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State of New Mexico
LEGISLATIVE FINANCE COMMITTEE

325 Don Gaspar, Suite 101 • Santa Fe, NM 87501
Phone: (505) 986-4550 • Fax: (505) 986-4545

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Director

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February 10, 2010

MEMORANDUM

TO: Representative Luciano "Lucky" Varela, Chairman
Senator John Arthur Smith, Vice Chairman

THRU: David Abbey, Director

FROM: Thomas Clifford, Chief Economist
Becky Gutierrez, Senior Economist
Daniel White, Financial Economist

Handwritten initials in black ink, including "TC", "BG", and "DW".

SUBJECT: FY10 Revenue Tracking, February 2010 Report

New Information Since January Report:

The current tracking report is based on the December 2009 consensus revenue forecast. Although the consensus group met at the end of January, the decision was made not to revise the revenue outlook.

The January report showed recurring revenues tracking \$14.9 million below forecast. New information since the January tracking report includes revenue accruals for November and preliminary information for December. The most significant deviations from expected amounts are the following:

- Net personal income tax revenue fell sharply due to weaker-than-expected payments in November and December. Because of uncertainty in how to interpret the pattern of payments in prior years, these amounts may be made up in subsequent months.
- Net corporate income tax revenue also fell, apparently due to large refund payments. Net corporate income tax payments were negative in both November and December. Forecast values of corporate income tax were modified to reflect the current method of accruing this revenue.
- Film credit claims paid in January were \$16 million, which was above forecast, bringing year-to-date claims to \$43 million. This will likely reduce January CIT below the forecast, but the change has not yet been incorporated in the report.
- Oil and gas related revenues – including federal leasing royalties, State Land Office bonus payments and Oil & Gas Emergency School taxes – all came in above expectations. Strength reflects the recent increase of oil and gas prices. This strength is

FY10 Revenue Tracking, February 2010 Report

- likely to continue into subsequent months, but that is not reflected in the forecast values in the table.

Bottom line:

Total recurring revenue is tracking \$39.9 million below forecast.

As described in the Appendix, the revenue tracking report does not modify forecast values to reflect year-to-date deviations from forecast. The strength of oil and gas prices relative to the forecast will likely continue in future months. However, the year-to-date weakness of GRT and the income taxes may compound into a larger shortfall going forward. There is sufficient uncertainty about the pattern of expected distributions of the income taxes that it is too soon to say whether the year-to-date weakness will grow or fall over the course of the full year.

APPENDIX

Background:

For several years, LFC staff has prepared a monthly report to compare actual General Fund revenue collections with the most recent forecast by the consensus revenue estimating group. Given the depth of the current budget crisis, and the heightened interest in the revenue outlook, it seems appropriate that the monthly tracking information should be shared with a wider audience. To that end, this memo and the accompanying table will be published each month on the LFC's website for the information of legislators and others.

Many assumptions must be made to prepare a tracking report, and therefore its results should be interpreted with caution. This memo describes methods used to prepare the report. In addition, each monthly report will discuss significant deviations of actual revenue from the expected amounts.

Report methodology:

Monthly revenue forecasts are prepared by multiplying the latest annual consensus forecast of each revenue by a fraction representing the average share of total annual collections typically collected in each month. Once monthly forecast values have been determined, the report is updated each month with new information on actual revenue collections.

Monthly shares of some taxes are relatively even but for others there is a "lumpy" pattern. A good example is the personal income tax, for which there are large refund claims and also large amounts paid with returns during tax filing season (January through April). Also, some revenues, like the Insurance Premiums Tax and the Oil and Gas Withholding Tax are paid quarterly.

Monthly forecasts of revenues based on oil and gas production are prepared differently. Since these revenues depend primarily on the prices of oil and natural gas, a monthly price forecast is prepared using the annual price forecast of the consensus group. A monthly pattern of prices is based on traditional seasonal patterns as well as information on current year patterns from futures markets. Monthly prices are used to calculate monthly revenue estimates using the appropriate tax and royalty rates, deductions, etc.

How to read the table:

Actual receipts recognized by DFA for accrual to the General Fund are shown in blue while preliminary amounts are shown in italics. A column toward the right hand side of the table titled "FY10 Actual + Forecast" provides the total of actual collections for the year to date plus the forecast monthly amounts for the remainder of the year. The next column compares this amount with FY09 collections. The next three columns titled "Tracking Error" compare this amount with the latest consensus forecast for annual collections. Differences from the forecast are shown both in percentage terms and in actual dollar amounts. The final column shows the FY09 total collections for purposes of comparison.

Accounting procedures:

General Fund revenues are recognized according to modified accrual methods as recommended in State generally accepted accounting principles. For most revenues, this means that they are recognized in the month the cash is transferred to the State General Fund by the agency that first collected the money. For some revenues, the revenue is accrued in the period when the revenue is "earned." For example, gross receipts tax ("GRT") revenue is accrued in the month prior to the receipt of the revenue by the Taxation and Revenue Department ("TRD"), which is typically two months before the cash is received by the General Fund. This reflects the fact that the sales that give rise to the liability generally occur in the month prior to the due date of the tax return. It then takes approximately a month for TRD to process returns and distribute cash to the General Fund. The same treatment is applied to withholding revenue. Some other revenues – including personal and corporate income tax payments – are accrued in the month the payments are received by TRD, or one month before cash is received by the General Fund. Oil and gas emergency school taxes are accrued in the period two months before the revenue is received by TRD – three months before the General Fund receives the cash – because taxpayers are permitted a two-month delay before returns are due for the tax.

A new complication has been added to the revenue tracking process in the last two years. In the past, most revenue collected by the Taxation Department was transferred to the General Fund the following month. When new accounting software was implemented, the Department decided to delay distribution until a tax payment has been matched to a return. Since payments of some taxes come in without documentation this results in amounts being withheld temporarily by the department. Under section 7-1-6.1, the department is required to distribute to the General Fund any such amounts that have been withheld for 60 days. Thus, all amounts due to the General Fund are eventually transferred, but the actual amount transferred in a given month is a combination of amounts received in the current period that were matched to a return plus amounts held for over 60-days and less amounts previously distributed to the General Fund subsequently found to belong in other funds. These procedures sometimes result in General Fund distributions that are substantially different from cash received by the Department in a given month. As more experience is gained, it may be possible to predict the impacts of these adjustments on distributions, but at the present time they still cause substantial uncertainty, especially in the distributions of corporate income tax and personal income tax final settlements and estimated payments.

Limitations of the revenue tracking method:

The revenue tracking report is not intended to provide a new revenue forecast every month. Thus, for example, the forecast monthly values are not revised each month. Only the actual

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amounts received are changed. In addition, the report does not attempt to incorporate new information about future energy prices. The report is intended to provide information on how actual revenue collections for the year-to-date compare with the forecast amounts for the same period. Given the uncertainties associated with the process, there are likely to be fluctuations from month to month in the projected shortfall or excess of revenues compared with forecast amounts. Thus the report provides only general guidance on revenue trends, not a precise estimate of likely shortfalls or excesses.

FISCAL YEAR 2010 GENERAL FUND MONTHLY REVENUE TRACKING
(dollars in millions; blue font indicates actual revenue, italics indicate preliminary actual revenue)

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Row #	ACTUAL REVENUE ACCRUALS												FORECAST REVENUE ACCRUALS												FY10 Actual + Forecast	% Chng FY09	TRACKING ERROR			Row #
	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Dec	Jan	Feb	Mar	Apr	May	June	FY09	FY 10	YTD								
	Act.	Act.	Act.	Act.	Act.	Est.	Est.	Est.	Est.	Est.	Est.		Dec. 09	Est.	% Error	\$ Error														
1	127.6	140.6	132.7	133.6	137.7	163.0	132.6	131.3	144.5	141.2	148.9	164.0	163.0	132.6	131.3	144.5	141.2	148.9	164.0	1,697.7	-7.3%	1,702.0	-0.2%	(4.3)						
2	4.0	3.9	4.6	4.0	4.4	6.4	4.8	4.1	5.8	4.7	4.7	5.6	6.4	4.8	4.1	5.8	4.7	4.7	5.6	56.8	-18.8%	58.0	-2.1%	(1.2)						
3	131.5	144.5	137.3	137.6	142.0	169.4	137.4	135.4	150.3	145.9	153.6	169.6	169.4	137.4	135.4	150.3	145.9	153.6	169.6	1,754.5	-7.7%	1,760.0	-0.3%	(5.5)						
4	3.2	3.5	4.6	4.1	3.3	3.7	3.3	4.2	3.6	4.3	4.6	4.4	4.6	3.3	4.2	3.6	4.3	4.6	4.4	46.9	-5.5%	47.2	-0.8%	(0.4)						
5	2.1	2.2	2.2	2.2	2.1	2.9	1.4	2.1	2.2	2.0	1.7	2.9	2.9	1.4	2.1	2.2	2.0	1.7	2.9	25.9	0.4%	26.5	-1.9%	(0.5)						
6	1.4	34.3	0.3	3.8	31.6	0.4	0.9	26.2	2.9	0.8	35.5	0.2	0.4	0.9	26.2	2.9	0.8	35.5	0.2	138.3	13.5%	133.9	3.3%	4.4						
7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	21.7	0.0	0.0	0.0	0.0	0.0	0.0	21.7	21.7	-29.6%	21.7	0.0%	0.0						
8	8.2	8.1	9.2	7.3	5.9	6.4	7.3	6.9	8.1	7.3	7.7	8.1	6.4	7.3	6.9	8.1	7.3	7.7	8.1	90.4	-10.1%	92.5	-2.3%	(2.1)						
9	5.4	5.1	5.0	5.2	4.9	0.2	0.3	0.4	0.4	0.4	0.4	0.6	0.2	0.3	0.4	0.4	0.4	0.4	0.6	66.8	-3.4%	65.3	2.4%	1.5						
10	1.0	0.5	0.7	0.4	0.4	0.2	0.3	0.4	0.4	0.4	0.4	0.6	0.2	0.3	0.4	0.4	0.4	0.4	0.6	5.5	12.9%	5.5	0.9%	0.1						
11	0.4	0.1	0.2	0.1	0.1	0.0	0.1	0.4	0.1	0.2	0.0	0.2	0.0	0.1	0.4	0.1	0.2	0.0	0.2	2.0	199.3%	1.9	4.4%	0.1						
12	21.8	23.2	22.2	23.1	24.3	22.0	18.3	24.7	23.4	22.7	25.6	24.3	22.0	18.3	24.7	23.4	22.7	25.6	24.3	398.0	-1.3%	394.5	0.9%	3.5						
13	87.6	68.6	79.9	80.5	68.1	105.6	73.1	74.3	83.7	74.0	71.9	83.0	105.6	73.1	74.3	83.7	74.0	71.9	83.0	950.2	0.0%	950.2	0.0%	0.3						
14	24.3	12.0	36.1	13.5	8.2	13.0	42.6	8.1	79.0	50.0	42.2	28.9	13.0	42.6	8.1	79.0	50.0	42.2	28.9	358.1	-3.5%	385.0	-7.0%	(26.9)						
15	0.3	-0.1	1.1	6.4	0.0	0.4	3.9	0.7	4.3	3.5	0.8	7.5	0.4	3.9	0.7	4.3	3.5	0.8	7.5	28.8	11.4%	30.0	-3.9%	(1.2)						
16	0.0	0.3	-0.1	-3.0	-0.6	0.6	0.2	-0.1	1.0	1.7	1.1	0.1	0.6	0.2	-0.1	1.0	1.7	1.1	0.1	1.3	-90.7%	5.0	-74.5%	(3.7)						
17	112.3	80.9	117.0	97.4	75.6	119.6	119.9	83.1	168.0	129.2	116.1	119.6	119.6	119.9	83.1	168.0	129.2	116.1	119.6	1,338.7	-2.1%	1,370.2	-2.3%	(31.5)						
18	8.4	7.7	12.7	23.6	8.1	88.6	75.5	68.2	52.8	26.8	15.6	9.4	88.6	75.5	68.2	52.8	26.8	15.6	9.4	397.3	-2.8%	380.7	4.3%	16.6						
19	103.8	73.2	104.3	73.9	67.5	31.0	44.4	14.9	115.2	102.4	100.6	110.1	31.0	44.4	14.9	115.2	102.4	100.6	110.1	941.4	-1.8%	989.5	-4.9%	(48.1)						
20	-2.7	1.0	-1.4	32.6	-9.0	-8.4	30.5	0.7	5.8	31.5	24.8	31.2	-8.4	30.5	0.7	5.8	31.5	24.8	31.2	136.7	-15.9%	160.0	-14.6%	(23.3)						
22	22.6	25.0	21.3	26.2	22.5	24.8	25.6	25.8	26.1	26.1	26.5	26.5	24.8	25.6	25.8	26.1	26.1	26.5	26.5	299.1	-19.2%	290.8	2.9%	8.3						
23	1.1	1.3	1.1	1.3	1.2	1.3	1.4	1.4	1.4	1.4	1.4	1.4	1.3	1.4	1.4	1.4	1.4	1.4	1.4	15.7	-14.1%	15.3	2.8%	0.4						
24	0.6	0.3	1.3	0.8	0.7	0.8	0.8	0.9	0.4	1.2	1.1	0.9	0.8	0.8	0.9	0.4	1.2	1.1	0.9	9.8	-13.2%	10.0	-2.4%	(0.2)						
25	3.5	2.9	4.2	3.7	3.5	3.5	3.2	3.3	3.4	3.4	3.8	3.2	3.5	3.2	3.3	3.4	3.4	3.8	3.2	41.4	2.7%	41.0	1.0%	0.4						
26	27.9	29.5	27.9	32.1	27.9	30.4	30.9	31.3	31.3	32.1	32.8	32.1	30.4	30.9	31.3	31.3	32.1	32.8	32.1	366.0	-16.9%	357.1	2.5%	8.9						
27	2.2	1.9	1.9	1.8	1.9	2.6	5.8	4.8	8.1	10.5	2.9	2.8	2.6	5.8	4.8	8.1	10.5	2.9	2.8	47.3	-5.6%	47.5	-0.4%	-0.2						
28	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.4	36.3	36.4	36.4	36.4	36.4	36.4	36.4	36.3	436.6	0.7%	436.5	0.0%	0.1						
29	3.5	1.8	1.6	1.0	1.4	1.7	2.6	3.2	2.5	0.3	3.4	-4.1	1.7	2.6	3.2	2.5	0.3	3.4	-4.1	18.8	-72.3%	21.5	-12.7%	(2.7)						
30	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	15.6	187.1	-2.2%	187.1	0.0%	(0.0)						
31	55.5	53.8	53.6	53.0	53.4	53.7	54.6	55.2	54.5	52.2	55.3	47.7	53.7	54.6	55.2	54.5	52.2	55.3	47.7	642.5	-7.2%	645.1	-0.4%	(2.6)						
32	22.8	22.5	23.8	27.2	27.5	19.9	34.6	23.7	27.3	28.5	26.6	29.3	19.9	34.6	23.7	27.3	28.5	26.6	29.3	313.8	-38.1%	301.0	4.2%	12.8						
33	1.6	6.0	9.5	4.7	5.9	4.7	6.4	1.4	1.5	1.5	1.5	1.6	4.7	6.4	1.4	1.5	1.5	1.5	1.6	46.4	27.4%	33.8	37.4%	12.6						
34	24.4	28.5	33.3	32.0	33.5	24.6	41.0	25.2	28.8	29.9	28.1	30.9	24.6	41.0	25.2	28.8	29.9	28.1	30.9	360.2	-33.7%	334.8	7.6%	25.4						
35	0.1	0.0	16.2	0.1	0.0	13.9	0.9	0.0	14.2	0.7	6.2	10.0	13.9	0.9	0.0	14.2	0.7	6.2	10.0	62.2	-4.8%	63.1	-1.4%	(0.9)						
36	1.4	1.1	1.4	2.0	1.4	1.5	2.8	1.5	3.4	5.9	2.5	17.1	1.5	2.8	1.5	3.4	5.9	2.5	17.1	42.1	-5.1%	41.8	0.7%	0.3						
37	0.0	0.0	0.0	1.0	3.7	1.3	3.8	1.5	2.6	2.3	1.6	14.7	1.3	3.8	1.5	2.6	2.3	1.6	14.7	32.5	-43.3%	30.0	8.3%	2.5						
38	365.9	387.4	396.7	389.1	370.7	340.0	370.5	316.2	437.4	434.2	465.2	510.0	340.0	370.5	316.2	437.4	434.2	465.2	510.0	4,783.4	-10.1%	4,823.3	-0.8%	(39.9)						
40	0.0	0.0	0.1	0.3	0.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	NA	0.0	NA	1.0						
41	365.9	387.4	396.8	389.4	371.3	340.0	370.5	316.2	437.4	434.2	465.2	510.0	340.0	370.5	316.2	437.4	434.2	465.2	510.0	4,784.4	-16.7%	4,823.3	-0.8%	(38.9)						