

July 14, 2011

REVENUE

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ISSUES FOR HEARING July 2011 Consensus Revenue Estimate

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SUMMARY:

- FY11 recurring revenue exceeds appropriations by \$111 million from the December forecast (including post-session revisions).
- Reserves are projected to reach a total of \$367 million, or 7.0 percent of appropriations at the end of FY11.
- As shown in Attachment 2, FY11 disaster allotments from the appropriation contingency fund were increased to \$24 million from a projection of \$11 million due to recent wildfires. The remaining balance is \$52.7 million with \$47.1 million dedicated to education spending.
- The July 2011 consensus forecast projects revenues to exceed appropriations by \$120.4 million in FY12 with a 9 percent reserve ratio. This forecast assumes a continuation of current cost-saving measures.
- Section 13 of the 2011 General Appropriation Act authorizes the Governor to transfer up to \$50 million from the operating reserve to the appropriation account in FY11 or FY12 if revenues are insufficient to meet appropriations.
- Recurring revenue growth is forecast at 9.9 percent in FY11 and 4.9 percent in FY12. Roughly one-third of the FY11 increase is due to revenue enhancement legislation passed in the 2010 sessions. Absent this legislation, FY11 growth is forecast at 6.1 percent. Details of this calculation are provided in Table 2.

Table 1

July 2011 Consensus General Fund Recurring Revenue Outlook

(Dollar amounts in millions)

	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
July 2010 estimate	\$4,799	\$5,148	\$5,430	\$5,696	\$5,925	\$6,190
October 2010 revisions	-\$5	-\$40	-\$81	-\$101	-\$109	-\$154
December 2010 revisions	\$4	\$56	\$42	\$21	\$12	\$20
Post-session revisions	\$0	\$0	\$23	\$23	\$23	\$28
July 2011 revisions	\$0	\$111	\$120	\$165	\$190	\$186
July 2011 consensus	\$4,799	\$5,275	\$5,533	\$5,803	\$6,040	\$6,271
Annual amount change	-\$521	\$476	\$258	\$269	\$238	\$231
Annual percent change	-9.8%	9.9%	4.9%	4.9%	4.1%	3.8%

Table 2
July Estimate: FY11 Revenue Growth with and without Impacts of 2010 Legislative Changes

	FY10	FY11	FY11 Change vs FY10	Change Due to New Legislation	Change Excluding 2010 Legislative Changes	
Gross Receipts Tax	\$1,634.4	\$1,797.0	\$162.6	\$53.2	\$109.4	6.7%
Compensating Tax	\$50.9	\$68.0	\$17.1	\$13.6	\$3.5	6.9%
Cigarette/Tobacco Tax	\$45.7	\$87.0	\$41.3	\$35.9	\$5.4	11.8%
Personal Income Tax	\$956.6	\$1,055.0	\$98.4	\$65.9	\$32.5	3.4%
Corporate Income Tax	\$125.1	\$180.0	\$54.9	\$15.6	\$39.3	31.4%
Mineral Taxes	\$390.7	\$401.6	\$10.9	\$0.0	\$10.9	2.8%
Investment Income	\$646.3	\$644.5	(\$1.8)	\$0.0	(\$1.8)	-0.3%
Mineral Royalties & Bonuses	\$423.0	\$465.4	\$42.4	\$0.0	\$42.4	10.0%
Other	\$526.0	\$576.4	\$50.4	\$0.0	\$50.4	9.6%
Total Recurring	\$4,798.7	\$5,274.9	\$476.2	\$184.2	\$292.0	6.1%

FORECAST REVISIONS:

Details of the consensus forecast are contained in Attachment 1. A summary is presented in Tables 3, 4 and 5.

- Gross receipts tax (GRT) was revised upward in response to a higher forecast of wages and salaries, as well as a robust increase in third quarter payments. General fund distributions were up \$159 million, or 11.5 percent, through April FY11 compared with the same period last year. As shown in Table 2 and Attachment 5 a significant portion of the increase is due to the 1/8 percent tax rate increase and to 5 percent growth in the tax base. The rest is due to a variety of factors that influence the share of GRT going to the general fund including the size of hold harmless distributions, municipal revenue sharing, and several other factors.
- Personal income tax was unchanged from the December estimate.
- Corporate Income Tax was revised down from the December 2010 estimate due to the higher than anticipated film credit refunds but is above the July 2010 estimate.
- Energy-related revenues were increased due to oil prices and volumes that were higher than projected in the December 2010 estimate. Gas prices have been adjusted up slightly from the December forecast.
- Education Reversions. The FY11 appropriation to the state equalization guarantee assumed \$59.4 million in credits for local 0.5 mill levy, federal impact aid and federal forest reserve funds. Actual credits received by the state total \$73.5 million, resulting in an estimated reversion of \$14.1 million to the general fund.

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Table 3
July 2011 Forecast Revisions by Revenue
(million dollars)

	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
Gross receipts tax	57.0	52.5	56.2	63.2	61.2
Selective sales taxes	10.8	12.0	9.0	10.0	9.2
Personal income tax	-	-	-	-	-
Corporate income tax	(40.0)	-	28.0	34.4	20.6
Energy-related revenues	66.9	39.2	58.7	70.0	65.5
Investment earnings	(1.5)	11.2	10.6	12.9	35.2
Other revenues	17.4	5.3	2.3	(0.9)	(5.8)
Total Recurring Revenue	110.6	120.2	164.8	189.6	186.0

Table 4
July 2011 Annual Change by Revenue
(million dollars)

	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
Gross receipts tax	(197.5)	162.6	65.0	94.0	102.0	98.0
Selective sales taxes	(32.1)	72.0	14.6	10.7	9.0	11.1
Personal income tax	(1.9)	98.4	39.9	39.8	45.0	45.0
Corporate income tax	(37.4)	54.9	103.3	66.7	50.0	-
Energy-related revenues	(170.2)	53.3	25.3	57.8	19.4	(3.0)
Investment earnings	(46.2)	(1.8)	19.4	(9.7)	6.1	73.5
Other revenues	(35.6)	36.8	(9.0)	9.6	6.4	6.0
Total Recurring Revenue	(520.9)	476.2	258.5	268.9	237.9	230.6

Table 5
July 2011 Annual Growth Rates by Revenue

	<u>FY10</u>	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
Gross receipts tax	-10.8%	9.9%	3.6%	5.0%	5.2%	4.8%
Selective sales taxes	-7.9%	19.3%	3.3%	2.3%	1.9%	2.3%
Personal income tax	-0.2%	10.3%	3.8%	3.6%	4.0%	3.8%
Corporate income tax	-23.0%	43.9%	57.4%	23.5%	14.3%	0.0%
Energy-related revenues	-17.3%	6.6%	2.9%	6.5%	2.0%	-0.3%
Investment earnings	-6.7%	-0.3%	3.0%	-1.5%	0.9%	11.1%
Other revenues	-12.4%	14.7%	-3.1%	3.5%	2.2%	2.0%
Total Recurring Revenue	-9.8%	9.9%	4.9%	4.9%	4.1%	3.8%

GENERAL FUND APPROPRIATIONS WITH SUPPLANTING FUNDS:

Figure 1 illustrates recent trends in General Fund appropriations, highlighting the role played by temporary funding sources. While general fund recurring revenue fell by over 20 percent from FY08 to FY10, total spending actually increased between FY08 and FY10 post-solvency. From a peak of over \$6 billion in FY09, total spending fell by 3.4 percent in FY10 and by a cumulative total of 7.2 percent in FY10 and FY11 after allotment reductions. If general fund spending is raised to the level of projected FY13 revenue, total spending would be 5.1 percent below the FY09 peak.

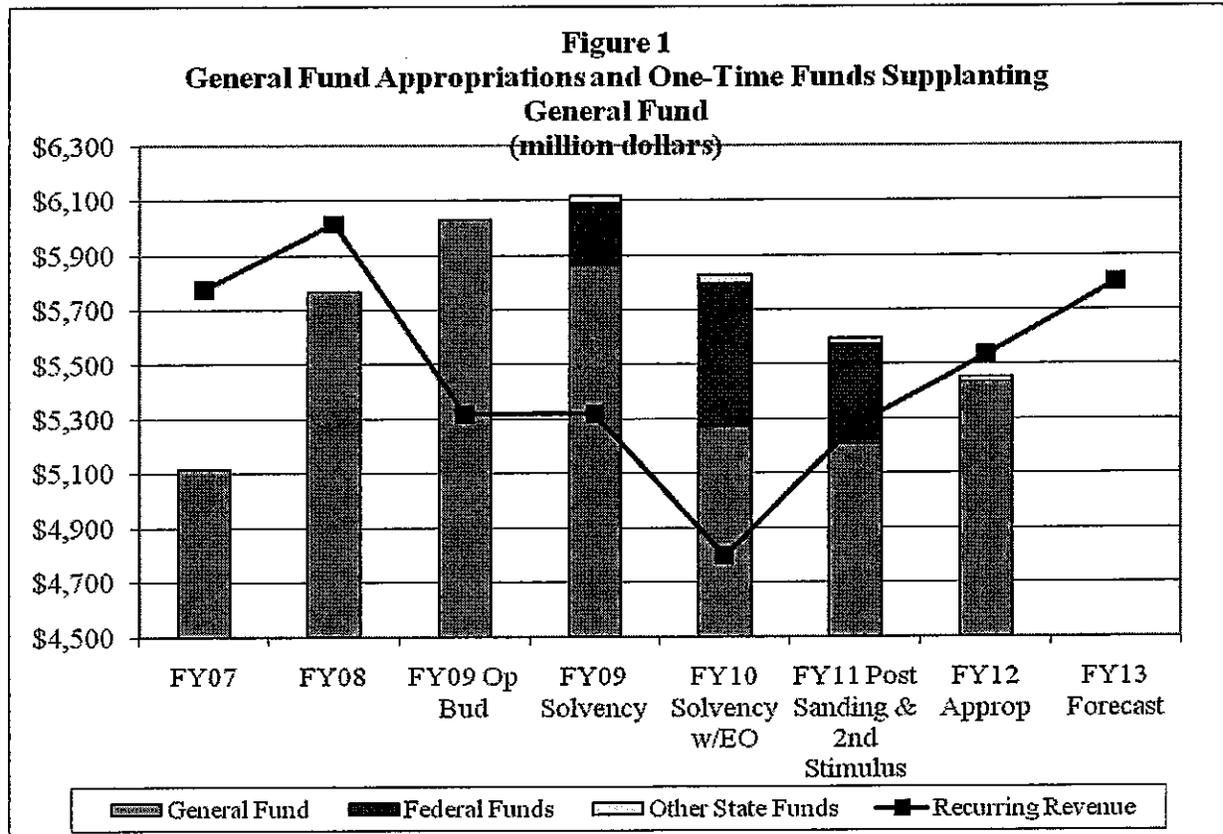


Table 6 illustrates the change in total appropriations by major budget category. Total spending is down 2.5 percent from FY09 to FY12. Medicaid spending is up 1.6 percent while spending on Other agencies is down by 3.3 percent. The FY12 appropriation includes an approximately \$19 million allotment to Medicaid from the tobacco settlement program fund. The state is at risk of losing this additional revenue in FY12.

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Table 6
Total Appropriations Including Temporary Funds
(dollars in millions)

	FY12 Appropriation			
	Change From FY11 Adjusted OpBud		Change From FY09 Post-Solvency	
	\$ Change	% Change	\$ Change	% Change
Public Schools	\$ (63.2)	-2.6%	\$ (223.8)	-8.6%
Higher Education	\$ (45.8)	-6.0%	\$ (146.3)	-17.0%
Medicaid*	\$ 15.9	1.6%	\$ 10.0	1.0%
Other	\$ (47.3)	-3.3%	\$ (303.6)	-17.9%
TOTAL	\$ (140.4)	-2.5%	\$ (663.7)	-10.9%

*Includes general fund appropriations to HSD & DOH for the Developmentally Disabled Medicaid waiver program.

ECONOMIC OUTLOOK (Attachment 3):

The Bureau of Labor Statistics (BLS) reported that New Mexico non-farm employment was down 0.4 percent or 3,200 jobs from April to May, when accounting for seasonal variation. Year-over-year employment was down 0.7 percent. Education and health services saw the largest monthly increases while leisure and hospitality jobs and construction suffered the largest decreases. The decline in retail and leisure and hospitality sectors is likely a result of higher gasoline prices, which cuts into consumer discretionary income.

Looking forward, the New Mexico Bureau of Business and Economic Research (BBER) forecasting service anticipates job growth of only 0.1 percent in FY11 and 1.3 percent in FY12. Private wages and salaries are expected to grow by 2.8 percent this year and 4.5 percent next year. Inflation in the U.S. is expected to remain subdued, averaging 2.2 percent over the next two years. New Mexico will not regain the previous peak level of employment until 2015, approximately seven years after first reaching that level. BBER's estimates differ from those of the BLS because of a perceived error in the BLS October totals, which resulted in a reduction of 6,000 jobs in the professional and business services sector. BBER has added back this amount to their 2011 first quarter averages.

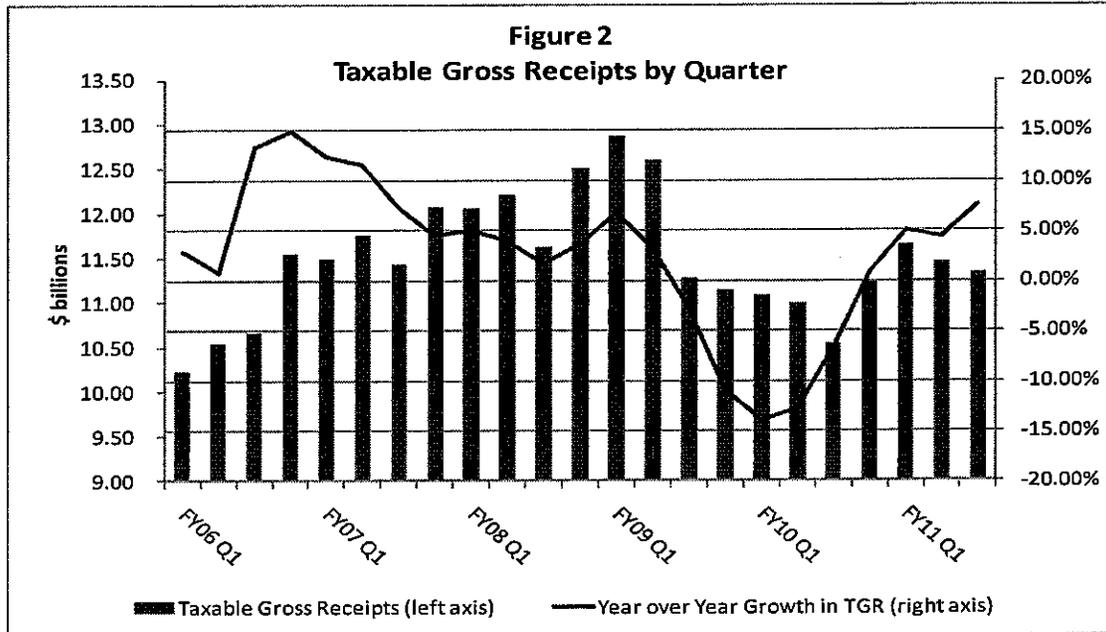
ENERGY MARKETS (Attachment 4):

Oil prices are expected to remain around \$85 per barrel in the near term with moderate growth in out years. Oil volumes increased by 1 percent in FY10 and preliminary actuals show a 4 percent increase in FY11. Growth in oil volumes is expected in the near-term with decreasing production in later years.

Spot prices for natural gas have been slightly higher than the December forecast, averaging approximately \$4.00 per thousand cubic feet for New Mexico producers in the latter half of FY11. Natural gas liquids are adding about \$1.20 per thousand cubic feet to the average value of total gas production. Natural gas volumes – expressed in thousands of cubic feet equivalent – fell by 7.5 percent in FY10 and are projected to fall by 4.7 percent in FY11. Although natural gas volumes are falling, higher prices and volumes for natural gas liquids help to offset the decline in total production.

GROSS RECEIPTS TAX TRENDS (Attachment 5):

Taxable gross receipts (TGR), the tax base for the GRT, have been increasing in the last few months. The year-over-year growth rate is positive in the first three quarters of FY11 for the first time in 2 years. The level of TGR is still about 12 percent below its peak level in the fall of 2009.



Attachment 5 presents a breakdown by major industry group of the change in FY11 TGR through May 2011 compared with the same period last year. Total TGR was up by 5 percent. Most industries saw positive growth, with the largest percentage increases in mining, information services and administrative and support services. Construction and retail continued to decline.

RISKS TO THE FORECAST:

- The U.S. economic recovery remains vulnerable to weakness in the housing market, currency volatility, financial sector weakness and federal fiscal imbalance. Although consumer spending has increased slightly in recent months, high debt loads and high credit costs will likely limit the momentum consumers are able to create for the near future.
- Natural gas prices remain vulnerable to increased supplies from productivity improvements.
- Financial weakness in several European countries remains a serious threat to international financial markets, and a repeat of the Greek crisis of last spring could cause another setback for the economic recovery.
- The Attorney General has disclosed that the State of New Mexico (along with Virginia) is now facing a second legal challenge from the Cigarette manufacturers (PMs) participating in the tobacco master settlement agreement. In the New Mexico case, the PMs claim that New Mexico no longer has a valid qualifying statute as required by the settlement because of a number of legislative changes, primarily a 2006 change that established tax exempt stamps for tribal sales. The AG believes that up to \$38.6 million in tobacco settlement payments expected in FY12 are at

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- risk, unless new legislation is passed that clearly establishes that the state will collect tobacco escrow payments from all manufacturers that currently are not part of the master settlement.
- The BLS employment numbers are variable and subject to greater adjustments during benchmarking once a year. This impacts our employment growth assumptions.
 - Education reversions over the past two years total little more than \$25 million, and credits may be underestimated for FY12. Because the timing of receipt of credits is crucial and often hard to estimate, the Public Education Department has been hesitant to set more aggressive estimates of credits without a safety net. Increasing the estimated credits would result in decreased reversion amounts and increased funding distributed to school districts. In order to maximize allocations to school districts and decrease reversion amounts, for FY12 and FY13, the Legislature may want to consider an appropriation from the appropriation contingency fund to cover any shortfall in actual credits that may occur if they come in lower than assumed, allowing estimates of credits to be increased.
 - The Taxation and Revenue Department (TRD) projects FY11 film credit refunds to be \$36 million higher than the initial forecast of \$65 million due to the recent change in film tax credit legislation, which caps the yearly aggregate for refunds to \$50 million. In anticipation to the change that will go into effect on July 1, production companies that would have received payments in FY12 rushed to submit applications in FY11. An estimated \$32 million in refunds is already in queue for FY12.

FY13 GENERAL FUND EXPENDITURE OUTLOOK:

- In the post-session report, LFC staff provided an FY13 expenditure projection which assumes a generally flat budget from FY12 with a 4 percent increase in Medicaid spending. Based on the July 2011 forecast new money available for appropriation is estimated at \$367.7 million, (see Attachment 6).
- During the 2011 session, House Bill 628 (Ch 178) was passed, requiring state employees to contribute an additional 1.75 percent to retirement plans. The legislation provided an additional \$49.7 million in appropriations for FY12. Under statute, the contribution swap will continue in FY13 unless the December 2011 forecast projects revenues to be \$100 million above the FY12 appropriation and estimates 5 percent reserves at the end of FY12. An additional 1.5 percent retirement swap that was passed during the 2009 session (Laws 2009, Ch 127) will remain in place until FY14.
- If assumptions in the July 2011 forecast remain the same in the December 2011 forecast then there will be sufficient revenues to reverse the 1.75 percent increase in employee retirement contribution.
- In Attachment 6, the LFC has provided a FY13 baseline analysis of the General Fund outlook for FY13. In FY13, approximately \$64.4 million will be needed to replace federal funds and other state funds, including \$49.7 million for the retirement swap.
- Under the expenditure outlook shown in Attachment 6, a surplus is projected for FY12 at \$100.6 million and for FY13 at \$248.9 million.
- If the state loses tobacco settlement funds, \$19 million of the surplus could be used to offset this loss. Attachment 7 provides a list of programs that receive tobacco settlement funds.

ATTACHMENT 1

General Fund Consensus Revenue Estimate July 2011

	FY10			FY11			FY12			
	Prelim. Actual DFA	% Change from FY09	Dec. 10 Est. Adj. for Leg. Post	July 2011 Est. Prelim Actual	Change from Prior	% Change from FY10	Dec. 10 Est. Adj. for Leg.	July 2011 Est.	Change from Prior	% Change from FY11
Gross Receipts Tax	1,634.4	-10.8%	1,740.0	1,797.0	57.0	9.9%	1,809.5	1,862.0	52.5	3.6%
Compensating Tax	50.9	-27.2%	64.5	68.0	3.5	33.6%	67.7	70.5	2.8	3.7%
TOTAL GENERAL SALES	1,685.3	-11.4%	1,804.5	1,865.0	60.5	10.7%	1,877.2	1,932.5	55.3	3.6%
Tobacco Taxes	45.7	-7.8%	81.0	87.0	6.0	90.4%	78.6	86.1	7.5	-1.0%
Liquor Excise	25.6	-0.9%	25.5	24.8	(0.7)	-3.1%	26.0	25.2	(0.8)	1.6%
Insurance Taxes	130.3	6.9%	137.3	137.3	-	5.4%	142.2	142.2	-	3.6%
Fire Protection Fund Reversion	5.0	-83.8%	18.3	18.3	-	266.0%	18.7	18.7	-	2.2%
Motor Vehicle Excise	92.3	-8.2%	98.3	103.0	4.7	11.6%	107.4	112.0	4.6	8.7%
Gaming Excise	65.1	-5.9%	64.9	66.5	1.6	2.2%	66.0	67.2	1.2	1.1%
Leased Vehicle Surcharge	5.7	16.3%	5.8	5.0	(0.8)	-12.3%	5.6	5.1	(0.5)	2.0%
Other	3.2	38.9%	3.0	3.0	-	-6.0%	3.0	3.0	-	0.0%
TOTAL SELECTIVE SALES	372.9	-7.9%	434.1	444.9	10.8	19.3%	447.5	459.5	12.0	3.3%
Personal Income Tax	956.6	-0.2%	1,055.0	1,055.0	-	10.3%	1,094.9	1,094.9	-	3.8%
Corporate Income Tax	125.1	-23.0%	220.0	180.0	(40.0)	43.9%	283.3	283.3	-	57.4%
TOTAL INCOME TAXES	1,081.7	-3.5%	1,275.0	1,235.0	(40.0)	14.2%	1,378.2	1,378.2	0.0	11.6%
Oil and Gas School Tax	324.5	-12.4%	328.5	355.7	27.2	9.6%	360.7	373.1	12.4	4.9%
Oil Conservation Tax	16.4	-10.2%	16.7	17.9	1.2	9.1%	18.2	18.7	0.6	4.5%
Resources Excise Tax	9.4	-16.3%	10.0	10.0	-	6.4%	10.0	10.0	-	0.0%
Natural Gas Processors Tax	40.4	0.1%	17.9	18.0	0.1	-55.4%	22.4	22.3	(0.1)	23.9%
TOTAL SEVERANCE TAXES	390.7	-11.2%	373.1	401.6	28.5	2.8%	411.2	424.1	12.9	5.6%
LICENSE FEES	50.3	0.4%	52.0	51.7	(0.3)	2.8%	53.9	53.5	(0.4)	3.5%
LGPF Interest	437.1	0.8%	445.2	445.2	-	1.9%	451.6	459.7	8.1	3.3%
STO Interest	22.1	-67.4%	16.2	14.7	(1.5)	-33.5%	20.2	20.8	0.6	41.5%
STPF Interest	187.1	-2.2%	184.6	184.6	-	-1.3%	180.9	183.4	2.5	-0.7%
TOTAL INTEREST	646.3	-6.7%	646.0	644.5	(1.5)	-0.3%	652.7	663.9	11.2	3.0%
Federal Mineral Leasing	355.3	-30.0%	368.2	411.7	43.5	15.9%	398.0	424.9	26.9	3.2%
State Land Office	67.7	85.8%	58.8	53.7	(5.1)	-20.7%	43.9	43.3	(0.6)	-19.4%
TOTAL RENTS & ROYALTIES	423.0	-22.2%	427.0	465.4	38.4	10.0%	441.9	468.2	26.3	0.6%
TRIBAL REVENUE SHARING	64.1	-2.0%	65.4	65.4	-	2.0%	67.2	70.4	3.2	7.6%
MISCELLANEOUS RECEIPTS	44.4	4.0%	47.2	51.4	4.2	15.8%	43.9	43.1	(0.8)	-16.1%
REVERSIONS	40.0	-30.0%	40.0	50.0	10.0	25.0%	39.5	40.0	0.5	-20.0%
TOTAL RECURRING	4,798.7	-9.8%	5,164.3	5,274.9	110.6	9.9%	5,413.2	5,533.4	120.2	4.9%
TOTAL NON-RECURRING*	478.9	1496.3%	67.3	66.8	(0.5)	-86.1%	18.3	18.3	-	-72.6%
GRAND TOTAL	5,277.6	-1.3%	5,231.6	5,341.7	110.1	1.2%	5,431.5	5,551.7	120.2	3.9%

*Post-session nonrecurring for FY11 assumed a \$500 thousand transfer from the 920 fund to cover projected shortfall.

ATTACHMENT 1

General and Consensus Revenue Estimate July 2011

	FY13			FY14			FY15					
	Dec. 10 Est. Adj. for Leg.	July 2011 Est.	Change from Prior	% Change from FY12	Dec. 10 Est. Adj. for Leg.	July 2011 Est.	Change from Prior	% Change from FY13	Dec. 10 Est. Adj. for Leg.	July 2011 Est.	Change from Prior	% Change from FY14
Gross Receipts Tax	1,899.8	1,956.0	56.2	5.0%	1,994.8	2,058.0	63.2	5.2%	2,094.8	2,156.0	61.2	4.8%
Compensating Tax	71.2	74.4	3.2	5.5%	73.2	76.6	3.4	3.0%	77.7	77.9	0.2	1.7%
TOTAL GENERAL SALES	1,971.0	2,030.4	59.4	5.1%	2,068.0	2,134.6	66.6	5.1%	2,172.4	2,233.9	61.5	4.7%
Tobacco Taxes	77.8	84.3	6.5	-2.1%	76.8	82.8	6.0	-1.8%	75.9	81.6	5.7	-1.4%
Liquor Excise	26.4	25.6	(0.8)	1.6%	26.9	25.9	(1.0)	1.2%	27.2	26.2	(1.0)	1.2%
Insurance Taxes	147.3	147.3	-	3.6%	152.6	152.6	-	3.6%	158.1	158.1	-	3.6%
Fire Protection Fund Reversion	17.6	17.6	-	-5.9%	15.2	15.2	-	-13.6%	14.1	14.1	-	-7.2%
Motor Vehicle Excise	116.0	119.0	3.0	6.3%	120.4	125.0	4.6	5.0%	126.1	130.0	3.9	4.0%
Gaming Excise	67.2	67.8	0.6	0.9%	68.4	68.8	0.4	1.5%	69.6	69.9	0.3	1.6%
Leased Vehicle Surcharge	5.7	5.4	(0.3)	5.9%	5.6	5.6	-	3.7%	5.5	5.8	0.3	3.6%
Other	3.2	3.2	-	6.7%	3.3	3.3	-	3.1%	4.6	4.6	-	39.4%
TOTAL SELECTIVE SALES	461.2	470.2	9.0	2.3%	469.2	479.2	10.0	1.9%	481.1	490.3	9.2	2.3%
Personal Income Tax	1,134.7	1,134.7	-	3.6%	1,179.7	1,179.7	-	4.0%	1,224.7	1,224.7	-	3.8%
Corporate Income Tax	322.0	350.0	28.0	23.5%	365.6	400.0	34.4	14.3%	379.4	400.0	20.6	0.0%
TOTAL INCOME TAXES	1,456.7	1,484.7	28.0	7.7%	1,545.3	1,579.7	34.4	6.4%	1,604.1	1,624.7	20.6	2.8%
Oil and Gas School Tax	380.8	394.5	13.7	5.7%	384.1	396.4	12.3	0.5%	385.3	391.4	6.1	-1.3%
Oil Conservation Tax	19.1	19.7	0.6	5.3%	19.2	19.8	0.6	0.5%	19.3	19.6	0.3	-1.0%
Resources Excise Tax	10.0	10.0	-	0.0%	10.0	10.0	-	0.0%	10.0	10.0	-	0.0%
Natural Gas Processors Tax	21.0	23.2	2.2	4.0%	20.3	24.0	3.7	3.4%	24.6	23.8	(0.8)	-0.8%
TOTAL SEVERANCE TAXES	430.8	447.4	16.6	5.5%	433.7	450.2	16.5	0.6%	439.3	444.8	5.5	-1.2%
LICENSE FEES	57.3	55.5	(1.8)	3.7%	59.9	58.0	(1.9)	4.5%	61.9	60.7	(1.2)	4.7%
LGP Interest	429.8	444.8	15.0	-3.2%	429.3	452.8	23.5	1.8%	460.3	494.1	33.8	9.1%
STO Interest	39.8	30.5	(9.3)	46.6%	52.0	33.9	(18.1)	11.1%	64.7	56.0	(8.7)	65.2%
STPF Interest	174.0	178.9	4.9	-2.5%	166.1	173.6	7.5	-3.0%	173.6	183.7	10.1	5.8%
TOTAL INTEREST	643.6	654.2	10.6	-1.5%	647.4	660.3	12.9	0.9%	698.6	733.8	35.2	11.1%
Federal Mineral Leasing	417.8	457.7	39.9	7.7%	420.6	474.5	53.9	3.7%	417.7	477.1	59.4	0.5%
State Land Office	42.8	45.0	2.2	3.9%	45.2	44.8	(0.4)	-0.4%	44.0	44.6	0.6	-0.4%
TOTAL RENTS & ROYALTIES	460.6	502.7	42.1	7.4%	465.8	519.3	53.5	3.3%	461.7	521.7	60.0	0.5%
TRIBAL REVENUE SHARING	70.1	75.4	5.3	7.1%	73.0	78.2	5.2	3.7%	75.7	81.2	5.5	3.8%
MISCELLANEOUS RECEIPTS	46.7	41.8	(4.9)	-3.0%	48.8	40.7	(8.1)	-2.6%	50.5	39.7	(10.8)	-2.5%
REVERSIONS	39.5	40.0	0.5	0.0%	39.5	40.0	0.5	0.0%	39.5	40.0	0.5	0.0%
TOTAL RECURRING	5,637.5	5,802.3	164.8	4.9%	5,850.6	6,040.2	189.6	4.1%	6,084.8	6,270.8	186.0	3.8%
TOTAL NON-RECURRING*	(3.3)	(3.3)	-	-118.0%	(0.9)	(0.9)	-	-72.7%	-	-	-	-100.0%
GRAND TOTAL	5,634.2	5,799.0	164.8	4.5%	5,849.7	6,039.3	189.6	4.1%	6,084.8	6,270.8	186.0	3.8%

ATTACHMENT 2

General Fund Financial Summary - July 2011 Revenue Estimate (Millions of Dollars)

APPROPRIATION ACCOUNT	Estimated FY2011	Estimated FY2012	Estimated FY2013
REVENUE			
Recurring Revenue			
Dec 2010 Consensus Forecast	\$ 5,164.3	\$ 5,389.7	\$ 5,615.2
2011 Recurring Revenue Bills	\$ (0.5)	\$ 23.5	\$ 22.3
July 2011 forecast update	\$ 110.6	\$ 120.2	\$ 164.8
Total Recurring Revenue	\$ 5,274.4	\$ 5,533.4	\$ 5,802.3
Nonrecurring Revenue			
2009 Special & 2010 Regular Solvency*			
July 2011 Consensus forecast w/Feb Adjustment**	\$ 40.0	\$ 6.9	\$ (3.3)
2011 Nonrecurring Revenue Bills	\$ 26.8	\$ 11.4	\$ -
Total Non-Recurring Revenue	\$ 66.8	\$ 18.3	\$ (3.3)
TOTAL REVENUE	\$ 5,341.2	\$ 5,551.7	\$ 5,799.0
APPROPRIATIONS			
Recurring Appropriations			
Recurring Appropriations - Post Solvency & FY11 Sanding	\$ 5,202.8	\$ 5,416.7	\$ -
Recurring Appropriations - Feed Bill	8.9	14.6	-
2011 Recurring Appropriation Bills	1.3	-	-
Total Recurring Appropriations	\$ 5,212.9	\$ 5,431.3	\$ -
Nonrecurring Appropriations			
2009 & 2010 Nonrecurring Appropriations	\$ 1.1	\$ -	\$ -
Laws 2011, Chapter 1, Nonrecurring Appropriation	\$ 1.5		
2011 Nonrecurring Appropriation Bills	\$ 15.6	\$ -	\$ -
Total Nonrecurring Appropriations	\$ 18.2	\$ -	\$ -
TOTAL APPROPRIATIONS	\$ 5,231.1	\$ 5,431.3	\$ -
Transfer to(from) Reserves***	\$ 110.1	\$ 120.4	\$ -
GENERAL FUND RESERVES			
Beginning Balances	\$ 278.0	\$ 367.4	\$ -
Transfers from (to) Appropriations Account	110.1	120.4	-
Revenue and Reversions	49.4	50.3	-
Appropriations, expenditures and transfers out	(70.1)	(62.6)	-
Ending Balances	\$ 367.4	\$ 475.6	\$ -
Reserves as a Percent of Recurring Appropriations	7.0%	8.8%	***

*Includes funds from 2009 Special HB3, HB16, HB17 and SB29, executive order & furloughs, 2010 Regular capital outlay swaps & voids, reversions, and other nonrecurring revenue

**FY11 includes \$36 million in one-time fiduciary tax revenue, \$2.1 million for tax amnesty, and \$1.9 million in IT and Telecom overcharges to be refunded to the General Fund by DOIT. 2011 Legislation includes \$26 million fund transfer for solvency, and \$800 thousand for homeland security deficiency reversions. FY12 includes \$11.4 million fund transfer for solvency, and \$6.9 million for tax amnesty.

*** "New money" in FY13, defined as FY13 projected revenue less FY12 appropriation is \$367.7 million.

ATTACHMENT 2

General Fund Financial Summary - July 2011 Revenue Estimate RESERVE DETAIL (Millions of Dollars)

	Estimated FY2011	Estimated FY2012
OPERATING RESERVE		
Beginning balance	\$ 36.2	\$ 34.7
BOF Emergency Appropriations	(1.5)	-
Transfers from/to appropriation account	-	120.4
Chapter 3, Laws 2009 - SS (HB6)	-	-
Ending balance	\$ 34.7	\$ 155.1
APPROPRIATION CONTINGENCY FUND		
Beginning balance	\$ -29.6	\$ -5.6
Disaster allotments	(24.0)	(24.0)
Other appropriations	-	-
Transfers in	-	-
Revenue and reversions	-	-
Ending Balance	\$ 5.6	\$ (18.4)
Education Lock Box		
Beginning balance	\$ 53.1	\$ 47.1
Appropriations (2010 and 2011 GAA Section 5)	(6.0)	-
Transfers in(out)	-	-
Ending balance	\$ 47.1	\$ 47.1
STATE SUPPORT FUND		
Beginning balance	\$ 1.0	\$ 1.0
Revenues	\$ -	\$ -
Appropriations	\$ -	\$ -
Ending balance	\$ 1.0	\$ 1.0
TOBACCO PERMANENT FUND		
Beginning balance	\$ 132.0	\$ 142.9
Transfers in	38.6	38.6
Appropriation to tobacco settlement program fund	(19.3)	(19.3)
Gains/Losses	10.8	11.7
Additional transfers to Program Fund	(19.3)	(19.3)
Ending balance	\$ 142.9	\$ 154.6
TAX STABILIZATION RESERVE		
Beginning balance	\$ 26.1	\$ 136.2
Transfers in	-	-
Chapter 3, Laws 2009 - SS (HB6)	-	-
2010 Special Session reserve transfers	-	-
2011 Session reserve transfers	110.1	-
Ending balance	\$ 136.2	\$ 136.2
GENERAL FUND ENDING BALANCES	\$ 367.5	\$ 475.6
<i>Percent of Recurring Appropriations</i>	<i>7.0%</i>	<i>8.8%</i>

U.S. and New Mexico Economic Indicators

	FY10		FY11		FY12		FY13		FY14		FY15	
	July11 Prelim Actual	Dec10 Forecast	July11 Forecast	Dec10 Forecast								
National Economic Indicators												
US Real GDP Growth (annual avg. % YOY)*	1.2	2.5	2.7	2.6	3.0	2.9	2.7	2.7	3.1	3.3	3.3	3.3
US Inflation Rate (CPI, annual avg. % YOY)**	1.0	1.3	2.0	1.7	2.6	2.0	1.9	2.0	2.0	2.2	2.1	2.1
Federal Funds Rate (%)	0.2	0.1	0.2	0.3	0.3	2.7	2.7	3.5	3.5	4.2	4.2	4.2
New Mexico Labor Market and Income Data												
NM Non-Agricultural Employment Growth (%)	-3.2	0.2	0.1	1.0	1.3	1.3	1.5	1.5	1.3	1.4	1.2	1.2
NM Personal Income Growth (%)***	0.1	3.5	4.2	2.2	4.2	3.2	4.3	3.9	4.8	5.1	5.0	5.0
NM Private Wages & Salaries Growth (%)	-2.4	2.2	2.8	3.6	4.5	3.7	4.9	4.1	4.6	4.1	4.4	4.4
Crude Oil and Natural Gas Outlook												
NM Oil Price (\$/barrel)	\$71.29	76.87	\$85.50	\$82.69	\$87.80	\$85.60	\$89.50	\$88.01	\$89.50	\$90.46	\$89.50	\$89.50
NM Taxable Oil Volumes (million barrels)	62.70	63.30	65.4	64.0	67.4	64.6	68.7	65.2	69.4	65.9	68.7	68.7
NM Gas Price (\$ per thousand cubic feet)****	\$5.18	5.00	\$5.20	\$5.75	\$5.60	\$6.37	\$6.20	\$6.58	\$6.40	\$6.73	\$6.50	\$6.50
NM Taxable Gas Volumes (billion cubic feet)	1,285	1,234	1,224	1,197	1,184	1,161	1,147	1,126	1,111	1,092	1,077	1,077

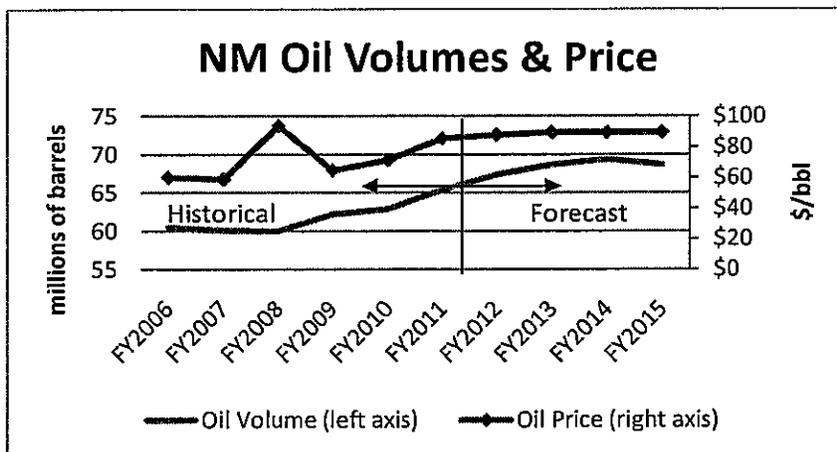
* Real GDP is BEA chained 2005 dollars, billions, annual rate

** CPI is all urban, BLS 1982-84=1.00 base.

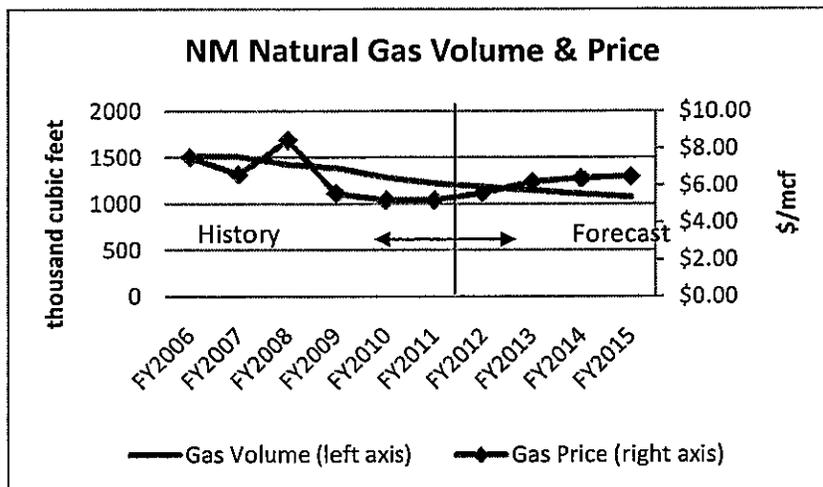
***Personal Income growth rates are for the calendar year in which each fiscal year begins

****The gas prices are estimated using a formula of NYMEX, EIA, and Global Insight future prices as well as a liquid premium based on oil prices.

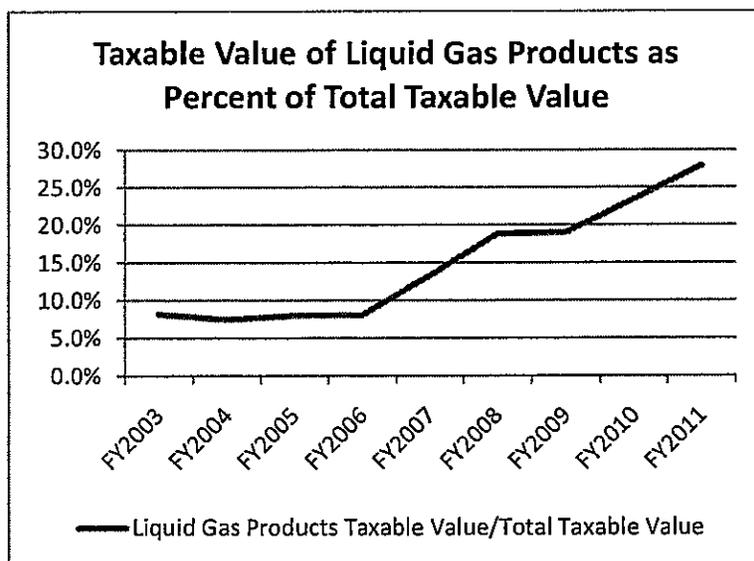
Sources: May Global Insight and June EBER



Source: ONGARD database / Consensus revenue estimating group



Source: ONGARD database/ Consensus revenue estimating group



Source: ONGARD database

ATTACHMENT 5

Taxable Gross Receipts by Industry: FY11 vs FY10 through May 2011

	Change (Million \$)	Percent Change
Agriculture, Forestry, Fishing and Hunting	(\$2.5)	-4.0%
Mining and Oil and Gas Extraction	\$745.9	40.2%
Utilities	\$52.3	2.6%
Construction	(\$177.1)	-3.2%
Manufacturing	\$222.6	19.5%
Wholesale Trade	\$186.6	10.2%
Retail Trade	(\$21.0)	-0.2%
Transportation and Warehousing	\$64.9	10.5%
Information and Cultural Industries	\$349.5	20.6%
Finance and Insurance	(\$2.5)	-1.0%
Real Estate and Rental and Leasing	\$69.2	10.4%
Professional, Scientific and Technical Services	\$166.2	3.9%
Management of Companies and Enterprises	(\$1.2)	-3.5%
Admin and Support, Waste Mgt and Remed	\$237.1	14.0%
Educational Services	\$54.4	28.5%
Health Care and Social Assistance	\$118.0	6.0%
Arts, Entertainment and Recreation	\$6.4	3.4%
Accommodation and Food Services	\$152.8	4.9%
Other Services (except Public Admin)	\$111.4	2.4%
Public Administration	\$1.0	0.5%
Unclassified Establishments	(\$86.5)	-38.3%
Total	\$2,247.3	5.1%

General Fund Outlook

	FY12	FY13
July 2011 Consensus - Recurring Revenue(1)	\$5,533.4	\$5,802.3
Subtotal of Nonrecurring Revenue(2)	\$18.3	(\$3.3)
Recurring Appropriations		
Public Education	\$2,364.9	\$2,364.9
Higher Education	\$716.6	\$716.6
Other Health & Human Services	\$354.4	\$354.4
Public Safety	\$658.1	\$658.1
Medicaid(3)	\$867.1	\$901.8
All Other Government	\$470.2	\$470.2
Subtotal of Recurring Appropriations	\$5,431.3	\$5,466.0
Replace Federal Funds & Other State Funds		
Replace tobacco settlement funds	\$19.8	\$19.8
Attorney General - Replace balances of consumer settlement		\$2.0
Replace 1.75% Retirement Swap		\$49.7
Replace 1.5% Swap(4)		-
0.75% ERB Employer Increase(4)		-
HED Student Financial Aid - Replace balances of college affordability		\$2.0
Office of the State Engineer - Replace balances of IWCF		\$2.0
Operating Funding for Los Lunas Substance Abuse Treatment Facility		\$3.0
Governor's Commission on Disability - Replace fund balances		\$0.3
Department of Cultural Affairs - Replace fund balances		\$1.5
Retiree Health Care - 3rd year employer contribution increase		\$3.7
Office of the Natural Resources Trustee - Replace fund balances		\$0.2
Surplus/(Deficit)	\$100.6	\$248.9

(1) Reflects reduction in LGPF distribution.

(2) FY12 includes \$6.9 million for tax amnesty and \$11.4 for NMFA transfers. FY13 includes a reduction of \$3.3 million for the accelerated collection resulting from tax amnesty.

(3) Medicaid spending growth for FY13 estimated at 4%. This is approximately half the April 2011 Global Insight medical spending forecast with a growth rate of 6.95%.

(4) Replacement scheduled for FY14.

TOBACCO SETTLEMENT PROGRAM FUND APPROPRIATIONS
(dollars in thousands)

Agency	Purpose	FY11 Revised (1)	FY12 LFC Rec (2)	FY12 Executive Rec	FY12 Laws 2011, Ch. 179 (2)	FY12 Revised OpBud (3)
609 Indian Affairs	Tobacco Cessation Programs	253.7	255.7	263.6	255.7	249.3
630 Human Services Department	Medicaid -- Breast and cervical cancer treatment	1,298.0	1,345.9	1,500.0	1,345.9	1,312.4
630 Human Services Department	Medicaid	6,625.5	8,109.5	5,175.0	8,109.5	7,736.1
630 Human Services Department	Medicaid, contingent on 100% distribution	19,283.6	19,776.0	19,800.0	19,776.0	19,453.9
665 Department of Health	Tobacco cessation and prevention	5,794.6	5,827.4	6,007.7	5,827.4	5,682.0
665 Department of Health	Diabetes prevention and control	762.9	767.1	790.9	767.1	748.0
665 Department of Health	HIV/AIDS services	298.7	300.5	309.7	300.5	293.0
665 Department of Health	Breast and cervical cancer screening	127.2	131.8	131.8	131.8	128.6
952 University of New Mexico HSC	Research and clinical care programs in lung and tobacco-related illness (LRFI contract)	865.4	0	1,000.0	0	0
952 University of New Mexico HSC	Instruction and General Purposes	724.3	675.9	837.0	675.9	Note 4
952 University of New Mexico HSC	Research in genomics and environmental health	1,051.5	981.2	1,215.0	981.2	Note 4
952 University of New Mexico HSC	Poison control center	350.5	327.1	405.0	327.1	Note 4
952 University of New Mexico HSC	Pediatric oncology program	311.5	290.7	360.0	290.7	Note 4
952 University of New Mexico HSC	Telemedicine program	116.9	109.0	135.0	109.0	Note 4
952 University of New Mexico HSC	Los Pasos program	39.0	36.3	45.0	36.3	Note 4
952 University of New Mexico HSC	Area health education centers	39.0	36.3	45.0	36.3	Note 4
952 University of New Mexico HSC	Specialty education in trauma	311.5	290.7	360.0	290.7	Note 4
952 University of New Mexico HSC	Specialty education in pediatrics	311.5	290.7	360.0	290.7	Note 4
TOTAL University of New Mexico (4)		38,565.4	39,551.8	38,740.7	39,551.8	2,962.1
Total Appropriations		38,565.4	39,551.8	38,740.7	39,551.8	38,565.4

(1) Final revised allotments per DFA based on actual payment received April 2011, which was \$1.4 million below the June 2010 projection.

(2) Estimated payment of \$39.55 million (October 2010).

(3) DFA advised agencies in April 2011 of reduced allotments based on the 2011 actual payment. See Note (1).

(4) FY12 GAA language allows UNM the flexibility to allocate the DFA reduction of \$75.8 thousand.

Updated Consensus General Fund Revenue Estimates

Presented to the Legislative Finance Committee

July 14, 2011

Secretary Demesia Padilla, NM Taxation and Revenue Department

Executive Summary

The consensus forecast update is a joint product of legislative and executive branch economists. They use a variety of information sources and statistical methods. The end product reflects agreement on each revenue that comprises the state General Fund. Details of their forecast are presented in Appendix Table 2. A summary of the revisions is presented in Table 1 below.

Table 1
July 2011 Consensus General Fund Revenue Forecast
(Million Dollars)

	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
<i>Recurring revenue:</i>					
December 2010 Estimates	5,164.3	5,389.7	5,615.2	5,827.4	6,056.7
2011 Legislation	-	23.5	22.3	23.2	28.2
July 2011 forecast revisions	110.6	120.2	164.8	189.6	186.0
July 2011 Estimates	5,274.9	5,533.4	5,802.3	6,040.2	6,270.8
Annual percent change	9.9%	4.9%	4.9%	4.1%	3.8%
<i>Non-recurring revenue:</i>	66.8	18.3	(3.3)	(0.9)	-
Total revenue	5,341.7	5,551.7	5,799.0	6,039.3	6,270.8

The primary legislative change from the 2011 session was the reduction of film production tax credits, these changes increased General Fund revenue by \$20-25 million per year. The July forecast revisions increase FY11 revenue by \$110.1 million, FY12 revenue by \$120 million and FY13 revenue by \$164.8 million.

Major revisions to individual revenues are illustrated in Table 2 and described briefly below.

Table 2
July 2011 Major Forecast Revisions by Revenue
(Million Dollars)

	<u>FY11</u>	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>
Gross Receipts Tax	57.0	52.5	56.2	63.2	61.2
Tobacco taxes	6.0	7.5	6.5	6.0	5.7
Motor vehicle excise tax	4.7	4.6	3.0	4.6	3.9
Corporate income tax	(40.0)	-	28.0	34.4	20.6
Oil & gas revenues	66.9	39.2	58.7	70.0	65.5
Investment income	(1.5)	11.2	10.6	12.9	35.2
Other	17.5	5.2	1.8	(1.5)	(6.2)
Total recurring revenue	110.6	120.2	164.8	189.6	186.0
Non-recurring revenue	(0.5)	-	-	-	-
Total revenue	110.1	120.2	164.8	189.6	186.0

- The main contributor to gross receipts tax growth has been the service sectors, which comprise the largest part of the tax base. However, the sector showing the greatest percentage growth is the mining and oil & gas extraction sector with 42% growth in FY11 over FY10. The retail trade sector has been mixed, a very good December has been followed by subdued or even negative growth in some months this spring.
- Corporate income tax (CIT) collections are down \$40 million in FY11 due to higher-than-expected payments of film credits. However, film credits will be capped at \$50 million in FY12 and after. Meanwhile, underlying revenue growth has been very strong, and a further increase is expected starting in FY13 due to expiration of the bonus depreciation provisions of federal law.
- Oil and gas tax and royalty revenues are up significantly due to higher oil prices, increasing oil production and higher bonus payments for new wells.
- Cigarette tax collections are higher than forecast because sales of taxable cigarettes have not fallen as sharply as was expected at the time the tax rate was increased from 91 cents to \$1.66 per pack.
- Motor vehicle excise tax revenue is up as vehicle sales rebounded from historic lows. Growth for FY11 is now expected to be almost 12%.

- Permanent fund earnings are up due to stronger investment performance. In addition, contributions of royalty revenue are higher, which contributes to higher distributions in the future.

Economic Outlook (Appendix Table 1):

U.S. Economy:

Economic growth as measured by Gross Domestic Product (GDP) was weak during the first half of 2011. Food and gasoline price hikes and supply-chain interruptions due to the earthquake in Japan have reduced consumer spending and employment growth. Growth is expected to improve in the second half of 2011 as these temporary factors become less important and the gradual recovery from recession takes hold. Food and energy prices remain elevated but are down from their peaks, so inflation should ease in the second half of the year. Core inflation will be capped by very low wage inflation. This forecast assumes that some further progress on deficit reduction accompanies a summer debt-ceiling extension, but no comprehensive deficit-reduction plan is expected before the 2012 elections. The Federal Reserve is expected to remain on “hold,” no further quantitative easing is expected but also no rate hike before September 2012.

New Mexico Economy:

The payroll tax holiday adopted by Congress at the beginning of the year may increase take home pay for New Mexicans by \$600 million in calendar year 2011, providing a boost to consumer and business spending. While employment has continued to lag in New Mexico and has not exceeded expectations, both personal income and private wages and salaries have grown more than expected in FY11. Preliminary data indicate that FY11 New Mexico personal income grew by 4.2%. The FOR-UNM economic forecast expects growth at a rate between 4% and 5% per year. Over the past few years personal income in New Mexico has been propped up with transfer payments from the government, but the forecast assumes more growth will come from private wage and salary disbursements.

Specific factors affecting NM growth:

The locomotive fuel deduction passed in the 2011 legislative session and signed by Governor Martinez paved the way for construction to begin this June on the new Union Pacific rail-yard and fueling station. The project will temporarily create thousands of construction jobs as Union Pacific plans to invest more than \$400 million to construct the facility. Hundreds of permanent jobs will also be created at the facility as it becomes operational.

The resumption of mining activities by Freeport-McMoRan at the Chino Mine has continued on schedule also adding hundreds of jobs to the New Mexico economy. Freeport-McMoRan expects to spend \$150 million at the mine for equipment and mill refurbishment

New Mexico has also begun to see job growth through the acceleration of oil exploration, drilling and production activities. The Oil Conservation Division reports a significant increase in drilling activity in the Permian Basin, although activity in the San Juan Basin is still declining.

In addition to PNM's solar projects there are at least two additional large solar-electric projects underway in New Mexico this year. The Roadrunner Solar Electric Facility near Santa Teresa is planned at 20-megawatts. The 54-megawatt Xcel Energy/SunEdison project in Eddy and Lea counties will be the State's largest to date. Recent deductions and credits have largely eliminated millions of dollars in gross receipts tax revenue that would have potentially been generated by the construction of these solar facilities. New Mexico's renewable portfolio standard requires that regulated electric utilities use renewable energy sources for 15 percent of their electricity needs by 2015 and 20 percent by 2020.

Energy Markets:

Natural Gas:

Natural gas contributed approximately 55% of all General Fund revenue from oil and gas production in FY11. This share is down from an average of almost two-thirds over the last decade. Gas prices have fallen relative to oil prices, reducing the share of revenue attributable to gas. Natural gas prices have been remarkably stable over the past year. The FY11 average price

was almost exactly equal to the FY10 value of approximately \$5.20 per thousand cubic feet (Mcf). Futures markets predict an increase of \$0.30 to \$0.40 per year in the next few years. Price improvement is attributed to increased demand due to economic growth combined with a slower growth in production as drilling activity shifts to more lucrative oil-rich formations. Natural gas liquids generated a premium of approximately \$1.30 per Mcf in FY11, an amount that is included in the \$5.20 average price mentioned earlier. This is expected to continue because liquids track oil prices, which are expected to remain high relative to dry gas. Gas production volume continues to decline in New Mexico, falling almost 5% in FY11. Drilling activity directed at gas formations continues to decline due to the huge price difference between gas and oil.

Crude Oil:

New Mexico oil prices rose steadily over the course of FY11, starting around \$70 per barrel and ending close to \$95. The average for the year was \$85.50. The New Mexico average was about \$4 per barrel less than the West Texas Intermediate benchmark. The consensus forecast assumes oil prices will rise by 2% to 3% over the next two fiscal years and stabilize close to \$90 per barrel. This is close to the highest annual oil price on record, \$93.74 in FY08. Rising prices are expected to result from increasing demand in developing countries. There is a limit to this process, however, because high prices are leading to greater conservation efforts. High prices are also stimulating production. Increased production from non-OPEC countries and excess capacity in OPEC countries should limit upward price spikes. Oil price increases over the last two years appear to be due in part to increased speculative activity. Although hard to predict, these increases are unlikely to be repeated. Oil production in New Mexico rose by 4.3% in FY11. Record bonus payments for State Land Office leases indicate that production will continue to increase.

Outlook for individual Revenues (Appendix Table 2):

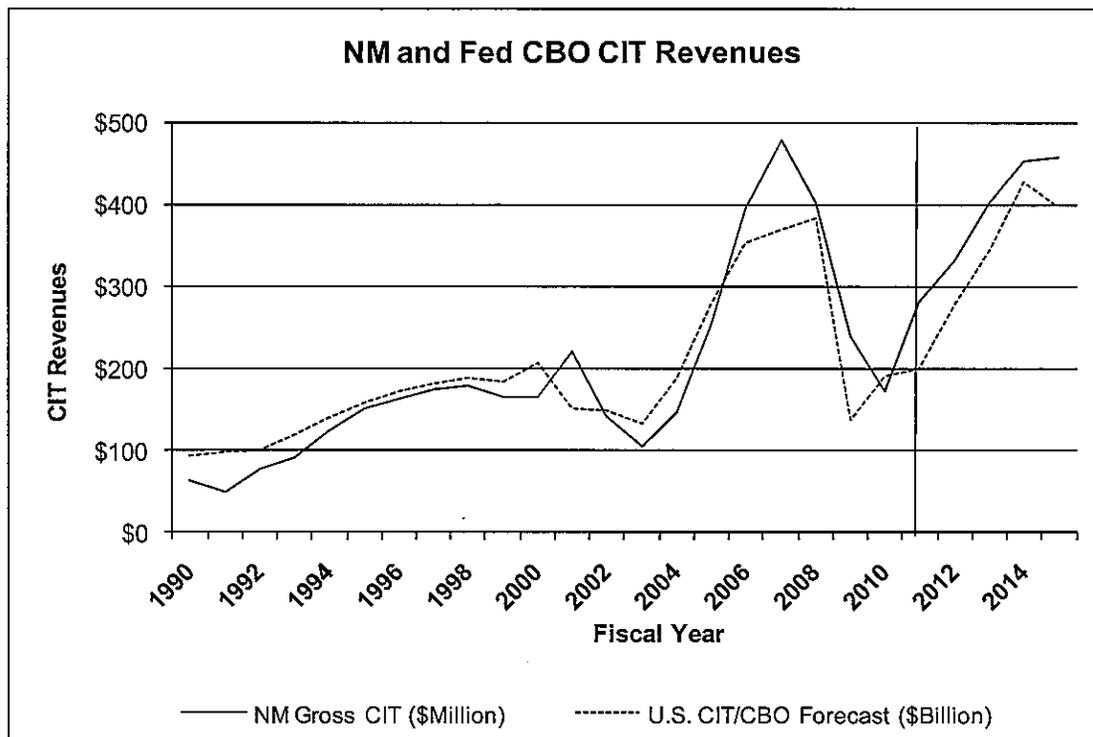
Personal Income Tax (PIT):

FY11 collections are consistent with the December 2010 forecast, which included an estimated \$50 million increase from disallowing the itemized deduction for state income tax. Excluding that increase, growth would have been 5%. Refundable credits (Working Families Tax Credit

and LICTR) reduced net PIT by almost \$80 million in FY11. With 10 months of the fiscal year completed, withholding payments are on pace to increase by about 2% in FY11. Estimated and return payments were up almost 20% and refunds were down 5%. Oil and gas withholding payments were flat.

Corporate Income Tax (CIT):

Gross CIT collections rebounded strongly in FY11, increasing by almost 65% from the depressed level of FY10. The following figure illustrates the close relationship between New Mexico CIT and CIT collections of the federal government. New Mexico’s gross CIT collections – before film credit payments – rose more quickly than federal collections in FY11. The Congressional Budget Office (CBO) projects a significant increase in CIT collections in FY13 and FY14 due to the expiration of bonus depreciation provisions. Since New Mexico piggybacks on those provisions, state collections should experience a similar increase.



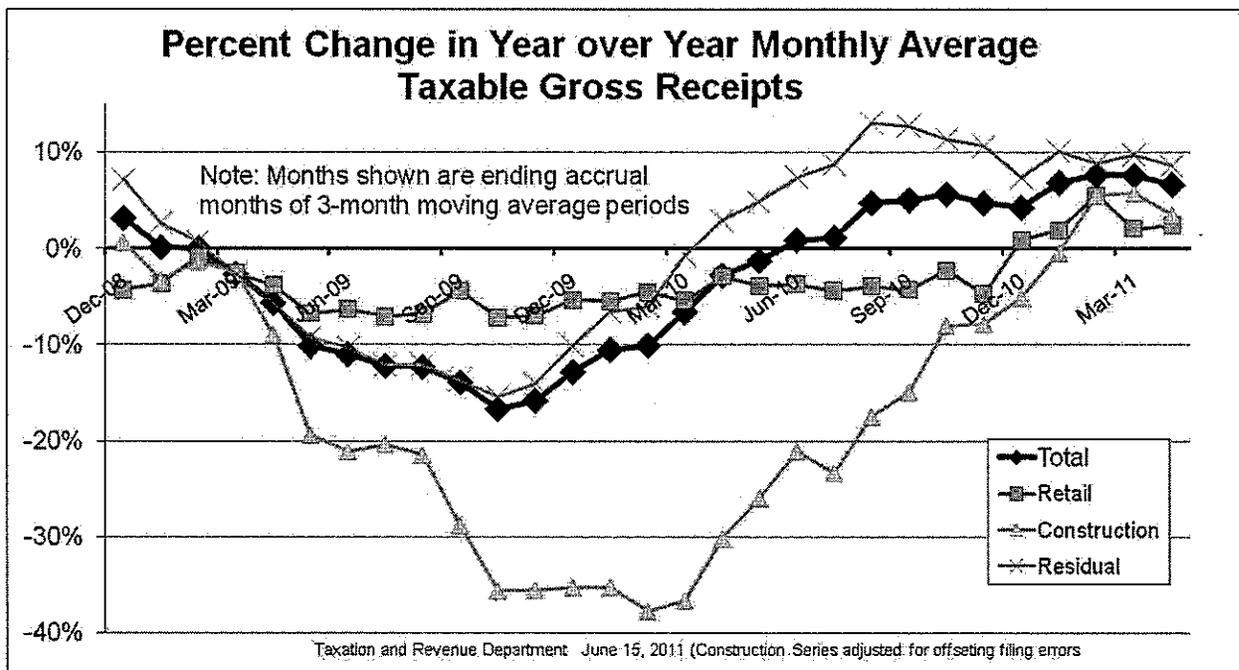
Film production tax credits are subtracted from gross CIT revenue to determine net CIT revenue to the General Fund. The following table presents film credits approved and paid by fiscal year. Two sets of changes have been made in the July estimates relative to the December 2010 estimates. The July revenue forecast reflects the credit amounts actually paid in each fiscal year rather than the amounts on approved applications. In some cases, companies take several months to a year or more before they claim a credit after their application is approved. The credit amounts as paid are a more accurate reflection of when the credits impact the General Fund. In addition, the July estimate reflects increased credit payments in FY11 due to accelerated claims by a number of companies attempting to collect credit under old law rules. Finally the July estimate reflects the effects of the \$50 million cap on credit payments in each fiscal year beginning with FY12.

Film Credits by Fiscal Year:		
	Dec. 2010 Forecast	July 2011 Forecast
	Film Credit Applications Approved:	Film Credits Paid:
FY03	\$1,219,508	\$1,116,187
FY04	\$3,404,963	\$1,736,665
FY05	\$2,072,633	\$2,104,583
FY06	\$10,742,480	\$7,862,358
FY07	\$17,578,139	\$19,545,082
FY08	\$46,029,904	\$42,990,812
FY09	\$76,706,379	\$82,340,373
FY10	\$65,912,933	\$45,367,424
FY11	\$65,000,000	\$102,000,000
FY12	\$68,250,000	\$50,000,000
FY13	\$71,662,500	\$50,000,000
FY14	\$75,245,625	\$50,000,000
FY15	\$79,007,906	\$50,000,000

Gross Receipts Tax (GRT):

The brightest spot in New Mexico’s revenue picture so far this year has been gross receipts tax revenues rebounding faster than expected. Year-to-date taxable gross receipts have increased

about 6% over FY10. This growth in the base combined with the 1/8th percent rate increase puts FY11 gross receipts tax revenue on track to grow by almost 10%. After finally hitting the bottom at the very end of calendar 2010 receipts from the construction sector have actually started to grow slightly during the first few months of 2011. Nevertheless, it may take more than a decade for construction sector employment and gross receipts tax revenue to reach the levels seen during the housing bubble in FY07 & FY08. The service sectors have contributed the most to the faster growth due to their size; however, the sector showing the greatest growth year-to-date has been the mining and oil & gas extraction sector with 42% growth over FY10. The retail trade sector has remained mixed in FY11. Other than a very good December growth has remained subdued or even negative. We suspect that so far the benefits of the payroll tax holiday to New Mexican's paychecks have been mostly cancelled out by the burden of higher gas prices at the pump.



Other Revenues:

Motor Vehicle Excise Tax (MVX) revenue has also rebounded somewhat faster than expected from FY10's dismal year. In FY10 MVX revenue dropped to only \$92 million, which was \$38

million or 30% below the peak year of FY07. For FY11 MVX revenue is now on track to grow almost 12 percent to \$103 million. This is an upward revision of \$4.7 million from December's forecast. Even with FY11's robust growth, the level of revenue in MVX seen in FY07 is not expected to be surpassed again until FY16.

Cigarette excise tax collections increased by an estimated \$42 million in FY11. This was due to 2010 legislation that increased the tax rate by 75 cents, from 91 cents a pack to \$1.66 a pack. The unique feature of this cigarette tax increase was that tribes were required to impose a qualifying tribal cigarette tax themselves of at least 75 cents. The tax increase was forecast to raise an additional \$33 million in FY11. It appears that the tribal tax requirements have largely been implemented correctly and are working as planned. Even though taxable sales volumes did drop the reduction in sales and shift to tribal sales was not as large as anticipated. Cigarette revenue is now expected to be about \$6 million higher than in the December estimate.

In February the Navajo Nation began construction on a \$66 million casino outside Farmington that is scheduled to open in January 2012. The Navajo Nation will share revenues from the casino's 750 new slot machines with the State at a rate of 8% (under the conditions of the 2001 Tribal-State Class III Gaming Compact). The new casino is expected to cannibalize some business from the SunRay Racetrack-Casino (which shares revenue at a 26% rate); however, the net revenue impact to the State is expected to be slightly positive.

The County Gaming Tax Credit went into effect for Ruidoso Downs Racetrack & Casino this January. It will effectively cut their tax rate in half up to a maximum benefit of \$750,000 annually. The General Fund will be held harmless through revenue generated from Lincoln County's 3/16% Business Retention Gross Receipts Tax. Last September 7,018 Lincoln County residents approved the tax by a margin of 420 votes.

Risks to the Forecast:

Negative Risks:

Failure to raise the U.S. federal debt ceiling by the deadline of August 2 could lead to a massive fiscal contraction and a financial crisis, although it would not necessarily mean a debt default. Housing markets remain depressed as foreclosures and short sales continue to push prices down and reduce the incentive to construct new homes. Employment growth is below levels needed to reduce the unemployment rate. High unemployment prevents significant wage gains and holds down growth of consumer spending. The sovereign debt crisis is still far from resolution. It poses significant risks to worldwide growth.

Positive Risks:

Reversal of food and energy price spikes from the spring could trigger faster consumer spending growth in the second half of this year. Falling gasoline prices and recovery of Japan's auto parts supplies could stimulate vehicle sales and domestic production. Improved business confidence and easier credit could stimulate investment, including a boost to the construction sector. Successful resolution of the sovereign debt crisis will boost international growth and demand for U.S. exports. Although further stimulus actions are being contemplated, their impacts will be offset over time by the need to reduce federal indebtedness and to avoid long-term inflationary impacts.

**APPENDIX TABLE 1
U.S. and New Mexico Economic Indicators**

	FY10		FY11		FY12		FY13		FY14		FY15	
	Dec10	July11	Dec10	July11	Dec10	July11	Dec10	July11	Dec10	July11	Dec10	July11
	Prelim	Actual	Forecast									
National Economic Indicators												
US Real GDP Growth (annual avg, % YOY)*	0.7	1.2	2.5	2.7	2.6	3.0	2.9	2.7	2.7	3.1	3.3	3.3
US Inflation Rate (CPI, annual avg, % YOY)**	1.0	1.0	1.3	2.0	1.7	2.6	2.0	1.9	2.1	2.0	2.2	2.1
Federal Funds Rate (%)	0.2	0.2	0.1	0.2	0.3	0.3	2.7	2.7	3.5	3.5	4.2	4.2
New Mexico Labor Market and Income Data												
NM Non-Agricultural Employment Growth (%)	-3.2	-3.2	0.2	0.1	1.0	1.3	1.3	1.5	1.5	1.3	1.4	1.2
NM Personal Income Growth (%)***	0.0	0.1	3.5	4.2	2.2	4.2	3.2	4.3	3.9	4.8	5.1	5.0
NM Private Wages & Salaries Growth (%)	-2.3	-2.4	2.2	2.8	3.6	4.5	3.7	4.9	4.1	4.6	4.1	4.4
Crude Oil and Natural Gas Outlook												
NM Oil Price (\$/barrel)	\$71.29	\$71.29	76.87	\$85.50	\$82.69	\$87.80	\$85.60	\$89.50	\$88.01	\$89.50	\$90.46	\$89.50
NM Taxable Oil Volumes (million barrels)	62.70	62.70	63.30	65.4	64.0	67.4	64.6	68.7	65.2	69.4	65.9	68.7
NM Gas Price (\$ per thousand cubic feet)****	\$5.18	\$5.18	5.00	\$5.20	\$5.75	\$5.60	\$6.37	\$6.20	\$6.58	\$6.40	\$6.73	\$6.50
NM Taxable Gas Volumes (billion cubic feet)	1,285	1,285	1,234	1,224	1,197	1,184	1,161	1,147	1,126	1,111	1,092	1,077

* Real GDP is BEA chained 2005 dollars, billions, annual rate

** CPI is all urban, BLS 1982-84=1.00 base.

***Personal income growth rates are for the calendar year in which each fiscal year begins

****The gas prices are estimated using a formula of NYMEX, EIA, and Global Insight future prices as well as a liquid premium based on oil prices.

Sources: May Global Insight and June BBER

APPENDIX TABLE 2
Consensus General Fund Revenue Estimate
July 2011

	FY11			FY12			
	Dec. 10 Est.	July 2011 Est. Prelim Actual	Change from Prior	Dec. 10 Est.	July 2011 Est.	Change from Prior	% Change from FY11
Gross Receipts Tax	1,740.0	1,797.0	57.0	1,810.0	1,862.0	52.5	3.6%
Compensating Tax	64.5	68.0	3.5	67.7	70.5	2.8	3.7%
TOTAL GENERAL SALES	1,804.5	1,865.0	60.5	1,877.7	1,932.5	55.3	3.6%
Tobacco Taxes	81.0	87.0	6.0	78.6	86.1	7.5	-1.0%
Liquor Excise	25.5	24.8	(0.7)	26.0	25.2	(0.8)	1.6%
Insurance Taxes	137.3	137.3	-	142.2	142.2	-	3.6%
Fire Protection Fund Reversion	18.3	18.3	-	17.4	18.7	-	2.2%
Motor Vehicle Excise	98.3	103.0	4.7	107.4	112.0	4.6	8.7%
Gaming Excise	64.9	66.5	1.6	66.0	67.2	1.2	1.1%
Leased Vehicle Surcharge	5.8	5.0	(0.8)	5.6	5.1	(0.5)	2.0%
Other	3.0	3.0	-	3.0	3.0	-	0.0%
TOTAL SELECTIVE SALES	434.1	444.9	10.8	446.2	459.5	12.0	3.3%
Personal Income Tax	1,055.0	1,055.0	-	1,095.0	1,094.9	-	3.8%
Corporate Income Tax	220.0	180.0	(40.0)	260.0	283.3	23.3	57.4%
TOTAL INCOME TAXES	1,275.0	1,235.0	(40.0)	1,355.0	1,378.2	0.0	11.6%
Oil and Gas School Tax	328.5	355.7	27.2	360.7	373.1	12.4	4.9%
Oil Conservation Tax	16.7	17.9	1.2	18.2	18.7	0.6	4.5%
Resources Excise Tax	10.0	10.0	-	10.0	10.0	-	0.0%
Natural Gas Processors Tax	17.9	18.0	0.1	22.4	22.3	(0.1)	23.9%
TOTAL SEVERANCE TAXES	373.1	401.6	28.5	411.2	424.1	12.9	5.6%
LICENSE FEES	52.0	51.7	(0.3)	53.9	53.5	(0.4)	3.5%
LGPL Interest	445.2	445.2	-	451.6	459.7	8.1	3.3%
STO Interest	16.2	14.7	(1.5)	20.2	20.8	0.6	41.5%
STPF Interest	184.6	184.6	-	180.9	183.4	2.5	-0.7%
TOTAL INTEREST	646.0	644.5	(1.5)	652.7	663.9	11.2	3.0%
Federal Mineral Leasing	368.2	411.7	43.5	398.0	424.9	26.9	3.2%
State Land Office	58.8	53.7	(5.1)	43.9	43.3	(0.6)	-19.4%
TOTAL RENTS & ROYALTIES	427.0	465.4	38.4	441.9	468.2	26.3	0.6%
TRIBAL REVENUE SHARING	65.4	65.4	-	67.2	70.4	3.2	7.6%
MISCELLANEOUS RECEIPTS	47.2	51.4	4.2	43.9	43.1	(0.8)	-16.1%
REVERSIONS	40.0	50.0	10.0	40.0	40.0	0.5	-20.0%
TOTAL RECURRING	5,164.3	5,164.3	110.6	5,389.7	5,533.4	120.2	4.9%
TOTAL NON-RECURRING*	2.1	66.8	(64.7)	6.9	18.3	11.4	-72.6%
GRAND TOTAL	5,166.4	5,231.6	110.1	5,396.6	5,551.7	120.2	3.9%

