	73,613,337	78,606,569
Retailer commissions	8,859,206	9,363,616
Advertising	2,286,794	2,160,112
On-line vendor fees	2,170,366	2,290,586
Ticket vendor fees	1,350,379	1,597,118
Shipping and postage	423,742	396,779
Promotions	323,236	292,958
Drawing game	122,372	134,059
Responsible gaming	87,400	82,690
Game membership	57,450	61,865
Total game expenses	89,294,282	94,986,352
OPERATING EXPENSES		
Salaries, wages, and benefits	3,456,748	3,468,593
Leases and insurance	593,740	613,877
Utilities and maintenance	402,813	429,692
Depreciation and amortization	160,834	138,632
Professional fees	123,524	155,994
Materials and supplies	104,361	93,130
Other	67,746	55,122
Travel	65,323	55,589
Total operating expenses	4,975,089	5,010,629
roui operating expenses	1,570,005	0,010,017
OPERATING INCOME	41,272,337	43,541,791
NON-OPERATING INCOME		
Interest income	23,557	51,663
Other income	11,396	15,372
Total non-operating income	34,953	67,035
Not in come h afour transform	41 207 200	42 (00 02(
Net income before transfers	41,307,290	43,608,826
Transfers to Lottery Tuition Fund	41,307,290	43,608,826
Change in net assets	-	-
Net assets at beginning of year	<u> </u>	
Net assets at end of year	\$ -	<u> </u>

# STATEMENTS OF CASH FLOWS

# Years ended June 30, 2011 and 2010

# Increase (Decrease) in Cash and Cash Equivalents

	2011	2010
Cash flows from operating activities		
Cash received:		
From retailers-sales net of commissions, incentives, and prize, spoiled, and stolen ticket credits	\$ 128,008,488	\$ 133,667,712
From MUSL - Hot Lotto jackpots	-	2,957,650
Cash payments:		
To prize winners and related taxes	(60,028,057)	(66,896,189)
To MUSL	(12,306,989)	(15,495,941)
To suppliers of goods or services	(8,771,710)	(9,354,158)
To employees for services and related taxes	(2,827,093)	(2,820,576)
Net cash provided by operating activities	44,074,639	42,058,498
Cash flows from investing activities		
Receipts of interest	8,987	15,547
Other	227	154
Net cash provided by investing activities	9,214	15,701
Cash flows from noncapital financing activities	(41 402 222)	
Transfers to Lottery Tuition Fund	(41,493,223)	(42,966,875)
Cash flows from capital and related financing activities		
Purchases of capital assets	(11,402)	(201,536)
Principal payments under capital lease	(6,229)	(6,228)
Net cash used by capital and related financing	(17,631)	(207,764)
Activities		
NET INCREASE (DECREASE) IN CASH	<b>0 0</b> 000	
AND CASH EQUIVALENTS	2,572,999	(1,100,440)
Cash and cash equivalents at beginning of year	2,988,826	4,089,266
Cash and cash equivalents at end of year	\$ 5,561,825	\$ 2,988,826

# **STATEMENTS OF CASH FLOWS - CONTINUED**

# Years ended June 30, 2011 and 2010

# Increase (Decrease) in Cash and Cash Equivalents

	2011	2010
Reconciliation of operating income to net cash		
provided by operating activities		
Operating income	\$ 41,272,337	\$ 43,541,791
Adjustments to reconcile operating income to net		
cash provided by operating activities		
Depreciation	160,834	138,632
Vendor's non-cash transactions	31,992	48,628
Interest on MUSL unreserved account	1,876	8,279
Net changes in assets and liabilities:		
Accounts receivable	1,325,986	(507,444)
Reserves on deposit	(227,116)	(49,791)
Inventory	85,008	(87,080)
Prepaid expenses	(9,604)	2,597
Accounts payable and other liabilities	155,035	(209,203)
Prizes payable	1,278,291	(827,911)
Net cash provided by operating activities	\$ 44,074,639	\$ 42,058,498

# STATEMENTS OF FIDUCIARY NET ASSETS

June 30, 2011 and 2010

	2011	2010
ASSETS		
Cash and cash equivalents	\$ 384,341	\$ 330,059
Marketable securities and other investments	3,709,097	2,705,464
Contribution receivable	17,169	15,654
Total assets	\$ 4,110,607	\$ 3,051,177
NET ASSETS		
Pension plan participants' benefits	\$ 4,110,607	\$ 3,051,177

# STATEMENTS OF CHANGES IN FIDUCIARY NET ASSETS

# Years ended June 30, 2011 and 2010

	2011	2010
ADDITIONS		
Investment earnings	\$ 821,248	\$ 624,893
Employer contributions	325,052	339,579
Other activity	31	-
Total additions	1,146,331	964,472
DEDUCTIONS		
Investment losses	-	289,667
Distributions to participants	86,901	144,203
Total deductions	86,901	433,870
Change in net assets	1,059,430	530,602
Net assets - beginning	3,051,177	2,520,575
Net assets - ending	\$ 4,110,607	\$ 3,051,177

# NOTES TO FINANCIAL STATEMENTS

### June 30, 2011 and 2010

### **NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

### 1. <u>Reporting Entity</u>

The financial reporting entity as defined by Governmental Accounting Standards Board (GASB) Statement 14 consists of the primary government, organizations for which the primary government is financially accountable, and other organizations for which the nature and significance of their relationship with the primary government are such that exclusion would cause the reporting entity's financial statements to be misleading or incomplete. This definition of the reporting entity is based primarily on the notion of financial accountability as the "cornerstone of all financial reporting in government."

With the enactment of the New Mexico Lottery Act (the Act) on July 1, 1995, the New Mexico Lottery Authority (the Lottery) was created as a public body, politic and corporate, separate and apart from the State of New Mexico and constituting a governmental instrumentality of the state. The Lottery was created and organized for the purpose of establishing and conducting the Lottery to provide revenues for the public purposes designated by the Act. The New Mexico Lottery was organized as an independent business enterprise separate from state government, self-sustaining and self-funded, without need for state revenues or resources and subject to oversight, audit, and accountability by public officials and agencies. However, since there is a financial benefit to the State's institutions of higher education, which are part of the State, the Lottery is considered a component unit of the State of New Mexico. The Lottery has no component units.

The Lottery commenced sales of instant tickets on April 27, 1996, and sales of drawing game tickets on October 20, 1996.

2. <u>Basis of Presentation</u>

The financial statements are prepared on the economic resources measurement focus and the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

In accordance with Governmental Accounting Standards Board (GASB) Statement Number 20, *Accounting and Financial Reporting for Proprietary Funds and Other Governmental Entities That Use Proprietary Fund Accounting*, the Lottery has elected to follow all GASB pronouncements, and all Statements and Interpretations of the Financial Accounting Standards Board, Opinions of the Accounting Principles Board, Accounting Research Bulletins, and authoritative pronouncements of the American Institute of Certified Public Accountants, issued on or before November 30, 1989 (collectively representing the generally accepted private-sector accounting hierarchy in the United States of America). In instances where GASB guidance conflicts with private sector principles, the Lottery conforms to GASB.

# NOTES TO FINANCIAL STATEMENTS - CONTINUED

# June 30, 2011 and 2010

# NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

# 2. <u>Basis of Presentation – Continued</u>

A Fiduciary Fund is used to account for assets held in a trustee capacity for Lottery employees. The Lottery's only fiduciary fund is a pension trust fund.

The pension trust fund per Statements of Fiduciary Net Assets and Statements of Changes in Fiduciary Net Assets and Note D reflects the activities of the New Mexico Lottery Authority Retirement Plan (Plan) pursuant to a trust agreement with a national bank. The bank holds, invests and distributes the assets of the Plan for the benefit of the Plan participants, subject to the overall direction of the Lottery in its capacity as plan administrator.

The Lottery distinguishes operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing goods and services in connection with the Lottery's principal ongoing operations. The principal operating revenues of the Lottery are sales of instant and drawing game tickets. The Lottery also recognizes retailer fees for connecting new retailers to the system as operating revenues. Operating expenses include the costs related to sales, administrative expenses required to manage and operate the Lottery, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

When an expense is incurred that can be paid using either restricted or unrestricted resources, the Lottery's policy is to first apply the expense toward unrestricted resources and then toward restricted resources. At the end of fiscal years 2011 and 2010 there were no restricted resources.

# 3. <u>Budgets and Budgetary Accounting</u>

Each year Lottery management prepares a budget in conformity to GAAP for the succeeding fiscal year. The Lottery's budget is not legally binding. The budget is presented by management to the Lottery's board of directors for review, amendment, and approval prior to the beginning of the next fiscal year. Any revisions to this budget during the fiscal year are approved by the Lottery's board of directors. The Lottery's financial statements are reviewed at each regular board of directors' meeting. Performance in relation to the budget is presented and discussed during these meetings.

# 4. <u>Cash and Cash Equivalents</u>

For the purposes of the Statements of Cash Flows, the Lottery considers cash and cash equivalents to be cash on hand, demand deposits, time deposits with an original maturity of ninety days or less, and overnight repurchase agreements.

## NOTES TO FINANCIAL STATEMENTS - CONTINUED

## June 30, 2011 and 2010

### NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – CONTINUED

### 5. <u>Accounts Receivable</u>

Accounts receivable represent the unremitted receipts on ticket sales, net of retailer commissions and prizes paid by the retailers. Receipts are transferred weekly from retailer bank accounts to the Lottery. Credit losses relating to contracted retailers have been within management expectations. Generally, collateral is not required on receivables. At June 30, 2011 and 2010, an allowance for doubtful accounts of \$23,652 and \$115,750, respectively, has been provided to recognize future uncollectible billings. In fiscal years 2011 and 2010, ten customers (443 and 459 retailer locations) represented 53% and 52% of sales for each year, respectively, and 52% and 49% of accounts receivable for each year, respectively.

#### 6. <u>Reserves on Deposit</u>

The Lottery is a member of the Multi-State Lottery Association (MUSL), which operates games on behalf of participating lotteries. MUSL currently operates the POWERBALL® (Powerball), Hot Lotto® (Hot Lotto) and Mega Millions® (Mega Millions) games for the Lottery. The Lottery sells Powerball, Hot Lotto and Mega Millions game tickets through its retailers and makes weekly wire transfers to MUSL in an amount equivalent to the member lottery's share of the estimated grand prize liability for each game. Lesser prizes are paid directly to the winners by each member lottery. The prize pools for the three games are 50% of each game's drawing period's sales after the prize reserve accounts are funded to the amounts set by the MUSL product group.

MUSL has established prize reserve accounts for the games it operates. These prize reserve accounts are funded out of the prize pools for the games until the accounts reach amounts set by the MUSL product groups for each game. Once the prize reserve funds exceed these designated maximums, the excess becomes part of the grand prize pool. The prize reserve funds serve as contingency reserves to protect MUSL and the party lotteries from unforeseen prize liabilities. The money in these reserve funds is used at the discretion of the MUSL Board of Directors. The prize reserve funds are refundable to MUSL members if MUSL disbands, a member leaves MUSL, or a game is discontinued. In these instances, members must wait one year before receiving their remaining share, if any, of the prize reserve funds. The prize reserve accounts may also be carried forward to a replacement game's prize reserve account.

MUSL included 2% of the Lottery's Powerball drawing period's sales in two prize reserve accounts, the Powerball Prize Reserve Account (PRA) and the Set Prize Reserve Account (SPRA), until the Lottery's share in both the PRA and SPRA were fully funded. The maximum amounts designated by the MUSL Powerball product group for the PRA is \$100 million and for the SPRA is \$25 million for all member lotteries. At June 30, 2011 and 2010, the Lottery's share in the Powerball PRA was \$1,520,644 and \$1,399,800, respectively, and in the SPRA was \$351,283 and \$454,690, respectively. Both Powerball reserve funds are fully funded.

### NOTES TO FINANCIAL STATEMENTS - CONTINUED

### June 30, 2011 and 2010

### NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

#### 6. <u>Reserves on Deposit - Continued</u>

MUSL includes from 1% to 3% of the Lottery's Hot Lotto drawing period's sales, depending on the annuitized value of the Grand Prize, into a Prize Reserve Account (PRA). The MUSL product group has set the maximum Hot Lotto PRA balance at \$9 million for all party lotteries. At June 30, 2011 and 2010, the Lottery's share in the Hot Lotto PRA was \$700,791 and \$570,096, respectively. The Lottery's remaining Hot Lotto prize reserve buyin amount was \$99,909 and \$171,569, respectively, as of June 30, 2011 and 2010.

The Lottery commenced sales of Mega Millions tickets on January 31, 2010. MUSL includes an additional amount up to 5% of the Lottery's Mega Millions drawing period's sales and included 4.9338682% until September 13, 2010 and then 1.5801572% of the Megaplier sales into the Prize Reserve Account (PRA). The MUSL product group has not determined a maximum balance for the Mega Millions Prize Reserve Account (PRA). At June 30, 2011 and 2010, the Lottery's share in the Mega Millions PRA was \$136,068 and (\$9,941), respectively.

The Lottery also has an unreserved fund with MUSL. Interest earned on the MUSL funds and any unclaimed grand prizes may be deposited into the unreserved fund and game membership fees and other MUSL costs may be paid from this fund. At June 30, 2011 and 2010, the Lottery's share of the unreserved fund was \$216,465 and \$283,490, respectively.

A winner of a Powerball grand prize, a Hot Lotto grand prize, or Mega Millions grand prize may select that the prize be paid at the cash value of the prize or as an annuity. A Powerball grand prize annuity is paid out in 30 annual installments, a Hot Lotto grand prize annuity is paid out in 25 annual installments, and a Mega Millions grand prize is paid out in 26 annual installments. Government securities at the discounted value of the grand prize annuity are purchased to fund all future installments and are held in trust. Maturities are staggered in order to provide adequate cash flow for each annual installment. These assets and related liabilities are reflected in MUSL's financial statements and therefore are not reflected in the Lottery's financial statements. MUSL is responsible for transferring the cash or the annuity installment amounts to the member lottery prior to the payment to any grand prize winner. Currently, the Lottery is not paying any prize winner any annuity prize payments.

### NOTES TO FINANCIAL STATEMENTS - CONTINUED

### June 30, 2011 and 2010

### NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

### 7. <u>Inventory</u>

In March 2003 and then again in March 2010, the Lottery entered into agreements with its primary instant ticket printers, whereby the vendors retain title to the instant ticket inventory until the instant tickets are sold. Under the March 2003 agreement, the Lottery pays the vendor a fee based on a fixed percentage of the instant tickets sold. Under the March 2010 agreement, the Lottery pays the vendor a fee based on a fixed percentage of the instant tickets less prize, spoiled, stolen, and promotional tickets. In addition, in March 2010, the Lottery signed an agreement with a secondary instant ticket printer, whereby the Lottery purchases and owns the tickets printed. These tickets are carried at the lower of cost or market using the specific identification method.

At the end of fiscal years 2011 and 2010, the Lottery is distributing games printed under the March 2003 agreement and the two March 2010 agreements.

As of June 30, 2011 and 2010, \$11,334 and \$96,342, respectively, of instant tickets are included in inventory. In the past two fiscal years there are no merchandise prizes for second chance drawings included in inventory as there have been in previous fiscal years.

### 8. <u>Capital Assets</u>

Capital assets, which include data processing software and hardware, tenant improvements, vehicles, furniture and fixtures, and equipment, are stated at cost net of accumulated depreciation. The Lottery capitalizes all capital assets that have a cost greater than \$5,000 and an expected useful life of more than one year. Depreciation is computed using the straight-line method over the estimated useful lives of 2 to 5 years, except for leasehold improvements, which are amortized over their expected useful lives or the lease term, whichever is shorter. When assets are retired or otherwise disposed of, the cost and related accumulated depreciation are removed from the accounts and any resulting gain or loss is reflected in the results from operations in the period of disposal.

# NOTES TO FINANCIAL STATEMENTS - CONTINUED

# June 30, 2011 and 2010

# NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

#### 9. <u>Revenue and Accounts Receivable Recognition</u>

Lottery games are sold to the public by contracted retailers and directly by the Lottery. Revenue and accounts receivable for instant tickets are recognized when packs are settled and retailers are billed for the tickets. Revenues and accounts receivable for drawing games are recognized when drawings are held. Accounts receivable are stated at their net realizable value and their past due status is based upon contractual terms.

#### 10. <u>Prizes</u>

Prize expense for instant, Powerball, Mega Millions, and Hot Lotto games is recorded based on an estimate of the predetermined prize structure for each game. Prize expense for Roadrunner Cash and Pick 3 games is recorded based on the actual prizes won for each game's drawings.

#### 11. <u>Commissions</u>

Retailers receive a commission of 6% on gross ticket sales and a 1% cashing commission on winning ticket validations for prizes up to \$600.

# 12. <u>Advertising Costs</u>

Advertising costs are expensed as incurred.

#### 13. <u>Income Taxes</u>

The Lottery is exempt from Federal and New Mexico income taxes. Accordingly, no provision for income taxes has been made.

#### 14. <u>Custodial Credit Risk and Interest Rate Risk</u>

At June 30, 2011 and 2010, the Lottery maintained its cash balances in one financial institution. The balances for demand deposits were insured by the Federal Deposit Insurance Corporation up to \$250,000 at this financial institution.

# NOTES TO FINANCIAL STATEMENTS - CONTINUED

# June 30, 2011 and 2010

# NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

#### 14. <u>Custodial Credit Risk and Interest Rate Risk - Continued</u>

Custodial credit risk – Deposits. In the case of deposits, this is the risk that in the event of a bank failure, the Lottery's deposits may not be returned to it. The Lottery does not have a deposit policy for custodial credit risk. The Lottery limits its custodial risk for its cash and requires collateral in an amount greater than or equal to 50% of any deposit not insured by Federal Insuring Agencies. A greater amount of collateral is required when the Lottery determines it is prudent. Collateral must meet State of New Mexico "Security of Public Money" standards and be held in the third party safekeeping.

Custodial credit risk – Investments. For an investment, custodial credit risk is the risk that in the event of the failure of the counterparty, the Lottery will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. Mutual funds, external investment pools, and securities underlying reverse repurchase agreements are not exposed to custodial credit risk. The Lottery does not have an investment policy for custodial credit risk.

The Lottery's custodial risk for investments is in accordance with Article 10, NMSA, 1978 Compilation. The Lottery's investments are made in overnight repurchase agreements. Investments are made through a local financial institution and are held in safekeeping in its trust departments. Repurchase agreements are collateralized by the Government National Mortgage Association Securities with a market value of at least 102% of the principal and are used for overnight investment only. Collateral must meet State of New Mexico "Security of Public Money" standards and be held in third party safekeeping. As of June 30, 2011 and 2010, the Lottery's bank balances of \$5,644,147 and \$3,105,229, respectively, were exposed to custodial credit risk as follows:

	<u>2011</u>	<u>2010</u>
Uninsured and uncollateralized Collateral held by the pledging bank's trust department in	\$ -	\$ -
the Lottery's name	\$ <u>5,644,147</u> 5,644,147	\$ <u>3,105,229</u> 3,105,229

Interest Rate Risk – Investments. Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The Lottery does not have a specific policy to limit its exposure to interest rate risk.

At June 30, 2011 and 2010, the Lottery had an overnight yield repurchase agreement with a one-day maturity.

# **NOTES TO FINANCIAL STATEMENTS - CONTINUED**

June 30, 2011 and 2010

#### **NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED**

#### 15. Bank Accounts

		Balance
Description	Bank	per Bank
Operating account - overnight repurchase		
Agreement	First Community Bank**	\$ 5,644,721
Operating account – checking	First Community Bank**	(574)
Total amount deposited in bank		5,644,147
Less: FDIC coverage		
*Total uninsured funds – deposits and overnigl	nt repurchase agreement	\$ 5,644,147
102% pledged collateral requirement per		
statute for repurchase agreement		\$ 5,757,615
* Total pledged security		(5,787,242)
Amount under (over) requirement		
at June 30, 2011		\$ (29,627)

\*Securities are held in safekeeping at the Federal Home Loan Bank in Dallas, Texas. Presented at fair value, CUSIP Numbers 31396QW21 (fair market value \$5,787,242), matures September 25, 2039. The deposits and repurchase agreement are collateralized with securities held in the name of the New Mexico Lottery Authority.

\*\* Acquired by U.S. Bank, N.A. on January 28, 2011, however, the Bank's name did not change until July 18, 2011.

# NOTES TO FINANCIAL STATEMENTS - CONTINUED

# June 30, 2011 and 2010

# NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

### 15. <u>Bank Accounts - Continued</u>

Cash and cash equivalents per bank at June 30, 2011	\$ 5,644,147
Less reconciling itemsoutstanding checks	 (89,315)
Reconciled cash in bank at June 30, 2011	5,554,832
Cash in vault	 6,993
Total cash and cash equivalents per Statements of Net Assets	\$ 5,561,825

#### 16. <u>Risk Management</u>

The Lottery is exposed to various risks of loss related to torts; theft of, damage to, and the destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Lottery purchases commercial insurance to cover these risks. The amount of coverage has not been exceeded by claims in the last three years.

# 17. <u>Shipping and Handling Costs</u>

Shipping and handling costs associated with inventory distribution are expensed as incurred and included in game expenses.

# NOTES TO FINANCIAL STATEMENTS - CONTINUED

# June 30, 2011 and 2010

# NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

### 18. <u>Net Assets</u>

Net assets are categorized as invested in capital assets (net of related debt), restricted and unrestricted.

*Invested in Capital Assets, net of related debt* - is intended to reflect the portion of net assets which is associated with non-liquid, capital assets, net of related debt.

*Restricted Assets*-are liquid assets (generated from revenues and not bond proceeds), which have third-party (statutory, bond covenant or granting agency) legally enforceable, limitations on their use.

*Unrestricted Assets*-represent unrestricted liquid assets.

#### 19. <u>Unclaimed Prizes</u>

The Act requires that prizes not claimed within the time period established by the Lottery are forfeited and shall be paid into the prize fund (unclaimed prize liability accounts). Unclaimed prizes are applied against prize expense to supplement prizes in the Lottery's games.

# 20. <u>Use of Estimates in Preparation of Financial Statements</u>

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 amount of assets and liabilities and disclosure 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.

#### **NOTES TO FINANCIAL STATEMENTS - CONTINUED**

#### June 30, 2011 and 2010

#### NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES -CONTINUED

#### 21. <u>Compensated Absences Payable</u>

Annual leave and sick leave are accrued at rates specified by the Lottery's Leave Policy. Annual leave is awarded based on the employee's years of service, leave status, and employment status (full-time or part-time) and sick leave is awarded at 3.7 hours biweekly for full-time employees. The maximum number of annual leave that full-time employees may carry over and retain in their annual leave bank varies from 80 hours for an employee with less than 5 years of service up to a maximum number of sick leave hours that a full-time employee may carry over from year-to-year is 480 hours. Part-time employees receive leave and carry-over and retain leave in their leave banks based on their percentage of employment. Upon separation from service, employees with at least one year of service will be compensated for their annual leave balance, not to exceed the maximum annual leave bank based on their years of service. During the years ended June 30, 2011 and 2010, the following changes occurred in the compensated absences liabilities:

Balance July 1, 2010	Increase	Decrease	Balance June 30, 2011
\$ 175,038	\$ 31,084	\$ (12,291)	\$ 193,831
Balance July 1, 2009	Increase	Decrease	Balance June 30, 2010
\$ 173,094	\$ 13,858	\$ (11,914)	\$ 175,038

The balances of compensated absences payable are reported on the Statements of Net Assets in accounts payable and other current liabilities. The Lottery estimates all compensated absences are due within one year.

# NOTES TO FINANCIAL STATEMENTS - CONTINUED

### June 30, 2011 and 2010

#### NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES -CONTINUED

#### 22. <u>Long-term Liabilities - Capital Lease Obligations</u>

During the years ended June 30, 2011 and 2010, the following changes occurred in the capital lease obligations:

Balance July 1, 2010	Increase	Decrease	Balance June 30, 2011	Amounts Due Within One Year
\$ 33,738	\$-	\$ (6,229)	\$ 27,509	\$ 6,228
Balance July 1, 2009	Increase	Decrease	Balance June 30, 2010	Amounts Due Within One Year
\$ 39,966	\$ -	\$ (6,228)	\$ 33,738	\$ 6,229

#### 23. Accounts Payable and Other Current Liabilities

Accounts payable and other current liabilities are comprised of the following at June 30:

	<u>2011</u>	<u>2010</u>
Accounts payable Accrued liabilities, vendors*	\$ 1,417,321 90,149	\$   1,250,884 79,838
Accrued liabilities, retailers*	29,000	12,500
Accrued payroll, and payroll taxes and benefits	99,349	156,355
Compensated absences	<u>    193,831</u>	175,038
	<u>\$ 1,829,650</u>	<u>\$   1,674,615</u>

\* The Lottery has accrued an estimated amount of services delivered by its vendors and deposits for its retailers as of June 30, 2011 and 2010, respectively.

# NOTES TO FINANCIAL STATEMENTS - CONTINUED

# June 30, 2011 and 2010

#### **NOTE B – CAPITAL ASSETS**

#### Capital assets at June 30, 2011 consisted of:

	Beginning Balance	Reclass- ification	Increases	Decreases	Ending Balance
Data processing software	\$ 2,145,044	\$ 357,592	\$ 687	\$-	\$ 2,503,323
Data processing equipment	1,858,673	(587,740)	10,715	-	1,281,648
Equipment - Security and					
disaster recovery	572,479	-	-	-	572,479
Vehicles	432,500	-	-	-	432,500
Tenant improvements	340,587	(917)	-	-	339,670
Furniture and fixtures	251,074	(17,384)	-	(518)	233,172
Equipment - drawing	116,478	-	-	-	116,478
Equipment - communications	116,260	-	-	-	116,260
Equipment - warehouse	69,831	-	-	-	69,831
Equipment - office	51,987	(1,150)	-	-	50,837
Obsolete capital assets	531,134	249,599			780,733
Capital assets	6,486,047		11,402	(518)	6,496,931
Data processing software	(2,104,573)	(357,592)	(23,260)	-	(2,485,425)
Data processing equipment	(1,829,463)	587,740	(16,083)	-	(1,257,806)
Equipment - Security and					
disaster recovery	(550,076)	-	(16,323)	-	(566,399)
Vehicles	(222,198)	-	(96,746)	-	(318,944)
Tenant improvements	(340,587)	917	-	-	(339,670)
Furniture and fixtures	(250,388)	17,384	(686)	518	(233,172)
Equipment - drawing	(102,053)	-	(7,736)	-	(109,789)
Equipment - communications	(116,260)	-	-	-	(116,260)
Equipment - warehouse	(69,831)	-	-	-	(69,831)
Equipment - office	(51,987)	1,150		-	(50,837)
Obsolete capital assets	531,134)	(249,599)			(780,733)
Accumulated depreciation	(6,168,550)		(160,834)	518	(6,328,866)
Capital assets, net	\$ 317,497	\$ -	\$ (149,432)	\$ -	\$ 168,065

Included in data processing software and data processing equipment are \$43,600 in assets under a capital lease at June 30, 2011 and 2010. For each fiscal year, there were \$6,229 and \$6,228, respectively, in related amortization on these assets.

# NOTES TO FINANCIAL STATEMENTS – CONTINUED

June 30, 2011 and 2010

# **NOTE B – CAPITAL ASSETS - CONTINUED**

# Capital assets at June 30, 2010 consisted of:

	Beginning Balance	Reclass- ification	Increases	Decreases	Ending Balance
Data processing software	\$ 2,109,933	\$-	\$ 35,111	\$-	\$ 2,145,044
Data processing equipment	1,849,014	-	14,338	(4,679)	1,858,673
Equipment - Security and					
disaster recovery	572,479	-	-	-	572,479
Vehicles	446,081	-	134,887	(148,468)	432,500
Tenant improvements	340,587	-	-	-	340,587
Furniture and fixtures	251,074	-	-	-	251,074
Equipment - drawing	147,528	-	17,200	(48,250)	116,478
Equipment - communications	116,260	-	-	-	116,260
Equipment - warehouse	69,831	-	-	-	69,831
Equipment - office	51,987	-	-	-	51,987
Obsolete capital assets	531,134				531,134
Capital assets	6,485,908	-	201,536	(201,397)	6,486,047
	(2,007,207)		(17.2(())		(2, 104, 572)
Data processing software	(2,087,207)	-	(17,366)	-	(2,104,573)
Data processing equipment	(1,808,158)	-	(25,984)	4,679	(1,829,463)
Equipment - Security and	(520.042)		(20,222)		
disaster recovery	(529,843)	-	(20,233)	-	(550,076)
Vehicles	(311,390)	-	(59,276)	148,468	(222,198)
Tenant improvements	(340,587)	-	-	-	(340,587)
Furniture and fixtures	(249,212)	-	(1,176)	-	(250,388)
Equipment - drawing	(137,309)	-	(12,994)	48,250	(102,053)
Equipment - communications	(115,882)	-	(378)	-	(116,260)
Equipment - warehouse	(69,086)	-	(745)	-	(69,831)
Equipment - office	(51,507)	-	(480)	-	(51,987)
Obsolete capital assets	(531,134)		-	-	(531,134)
Accumulated depreciation	(6,231,315)		(138,632)	201,397	(6,168,550)
Capital assets, net	\$ 254,593	<u>\$ -</u>	\$ 62,904	<u> </u>	\$ 317,497

#### NOTES TO FINANCIAL STATEMENTS – CONTINUED

#### June 30, 2011 and 2010

# NOTE C - ALLOCATION OF NET INCOME/TRANSFERS TO LOTTERY TUITION FUND

	Net Income	Due to Lottery Tuition Fund	Net Assets
Balance at June 30, 2010	\$ 3,401,415	\$ 3,401,415	\$-
Current year net income	41,307,290	41,307,290	-
Current year transfers	(41,493,223)	(41,493,223)	<u>-</u>
Balance at June 30, 2011	\$ 3,215,482	\$ 3,215,482	<u>\$ -</u>

In accordance with the Lottery Act, no later than the last business day of each month, the Lottery shall transmit at least twenty-seven percent of the gross revenue of the previous month until December 31, 2008 and at least thirty percent of the gross revenue of the previous month, thereafter, to the New Mexico State Treasurer, who shall deposit it into state agency number 950, New Mexico Higher Education Department, the Lottery Tuition Fund, SHARE fund number 63700. As of July 31, 2011 and 2010, the Lottery has transferred \$41,307,290 and \$43,608,826, respectively, for the years ended June 30, 2011 and 2010 to the New Mexico State Treasurer.

#### **NOTE D - RETIREMENT PLAN**

#### Plan Description

All of the Lottery's eligible employees participate in a plan provided by the Lottery pursuant to the New Mexico Lottery Act (Chapter 6, Article 24 NMSA 1978). The Lottery is the administrator of the Plan, which is a defined contribution money purchase pension plan. The New Mexico Lottery Authority Retirement Plan provides for retirement benefits to plan members and their beneficiaries. The balances and activity of the Plan as of and for the years ended June 30, 2011 and 2010 are presented in the Statements of Fiduciary Net Assets and Statements of Changes in Fiduciary Net Assets. There are no separately issued financial statements available for the New Mexico Lottery Authority Retirey Authority Retirement Plan.

#### **NOTES TO FINANCIAL STATEMENTS – CONTINUED**

June 30, 2011 and 2010

#### **NOTE D - RETIREMENT PLAN - CONTINUED**

#### Funding Policy

The Lottery contributes 13.25% of compensation for eligible employees to the Plan. Lottery contributions are 100% vested when deposited monthly. For the years ended June 30, 2011 and 2010, the Lottery recognized \$325,052 and \$339,579 of pension expense for the Plan on eligible compensation of \$2,453,223 and \$2,562,862, respectively. The entire pension amounts have been paid to the Plan by June 30, 2011 and 2010, respectively, for all compensation paid during the respective fiscal years.

#### **NOTE E - CREDIT AGREEMENT**

In July 2005, the Lottery entered an agreement with First Community Bank effective May 15, 2005 for an automatic unsecured overdraft line of credit sweep in the amount of \$1,000,000 with a fixed interest rate at the Wall Street Journal interest rate less .500 percentage points (2.75% at June 30, 2011 and 2010, respectively). The line matured in May 2008 and again on May 14, 2010 and was extended through May 14, 2012. For the years ended June 30, 2011 and 2010, the Lottery had no outstanding borrowings against the line.

#### **NOTE F - LEASES**

The Lottery has entered into operating leases for the rental of office and warehouse space, and vending machines. Rent expense was \$471,258 and \$481,439 for the years end June 30, 2011 and 2010, respectively. In August 2002, the Lottery renegotiated its leases for office and warehouse space. These leases were extended for an additional seven years at the same lease amounts that were paid for the final year of the original lease in 2006. Future minimum rental payments on non-cancelable leases with original terms of one year or more are scheduled as follows:

Year	Amount			
2012 2013	\$ 431,486 323,614			
	\$ 755,100			

#### **NOTES TO FINANCIAL STATEMENTS – CONTINUED**

June 30, 2011 and 2010

#### **NOTE F - LEASES – CONTINUED**

Following is a schedule of the composition of net rental expense for all long-term operating leases for the years ended June 30:

	2011	 2010
Minimum rentals Less: Subleases	\$ 431,485 	\$ 431,485 -
	\$ 431,485	\$ 431,485

As part of the agreement with INTRALOT, Inc., to provide an updated on-line gaming system, the Lottery installed and implemented a new internal control system (ICS) in fiscal year 2009. The cost for the ICS is included in the fixed fee paid to the vendor as a percentage of net sales. The Lottery has accounted for this transaction as a capital lease. The ICS cost was projected over the initial term of the contract of seven years and has been capitalized on the books of the Lottery at the present value of this cost, as determined with a discount rate of 4%.

Years ending June 30:	
2012	\$ 8,237
2013	8,237
2014	8,237
2015	8,237
2016	3,433
Total minimum payments	36,381
Less the amount representing	
interest	 (8,872)
Present value of net minimum	
payments	\$ 27,509

### **NOTES TO FINANCIAL STATEMENTS – CONTINUED**

June 30, 2011 and 2010

#### **NOTE G - COMMITMENT**

Effective on November 15, 2007, the Lottery entered into an agreement with INTRALOT, Inc., a Georgia-based company, to provide an updated on-line gaming system for a total of seven years with the option of three additional one year periods or any combination thereof. The system includes the supply, installation, maintenance, service, and operation of a communication network, lottery terminals and peripheral equipment for the Lottery's existing and future retailers, 500 ticket scanners to enable players to check their tickets for prizes, 225 self service ticket vending machines that sell both instant and drawing game tickets, a disaster recovery and business continuity facility, and various employees to operate the system and provide sales and marketing support to the Lottery. The transition to this new on-line gaming system took place on November 16, 2008. Since November 21, 2008, the on-line vendor fee has been fixed at 1.5% of net sales, plus the applicable gross receipts tax.

#### **NOTE H - OTHER EXPENSES**

Other expenses at June 30 consisted of:

	 2011		2010	
Registrations and memberships Training Other Publications and subscriptions	\$ 25,924 24,358 13,974 3,490		\$	23,088 10,330 19,353 2,351
	\$ 67,746	_	\$	55,122

#### **NOTES TO FINANCIAL STATEMENTS – CONTINUED**

June 30, 2011 and 2010

#### **NOTE I - SUBSEQUENT EVENT**

Effective January 15, 2012, the Powerball game will be changing to a \$2 price point from the current \$1 price point. Along with this price change, the jackpot will start at \$40 million, up from the current \$20 million jackpot. This will be a 5 of 59 and 1 of 35 game with the first set of numbers remaining the same and the second set of numbers going from 39 to 35. Two prize levels are changing. The Match 5 + 0 prize level is changed from a \$200,000 cash prize to \$1 million cash prize. The Match 0 + 1 prize level is changed from a \$3 prize to a \$4 prize. All other prize levels remain the same. The odds of winning a prize playing Powerball will improve from 1 in approximately 35 to 1 in approximately 31.8 to 1. The jackpot odds will improve from 1 in approximately 195 million to 1 in approximately 175 million. Power Play will still be \$1 per wager. The multiplier options (2x, 3x, 4x, and 5x) will be discontinued. Instead, the Power Play option will offer increased set prizes levels; starting with the Match 5 + 0 and Power Play paying \$2 million and going to the lowest prizes for Match 0 + 1 and Power Play or Match 1 + 1 and Power Play paying a \$12 prize with incremental Power Play prizes in between. The Match 5 BONUS Roll Down prize, which occurred when the jackpot is capped at the previous "record" jackpot by jumps of no more than \$25 million annuity, has been removed and will no longer be used. The effect on the Lottery's Powerball ticket sales because of these game changes is not known at this time, but may result in a loss in wagers.

# **BUDGETARY COMPARISON STATEMENTS**

# Years ended June 30, 2011 and 2010

		20	11			20	010	
	Original	Final		Variance with	Original	Final		Variance with
	Budget	Budget	Actual	Final Budget	Budget	Budget	Actual	Final Budget
Revenues								
Instant ticket sales	\$ 84,500,000	\$ 78,000,000	\$ 78,857,176	\$ 857,176	\$ 84,500,000	\$ 81,500,000	\$81,231,127	\$ (268,873)
Powerball sales	36,000,000	27,000,000	29,113,287	2,113,287	42,000,000	38,000,000	41,177,600	3,177,600
Mega Millions sales	11,000,000	9,500,000	10,665,551	1,165,551	-	5,300,000	3,846,692	(1,453,308)
Roadrunner Cash sales	6,500,000	10,000,000	8,754,477	(1,245,523)	6,000,000	7,000,000	7,654,480	654,480
Hot Lotto sales	9,000,000	8,000,000	7,571,584	(428,416)	8,000,000	9,500,000	9,138,601	(361,399)
Pick 3 sales	3,000,000	3,600,000	3,731,680	131,680	2,500,000	3,200,000	3,408,240	208,240
Retailer fees	16,000	11,000	12,674	1,674	16,000	29,000	32,350	3,350
Prize tickets	(3,800,000)	(3,250,000)	(3,086,281)	163,719	(3,800,000)	(3,500,000)	(2,798,905)	701,095
Spoiled, stolen,								
and promotional tickets	(192,000)	(137,000)	(66,440)	70,560	(192,000)	(75,000)	(71,413)	3,587
Bad debts	(24,000)	(24,000)	(12,000)	12,000	(24,000)	(24,000)	(80,000)	(56,000)
Total revenues	146,000,000	132,700,000	135,541,708	2,841,708	139,000,000	140,930,000	143,538,772	2,608,772
Total game expenses	96,271,000	87,567,000	89,294,282	1,727,282	91,560,000	93,254,000	94,986,352	1,732,352
Total operating expenses	5,975,000	5,344,000	4,975,089	(368,911)	5,900,000	5,378,000	5,010,629	(367,371)
Operating income	43,754,000	39,789,000	41,272,337	1,483,337	41,540,000	42,298,000	43,541,791	1,243,791
Total non-operating income	75,000	30,000	34,953	4,953	228,000	125,000	67,035	(57,965)
Net income before transfers								
to Lottery Tuition Fund	\$ 43,829,000	\$ 39,819,000	\$ 41,307,290	\$ 1,488,290	\$ 41,768,000	\$ 42,423,000	\$ 43,608,826	\$ 1,185,826

# SCHEDULES OF PERCENTAGE RETURN TO THE STATE OF NEW MEXICO

#### Years ended June 30, 2011 and 2010

	2011	2010
REVENUES Instant ticket sales	\$ 78,857,176	¢ 01 001 107
Powerball sales		\$ 81,231,127
	29,113,287	41,177,600
Mega Millions sales	10,665,551	3,846,692
Roadrunner Cash sales	8,754,477	7,654,480
Hot Lotto sales	7,571,584	9,138,601
Pick 3 sales	3,731,680	3,408,240
Retailer fees	12,674	32,350
Prize tickets	(3,086,281)	(2,798,905)
Spoiled, stolen, and promotional tickets	(66,440)	(71,413)
Bad debts	(12,000)	(80,000)
Total revenues	135,541,708	143,538,772
NON-OPERATING INCOME		
Interest income	23,557	51,663
Other income	11,396	15,372
Total non-operating income	34,953	67,035
GROSS REVENUES	135,576,661	143,605,807
GAME EXPENSES		
Prize expense	73,613,337	78,606,569
Retailer commissions	8,859,206	9,363,616
Advertising	2,286,794	2,160,112
On-line vendor fees	2,170,366	2,290,586
Ticket vendor fees	1,350,379	1,597,118
Shipping and postage	423,742	396,779
Promotions	323,236	292,958
Drawing game	122,372	134,059
Responsible gaming	87,400	82,690
Game membership	57,450	61,865
Total game expenses	89,294,282	94,986,352
OPERATING EXPENSES Salaries, wages, and benefits	3,456,748	3,468,593
Leases and insurance	593,740	613,877
Utilities and maintenance	402,813	429,692
Depreciation and amortization	160,834	138,632
Professional fees	123,524	155,994
Materials and supplies	104,361	93,130
Other	67,746	55,122
Travel	65,323	55,589
Total operating expenses	4,975,089	5,010,629
OPERATING INCOME	41,272,337	43,541,791
NET INCOME	\$ 41,307,290	\$ 43,608,826
GROSS REVENUE PERCENTAGE RETURN	30.47%	30.37%

### **EXIT CONFERENCE**

For the Year Ended June 30, 2011

An exit conference was held at the New Mexico Lottery Authority on October 6, 2011. The following individuals participated:

Name	Title		
New Mexico Lottery Authority Finance/Audit			
Committee			
Herman J. Tabet	<b>Board Treasurer</b>		
Clifford Stroud, MBA	Board Assistant		
	Secretary-Treasurer		
New Mexico Lottery Authority Employees			
Tom Romero	<b>Chief Executive Officer</b>		
Sylvia Ann Jaramillo, CPA	<b>Director of Finance</b>		
David Ramirez	<b>Director of MIS</b>		
Michael Boland, CPA	Internal Auditor		
Moss Adams LLP			
Scott Eliason, CPA	Audit Partner		
Jaime Rumbaoa, CPA/CITP, CFE, CISA	Manager		
Corrine Zajac-Clarkson	Supervisor		

**Financial Statement Preparation** 

The New Mexico Lottery Authority's financial statements, notes, and management's discussion and analysis have been prepared by the New Mexico Lottery Authority's accountants.