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AREA DE ASESORAMIENTO, REGLAMENTACION E INTERVENCION FISCAL
AREA DE ARCHIVO DIGITAL

MUNICIPIO DE MARICAO
AUDITORIA 2003-2004
30 DE JUNIO DE 2004

655-509

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO**

**BASIC FINANCIAL STATEMENTS AND
SUPPLEMENTAL SCHEDULE**

With Independent Auditors' Report Thereon
June 30, 2004

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Basic Financial Statements and
Supplemental Schedule
June 30, 2004**

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Independent Auditors' Report

The Honorable Mayor, Members of the
Municipal Legislature and People of
the Municipality of Maricao
Río Grande, Puerto Rico

We have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of the Municipality of Maricao of the Commonwealth of Puerto Rico (the "Municipality"), as of and for the year ended June 30, 2004, which collectively comprise the Municipality's basic financial statements as listed in the accompanying table of contents. These financial statements are the responsibility of the Municipality's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the respective financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the respective financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statements presentation. We believe that our audit provides a reasonable basis for our opinion.

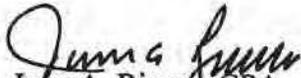
In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the Municipality of Maricao of the Commonwealth of Puerto Rico, as of June 30, 2004, and the respective changes in financial position, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Audit Standards, we have also issued our report dated December 28, 2004 on our consideration of the Government's internal control over financial reporting and my tests of its compliance with certain provisions of laws, regulations, contracts and grants. That report is an integral part of an audit performed in accordance with Government Audit Standards and should be read in conjunction with this reporting in considering the results of our audit.

Our audit were performed for the purpose of forming an opinion on the general purpose financial statements taken as a whole. The accompanying schedule of expenditure of federal awards is

presented for purpose of additional analysis as required by US Office of Management and Budget Circular A- 133, Audit of States, Local Governments, and Non- Profit Organizations, and is not required part of the general purpose financial statements. Such information has been subjected to the auditing procedures applied in the audit of the general purpose financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the general purpose financial statements taken as a whole.

The accompanying Management's Discussion and Analysis and the Budgetary Comparison Schedule are not required parts of the basic financial statements referred to above, but are supplementary information required by GASB. 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.


Juan A. Rivera, CPA
License # 2214

December 28, 2004
Toa Baja, Puerto Rico



Stamp NO. 2010620 of the Puerto Rico Society of Certified Public Accountants was affixed to the original report.

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Management of the Municipality of Maricao of the Commonwealth of Puerto Rico (the Municipality) provides this *Management's Discussion and Analysis* (MD&A) for the readers of the Municipality's basic financial statements. This narrative represents an overview and analysis of the financial activities of the Municipality for the fiscal year ended June 30, 2004. Because this MD&A is designed to focus on the current year activities, resulting changes and currently known facts, we encourage readers to consider the information presented in this MD&A in conjunction with the additional information furnished in the accompanying basic financial statements.

During fiscal year ended June 30, 2003, the Municipality implemented the new required financial reporting standards established by Statement No. 34, *Basic Financial Statements – and Management's Discussion – and Analysis – for State and Local Governments*, issued by the Governmental Accounting Standards Board (GASB No. 34). According to this statement, significant required changes in content and structure have been made in the basic financial statements as of and for the fiscal years ended June 30, 2004 and 2003, which make them not easily comparable with prior years' financial statements. However, in future years, comparative analysis will be more meaningful and will go further in explaining the Municipality's financial position and results of operations.

FINANCIAL HIGHLIGHTS

a) Government-Wide Highlights

- **Assets** – The Municipality has reported assets amounting to \$7,156,152 in the accompanying statement of net assets, of which the most significant are capital assets, cash and cash equivalents, and grant and contributions amounting to \$4,820,233 , \$1,610,596 and \$511,393 respectively.
- **Liabilities** – The Municipality has reported liabilities amounting to \$9,933,016 in the accompanying statement of net assets, of which the most significant are bonds and notes payable, intergovernmental payable, compensated absences, deferred revenues, amounting to \$6,159,222 \$2,152,348 , \$851,970 and \$286,335 respectively.
- **Net assets** – The liabilities of the Municipality exceeded its assets by \$2,776,864 at June 30, 2004, which is presented as “net assets” in the accompanying statement of net assets. Restricted net assets and unrestricted deficit amounted to \$1,610,596 and \$7,767,693 respectively. Net assets invested in capital assets amounted to \$3,380,233.
- **Net change in net assets** – The Municipality's net liabilities decreased by \$365,664 during fiscal year ended June 30, 2004. Net assets at June 30, 2003 (as restated) amounted to \$2,411,200. The increase in net assets represents a positive result of operations and an improvement in the Municipality's overall financial position in comparison with the prior fiscal year.

- **Revenues** – The Municipality has reported total revenues amounting to \$5,475,870 in the accompanying statement of activities, of which the most significant are tax revenues, intergovernmental grants and contributions amounting to \$3,761,723 and \$779,553 respectively.
- **Expenses** – The Municipality has reported total expenses amounting to \$5,841,534 in the accompanying statement of activities.

b) Governmental Funds Highlights

- **Assets** – The Municipality’s governmental funds have reported combined assets amounting to \$3,404,291 in the accompanying balance sheet – governmental funds, of which the most significant are cash, due from other funds, and due from governmental entities to \$1,610,596 \$1,137,496 and \$442,269 respectively.
- **Liabilities** – The Municipality’s governmental funds have reported combined liabilities amounting to \$2,454,175 in the accompanying balance sheet – governmental funds, of which the most significant are due to other funds, due to other governmental entities, matured bonds due and payable and deferred intergovernmental revenue amounting to \$1,137,497 , \$334,531 , \$273,103 and \$234,131 respectively.
- **Governmental fund balances** – The Municipality’s governmental funds reported combined fund balances amounting to \$950,117 of which \$83,999 represent reserved and unreserved fund balances
- **Net change in governmental fund balances** – The Municipality’s governmental fund balances decreased by \$171,072 during fiscal year ended June 30, 2004. Governmental fund balances at June 30, 2003, as restated, amounted to \$1,121,189. The decrease in net assets represents the excess of expenditures and other financing uses over revenues and other financing sources.
- **Revenues** – The Municipality’s governmental funds have reported combined revenues amounting to \$5,543,442 in the accompanying statement of revenues, expenditures and changes in fund balances – governmental funds, of which the most significant are property taxes intergovernmental revenues, and federal financial assistance amounting to \$3,456,329 , \$849,393 and \$786,048 respectively.
- **Expenditures** – The Municipality’s governmental funds have reported combined expenditures amounting to \$6,440,543 in the accompanying statement of revenues, expenditures and changes in fund balances – governmental funds, of which the most significant are categorized as general government, urban and economic development, welfare and housing assistance, health and sanitation; and capital outlays; amounting to \$2,506,783 , \$1,625,343 , \$661,089 , \$471,265 and \$419,581 respectively.

USING THIS ANNUAL REPORT

This annual report consist of a series of new financial statements with a change in the focus from the previous financial statements. The new focus is on both the Municipality as a whole (government-wide) and the major individual funds. Both perspectives (government-wide and major fund) allow the user to

address relevant questions, broaden a basis for comparison (year to year or government to government) and enhance the Municipality's accountability.

OVERVIEW OF THE BASIC FINANCIAL STATEMENTS

The Municipality's financial statements include three components: (1) the government-wide financial statements, (2) the fund financial statements, and (3) the notes to the financial statements (collectively known as the basic financial statements). This report also contains additional required supplementary information (budgetary schedules) and other supplementary information (combining financial statements) in addition to the basic financial statements themselves. These components are described below:

Government-Wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the Municipality's operations and finance as a whole in a manner similar to private-sector business. These statements provide short-term and long-term information about the Municipality's financial position, which assist the Municipality's management to determine the economic condition at the end of the fiscal year. These financial statements are prepared using the flow of economic resources measurement focus and the accrual basis of accounting. This basically means that these financial statements follow methods that are similar to those used by most businesses. They take into account all revenues and expenses connected with the fiscal year ended June 30, 2004 even if cash involved have not been received or paid. The government-wide financial statements include: (1) the statements of net assets and (2) the statement of activities.

Statement of Net Assets

The statement of net *assets* presents all of the Municipality's assets and liabilities, with the difference between these two items reported as "net assets" (equity). Over time, increases or decreases in the net assets may serve as a useful indicator of whether the financial position of the Municipality is either improving or deteriorating.

Statement of Activities

The statement of activities presents information showing how the Municipality's net assets changed during the fiscal year ended June 30, 2004. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will not result in cash flows until future fiscal periods (such as uncollected taxes and earned but unused vacation leave). This statement also presents a comparison between direct expenses and program revenues for each function of the Municipality.

Both of the abovementioned financial statements present all the governmental activities of the Municipality, which consist mostly by taxes and intergovernmental revenues (such as federal grants). Most services provided by the Municipality fall into this category, including culture and education, general government, health and sanitation, public safety, welfare and housing assistance, etc.

Fund Financial Statements

The Municipality's fund financial statements, which consist of: (1) the balance sheet – governmental funds and (2) the statement of revenues, expenditures and changes in fund balances – governmental funds. These financial statements report the financial position and results of operations of the Municipality's governmental funds.

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Municipality, like most other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. Each fund is considered an independent fiscal entity accounted for within a set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenue, and expenditures. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with legal, financial and contractual provisions.

The fund financial statements focus on: (1) individual parts of the Municipality's government and (2) reporting the Municipality's operations in more detail than the government-wide financial statements. For financial reporting purposes, the Municipality classifies its funds within the following fund categories: (1) general fund, (2) debt service fund, (3) special revenue funds and (4) capital projects funds (collectively known as the "governmental funds").

Governmental funds are used to account for all of the services provided by the Municipality. Governmental funds are used to account for essentially the same functions reported as governmental activities in the governmental-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources. They also focus on the balances of spendable resources available at the end of the fiscal year (June 30, 2004). This approach is known as using the flow of current financial resources measurement focus and the modified accrual basis of accounting. These statements provide a detailed short-term view of the Municipality's finances that assists in determining whether there will be adequate financial resources available to meet the current needs of the Municipality, that is, evaluating the Municipality's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the fund information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Municipality's near-term financial decisions.

For financial reporting purposes the Municipality has four major funds: (1) the general fund and (2) the debt service fund, (3) FEMA georges and (4) state legislative joint resolutions funds.

Notes to the Basic Financial Statements

The notes to the basic financial statements provide additional information that is essential to a full understanding of the data provided in the government-wide and the fund financial statements. The notes to the basic financial statements can be found immediately following the basic financial statements.

Required Supplementary Information

The basic financial statements are followed by a section of required supplementary information consisting of a budgetary comparison between actual operating results with the original budget and the final amended budget for the general fund.

INFRASTRUCTURE ASSETS

Historically, a government's largest group of assets (infrastructure – roads, bridges, traffic signals, underground pipes [unless associated with a utility], etc.) have not been reported nor depreciated in governmental financial statements. GASB 34 requires that these assets be valued and reported within the governmental column of the Government-Wide Financial Statements. Additionally, the government must elect to either (a) depreciate these assets over their estimated useful life or (b) develop a system of asset management designed to maintain the service delivery potential to near perpetuity. If the government develops the asset management system (modified approach) which periodically (at least every third year), by category, measures and demonstrates its maintenance of locally established levels of service standards, the government may record its cost of maintenance in lieu of depreciation. The information about the condition and maintenance of condition of the government infrastructure assets should assist financial statement users in evaluating a local government and its performance over time.

As of July 1, 2002, the Municipality retroactively recorded the historical costs of infrastructure assets. Also the Municipality elected to depreciate infrastructure assets instead of using the modified approach.

FINANCIAL ANALYSIS OF THE MUNICIPALITY AS A WHOLE

Net Liabilities

As noted earlier, net liabilities may serve over time as a useful indicator of the Municipality's financial position. In the case of the Municipality, net liabilities (excess of liabilities over assets) amounted to \$2,776,864 at June 30, 2004, compared to \$2,846,540 at the end of the previous year, as restated.

The largest portion of the Municipality's net assets are invested in capital assets net of their related debt \$3,380,233. The Municipality's net liability is also composed of net liability amounting to \$2,776,864 that are restricted for (1) future debt service payments, (2) the future acquisition or construction of capital assets and (3) other purposes, mainly the financing of federal and state assisted programs. In addition, the Municipality's net liability are reported net of an unrestricted deficit of \$7,767,693.

The unrestricted deficit is the consequence of previous budgets which did not provide funding for incurred long-term obligations such as compensated absences and others. Historically, such obligations have been budgeted on a pay as you go basis without providing funding for their future liquidation. Consequently, the Municipality cannot draw from its existing assets to provide services to its citizens and depends on its taxing ability to continue its operations.

The portion of the Municipality's net assets invested in capital assets such as land, buildings, equipment, etc., less any outstanding related debt used to acquire those assets, are used by the Municipality to provide services to its citizens; consequently these assets are not available for future spending. Although the Municipality's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from the debt service fund, since the capital assets themselves cannot be used to liquidate these liabilities.

The following is a condensed presentation of the Municipality's financial position, as reported in the government-wide financial statements:

| <u>Comparative Condensed Statement of Net Assets:</u> | <u>2003-2004</u> | <u>2002-2003</u> |
|--|-------------------------|-------------------------|
| Current assets | \$ 2,335,919 | \$ 747,910 |
| Noncurrent assets | <u>4,820,233</u> | <u>6,548,461</u> |
| Total assets | <u>7,156,152</u> | <u>7,296,371</u> |
| Current liabilities outstanding | 3,507,221 | 6,590,548 |
| Noncurrent liabilities outstanding | <u>6,425,795</u> | <u>3,552,362</u> |
| Total liabilities | <u>9,933,016</u> | <u>10,142,910</u> |
| Net assets/(liabilities): | | |
| Invested in capital assets, net of related debt | 3,380,233 | 3,098,222 |
| Restricted | 1,610,596 | 1,905,239 |
| Unrestricted | <u>(7,767,693)</u> | <u>(7,849,999)</u> |
| Total net assets | <u>\$ (2,776,864)</u> | <u>\$ (2,846,538)</u> |

Changes in Net Liabilities

The Municipality's net liabilities decreased by \$365,664. Approximately 69 percent of the Municipality's total revenues came from taxes, while 31 percent resulted from restricted and unrestricted capital and operating grants, contributions and reimbursements, including federal financial assistance. The Municipality's expenses cover a range of services. The largest expenses were for general government (41 percent), urban and economic development (30 percent) and welfare and housing assistance (12 percent).

The following is a condensed presentation of the Municipality's results of operations, as reported in the government-wide financial statements:

| <u>Comparative Condensed Statement of Activities:</u> | <u>2003-2004</u> | <u>2002-2003</u> |
|---|-----------------------|-----------------------|
| Revenues: | | |
| Program revenues: | | |
| Operating grants and contributions | \$ 469,401 | \$ 971,958 |
| Capital grants and contributions | 400,626 | 172,037 |
| Charges for services | 46,884 | 54,228 |
| General revenues: | | |
| Property taxes | 3,374,618 | 3,416,875 |
| Municipal license taxes | 155,688 | 126,502 |
| Construction excise taxes | 231,427 | 66,850 |
| Unrestricted intergovernmental contributions and reimbursements | 779,553 | - |
| Unrestricted interest on deposits | 9,088 | 19,219 |
| Miscellaneous | 8,585 | 532,816 |
| Total revenues | <u>5,475,870</u> | <u>5,360,485</u> |
| Expenses: | | |
| General government | 2,374,975 | 1,308,988 |
| Urban and economic development | 1,734,503 | 2,045,526 |
| Public safety | 256,703 | 303,576 |
| Health and sanitation | 482,450 | 488,965 |
| Culture, recreation and education | 230,634 | 221,420 |
| Welfare and housing assistance | 674,441 | 653,181 |
| Interest on bonds, notes and capital lease obligations | 87,828 | 318,404 |
| Total expenses | <u>5,841,534</u> | <u>5,340,060</u> |
| Net decrease in net assets | (365,664) | 20,425 |
| Net assets - at beginning of year, as restated | (2,411,200) | (2,866,963) |
| Net assets - at end of year | <u>\$ (2,776,864)</u> | <u>\$ (2,846,538)</u> |

FINANCIAL ANALYSIS OF THE MUNICIPALITY'S GOVERNMENTAL FUNDS

As discussed earlier, the Municipality uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds - The focus of the Municipality's *governmental funds* is to provide information on near-term inflows, outflows, and balance of *spendable resources*. Such information is useful in assessing the Municipality's financing requirements. In particular, *unreserved fund balance* may serve as a useful measure of a government's net resources available for spending at the end of fiscal year. The following is a condensed presentation of the Municipality's balance sheet and results of operations of governmental funds:

| <u>Comparative Condensed Balance Sheet - Governmental funds:</u> | <u>2003-2004</u> | <u>2002-2003</u> |
|---|-------------------------|-------------------------|
| Total assets - major funds | \$ 2,913,670 | \$ 3,191,091 |
| Total assets - nonmajor funds | 490,621 | 624,716 |
| Total assets | <u>3,404,291</u> | <u>3,815,807</u> |
| Total liabilities - major funds | 2,180,421 | 2,301,420 |
| Total liabilities - nonmajor funds | 273,754 | 302,169 |
| Total liabilities | <u>2,454,175</u> | <u>2,603,589</u> |
| Fund Balances: | | |
| Reserved - major funds | 83,999 | 889,670 |
| Reserved - nonmajor funds | - | - |
| Unreserved - major funds | 649,251 | 322,548 |
| Unreserved - nonmajor funds | 216,867 | - |
| Total net assets | <u>\$ 950,117</u> | <u>\$ 1,212,218</u> |

Comparative Condensed Statement of Operations - Governmental funds:

| | | |
|---|---------------------|---------------------|
| Total revenues - major funds | \$ 4,755,883 | 4,580,433 |
| Total revenues - nonmajor funds | 787,559 | 619,083 |
| Total revenues | <u>5,543,442</u> | <u>5,199,516</u> |
| Total expenditures - major funds | 5,642,756 | 4,683,137 |
| Total expenditures - nonmajor | 797,787 | 626,002 |
| Total expenditures | <u>6,440,543</u> | <u>5,309,139</u> |
| Other financing sources - major funds (excluding operating transfers among funds) | <u>635,000</u> | - |
| Net change in fund balances | <u>\$ (262,101)</u> | <u>\$ (109,623)</u> |

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

The accompanying statement of net assets reported total gross capital assets, at cost, amounting to \$8,582,379, of which \$1,181,507 represents infrastructure assets at June 30, 2004. The related accumulated depreciation and amortization of capital assets amounted to \$3,762,146, of which \$768,584 is related to infrastructure assets at June 30, 2004. This investment in capital assets includes land, buildings, improvements, equipment, infrastructure and construction in progress. Infrastructure assets are items that are normally immovable and of value only to the municipal government, such as roads, bridges, streets and sidewalks, drainage systems. Lighting systems, and similar items.

Actual costs incurred to purchase or construct capital assets were \$419,581 for the year ended June 30, 2004. Depreciation and amortization charges for the year totaled \$242,570.

The Municipality finances a significant portion of its construction activities through bond issuances and state and federal grants. The proceeds from bond issuances designated for construction activities are committed in its entirety for such purposes and cannot be used for any other purposes.

Debt Administration

The laws and regulations of the Commonwealth of Puerto Rico have established a limitation for the issuance of general obligation municipal bonds and notes for the payment of which the good faith, credit and taxing power of each municipality may be pledged.

The applicable laws and regulations also require that in order for a municipality to be able to issue additional general obligation bonds and notes, such municipality must have sufficient "payment capacity". Act No. 64 provides that a municipality has sufficient "payment capacity" to incur additional general obligation debt if the deposits in such municipality's Redemption fund and the annual amounts collected with respect to such municipality's Special Additional Tax (as defined below), as projected by the Government Development Bank for Puerto Rico, will be sufficient to service to maturity the Municipality's outstanding general obligation debt and the additional proposed general obligation debt ("Payment Capacity").

The Municipality is required under applicable laws and regulations to levy the Special Additional Tax in such amounts as shall be required for the payment of its general obligation municipal bonds and notes. In addition, principal of and interest on all general obligation municipal bonds and notes and on all municipal notes issued in anticipation of the issuance of general obligation bonds issued by the Municipality constitute a first lien on the Municipality's Basic Tax revenues. Accordingly, the Municipality's Basic Tax revenues would be available to make debt service payments on general obligation municipal bonds and notes to the extent that the Special Additional Tax Levied by the Municipality, together with moneys on deposit in the Municipality's Redemption Fund, are not sufficient to cover such debt service. It has never been necessary to apply Basic Taxes to pay debt service on general obligation debt of the Municipality.

ECONOMIC FACTORS AND NEXT BUDGETS AND RATES

The Municipality relies primarily on property and municipal license taxes, as well as, federal and state grants to carry out the governmental activities. Historically, property and municipal license taxes have been very predictable with increases not generally exceeding ten percent. Federal grant revenues may vary if new grants are available but the revenue is also very predictable.

Those factors were considered when preparing the Municipality's budget for the 2003-2004 fiscal year. There were no significant changes between the budget for fiscal year 2002-2003 and the one for fiscal year 2003-2004.

FINANCIAL CONTACT

The Municipality's financial statements are designed to present users (citizens, taxpayers, customers, investors and creditors) with a general overview of the Municipality's finances and demonstrate the Municipality's accountability. If you have any questions about the report or need additional financial information, contact the Municipality's Director of Finance, Mr. Modesto Ayala Quiñones, at PO Box 837, Maricao, Puerto Rico, 00606-0837.

Commonwealth of Puerto Rico
Municipality of Maricao
Statement of Net Assets
June 30, 2004

| Assets | Governmental Activities |
|--|------------------------------------|
| Current assets: | |
| Accounts receivable, net of allowance for doubtful accounts: | |
| Property taxes | \$ 163,915 |
| Municipal license taxes | 3,593 |
| Grant and contributions | 511,393 |
| Restricted assets : | |
| Cash with commercial banks | 1,255,090 |
| Cash with fiscal agent | 355,506 |
| Property taxes, net of allowance for doubtful accounts | 46,422 |
| Total current assets | 2,335,919 |
| Noncurrent assets: | |
| Capital assets, net of accumulated depreciation and amortization of \$3,762,146 | 4,820,233 |
| Total noncurrent assets | 4,820,233 |
| Total assets | \$ 7,156,152 |

The accompanying notes to the basic financial statements are an integral part of this statement.

Commonwealth of Puerto Rico
Municipality of Maricao
Statement of Net Assets (continued)
June 30, 2004

| | | |
|--|------------------------------|---------------------|
| Current liabilities (due within one year): | | |
| Bankoverdraft | | \$ 62,001 |
| Accounts payable | | 154,123 |
| Intergovernmental payables | | 2,152,348 |
| Accrued employees' Christmas bonus | | 148,826 |
| Accrued interest payable on long-term debt | | 48,103 |
| Deferred revenues | | 286,335 |
| Current portion of long-term obligations | | |
| Law 42 | | 49,592 |
| Advance over collection | | 20,496 |
| Bonds payable | | 225,000 |
| Compensated absences | | 360,397 |
| | Total current liabilities | <u>3,507,221</u> |
| Noncurrent liabilities (due in more than one year): | | |
| Bonds payable | | 2,050,000 |
| Notes payable | | 3,884,222 |
| Compensated absences | | 491,573 |
| | Total noncurrent liabilities | <u>6,425,795</u> |
| | Total liabilities | <u>9,933,016</u> |
| Net assets (liabilities): | | |
| Invested in capital assets, net of related debt | | <u>3,380,233</u> |
| Restricted for: | | |
| Capital projects | \$ 837,594 | |
| Debt service | 355,506 | |
| Other specified purposes | 417,496 | |
| | Total restricted net assets | <u>1,610,596</u> |
| Unrestricted net assets | | (7,767,693) |
| | Total net assets | (2,776,864) |
| Total liabilities and net asset | | <u>\$ 7,156,152</u> |

The accompanying notes to the basic financial statements are an integral part of this statement.

Commonwealth of Puerto Rico
Municipality of Maricao
Statement of Activities
June 30, 2004

| Functions/programs | Expenses | Charges for services | Program Revenues | | Net Expenses and Charges in Net Assets |
|--------------------------------------|---------------------|----------------------|------------------------------------|----------------------------------|---|
| | | | Operating grants and contributions | Capital grants and contributions | |
| Governmental activities | | | | | |
| General government | \$ 2,374,975 | 46,884 | | | \$ (2,328,091) |
| Urban and economic development | 1,734,503 | | | 400,626 | (1,333,877) |
| Public safety | 256,703 | | | | (256,703) |
| Health and sanitation | 482,450 | | | | (482,450) |
| Culture, recreation and education | 230,634 | | 382 | | (230,252)* |
| Welfare and housing assistance | 674,441 | | 469,019 | | (205,422) |
| Interest on long-term obligation | 87,828 | | | | (87,828) |
| Total governmental activities | \$ 5,841,534 | 46,884 | 469,401 | 400,626 | (4,924,623) |
| General Revenues: | | | | | |
| Taxes: | | | | | |
| | | | | | 3,374,618 |
| | | | | | 155,688 |
| | | | | | 231,427 |
| | | | | | <u>3,761,723</u> |
| | | | | | 779,553 |
| | | | | | 9,088 |
| | | | | | 8,585 |
| | | | | | <u>4,558,959</u> |
| | | | | | Net changes in net assets (365,664) |
| | | | | | Net assets at beginning of the year (2,846,540) |
| | | | | | Prior year adjustment 435,340 |
| | | | | | <u>Net assets at the end of the year \$ (2,776,864)</u> |

**COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO**

Balance Sheet
Governmental Funds
June 30, 2004

| | MAJOR FUNDS | | | | Other Nonmajor Fund | Total Governmental Funds |
|--|--------------------|-------------------|-------------------|----------------------|---------------------------|--------------------------------|
| | General Fund | Debt Service | FEMA Georges | Joint Resolutions | | |
| ASSETS | | | | | | |
| Cash | | \$ 355,506 | \$ 576,786 | \$ 260,808 | \$ 417,496 | \$ 1,610,596 |
| Cash with fiscal agent | | | | | | |
| Account receivable, net of doubtful accounts: | | | | | | |
| Property taxes | \$ 163,915 | 46,422 | | | | 210,337 |
| Municipal license | 3,593 | | | | | 3,593 |
| Due from other funds | 114,966 | | | 1,015,422 | 7,108 | 1,137,496 |
| Due from governmental entities | 376,116 | 136 | | | 66,017 | 442,269 |
| Total Assets | \$ 658,590 | \$ 402,064 | \$ 576,786 | \$ 1,276,230 | \$ 490,621 | \$ 3,404,291 |
| LIABILITIES AND FUND BALANCES | | | | | | |
| Bank overdraft | \$ 62,001 | | | | | \$ 62,001 |
| Account payable and accrued Expenses | 52,404 | | \$ 73,901 | \$ 271 | | 126,577 |
| Matured bonds due and payable | | \$ 273,103 | | | | 273,103 |
| Due to other governmental entities | 334,531 | | | | | 334,531 |
| Due to other funds | 1,015,650 | 395 | | 6,881 | 114,571 | 1,137,497 |
| Deferred volume of business tax | 127,070 | | | | | 127,070 |
| Deferred federal financial assistance revenue | | | 82 | | 159,183 | 159,265 |
| Deferred intergovernmental revenue | 189,564 | 44,567 | | | | 234,131 |
| Total Liabilities | 1,781,220 | 318,065 | 73,983 | 7,152 | 273,754 | 2,454,175 |
| FUND BALANCE | | | | | | |
| Reserved for encumbrances | | | | | | |
| Reserved for debt service | | 83,999 | | | | 83,999 |
| Unreserved: | | | | | | |
| Unreserved fund balance (Deficiency) | (1,122,630) | | 502,803 | 1,269,078 | 216,867 | 866,118 |
| Total fund balance | (1,122,630) | 83,999 | 502,803 | 1,269,078 | 216,867 | 950,117 |
| TOTAL LIABILITIES AND FUND BALANCE | \$ 658,590 | \$ 402,064 | \$ 576,786 | \$ 1,276,230 | \$ 490,621 | \$ 3,404,291 |

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Statement of Revenues, Expenditures and
Changes in Fund Balance - Governmental Funds
Year Ended June 30, 2004

| | MAJOR FUNDS | | | | Other Nonmajor Funds | Total Governmental Funds |
|---|-----------------------|-------------------|-------------------|----------------------|----------------------------|--------------------------------|
| | General Fund | Debt Service | FEMA Georges | Joint Resolutions | | |
| REVENUES | | | | | | |
| Property taxes | \$ 3,454,473 | \$ 1,856 | | | | \$ 3,456,329 |
| Municipal license | 155,688 | | | | | 155,688 |
| Construction excise taxes | 231,427 | | | | | 231,427 |
| Intergovernmental revenues | 649,308 | 118,000 | | \$ 82,085 | | 849,393 |
| Federal financial assistance | | | \$ 382 | | \$ 785,666 | 786,048 |
| Interest | 8,873 | | | 70 | 145 | 9,088 |
| Charges of service | 46,884 | | | | | 46,884 |
| Miscellaneous | 6,837 | | | | 1,748 | 8,585 |
| Total Revenues | \$ 4,553,490 | \$ 119,856 | \$ 382 | \$ 82,155 | \$ 787,559 | \$ 5,543,442 |
| EXPENDITURES | | | | | | |
| General government | \$ 2,506,584 | | | | \$ 199 | \$ 2,506,783 |
| Urban and Economic Development | 1,403,949 | | \$ 221,394 | | | 1,625,343 |
| Public safety | 220,113 | | | | 13,384 | 234,097 |
| Health and Sanitation | 471,265 | | | | | 471,265 |
| Culture, Recreation and Education | 157,970 | | | | 1,776 | 159,746 |
| Welfare and Housing Assistance | 91,848 | | | 105,285 | 463,957 | 661,089 |
| Debt service | | | | | | |
| Payment of Principal | 49,810 | 225,000 | | | | 274,810 |
| Payment of Interest | | 87,828 | | | | 87,828 |
| Capital outlays | 17,115 | | | 83,995 | 318,471 | 419,581 |
| Total Expenditures | 4,919,254 | 312,828 | 221,394 | 189,280 | 797,787 | 6,440,543 |
| Excess (Deficiency) of Revenues over expenditures | (365,764) | (192,972) | (221,012) | (107,125) | (10,228) | (897,101) |
| OTHER FINANCING SOURCES (USES) | | | | | | |
| Proceeds from issuance of long term debt | 635,000 | | | | | 635,000 |
| Operating Transfer From Other Fund | 95,565 | 182,000 | | | 9,046 | 286,611 |
| Operating Transfer to Other Fund | (182,113) | | | | (104,498) | (286,611) |
| Total Other Financing Sources (uses) | 548,452 | 182,000 | - | - | (95,452) | 635,000 |
| EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES AND OTHER SOURCES (USES) | | | | | | |
| | 182,688 | (10,972) | (221,012) | (107,125) | (105,680) | (262,101) |
| PRIOR PERIOD ADJUSTMENT | | | | | | |
| | | | | | 91,029 | 91,029 |
| FUND BALANCE AT BEGINNING OF YEAR | | | | | | |
| | (1,305,318) | 94,971 | 723,815 | 1,376,203 | 231,518 | 1,121,189 |
| FUND BALANCE AT END OF YEAR | | | | | | |
| | \$ (1,122,630) | \$ 83,999 | \$ 502,803 | \$ 1,269,078 | \$ 216,867 | \$ 950,117 |

The accompanying notes to the basic financial statements are an integral part of this statement

Commonwealth of Puerto Rico
Municipality of Maricao
Reconciliation of the Balance Sheets-Governmental Funds
to the Statements of Net Assets
June 30, 2004

| | |
|--|------------------------------|
| Aggregate fund balance reported in the balance sheets - governmental funds | \$950,117 |
| Governmental activities amounts reported in the statements of net assets and the balance sheet-governmental funds are different because: | |
| Capital assets used in governmental activities are not financial resources, therefore are not reported in the governmental funds | 4,820,233 |
| Deferred revenues in the governmental funds that are recognized as revenues in the statements of activities | 234,131 |
| The following liabilities are not due (mature) in the current period, therefore are not reported in the governmental funds: | |
| Accounts payable and accrued liabilities and interest | (176,374) |
| Intergovernmental payables | (1,817,816) |
| Bonds and notes payables | (6,004,310) |
| Compensated absences | (851,970) |
| Claims and judgments | |
| Other reconciling items | <u>69,125</u> |
| Governmental activities net assets reported in statements of net assets | <u><u>\$ (2,776,864)</u></u> |

The accompanying notes to the basic financial statements are an integral part of this statement.

Commonwealth of Puerto Rico
Municipality of Maricao
 Reconciliation of Statement of Revenues, Expenditures and Changes
 in Fund Balance - Governmental Funds to the Statements of Activities
 June 30, 2004

Governmental activities amounts reported in the statement of activities and the statement of Revenues, expenditures and changes in fund balances - governmental funds are different because:

| | |
|--|--------------------|
| Deficiency of revenues, other financial sources and special items under expenditure and other financial uses, as reported in the accompanying statement of revenues, expenditures and change in fund balance - governmental funds | \$(262,101) |
| Intergovernmental grant and contributions, and Property Tax revenues recorded in the statement of activities do not provide current financial resources, therefore are deferred in the governmental funds:: | (67,571) |
| Governmental funds report capital outlays as expenditures. However in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation and amortization expenses. This the amount by which capital outlays exceeded depreciation and amortization expenses | 159,896 |
| Repayment of principal of long-term obligation is an expenditures in the governmental funds, but the repayment reduces long-term liabilities in the statement of net assets | 225,000 |
| Some expenses reported in the statements of activities do not require the use of current financial resources, therefore are not reported as expenditures in the governmental funds | 214,113 |
| Proceeds on issuance of long-term debt (bonds) are recorded as other financing sources in the fund financial statements, but the issuances increase long-term liabilities in the statement of net assets | <u>(635,000)</u> |
| Net changes in net assets reported in statements of activities | <u>\$(365,663)</u> |

The accompanying notes to the basic financial statements are an integral part of this statement.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Notes to Basic Financial Statements
June 30, 2004

1. Summary of Significant Accounting Policies

The Municipality of Maricao of the Commonwealth of Puerto Rico (the "Municipality") is a local government with full legislative, fiscal and administrative powers to operate as a government under Law No. 81 of August 30, 1991, as amended, known as the *Autonomous Municipalities Act of the Commonwealth of Puerto Rico (Law No. 81)*.

The Municipality's governmental system consists of executive and legislative branches. The Constitution of the Commonwealth of Puerto Rico (the "Commonwealth") provides for the separation of powers of the executive, legislative and judicial branches. A Mayor, elected every four years by the citizens, exercises the executive power of the Municipality. The legislative power is exercised by the Municipal Legislature, which is also elected every four years. The General Justice Court System of the Commonwealth, which has jurisdiction over the Municipality, exercises the judiciary power.

The Municipality assumes responsibility for providing services to its citizens related to public housing, welfare, public safety, health, sanitation, education, culture, recreation, urban and economic development, and many other general and administrative duties.

a) New Financial Reporting Model

The accompanying basic financial statements present the financial position and the results of operations of the Municipality as a whole, and its various governmental funds as of and for the year ended June 30, 2004, in conformity with accounting principles generally accepted in the United States of America, as prescribed by the Governmental Accounting Standards Board (GASB).

In June 1999, GASB issued Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments* (GASB No. 34). This statement established new financial reporting requirements for state and local governments. On July 1, 2002, the Municipality adopted the provisions of GASB No. 34 as well as other statements referred to below. These statements require the reporting of new financial information and restructured much of the information that governments have reported prior to July 1, 2002. Accordingly, comparability with financial statements issued for years ended June 30, 2002 or before, has been affected significantly.

According to the new financial reporting model established by GASB No. 34, the minimum required financial statement presentation applicable to the Municipality is composed of the following elements: (1) government-wide financial statements (GWFS), (2) governmental fund financial statements (GFFS), (3) notes to basic financial statements, and (4) required supplementary information (RSI).

The RSI, which consists of a management discussion and analysis (MD&A), is information presented along with, but separate from, the Municipality's basic financial statements. The

COMMONWEALTH OF PUERTO RICO
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Notes to Basic Financial Statements
June 30, 2004

MD&A is a narrative report that introduces the accompanying basic financial statements and provides an analytical overview of the Municipality's financial activities for the year ended June 30, 2004, based on the Municipality's knowledge of the transactions, events and conditions reflected in the basic financial statements. The MD&A also highlights certain key fiscal policies that control the Municipality's operations.

As previously mentioned, on July 1, 2002, other statements and interpretations were also adopted in conjunction and simultaneously with GASB No. 34. Those statements and interpretations are: (1) GASB Statement No. 33 – *Accounting and Financial Reporting for Nonexchange Transactions*, (2) GASB Statement No. 37 – *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments: Omnibus*, (3) GASB Statement No. 38 – *Certain Financial Statement Note Disclosures* and (4) GASB Interpretation No. 6 – *Recognition and Measurement of Certain Liabilities and Expenditures in Governmental Fund Financial Statements*.

GASB No. 34 also required that the accounting for all governmental activities reported in the GWFS be based on applicable pronouncements issued by the Financial Accounting Standards Board (FASB) and its predecessor bodies, such as the Accounting Principles Board (APB), issued on or before November 30, 1989, provided those pronouncements do not conflict with or contradict GASB pronouncements. Accordingly, in conjunction and simultaneously with the adoption of GASB No. 34, the Municipality also adopted the following pronouncements: (1) APB Opinion No. 20 – *Accounting Changes*, (2) APB Opinion No. 21 – *Interest on Receivables and Payables*, (3) FASB Statement No. 5 - *Accounting for Contingencies* and (4) FASB Statement No. 16 – *Prior Period Adjustments*. The Municipality has elected to not apply all statements and interpretations issued by FASB after November 30, 1989.

b) *Financial Reporting Entity*

The accompanying basic financial statements include all departments, agencies and municipal entities that: (1) are under the legal and administrative control of the Mayor and (2) whose funds are under the legal custody and control of the Municipality's Director of Finance and Budget, as prescribed by Law No. 81.

The Municipality's management has considered all potential component units for which it may be financially accountable and other legally separate organizations for which the nature and significance of their relationship with the Municipality may be such that exclusion of their basic financial statements from those of the Municipality would cause the Municipality's basic financial statements to be misleading or incomplete.

GASB Statement No. 14 - *The Financial Reporting Entity* (GASB No. 14), has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the Municipality to impose its will on that organization or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the Municipality.

COMMONWEALTH OF PUERTO RICO
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Notes to Basic Financial Statements
June 30, 2004

On July 1, 2003, the Municipality adopted the provisions of GASB Statement No. 39 – *Determining Whether Certain Organizations are Component Units* (GASB No. 39). This statement provides additional guidance in determining whether certain organizations for which the primary government is not financially accountable should be reported as component units based on the nature and significance of their relationship with the primary government. Generally, GASB No. 39 requires reporting a component unit if an organization raises and holds economic resources for the direct benefit of a governmental unit.

The Municipality's management has concluded that, based on the aforementioned criteria, there are no legally separate entities or organizations that should be reported as component units of the Municipality as of June 30, 2004 nor for the year then ended.

c) *Government-wide Financial Statements*

The accompanying GWFS are composed of: (1) the statement of net assets and (2) the statement of activities. These financial statements do not report fund information but rather report information of all of the Municipality's governmental activities. These statements are aimed at presenting a broad overview of the Municipality's finances through reporting its financial position and results of operations as a whole, using methods that are similar to those used by most private businesses.

The focus of the GWFS is not on compliance with budgets, regulatory requirements or on the use of available or currently expendable financial resources (referred to as fiscal accountability), but on operational accountability information about the Municipality as a single economic unit. Operational accountability is the Municipality's responsibility to report to the extent to which it has met its operating objectives efficiently and effectively, using all resources available for that purpose. It focuses on the Municipality's principal operating objective, which is to provide services to its citizens.

The accompanying statement of net assets provides short-term and long-term information about the Municipality's financial position and condition by presenting all of the Municipality's assets and liabilities, with the difference between these two items reported as "net assets" (equity). This statement assists management in assessing the level of services that can be provided by the Municipality in the future, and its ability to meet its obligations as they become due. In addition, this statement reports the extent to which the Municipality has invested in capital assets, including infrastructure, and discloses legal and contractual restrictions on resources.

Net assets are classified in the accompanying statement of net assets within the following three categories:

- **Invested in capital assets, net of related debt** – These consist of capital assets, net of accumulated depreciation and amortization, reduced by the outstanding balances of bonds, notes and other debt that are attributed to the acquisition, construction or improvement of

COMMONWEALTH OF PUERTO RICO
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Notes to Basic Financial Statements
June 30, 2004

those assets. For the purposes of determining the outstanding debt attributed to capital assets, the total long-term debt related to the acquisition, construction or improvement of capital assets have been reduced by any related unspent debt proceeds and any related unamortized debt issuance costs.

- **Restricted net assets** – These consist of net assets restricted by external parties (such as creditors, grantors, contributors, laws or regulations of other governments, etc.), or net assets for which constraints are imposed by constitutional provisions or enabling legislation. Enabling legislation is defined as legislation that authorizes the Municipality to assess, levy, charge or otherwise mandate payment of resources (from external resource providers). Enabling legislation establishes restrictions if it includes a legally enforceable requirement that those resources be used only for the specific purposes stipulated in the legislation.

The classification of restricted net assets identifies resources that have been received or earned by the Municipality with an explicit understanding between the Municipality and the resource providers that the resources would be used for specific purposes. Grants, contributions and donations are often given under those kinds of conditions. Bond indentures also often limit the use of bond proceeds to specific purposes.

Internally imposed designations of resources, including earmarking, are not reported as restricted net assets. These designations consist of management's plans for the use of resources, which are subject to change at the discretion of the Municipal Legislature.

- **Unrestricted net assets** – These consist of net assets that are neither externally or legally restricted, nor invested in capital assets. However, unrestricted net assets often are designated to indicate that management does not consider them to be available for general operations. Unrestricted net assets often have constraints that are imposed by management, but can be removed or modified.

When both restricted and unrestricted resources are available for use, it is the Municipality's policy to generally use restricted resources first, and then unrestricted resources as they are needed.

The accompanying statement of activities presents the results of the Municipality's operations by showing how the Municipality's net assets changed during the year ended June 30, 2004, using a net (expense) revenue format. This statement presents the cost of each function/program as well as the extent to which each of the Municipality's functions, programs or other services either contributes to or draws from the Municipality's general revenues (such as property taxes, municipal license taxes, construction excise taxes, etc.).

A function/program describes a group of activities that are aimed at accomplishing a major service or regulatory responsibility. The functions/programs reported in the accompanying basic financial statements are: (1) general government, (2) urban and economic development, (3) public safety, (4) health and sanitation, (5) culture, recreation and education and (6) welfare and

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Notes to Basic Financial Statements
June 30, 2004

housing assistance. The governmental operations of the Municipality's departments and operational units are classified within the following functions/programs in the accompanying basic financial statements:

General government:

- Municipal legislature
- Mayor's office
- Department of finance and budget
- Department of human resources
- Department of municipal secretary
- Department of internal audit

Urban and economic development:

- Department of public works

Public safety:

- Department of municipal police
- Office of emergency management

Health and sanitation

- Department of health

Culture, recreation and education:

- Department of recreation and sports

Welfare and housing assistance

- Department of elderly affairs
- Department of federal programs

The statement of activities demonstrates the degree to which program revenues offset direct expenses of a given function/program or segments. Direct expenses are those that are clearly identifiable with a specific function, segment or operational unit. This statement reports revenues in two broad categories: (1) program revenues and (2) general revenues.

Program revenues are generated directly from a program itself or may come from parties outside the Municipality's taxpayers or citizens. In the statement of activities, program revenues reduce the costs (expenses) of the function/program to arrive at the net cost of the function/program that must be financed from the Municipality's general revenues. The accompanying statement of activities separately reports the following categories of program revenues:

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Notes to Basic Financial Statements
June 30, 2004

- **Charges for services** – These generally consist of exchange or exchange-like transactions involving charges to customers or applicants who purchase, use or directly benefit from the goods, services or privileges provided, or are otherwise directly affected by the services. These include fees charged for specific services, charges for licenses and permits, and fines and forfeitures, among others.

- **Program-specific capital and operating grants and contributions** – These consist of transactions that are either mandatory or voluntary nonexchange transactions with other governments, organizations, or individuals that restrict the resources for use in a particular program. Capital grants and contributions consist of capital assets or resources that are restricted for capital purposes – to purchase, construct or renovate capital assets associated with a specific program. Operating grants and contributions consist of resources that are required to be used to finance the costs of operating a specific program or can be used either for operating or capital purposes of a specific program. Restricted capital and operating grants and contributions are program revenues because they are specifically attributable to a program and reduce the net expense of that program to the Municipality. They are reported net of estimated uncollectible amounts.

General revenues are the default category for revenues. It includes all revenues and gains that do not meet the definition of program revenues. Property taxes, municipal license taxes and construction excise taxes are reported as general revenues. All other nontax revenues (including unrestricted investment earnings, grants and contributions not restricted for specific programs, and miscellaneous revenues) that do not meet the definition of program revenues are classified as general revenues. Resources that are dedicated internally by the Municipality are reported as general revenues rather than as program revenues. All general revenues are reported net of estimated uncollectible amounts, which are recorded as reduction of revenues rather than as expenses.

The *general government* function/program reported in the accompanying statement of activities, includes expenses that are, in essence, indirect or overhead expenses of the Municipality's other functions/programs. Even though some of these costs have been charged to other funds in the governmental fund financial statements as indirect cost allocations permitted under some federal programs, the Municipality has reported these indirect expenses as direct expenses of the general government function. Accordingly, the Municipality does not allocate general government (indirect) expenses to other functions.

The effects of all interfund governmental activities (revenues, expenditures and other financing sources/uses among governmental funds) have been removed from the accompanying statements of net assets and activities.

The Municipality classifies all of its activities as governmental activities in the accompanying GWFS. These are activities generally financed through taxes, intergovernmental revenues and other nonexchange revenues that can be used to support the Municipality's programs or services.

COMMONWEALTH OF PUERTO RICO
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Notes to Basic Financial Statements
June 30, 2004

These governmental activities are also generally reported in the governmental fund financial statements.

The Municipality has no fiduciary activities, which are those in which the Municipality would be holding or managing net assets for specific individuals or other external parties in accordance with trust agreements or other custodial arrangements. In addition, the Municipality has no operations or activities that are primarily financed and operated in a manner similar to private business enterprises, where the costs of providing goods or services to the general public is financed primarily through user charges.

d) *Governmental Fund Financial Statements*

The accompanying GFFS are composed of: (1) the balance sheet – governmental funds and (2) the statement of revenues, expenditures and changes in fund balances – governmental funds. These financial statements report the financial position and results operations of the Municipality's governmental funds by presenting sources, uses and balances of current financial resources. Some of these financial statements have a budgetary orientation and focus primarily on: (1) the Municipality's major funds, as defined below, (2) the fiscal accountability and (3) the individual parts of the Municipality's government. Fiscal accountability represents the Municipality's responsibility to justify that its actions in the current year have complied with public decisions concerning the raising and spending of public moneys in the short term (one fiscal year).

Each governmental fund is considered an independent fiscal entity accounted for within a set of self-balancing accounts that comprise its assets, liabilities, fund equity or deficit, revenue and expenditures. The accompanying GFFS segregate governmental funds according to their intended purpose and are used in demonstrating compliance with legal, financial and contractual provisions. The minimum number of governmental funds is maintained consistent with legal and self-imposed managerial requirements established by the Municipality. For financial reporting purposes, the Municipality classifies its governmental funds within the following categories:

- ***General fund*** – The general fund is the Municipality's main operating and major fund, as defined below, used to account for all financial resources and governmental activities, except for financial resources required to be accounted for in another fund. It is presumed that the Municipality's governmental activities have been reported in the general fund except for transactions for which one of the following compelling reasons has required the use of another fund: (1) legal requirements, (2) GAAP requirements or (3) the demands of sound financial administration requiring the use of a governmental fund other than the general fund.
- ***Special revenue funds*** – The special revenue funds are Major funds, as defined below, used by the Municipality to account for revenues derived from grants or other revenue sources (other than major capital projects) that are either self-restricted by the Municipality or legally restricted by outside parties for use in specific purposes. The uses and limitations of each special revenue fund are specified by municipal ordinances or federal and state statutes.

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MUNICIPALITY OF MARICAO
Notes to Basic Financial Statements
June 30, 2004

However, resources restricted to expenditure for purposes normally financed from the general fund are reported in the Municipality's general fund provided that all applicable legal requirements are appropriately satisfied. In this case, a special revenue fund to account for such kind of transactions will be used only if legally mandated.

- **Debt service fund** – The debt service fund is a Nonmajor fund, as defined below, used by the Municipality to account for the accumulation of resources for, and the payment of, principal and interest for: (1) bonds and notes for which debt service payments are legally mandated to be accounted for in a debt service fund and/or (2) general long-term debt for which the Municipality is being accumulating financial resources in advance, to pay principal and interest payments maturing in future years. Principal and accrued interest due on July 1 of the following fiscal year related to long-term debt for which debt service payments are accounted for in the debt service fund, are recorded as debt service fund's liabilities at June 30, if resources are available at June 30 for its payment.

General long-term debts for which debt service payments do not involve the advance accumulation of resources (such as obligations under capital leases, compensated absences, claims and judgments, and notes payable, among others) are accounted for in the accompanying statement of net assets. The debt service payments of such debts are generally accounted for in the general fund.

- **Capital projects funds** – Capital projects funds are major and nonmajor funds, as defined below, used to account for the financial resources used in the acquisition or construction of major capital facilities, other assets and permanent improvements. Significant capital outlays financed from general obligation bond proceeds are accounted for also in the capital projects funds.

The use of the capital projects funds has been reserved for major capital acquisitions or construction activities that would distort financial resources trend data if not reported separately from the other Municipality's operating activities. The routine purchases of minor capitalizable assets (such as certain vehicles and other minor capital assets) have been reported in the fund from which financial resources were used for the purchase.

Prior to GASB No. 34, the Municipality was required to report governmental fund financial statements that presented a single aggregated column for each fund type. Each column presented the combined total of all funds of a particular type. Fund types are no longer the focus of the accompanying governmental fund financial statements. Under GASB No. 34, the focus of the governmental fund financial statements is on major funds, which generally represent the Municipality's most important funds. Accordingly, the Municipality is required to segregate governmental funds among major and nonmajor within the governmental fund financial statements. Major individual governmental funds are reported individually as separate columns in the governmental fund financial statements, while data from all nonmajor governmental funds are aggregated into a single column, regardless of fund type.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Notes to Basic Financial Statements
June 30, 2004

By definition, the Municipality's general fund is always considered a major governmental fund for financial reporting purposes. In addition, any other fund is considered a major fund for financial reporting purposes if its total assets, liabilities, revenues or expenditures of that individual governmental fund are at least 10 percent of the corresponding element total (assets, liabilities, revenues or expenditures) for all governmental funds. For the purposes of applying the aforementioned major fund criteria, no eliminations of interfund balances have been made. Total revenues for these purposes means all revenues, including operating and nonoperating revenues (net of allowances), except for other financing sources. Total expenditures for these purposes means all expenditures, including operating and nonoperating expenditures, except for other financing uses.

Based on the aforementioned criteria, the Municipality's major governmental funds reported in the accompanying governmental fund financial statements are: (1) the general fund and (2) the state legislative joint resolutions fund.

The state legislative joint resolutions fund is a major fund used to account for financial resources derived from capital and operating grants awarded each year by the Commonwealth's Senate and House of Representatives (the Commonwealth's Legislature). The purpose of the amounts awarded by the Commonwealth's Legislature vary from year to year, but are generally restricted to (1) partially subsidy certain qualifying administrative and operational activities of the Municipality, (2) provide specific multipurpose services to citizens and (3) finance the acquisition or construction of capital assets approved by the Commonwealth's Legislature.

e) Measurement Focus and Basis of Accounting

Government-wide financial statements – The accompanying GWFS are prepared using the economic resources measurement focus and the accrual basis of accounting. Subject to the additional rules and limitations detailed below, revenues (including interest income) are generally recorded when earned and expenses are generally recorded when a liability is incurred, regardless of the timing of related cash flows.

All revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are generally recorded when the exchange takes place. In exchange transactions, each party to the transaction receives and gives up essentially equal values. An exchange-like transaction is one in which there is an identifiable exchange and the values exchanged, though related, may not be quite equal. Nevertheless, the exchange characteristics of the exchange-like transaction are strong enough to justify treating it as an exchange for accounting purposes (examples include fees for licenses and permits, charges for services, and miscellaneous revenues, which are recorded as revenues when collected because they are generally not measurable until actually received).

All revenues, expenses, gains, losses and assets resulting from nonexchange transactions are recorded using the criteria set forth by GASB Statement No. 33, *Accounting and Financial Reporting for Nonexchange Transactions* (GASB No. 33), which the Municipality adopted on

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July 1, 2002. GASB No. 33 established accounting and reporting standards for nonexchange transactions involving cash and financial or capital resources (for example, most taxes, grants and private donations). In a nonexchange transaction, the Municipality gives (or receives) value without directly receiving (or giving) equal value in return. This is different from an exchange transaction, in which each party receives and gives up essentially equal values. According to GASB No. 33, the Municipality groups its nonexchange transactions into the following four classes in the accompanying basic financial statements: (a) derived tax revenues, (b) imposed nonexchange revenues, (c) government mandated nonexchange transactions, and (d) voluntary nonexchange transactions.

In the case of derived tax revenue transactions (such as municipal license taxes), which result from assessments the Municipality places on exchange transactions, receivables and revenues are recorded when the underlying exchange has occurred (that generally is, when the taxpayers' net sales or revenues subject to tax take place).

In the case of imposed nonexchange revenue transactions (such as property taxes), which result from assessments made by the Municipality on nongovernmental entities, including individuals, other than assessments on exchange transactions, receivables are generally recorded in the period when an enforceable legal claim has arisen. Property taxes are generally recorded as revenues (net of amounts considered not collectible) in the period when resources are required to be used or the first period that the use of the resources is permitted.

Government-mandated nonexchange transactions (such as grants and contributions) result when a government at one level (such as the federal or state government) provides resources to another government (such as the Municipality), and the provider government requires the recipient government to use those resources for a specific purpose or purposes established in the provider's enabling legislation. In these type of transactions, receivables and revenues are generally recorded as follows:

- For reimbursement-type (commonly known as "expenditure-driven awards"), receivables and revenues are recorded when all eligibility requirements imposed by the provider have been met. The Municipality must expend resources on the specific purpose or project before the provider reimburses any amounts. Revenue is, therefore, generally recognized as qualifying reimbursable expenditures are incurred.
- For other types of grants (mainly grants and contributions with purpose restrictions but with no time requirements), receivables and revenues are recorded when all applicable eligibility requirements are met. When the provider is a government (including the government of the United States of America) the applicable recognition period for both, the provider and the recipient, is the provider's fiscal year and begins on the first day of that year.

Voluntary nonexchange transactions (such as donations and certain grants and entitlements) result from legislative or contractual agreements, other than exchanges, entered into willingly by

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two or more parties. In these types of transactions, receivables and revenues are generally accounted for in the same manner as government-mandated nonexchange transactions discussed above.

Receipts of any type of revenue sources collected in advance for use in the following period are recorded as deferred revenues.

Events that are neither exchange nor nonexchange transactions are recorded when it is probable that a loss has been incurred and the amount of loss is reasonably estimable.

The measurement focus and the basis of accounting used in the accompanying GWFS differ significantly from the measurement focus and basis of accounting used in the preparation of the accompanying GFFS. Therefore, the accompanying GFFS include reconciliations to better identify the relationship between the GWFS and the GFFS.

Governmental fund financial statements – The accompanying GFFS are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are generally recognized as soon as they are both measurable and available. Revenues are generally considered to be available when they are collectible within the current year or soon enough thereafter to pay liabilities of the current year. For this purpose, the Municipality considers most revenues to be available if collected within 90 days after June 30, 2004, except for property taxes for which the availability period is 60 days. Revenue sources not meeting this availability criterion or collected in advance are recorded as deferred revenues at June 30, 2004. The principal revenue sources considered susceptible to accrual include property taxes, municipal license taxes, intergovernmental grants and contributions and interest income. These principal revenue sources meet both measurability and availability criteria in the accompanying GFFS, except for amounts recorded as deferred revenues.

In a manner similar to the GWFS, but subject to and limited by the availability criteria discussed above, all revenues, expenses, gains, losses, assets and liabilities resulting from exchange and exchange-like transactions are also generally recorded when the exchange takes place. Accordingly, fees for licenses and permits, charges for services and miscellaneous revenues are recorded as revenues when collected because they are generally not measurable until actually received.

All revenues, expenses, gains, losses and assets resulting from nonexchange transactions are recorded in a similar manner to the GWFS, using the previously discussed criteria set forth by GASB No. 33 for nonexchange transactions, but subject to and limited by the availability criteria discussed above. Accordingly, municipal license tax receivables and revenues are generally recorded when the underlying exchange has occurred. Property tax receivables are also generally recorded in the period when an enforceable legal claim has arisen while property tax revenues (net of amounts considered not collectible) are also generally recorded in the period when resources are required to be used or the first period that the use of the resources is permitted. Receivables and revenues from reimbursement-type grants, contributions, donations and

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entitlements are also generally recorded as qualifying reimbursable expenditures are incurred , while receivables and revenues from other types of grants are recorded when all eligibility requirements imposed by the provider have been met.

Interest income is recorded when earned only if collected within 90 days after year-end since these would be considered both measurable and available.

As previously discussed, on July 1, 2002, the Municipality adopted the provisions of GASB Interpretation No. 6, *Recognition and Measurement of Certain Liabilities and Expenditures in Governmental Fund Financial Statements* (GASBI No. 6), which modifies the recognition criteria for certain expenditures and liabilities reported under the modified accrual basis of accounting and clarifies a number of situations in which the Municipality should distinguish between governmental fund liabilities and general long-term liabilities.

Pursuant to the provisions of GASBI No. 6, expenditures and related liabilities are generally recorded in the accompanying governmental fund financial statements in the accounting period in which the liability is incurred, as under the accrual basis of accounting, but only to the extent that they are normally expected to be liquidated with expendable financial resources.

Modifications to the accrual basis of accounting include:

- Employees' accumulated vacation, sick leave and compensatory time (compensated absences) is recorded as expenditure when consumed. The amount of the unpaid compensated absences has been reported only in the accompanying statements of net assets.
- Principal and interest on bonds and notes payable are recorded when they mature (when payment is due), except for principal and interest due in July 1 of the following fiscal year, which are recorded when resources are available in the debt service fund (generally June 30).
- Obligations under capital leases, amounts subject to claims and judgments under litigation and other long-term obligations are recorded only when they mature (when payment is due).
- Accounts payable and accrued liabilities not expected to be liquidated with available and expendable financial resources are recorded in the accompanying statement of net assets but not in the governmental funds.
- Executory purchase orders and contracts are recorded as a reservation of fund balance in the GFFS.

Liabilities outside the bounds of these exceptions or modifications are reported as governmental fund liabilities when incurred (including salaries, professional services, supplies, utilities, etc.) since these liabilities normally are paid in a timely manner and in full from current financial resources.

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The measurement focus of the GFFS is on decreases in net financial resources (expenditures) rather than expenses. Most expenditures are measurable and are recorded when the related governmental fund liability is incurred. Allocation of costs, such as depreciation and amortization, are recorded in the accompanying statement of activities, but are not recorded in the accompanying GFFS.

Under the new financial reporting model established by GASB No. 34, all general capital assets and the unmatured long-term liabilities (determined using the modified accrual basis of accounting) are no longer reported in account groups within the governmental fund balance sheet but are incorporated into the accompanying statement of net assets since July 1, 2002.

f) Stewardship, Compliance and Accountability

Budgetary Control

According to the Autonomous Municipalities Act of the Commonwealth of Puerto Rico, the Mayor and its Administrative Cabinet prepare annual budgets each fiscal year for the Municipality's general fund and debt service fund. Such legally adopted budgets are based on expected expenditures by program and estimated resources by source for both funds. The annual budgets are developed using elements of performance-based program budgeting and zero-based budgeting, and include estimates of revenues and other resources for the ensuing fiscal year under laws and regulations existing at the time the budget is prepared.

The Mayor must submit an annual budgetary resolution project (the Project) to the Commissioner of Municipal Affairs of Puerto Rico (the Commissioner) and the Municipal Legislature no later than each May 10 and May 15, respectively. The Commissioner preliminarily verifies that the Project complies with all the applicable laws and regulations and may provide comments and suggestions to the Mayor on or before each June 13.

The Municipal Legislature has 10 business days, up to June 13, to discuss and approve the Project with modifications. The Municipal Legislature may amend the budgets submitted by the Mayor but may not increase any items so far to cause a deficit without imposing taxes or identifying other sources of revenue to cover such deficit. After the Municipal Legislature modifies and preliminarily approves the Project, the modified Project is sent back to the Mayor for his approval or rejection within 6 days. The Mayor may decrease or eliminate any line item but may not increase or insert any new line item in the budgets. The Mayor may also veto the budgets in their entirety and return it to the Municipal Legislature with his objections. If the Mayor rejects the Project, the Municipal Legislature will have up to 8 days to adopt or reject the recommendations or objections of the Mayor. The approved Project is sent again to the Mayor, which then would have 3 days to sign and approve it.

If the budgets are not adopted prior to the end of the deadlines referred to above, the annual budgets for the preceding fiscal year, as approved by the Legislature and the Mayor, are automatically renewed for the ensuing fiscal year until the Municipal Legislature and the Mayor

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approve new budgets. This permits the Municipality to continue making payments for its operations and other purposes until the new budgets are approved.

The annual budgets may be updated for any estimate revisions as well as year-end encumbrances and may include any additional information requested by the Municipal Legislature. The Mayor may request subsequent amendments to the approved budgets, which are subject to the approval of the Municipal Legislature.

The Municipality's Department of Finance and Budget has the responsibility to ensure that budgetary spending control is maintained. For day-to-day management control, expenditures plus encumbrances may not exceed budgeted amounts at the expenditure-type level of each cost center (activity within a program within a fund). The Mayor may transfer unencumbered appropriations within programs within funds. The Municipal Legislature may transfer amounts among programs within and among funds.

The legal level of budgetary control (i.e., the level at which expenditures may not legally exceed appropriation) is at the functions/program level (general government, urban and economic development, public safety, health and sanitation, culture, recreation and education, and public housing and welfare) within a fund.

Under the laws and regulations of the Commonwealth, the appropriations made for any fiscal year shall not exceed the total revenue, including available surplus, estimated for said fiscal year unless the imposition of taxes sufficient to cover said appropriations is provided.

Budgetary Accounting

The Municipality's annual budgets are prepared under the budgetary (statutory) basis of accounting, which is not in accordance with GAAP.

Under the budgetary basis of accounting, revenue is generally recognized when cash is received. Short-term and long-term borrowings may be used to finance budgetary excess of expenditures over revenues.

The Municipality uses encumbrance accounting to record the full amount of purchase orders, contracts and other commitments of appropriated resources as deductions from the appropriation prior to actual expenditure. In the governmental funds, encumbrance accounting is a significant aspect of budgetary control. Accordingly, expenditures are generally recorded when the related expenditure is incurred or encumbered. Available appropriations and encumbrances are established to lapse one year after the end of the fiscal year. Amounts required to settle claims and judgments against the Municipality, and certain other liabilities, are not recognized until they are encumbered or otherwise processed for payment. Unencumbered appropriations and encumbrances lapse at year-end. Other appropriations, mainly capital projects appropriations, are continuing accounts for which the Municipal Legislature has authorized that an unspent balance from the prior year be carried forward and made available for current spending.

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The accompanying budgetary comparison schedule provides information about the general fund's original budget, the amendments made to such budget, and the actual general fund's results of operations under the budgetary basis of accounting for the fiscal year ended June 30, 2004. Further details of the Municipality's budgetary control at the legal level may be obtained from the Budgetary Liquidation Report for the fiscal year ended June 30, 2004, which is prepared by the Municipality's Department of Finance and Budget. Copies of that report may be obtained by writing to the Municipality's Director of Finance and Budget.

Accounting principles applied for purposes of developing data on a budgetary basis differ significantly from those used to present the governmental fund financial statements in conformity with GAAP. Accordingly, the accompanying budgetary comparison schedule is accompanied by a reconciliation of the differences between the budgetary basis and GAAP actual amounts.

The Municipality does not legally adopt budgets for the state legislative joint resolutions capital fund. The financial resources received by these funds are not subject to budgeting by the Municipality since the resources received each year from the respective grantors vary from year to year, and the respective amounts are granted at their discretion.

g) *Unrestricted and Restricted Deposits*

The Municipality's deposits are composed of cash on hand, demand deposits and cash equivalents in: (1) commercial banks, (2) the Government Development Bank for Puerto Rico (GDB), a governmental bank and a major component unit of the Commonwealth, who is statutorily designated as fiscal agent of the Municipality, and (3) the Municipal Revenue Collection Center (CRIM, by its Spanish acronyms), a governmental entity responsible for the imposition and collection of property taxes on behalf of all municipalities of Puerto Rico.

The Municipality follows the practice of pooling cash. The balance in the pooled cash account is available to meet current operating requirements. Under the laws and regulations of the Commonwealth, public funds deposited by the Municipality in commercial banks must be fully collateralized for the amounts deposited in excess of the federal depository insurance generally provided by the Federal Deposits Insurance Corporation (FDIC). All securities pledged as collateral are held by agents designated by the Secretary of the Treasury of the Commonwealth, but not in the Municipality's name.

Restricted assets include cash and cash equivalents in commercial banks, GDB and CRIM. These cash balances are classified as restricted assets since its use is limited for the specified purposes discussed below, which are established by applicable agreements or required by law.

Restricted cash with fiscal agent in the general and debt service funds represent property tax collections which are retained and restricted for the payment of the Municipality's debt service, as established by law. Restricted cash in fiscal agent in other governmental funds consists of unspent proceeds of bonds and notes, and the balance of interest and noninterest bearing accounts

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which are restricted for: (1) the acquisition, construction or improvement of major capital assets and the operations of federal and state funded programs.

Restricted cash includes cash equivalents amounting to \$603,920 at June 30, 2004, consisting of certificates of deposit with original maturities of three months or less. These cash equivalents are recorded in the state legislative joint resolutions fund, consequently, are restricted for use in specific activities accounted for in such fund.

h) Unrestricted and Restricted Accounts and Notes Receivable

In the accompanying GWFS, receivables consist of all revenues earned but not collected at June 30, 2004. Major receivable balances for the governmental activities include municipal license taxes, property taxes and intergovernmental receivables.

Tax receivables in the general fund represent uncollected property taxes and municipal license taxes. Restricted tax receivables in the debt service fund consist of uncollected property taxes, which are restricted for the payment of the Municipality's debt service, as established by law.

Intergovernmental receivables are composed of: (1) amounts owed to the Municipality for reimbursement of expenditures incurred pursuant to federal and state funded programs (recorded in the general fund, special revenue funds and capital project funds), and (2) contributions in lieu of taxes from the Puerto Rico Electric Power Authority, recorded in the general fund.

These accounts receivables are stated net of estimated allowances for uncollectible accounts, which are determined, based upon past collection experience, historical trends, current economic conditions and the periodic aging of accounts receivable.

Activities among funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e. the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds." Advances between funds, as reported in the GFFS, are offset by a fund balance reserve account in applicable governmental funds to indicate that they are not available for appropriation and are not expendable available financial resources.

i) Inventories and Other Current Assets

Inventories and other current assets consist of materials, supplies, food and medicine inventories held for consumption; and prepaid costs. Generally, inventories and other current assets are capitalized (consumption method). Inventories are stated at cost using the first-in, first-out method (FIFO).

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j) Deferred Charges

Deferred charges capitalized in the accompanying statement of net assets consist of bond issuance costs, net of accumulated amortization. Deferred charges are amortized over the term of the related debt using the straight-line method. In the GFFS, bond issuance costs are recognized in the current period as expenditures, whether or not withheld from the actual debt proceeds received.

k) Capital Assets

Capital assets used in governmental activities include land and land improvements, buildings, structures and building improvements, machinery and equipment, furniture and fixtures, licensed vehicles, construction in progress, and infrastructure. These assets are capitalized and reported in the accompanying statement of net assets. Infrastructure assets are generally stationary in nature and include roads, bridges, streets and sidewalks, drainage systems and other similar assets.

The Municipality defines capital assets as assets with an individual cost of \$500 or more at the date of acquisition or construction, and with useful lives extending beyond one year. All assets with individual costs under \$500 or with useful lives not exceeding one year, are charged directly to expense in the accompanying statement of activities. In the governmental funds, all capital assets are recorded as expenditures.

In the statement of net assets, all capital assets are recorded at cost or estimated historical cost if actual cost was unavailable, except for donated capital assets, which are recorded at their estimated fair value at the date of donation. Estimated historical costs based on deflated current costs were used to value a significant portion of the infrastructure and certain land, buildings, structures and building improvements constructed or acquired prior to June 30, 2002. The method to deflate the current costs using an approximate price index was used only in the case of certain items for which their historical cost documentation was not available. Actual historical costs were used to value the infrastructure, land, building, structures, building improvements, construction in progress, machinery and equipment and licensed vehicles constructed or acquired during or after the year ended June 30, 2003.

Major outlays for capital assets and improvements are capitalized in the statement of net assets as projects are constructed. The costs of normal maintenance and repairs that do not add value to the asset or materially extend capital asset lives are not capitalized.

Depreciation and amortization expense is recorded only in the government-wide statement of activities. However, there is no depreciation or amortization recorded for land and construction-in-progress. Depreciable capital assets are generally depreciated or amortized over their estimated useful lives under the straight – line method, except for machinery and equipment held under capital leases which is depreciated over the shorter of its estimated useful life or the lease term. The estimated useful lives of major capital asset categories are:

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| | <u>Years</u> |
|---|--------------|
| Land improvements | 20 |
| Buildings, structures and building improvements | 30 to 50 |
| Infrastructure | 20 to 50 |
| Licensed vehicles | 8 |
| Furniture and fixtures | 5 to 20 |
| Machinery and equipment, excluding those held under capital leases | 5 to 20 |

Depreciation and amortization expense on capital assets are recorded as direct expenses of the function/program specifically identified with the asset. Depreciation and amortization of infrastructure is not allocated to various functions/programs but reported as direct expenses of the urban and economic development function.

l) Deferred Revenues

The Municipality reports deferred revenue on its GFFS and GWFS. In the GFFS, deferred revenue arises when:

- Potential revenue does not meet both the “measurable” and “available” criteria for revenue recognition in the current period. As previously discussed, available is defined as due (or past due) at June 30, and collected within 90 days (60 days for property taxes) thereafter to pay obligations due at June 30, or;
- The Municipality receives resources before it has a legal claim to them. In subsequent periods, when the revenue recognition criterion is met, the liability for deferred revenue is removed and revenue is recognized.

Deferred revenues at the government-wide level arise only when the Municipality receives resources before it has a legal claim to them.

m) Compensated Absences

Compensated absences are accounted for under the provisions of Statement No. 16, *Accounting for Compensated Absences*, issued by GASB (GASB No. 16). Compensated absences include paid time off made available to employees in connection with vacation, sick leave and compensatory time. The liability for compensated absences recorded in the accompanying statement of net assets is limited to leave that: (1) is attributable to services already rendered on

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or before June 30, 2004 and (2) is not contingent on a specific event (such as illness) that is outside the control of the Municipality and the employee. The liability for compensated absences includes salary-related costs, which are directly and incrementally related to the amount of salary paid to the employee (such as employer's share of social security taxes and medicare taxes).

The vacation policy of the Municipality is established by law and provides for the accumulation of regular vacations at a rate of 2.5 days per month (30 days per year) per employee. Employees accumulate regular sick leave at a rate of 1.5 days per month (18 days per year). Employees accumulate compensatory time at a rate of 1.5 times the overtime worked. All vacation and sick leave days accumulated by employees in excess of 30 days and 90 days, respectively, are paid to employees each year, if not consumed, as required by law. In the case of compensatory time, the excess of 240 hours is paid to employees each year, if not consumed.

Upon termination of employment, an employee receives compensation for all accumulated unpaid regular vacation leave at the current rate. In the case of regular sick leave, if the employee terminates his or her employment with the Municipality before reaching 10 years of services, such regular sick leave is not paid to the employee, if not consumed. Upon termination of employment, an employee does not receive compensation for compensatory time, if not consumed. After 10 years of services any regular sick leave balance is paid to the employee. Accumulated vacation time is fully vested to the employee at any time.

The liability for compensated absences is reported in the statement of net assets. A liability for compensated absences is reported in the GFFS only if they have matured, for example, as a result of employee resignations and retirements.

n) Long-term Debt

The long-term liabilities reported in the accompanying statements of net assets include the Municipality's bonds, notes, obligation under capital leases, compensated absences and legal claims and judgments.

All long-term debt to be repaid from governmental resources is reported as liabilities in the accompanying statement of net assets. Principal and interest payments on bonds due in July 1 of the following fiscal year, are recorded as fund liabilities in the GFFS when resources are available in the debt service fund (generally at June 30). In the GFFS, the face amount of debt issued is reported as other financing sources when issued.

In the GWFS debt issuance costs are reported as deferred charges and are amortized under the straight-line method over the life of the debt while in the GFFS such costs are recognized as expenditures during the current period.

On July 1, 2002, the Municipality adopted the provisions of APB Opinion No. 21, *Interest on Receivables and Payables* (APB No. 21), to account for certain non-interest bearing notes payable to: (1) CRIM, (2) Puerto Rico Land Authority and Puerto Rico Aqueduct and Sewer

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Authority, two discretely presented component units of the Commonwealth, and (3) Puerto Rico Treasury Department and Puerto Rico Department of Labor and Human Resources, two agencies (governmental units) of the primary government of the Commonwealth.

According to APB No. 21, the Municipality has recorded such notes at present value with an imputed interest rate that approximates the rate that would have been used, using the same terms and conditions, if it had been negotiated by an independent lender. In the accompanying statement of net assets, such notes payable are reported net of the applicable unamortized discount, which is the difference between the present value and the face amount of the notes. The notes discount is amortized over the life of the notes using the effective interest method. Amortization of the notes discount is recorded as part of interest expense in the statement of activities. In the GFFS, notes discount is recognized as other financing uses during the current period.

o) Accounting for Pension Costs

For the purpose of applying the requirements of GASB Statement No. 27, Accounting for Pensions by State and Local Government Employers (GASB No. 27), the Commonwealth of Puerto Rico is considered to be the sponsor of the Employees' Retirement System of the Government of Puerto Rico and Its Instrumentalities (ERS) and System 2000, the two retirement systems in which the employees of the Municipality participate. Accordingly, the Municipality is considered a participant and not a sponsor of these retirement systems since the majority of the participants in the aforementioned pension trust funds are part of the financial reporting entity of the Commonwealth. Accordingly, no portion of the net pension obligation (NPO) related to ERS has been allocated to the Municipality in the accompanying basic financial statements. The basic financial statements of the Commonwealth account for the total amount of the net pension obligation of ERS, including any amount that may be allocated to the Municipality.

According to GASB No. 27, the Municipality accounts for pension costs from the standpoint of a participant in a multiple-employer cost-sharing plan. Accordingly, pension costs recognized in the accompanying basic financial statements are equal to the statutorily required contributions, with a liability recorded for any unpaid required contributions.

p) Risk Management

The Municipality carries commercial insurance covering casualty, theft, tort claims and other losses. Insurance policies are negotiated by the Puerto Rico Treasury Department (the Treasury Department) on behalf of all municipalities of Puerto Rico. The Treasury Department pays the insurance premiums on behalf of the Municipality and then is reimbursed each year through monthly equal payments deducted from the Municipality's gross property tax collections made by CRIM.

The Municipality carries insurance coverage for death and bodily injuries caused by automobile accidents. This insurance is obtained through the Automobile Accidents Compensation

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Administration ("ACAA", by its Spanish acronym), a discretely component unit of the Commonwealth. This insurance is compulsory for all licensed vehicles used on public roads and highways in Puerto Rico. The annual premium is \$35 per licensed motor vehicle, which is paid directly to ACAA.

The Municipality obtains workers' compensation insurance coverage through the State Insurance Fund Corporation ("FSE" by its Spanish acronym), a component unit of the Commonwealth. This insurance covers workers against injuries, disability or death because of work or employment-related accidents, or because of illness suffered as a consequence of their employment. Workers' compensation insurance premiums are also paid through monthly deductions made by CRIM from the Municipality's gross property tax collections.

The Municipality obtains unemployment compensation, non-occupational disability, and drivers' insurance coverage for its employees through various insurance programs administered by the Commonwealth's Department of Labor and Human Resources (DOL). These insurance programs cover workers against unemployment and provide supplementary insurance coverage for temporary disability, or death because of work or employment-related accidents, or because of illness suffered as a consequence of their employment. Unemployment compensation, non-occupational disability and drivers' insurance premiums are paid directly to DOL on a quarterly basis.

The Municipality also obtains medical insurance coverage for its employees. The current insurance policies have not been canceled or terminated at June 30, 2004. In the past three years, the Municipality has not settled claims that exceeded insurance coverage.

q) Reservations of Fund Balances

Reservations of fund balances represent portions of fund balances that are legally segregated for specific future uses or are not appropriated for expenditure. The Municipality has the following types of reservations of fund balances:

- **Encumbrances** – Represent future expenditures under purchase orders, contracts and other commitments. These committed amounts represent reservations of unexpired appropriations and generally will become liabilities in future periods as the goods or services are received.
- **Capital Projects** – Represent the reservation of amounts to be used for future expenditures for capital projects under contracts and other commitments. These committed amounts generally will become liabilities in future periods as the projects are completed.
- **Debt Service** – Represent fund balances available to finance future debt service payments.
- **Advances**– Represent the reservation of resources set aside for long-term accounts, notes and interfund receivables, which are not considered current available financial resources.

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- ***Inventories and other current assets*** – Represent the reservation of resources set aside for inventories and prepaid costs, which are not considered current available financial resources.
- ***Other Specified Purposes*** – Represent resources set aside for use in federal and state grant programs accounted for in the special revenue funds.

r) *Interfund Activities*

Permanent reallocations of resources among the Municipality's funds are classified as interfund transfers. The Municipality has the following types of activities recorded among funds in the accompanying GFFS:

- ***Operating Transfers*** – Represent legally required transfers that are reported when incurred as "operating transfers-in" by the recipient fund and as "operating transfer-out" by the disbursing fund.
- ***Intra-entity Activities*** – Represent transfers among funds that are reported as interfund transfers with receivables and payables presented as amounts due to and due from other funds.
- ***Advances*** – Represent amounts advanced among funds, which are not considered to be currently available financial resources.

In the GFFS, interfund activity has not been eliminated, as permitted by GAAP.

s) *Use of Estimates*

The preparation of the accompanying basic financial statements in conformity with GAAP requires management to make significant estimates and assumptions that affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the basic financial statements, and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

t) *Future Adoption of Accounting Pronouncements*

On March 27, 2003, the GASB issued its Statement No. 40 (GASB No. 40), *Deposit and Investment Risk Disclosure, an Amendment to GASB Statement No. 3*. This statement requires that state and local governments disclose essential risk information about deposits and investments. The disclosure requirements cover four main areas: (1) credit risk, (2) interest rate, (3) investment maturity, (4) interest rate sensitivity and (5) foreign exchange exposure. The provisions of GASB No. 40 are effective for the Municipality's fiscal year commencing on July 1, 2004.

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On November 18, 2003, the GASB issued its Statement No. 42 (GASB No. 42), *Accounting and Financial Reporting for Impairment of Capital Assets and for Insurance Recoveries*. This statement requires governments to report the effects of capital asset impairment in their financial statements. This statement also requires all governments to account for insurance recoveries in the same manner. The provisions of GASB No. 40 are effective for the Municipality's fiscal year commencing on July 1, 2005.

The Municipality's management has concluded that the future adoption of GASB Statements No. 40 and 42, will not have a significant impact on the Municipality's basic financial statements.

2. DEPOSITS

The Municipality maintains its deposits of cash in various commercial banks located in Puerto Rico, GDB and CRIM. The balances deposited in commercial banks are insured by the Federal Deposit Insurance Corporation ("FDIC") up to a maximum of \$100,000 per depositor.

Under the laws and regulations of the Commonwealth, public funds deposited in commercial banks must be fully collateralized for the amounts deposited in excess of federal depository insurance. All securities pledged as collateral are held by the agents of the Commonwealth's Secretary of the Treasury, in the Municipality's name.

The Municipality's bank balance of deposits with financial institutions is categorized to provide an indication of the level of collateral risk assumed by the Municipality at June 30, 2004. Risk categories are described as follows:

- Category 1:** Deposit is insured or collateralized with securities held by the Secretary of the Treasury' agents in the Municipality's name.
- Category 2:** Deposit is collateralized with securities held by pledging financial institution's trust department or agent in the Municipality's name.
- Category 3:** Deposit is uncollateralized; including any bank balance that is collateralized with securities held by the pledging financial institution or by its trust department or agent but not in the Municipality's name.

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The carrying amount (book balance) of cash and cash equivalents at June 30, 2004 consist of the following:

| | General fund | State legislative joint resolution funds | Debt service fund | FEMA Georges | Nonmajor funds | Totals |
|--|-----------------|--|-------------------------|-----------------|-------------------|---------------------|
| Unrestricted (category 1): | | | | | | |
| Cash in commercial banks | \$ - | - | - | - | - | \$ - |
| Restricted (category 1): | | | | | | |
| Cash in commercial banks | - | 69,301 | - | - | 417,496 | 486,796 |
| Cash equivalents in commercial banks | - | 191,507 | - | - | - | 191,507 |
| Restricted (category 3): | | | | | | |
| Cash in GDB or CRIM, as fiscal agents | - | - | 355,506 | 576,786 | - | 932,293 |
| Total deposits | \$ - | 260,808 | 355,506 | 576,786 | 417,496 | \$ 1,610,596 |

The Municipality's bank balances in commercial banks amounting to \$678,303 at June 30, 2004 were fully collateralized (Category 1). The bank balance of deposits in GDB and CRIM, which is uninsured and uncollateralized (Category 3), amounted to \$932,293 at June 30, 2004.

3. MUNICIPAL LICENSE TAXES

The Municipality is authorized by Law No. 81 to impose and collect municipal license taxes on all trade or business activities operated by any natural or legal person within the territorial area of Maricao. This is a self-assessed tax generally based on the business volume measured by gross sales. The Municipality establishes the applicable tax rates. At June 30, 2004, the municipal tax rates imposed by the Municipality were 1.50% for financing institutions and 0.30% for other types of taxpayers. Any taxpayers that have been granted with partial tax exemptions under any of the incentive tax laws of the Commonwealth ultimately pay municipal license taxes at reduced tax rates, generally between 60% and 90% under standard rates.

Each taxpayer must assess his/her corresponding municipal license tax by declaring his/her volume of business through a tax return to be filed every April 15 based on the actual volume of business generated in the preceding calendar year. Taxpayers with a sales volume of \$1 million or more must include audited financial statements with their tax returns. The tax can be paid by the taxpayer in two equal installments due on July 15 and January 15, subsequent to the filing of the declaration. The first installment of the tax covers the six-month period ended December 31, subsequent to the filing

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date of the declaration, while the second installment of the tax covers the six-month period ended June 30 of the subsequent calendar year. If a taxpayer elects to pay the tax in full on the filing date of the declaration (generally April 15), a 5% discount is granted automatically on the total tax amount due.

Any municipal license taxes collected in advance (that is, pertaining to a future period) are recorded as deferred revenues. Deferred municipal license tax revenues recorded in the accompanying GWFS and GFFS amounted to \$127,070 at June 30, 2004, which represents municipal licenses collected in advance for the taxable year 2004-2005.

4. PROPERTY TAXES

The Municipality is authorized by Law No. 81 to impose and collect personal and real property taxes. Under the laws and regulations of the Commonwealth, personal property taxes can be imposed to any natural or legal person that at January 1 of each year is engaged in trade or business and is the owner of personal property used in trade or business.

Personal property taxes are self-assessed by taxpayers every year generally using the book value of personal property assets owned by the taxpayer at January 1 (assessment date) and reporting such taxable value through a personal property tax return filed on May 15 subsequent to the assessment date. The total personal property tax rate in force at June 30, 2004 was 6.03% (of which taxpayers pay 5.83% and 0.20% is reimbursed by the Department of Treasury). Real property taxes are assessed by CRIM. The assessment on real property is made every January 1 and is based on estimated current values of the property deflated to 1957 market prices. The total real property tax rate in force at June 30, 2003 was 8.03% (of which 7.83% is paid by taxpayers and 0.20% is also reimbursed by the Department of Treasury).

Residential real property occupied by its owner is exempt by law from property taxes on the first \$15,000 of the assessed value (at 1957 market prices). For such exempt amounts, the Department of Treasury assumes payment of the basic tax (4% and 6% for personal and real property, respectively) to the Municipality, except for property assessed of less than \$3,500 (at 1957 market prices), for which no payment is made.

CRIM is responsible for the billing and collections of real and personal property taxes on behalf of the Municipality. Prior to the beginning of each fiscal year, CRIM informs the Municipality of the estimated amount of property tax expected to be collected for the ensuing fiscal year. Throughout the year, CRIM advances funds to the Municipality based on the initial estimated collections. CRIM is required by law to prepare a settlement statement on a fiscal year basis, whereby a comparison is made between the amounts advanced to the Municipality and amounts actually collected from taxpayers. This settlement has to be completed on a preliminary basis not later than each December 31. If CRIM remits to the Municipality property tax advances, which are less than the property tax actually collected, an additional property tax receivable is recorded at June 30. However, if advances exceed the amount actually collected by CRIM, an intergovernmental payable is recorded at June 30.

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Law No. 81 provides for the levy of an annual special tax of 1.03% of the assessed value of all real and personal property not exonerated from taxation. Such special tax is levied and collected by CRIM. Collections of this special tax are remitted to the Commonwealth's debt service fund for payment of debt service on general obligations of the Commonwealth.

In addition, 1.00% of the total personal and real property taxes collected by CRIM is restricted for the Municipality's debt service requirements and is retained by GDB for such purposes.

The Additional Lottery System of the Commonwealth (the "Additional Lottery") is an operational unit reported as an enterprise fund of the Commonwealth, which currently operates several betting alternatives to the citizens of Puerto Rico. The Additional Lottery is required every year to distribute a portion of its excess of revenues over expenses as follows:

- i. Thirty five percent (35%) of its net earnings (defined as the excess of revenues over expenses less an amount earmarked for the Fund for Rent and Home Improvement Subsidy Program for the Low-Income Qualifying Elderly) is earmarked to the municipalities of the Commonwealth, of which a maximum of \$26 million, on an annual basis, is distributed to the Municipal Equalization Fund held by CRIM to cover operating expenses and permanent improvements of the municipalities.
- ii. An additional amount not exceeding \$16 million, on an annual basis, is distributed to the Municipal Equalization Fund, provided it is within the 35% corresponding to the municipalities of the Commonwealth. When the accumulated municipal appropriations from the municipalities' Puerto Rico Health Reform are covered up to June 30, 1997, these resources will be assigned to the Health Insurance Administration, a component unit of the Commonwealth.

Total property tax receivable, net of an allowance for uncollectible accounts of \$326,833, amounted to \$210,337 at June 30, 2004. The composition of the property tax receivable and the related allowance for doubtful accounts is as follows:

| | General fund | Debt service fund | Total |
|--|-------------------------|----------------------------------|-------------------|
| Property tax receivable | \$ 413,464 | \$ 123,706 | \$ 537,170 |
| Allowance for doubtful accounts | (249,549) | (77,284) | (326,833) |
| Net property tax receivable | <u>\$ 163,915</u> | <u>46,422</u> | <u>\$ 210,337</u> |
| Deferred (unavailable) property tax revenues in GFFS | <u>\$ 156,614</u> | <u>44,567</u> | <u>\$ 201,181</u> |

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5. INTERFUND BALANCES

On July 1, 2001 the Municipality adopted the provisions of Statement No. 38, *Certain Financial Statement Note Disclosures*, issued by the Governmental Accounting Standards Board. This statement requires the disclosure of the flow of resources between funds and to assess the collectibility of interfund balances. Interfund balances at June 30, 2004 consisted of the following:

| | Operating transfers-in: | | | |
|--|-------------------------|-------------------|-----------------------------|-------------------|
| | Major funds | | | Total |
| | General Fund | | Nonmajor governmental funds | |
| Operating transfers-out: | | | | |
| Major funds: | | | | |
| General fund | \$ - | \$ 182,000 | \$ 113 | \$ 182,113 |
| State legislative joint resolution funds | - | - | | - |
| FEMA Georges | - | - | | - |
| Nonmajor governmental funds | 95,565 | - | 8,933 | 104,498 |
| Total | \$ 95,565 | \$ 182,000 | \$ 9,046 | \$ 286,611 |

| | Due/advances from: | | | |
|--|--------------------|--|-----------------------------|---------------------|
| | Major funds | | | Total |
| | General fund | State legislative joint resolutions fund | Nonmajor governmental funds | |
| Due/advances to: | | | | |
| Major funds: | | | | |
| General fund | \$ - | \$ 1,015,422 | \$ 227 | \$ 1,015,649 |
| State legislative joint resolution funds | - | - | 6,881 | - |
| Debt Service Fund | 395 | - | - | 395 |
| Nonmajor governmental funds | 114,571 | - | - | 114,571 |
| Total | \$ 114,966 | \$ 1,015,422 | \$ 7,108 | \$ 1,130,516 |

At June 30, 2004 all amounts due to among funds are considered collectible by the Municipality's management.

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6. CAPITAL ASSETS

Capital asset activity for the year ended June 30, 2004, was as follows:

Depreciation and amortization of capital assets was charged to functions/activities in the accompanying government-wide statement of activities as follows:

| | Balance at June 30, 2003, as restated | Additions/ Increases | Disposals/ decreases | Balance at June 30, 2004 |
|--|--|---|-------------------------|--------------------------------|
| COST BASIS: | | | | |
| Cost basis of capital assets, not subject to depreciation and amortization: | | | | |
| Land | \$ 1,098,113 | \$ - | \$ - | \$ 1,098,113 |
| Construction in progress | - | - | - | - |
| Total cost basis of capital assets, not subject to depreciation and amortization | <u>1,098,113</u> | <u>-</u> | <u>-</u> | <u>1,098,113</u> |
| Cost basis of capital assets, subject to depreciation and amortization: | | | | |
| Buildings, structures and building improvements | 4,011,299 | 66,219 | - | 4,077,518 |
| Infrastructure | 846,300 | 335,207 | - | 1,181,507 |
| Land Improvements | 518,974 | - | - | 518,974 |
| Licensed vehicles | 1,426,914 | - | - | 1,426,914 |
| Machinery and equipment | 261,198 | 18,155 | - | 279,353 |
| Equipment under capital leases | - | - | - | - |
| Total cost basis of capital assets subject to depreciation and amortization | <u>7,064,685</u> | <u>419,581</u> | <u>-</u> | <u>7,484,266</u> |
| Total cost basis of capital assets | <u>\$ 8,162,798</u> | <u>\$ 419,581</u> | <u>\$ -</u> | <u>\$ 8,582,379</u> |
| ACCUMULATED DEPRECIATION AND AMORTIZATION: | | | | |
| | Balance at June 30, 2003 | Depreciation and Amortization Expense | Reclassifications | Balance at June 30, 2004 |
| Buildings, structures and building improvements | \$ 1,185,631 | 72,750 | - | \$ 1,258,381 |
| Infrastructure | 761,670 | 6,914 | - | 768,584 |
| Land Improvements | 353,976 | 23,290 | - | 377,266 |
| Licensed vehicles | 1,063,942 | 123,106 | - | 1,187,048 |
| Machinery and equipment | 154,357 | 16,511 | - | 170,868 |
| Equipment under capital leases | - | - | - | - |
| Total accumulated depreciation and amortization | <u>3,519,576</u> | <u>242,570</u> | <u>-</u> | <u>3,762,146</u> |
| CAPITAL ASSETS, NET | <u>\$ 4,643,222</u> | | | <u>\$ 4,820,233</u> |
| General government | | | \$ 15,379 | |
| Public safety | | | 22,606 | |
| Welfare and housing assistance | | | 13,352 | |
| Culture and education | | | 70,889 | |
| Health and sanitation | | | 11,185 | |
| Urban and economic development | | | 109,160 | |
| Total depreciation and amortization expense | | | <u>\$ 242,570</u> | |

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7. EMPLOYEES RETIREMENT SYSTEM

The Municipality's employees participate in the Employees' Retirement System of the Government of Puerto Rico and its Instrumentalities (the "System"). The System is the administrator of a multi-employer cost-sharing (as related to the Municipality's reporting entity) defined pension plan established by the Commonwealth. The System was created under Act. No. 447, approved on May 15, 1951, as amended, and became effective on January 1, 1952. The System covers all regular employees of the Commonwealth and its instrumentalities, the Municipality and other municipalities of the Commonwealth.

The System is independent, thus assets may not be transferred to another system or used for any purpose other than to benefit each system's participants. The System issues publicly available financial reports that include its basic financial statements and required supplementary information for each of them, including required six-year trend information. Those reports may be obtained by writing to the administrator of the System.

The System provides for retirement, death and disability benefits. Death and disability retirement benefits are available to members for occupational and non-occupational death and disabilities. Retirement benefits depend upon age at retirement and number of years of credited service. Benefits vest after 10 years of plan participation.

Retirement benefits are determined by the application of stipulated benefit ratios to the member's average compensation. Average compensation is computed based on the highest 36 months of compensation recognized by ERS. The annuity, for which a plan member is eligible, is limited to a minimum of \$200 per month and a maximum of 75 percent of the average compensation.

On September 24, 1999, an amendment to Act No. 447 of May 15, 1951, which created the System, was enacted with the purpose of establishing a new pension system ("System 2000"). System 2000 became effective on January 1, 2000. Employees participating in the current system as of December 31, 1999, had the option to either stay in the defined benefit plan or transfer to the new program. Persons joining the government on or after January 1, 2000, are the only required to become members of System 2000.

System 2000 is a hybrid defined contribution plan, also known as cash balance plan. Under this new plan, there is a pool of pension assets, which will be invested by the System, together with those of the current defined benefit plan. The Commonwealth nor the Municipality will not guarantee benefits at retirement age. The annuity will be based on a formula which assumes that each year the employees' contribution (with a minimum of 8.275 percent of the employees' salary up to a maximum of 10.00 percent) will be invested in an account which will either: (1) earn a fixed rate based on the two-year Constant Maturity U.S. Treasury Note; (2) earn a rate equal to 75 percent of the return of the System 2000's investment portfolio (net of management fees); or (3) earn a combination of both alternatives. Participants receive periodic account statements similar to those of defined contribution plans showing their accrued balances. Disability pensions are not being granted under System 2000. The employer's contributions (9.275 percent of the employees' salary which is applicable to the Municipality) will be used to fund the current plan.

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System 2000 reduced the retirement age from 65 years to 60 for those employees who joined the current plan on or later January 1, 2000.

Funding Policy:

Contribution requirements are established by law and are as follows:

| | |
|-----------------------------------|--------------------------------------|
| Municipality | 9.275% of gross salary |
| Employees: | |
| Hired on or before March 31, 1990 | 5.775% of gross salary up to \$6,600 |
| | 8.275% of gross salary over \$6,600 |
| Hired on or after April 1, 1990 | 8.275% of gross salary |

On August 12, 2000, Act No. 174 was approved to allow certain participants of the ERS to be eligible for early retirement upon attaining at least age 55 with 25 years of service, provided they made their election on or before April 1, 2001. Those who elected early retirement under this law will receive monthly benefits of 75 percent (if 25 or more year of service and 55, or 30 or more years or services and age 50) or benefits of 65 percent (if 25 years of service by less than age 55) of their average compensation which is computed based on the highest 36 months of compensation recognized by the System. In these cases, the employer (including the Municipality) is responsible for contributing to the System the amount needed to cover the benefit payments and employer contribution with respect to the participants covered until the participants reaches the normal retirement age.

Historically, the Commonwealth has reported the System as a single-employer plan (as relates only to the financial reporting entity of the Commonwealth) in its comprehensive annual financial report. Accordingly, any actuarial deficiency that may exist or arise related to the Municipality's participating employees will be assumed by the Commonwealth since the System does not allocate any actuarial deficiencies pertaining to municipal employees participating in the System. The Municipality is only required by law to make statutory contributions in the rates mentioned above. As a result, no net pension obligation nor net pension asset that may be allocable to the Municipality's participating employees, if any, has been recorded in the accompanying basic financial statements.

The Municipality's actual contributions for the current and the previous two fiscal years, which are equal to the statutory required contributions, were as follows:

| <u>Fiscal year</u> <u>ended June 30,</u> | <u>Act No. 447</u> | <u>System 2000</u> |
|---|--------------------|--------------------|
| 2004 | \$93,459 | \$6,584 |
| 2003 | \$85,405 | \$5,377 |
| 2002 | \$137,651 | \$2,995 |

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8. LONG-TERM DEBT

The Municipality's Legislature is legally authorized to determine the contracting of debts of the Municipality. Nevertheless, the laws and regulations of the Commonwealth also provide that:

- Direct obligations of the Municipality (evidenced principally by bonds and notes) are backed by the full faith, credit and taxing power of the Municipality; and
- Direct obligations are not to be issued if the amount of the principal of, and interest on, such bonds and notes (and on all such bonds and notes issued thereafter) which are payable in any fiscal year, together with any amount paid by the Municipality in the preceding fiscal year on account of bonds or notes guaranteed by the Municipality, exceed 10 percent of the total assessed value of the property located within the Municipality plus the balance of the ad valorem taxes in the debt service fund, for bonds payable to be repaid with the proceeds of property taxes restricted for debt service.

In addition, before any new bonds or notes are issued, the revenues of the debt service fund should be sufficient to cover the projected debt service requirement. At June 30, 2004, the Municipality is in compliance with the debt limitation requirements. The general long-term debt activity for the year ended June 30, 2004 was as follows:

| | Balance at June 30, 2003, as restated | Borrowings or Additions | Payments or Deductions | Balance at June 30, 2004 | Due Within One Year |
|---|---|----------------------------|---------------------------|-----------------------------|------------------------|
| Bonds payables | \$ 1,845,000 | \$ 635,000 | \$ (205,000) | \$ 2,275,000 | \$ 225,000 |
| Notes payable to: | | | | | |
| Puer to Rico Treasury Department: | | | | | |
| Financing agreement for the excess of property tax advances over collections | 186,968 | - | (19,498) | 167,470 | 20,496 |
| CRIM: | | | | | |
| Act No. 42 - Financing agreement for the excess of property tax advances over collections through fiscal year 2000 | 3,751,058 | - | (46,570) | \$ 3,704,489 | 49,592 |
| Financing of delinquent property tax accounts sold | 83,620 | - | - | 83,620 | - |
| Compensated absences | 994,970 | - | (142,999) | 851,971 | 360,397 |
| Claims and judgments | - | - | - | - | - |
| Total | <u>\$ 6,861,616</u> | <u>\$ 635,000</u> | <u>\$ (414,067)</u> | <u>\$ 7,082,549</u> | <u>\$ 655,485</u> |

a) Bonds Payable

The Municipality issues general and special (public improvements) obligations bonds and notes to provide for the acquisition and construction of major capital facilities and equipment, as well as, to cover certain operating needs. Bonds and notes payable at June 30, 2004 is composed of the following debts:

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General Obligations:

| | <u>Outstanding Amount</u> |
|--|--------------------------------------|
| 1998 serial bonds due in annual principal installments ranging from \$50,000 to \$60,000; plus interest due in semiannually installments at variable rates (5.19% to 5.29% at June 30, 2003 through July 1, 2005 | \$60,000 |
| 1999 serial bonds due in annual principal installments ranging from \$ 35,000 to \$ 50,000; plus interest due in semiannually installments at variable rates (2.70% to 3.21% at June 30, 2003 through July 1, 2007 | 135,000 |
| 2000 serial bonds due in annual principal installments of \$5,000 plus interest due in semiannually installments at variable rates (5.00% to 8.00% at June 30, 2003) through July 1, 2005 | 5,000 |
| 2003 serial bonds due in annual principal installments ranging from \$10,000 to \$50,000; plus interest due in semiannually installments at variable rates (5.00% to 8.00% at June 30, 2004 through July 1, 2028 | 635,000 |
| | \$835,000 |

Public Improvement Bonds:

| | |
|---|--------------------|
| 1998 serial bonds due in annual principal installments ranging from \$85,000 to \$130,000; plus interest due in semiannual installments at variable rates (5.00% to 6.50% at June 30, 2003 through July 1, 2008 | 445,000 |
| 2002 serial bonds due in annual principal installments ranging from \$10,000 to \$440,000; plus interest due in semiannually installments at variable rates (5.00% to 6.50% at June 30, 2003 through July 1, 2026 | 995,000 |
| | \$1,440,000 |

Loan Payable to CRIM (Law 42)

| | |
|---|-----------|
| 2001 operating loan with the Department of Treasury due in monthly principal installments ranging from \$3,566 to \$23,358 which includes implicit interest due in monthly installments at 6.30% through July 1, 2033 | 3,704,489 |
|---|-----------|

Loan Payable Delinquent accounts (Law 146)

| | |
|--|--------|
| Municipal revenue Collection Center (CRIM) Prior year property tax delinquent accounts expected to be refinance through long-term debt | 83,620 |
|--|--------|

Loan Payable to the Dept. of Treasury:

| | |
|--|---------|
| 2001 operating loan with the Department of Treasury due in monthly principal installments of \$2,367 | 167,469 |
|--|---------|

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| <u>General Obligations:</u> | <u>Outstanding Amount</u> |
|--|-------------------------------|
| <u>Provision for accrued compensated absence</u> | 851,971 |
| Total bonds & notes payable | \$7,082,549 |

These bonds are payable from the add valorem property tax of 1.0% which is restricted for debt service and retained by the Government Development Bank for Puerto Rico for such purposes.

The laws and regulations of the Commonwealth provide that public debt of the Municipality will constitute a first claim on the available revenue of the Municipality. Public debt includes bonds and notes payable. The good faith, credit and taxing power of the Municipality are irrevocably pledged for the prompt payment of the principal and interest of the bonds and notes payable.

The Municipality levies an annual additional special tax of 1.40% of the assessed value of personal and real property. The proceeds of this additional special tax are deposited in a sinking fund established at GDB whereby sufficient funds must be set aside to redeem the bonds in minimum annual or biannual principal and interest payments. The proceeds of this special tax are recorded in the debt service fund.

Interest rates on serial bonds subject to variable rates are reviewed periodically by GDB and are based on the fluctuation of GDB's weighted average rate for its commercial paper program, not to exceed 8%. Under this program, GDB issues commercial paper in the U.S. taxable and tax-exempt markets, in the Eurodollar market and to corporations that have tax exemption under the Commonwealth's Industrial Incentives Act and qualify for benefits provided by the U.S. Internal Revenue Code Section 936.

Annual debt service requirements of maturity for bonds payable are as follows:

| <u>Year ended June 30,</u> | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
|--------------------------------|------------------|-----------------|--------------|
| 2005 | \$ 225,000 | 119,281 | \$ 344,281 |
| 2006 | 180,000 | 121,843 | 301,843 |
| 2007 | 200,000 | 111,190 | 311,190 |
| 2008 | 165,000 | 100,225 | 265,225 |
| 2009 | 35,000 | 93,800 | 128,800 |
| 2010-2014 | 230,000 | 429,713 | 659,713 |
| 2015-2019 | 325,000 | 342,675 | 667,675 |
| 2020-2024 | 460,000 | 219,525 | 679,525 |
| 2025-2028 | 455,000 | 58,463 | 513,463 |
| Totals | \$ 2,275,000 | 1,596,715 | \$ 3,871,715 |

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b) Notes Payable to Puerto Rico Treasury Department

Financing of the excess of property tax advances over collections - On November 1999 the Municipality entered into a financing agreement with the Puerto Rico Treasury Department to pay a debt related to the excess of property tax advances over collections made by the Puerto Rico Treasury Department prior to the creation of CRIM in 1993. The outstanding principal balances of the note payable to CRIM amounted to \$167,470 at June 30, 2004. The principal and interest maturities are as follows:

| Year ending June 30, | Principal | Interest | Total |
|-------------------------|------------|----------|------------|
| 2005 | \$ 20,496 | 7,908 | \$ 28,404 |
| 2006 | 21,545 | 6,859 | 28,404 |
| 2007 | 22,647 | 5,757 | 28,404 |
| 2008 | 23,806 | 4,598 | 28,404 |
| 2009 | 25,023 | 3,381 | 28,404 |
| 2010-2011 | 53,953 | 2,855 | 56,808 |
| Total | \$ 167,470 | 31,358 | \$ 198,828 |

c) Notes Payable to CRIM

Act No. 42 – Act No. 42 of January 26, 2000 was enacted to authorize CRIM to enter into a financing agreement of up to \$200 million, for a term not exceeding 30 years. The financing agreement allows for the financing of a debt that the municipalities of Puerto Rico have with CRIM, arising from the final settlements of property tax advances versus actual collections through fiscal year 2000. The amounts that the municipalities will collect from the additional property taxes resulting from the increases in the subsidy from the Commonwealth to the municipalities are assigned through this law to repay such loan. The increase in this subsidy was the result of the Public Law No. 238 of August 15, 1999.

In addition, on February 12, 2003, the Municipality entered into a repayment agreement with GDB and CRIM to pay off the remaining \$3,814,820 of excess of property tax advances through fiscal year 2000 and 2001. CRIM retains the principal and interest from the property tax advances of the Municipality. The amounts retained by CRIM are remitted to CDB on July 1 of each year through July 1, 2032. The repayment agreement bears interest at variable rates determined by GDB. The outstanding principal balances of the note payable to CRIM amounted \$3,704,489, at June 30, 2004. The principal and interest maturities are as follows:

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| Year ending June 30, | Principal | Interest | Total |
|-------------------------|---------------------|---------------------|---------------------|
| 2005 | \$ 49,593 | \$ 232,183 | \$ 281,776 |
| 2006 | 52,812 | 228,964 | 281,776 |
| 2007 | 56,240 | 225,536 | 281,776 |
| 2008 | 59,891 | 221,885 | 281,776 |
| 2009 | 63,778 | 217,997 | 281,776 |
| 2010-2014 | 386,637 | 1,022,241 | 1,408,878 |
| 2015-2019 | 529,510 | 879,368 | 1,408,878 |
| 2020-2024 | 725,181 | 683,697 | 1,408,878 |
| 2025-2032 | 1,780,848 | 496,838 | 2,277,686 |
| Total | <u>\$ 3,704,489</u> | <u>\$ 4,208,709</u> | <u>\$ 7,913,198</u> |

Financing of delinquent property tax accounts sold – On April 22, 2002, the Municipality entered into a financing agreement with CRIM in the amount of \$83,620 for the payment of delinquent property tax account sold to private investors. The financing agreement in the form of a line of credit bearing interests at 6.50% during the first 5 years, and variable interests 125 points over LIBOR rate during the next 25 years. At June 30, 2004, the outstanding principal balances amounted to \$83,620.. The principal and interest maturities are as follows:

| Year ending June 30, | Principal | Interest | Total |
|-------------------------|------------------|-------------------|-------------------|
| 2005 | \$ - | \$ 5,435 | \$ 5,435 |
| 2006 | - | 5,435 | 5,435 |
| 2007 | - | 5,435 | 5,435 |
| 2008 | - | 5,435 | 5,435 |
| 2009 | 1,381 | 5,435 | 6,816 |
| 2010-2014 | 8,421 | 25,456 | 33,877 |
| 2015-2019 | 11,644 | 22,232 | 33,877 |
| 2020-2033 | 62,174 | 32,680 | 94,854 |
| Total | <u>\$ 83,620</u> | <u>\$ 107,545</u> | <u>\$ 191,165</u> |

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Notes to Basic Financial Statements
June 30, 2004

d) Compensated Absences

At June 30, 2004, the liability for compensated absences is composed as follows:

| | Due within one year | Due after one year | Total |
|-------------------|--------------------------------|-------------------------------|--------------|
| Vacations | \$ 198,027 | \$ 130,767 | \$ 328,794 |
| Sick leave | 142,353 | 360,806 | 503,159 |
| Compensatory time | 20,018 | | 20,018 |
| Total | \$ 360,398 | \$ 491,573 | \$ 851,971 |

9. COMMITMENTS AND CONTINGENCIES

The Municipality receives significant financial assistance from the federal government in the form of grants. The receipt of federal grants is generally conditioned upon compliance with terms and conditions of the grant agreements and applicable federal regulations. Substantially all federal grants are subject to either federal single audits or financial and compliance audits by grantor agencies. Questioned costs as a result of these audits may be considered unallowable after the appropriate review of federal agencies. Material disallowances are recognized as fund liabilities in the government-wide financial statements when the loss becomes probable and reasonably estimable.

As of June 30, 2004, the Municipality estimates that additional disallowances of recognized revenue will not be material to the general purpose financial statements.

The Municipality administers the CDBG Program for the development of urban communities. A questioned cost arose because of the inability of the Municipality to reimburse the Program some incurred costs as previously agreed. No determination by the grantor had been made about these costs but it may result in a Municipal liability to federal government (CDBG) of \$1,503,265 although the amount cannot be determined at this time.

The Municipality currently has an liability with the Health Insurance Administration (ASES) amounting to \$866,328. The amount due is for municipal contributions to the Puerto Rico Governmental Health Insurance for the period from December 1, 1995 to June 30, 1997. According to Law 29 of July 1, 1997, prior year ASES debts will be repaid with the increase of Municipal participation in Electronic Lottery. The Municipality will has to repaid this debt only If the Electronic Lottery participation comes to an end.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Notes to Basic Financial Statements
June 30, 2004

10. RESTATEMENTS

The following schedule reconciles the June 30, 2003 fund balances as previously reported by the Municipality to the beginning fund balances, as restated:

| | <u>June 30, 2003, fund balance, as previously Reported</u> | <u>Reclassifications and adjustments</u> | <u>June 30, 2003, fund balance, as restated</u> |
|----------------------------|--|--|---|
| Nonmajor funds: | | | |
| Other governmental fund | \$ 231,519 | \$ 91,029 | \$ 322,548 |
| Totals | <u>\$ 231,519</u> | <u>\$ 91,029</u> | <u>\$ 322,548</u> |

The following schedule reconciles the June 30, 2003 net assets previously reported by the Municipality to the beginning net assets, as restated in the accompanying statement of activities:

| <u>June 30, 2003, net assets, as previously reported</u> | <u>Reclassifications and adjustments</u> | <u>June 30, 2003, net assets, as restated</u> |
|--|--|---|
| \$ (2,846,539) | \$ 435,340 | \$ (2,411,199) |

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Budgetary Comparison Schedule –General Fund
Year Ended June 30, 2004

| | Budgeted Amounts | | Actual amounts (budgetary basis) (see note 1) | Variance with final budget - over (under) |
|---|------------------|------------------|---|--|
| | Original | Final | | |
| Revenues: | | | | |
| Property taxes | \$ 3,236,421 | 3,387,884 | 3,447,172 | \$ 59,288 |
| Municipal license and permits | 230,914 | 349,100 | 387,115 | 38,015 |
| Intergovernmental revenues, grants and contributions | 445,769 | 477,769 | 477,602 | (167) |
| Interest on deposits | 65,000 | 65,000 | 5,803 | (59,197) |
| Charges of services | 290,000 | 290,000 | 46,884 | (243,116) |
| Miscellaneous | 865,000 | 865,218 | 4,632 | (860,586) |
| Operating transfer-in from other funds | - | 100,971 | 100,971 | - |
| Total revenues | <u>5,133,104</u> | <u>5,535,942</u> | <u>4,470,179</u> | <u>(1,065,763)</u> |
| Expenditures: | | | | |
| Current: | | | | |
| General government | 2,080,913 | 2,342,108 | 2,012,685 | 329,423 |
| Public safety | 247,311 | 230,061 | 223,813 | 6,248 |
| Urban and economic development | 1,563,116 | 1,685,791 | 1,633,588 | 52,203 |
| Health and sanitation | 490,453 | 518,878 | 490,222 | 28,656 |
| Culture, recreation, and education | 155,375 | 163,395 | 159,151 | 4,244 |
| Welfare and housing assistance | 92,554 | 92,109 | 91,848 | 261 |
| Operating transfer -out to other funds | 503,600 | 503,600 | 182,000 | 321,600 |
| Total expenditures | <u>5,133,322</u> | <u>5,535,942</u> | <u>4,793,307</u> | <u>742,635</u> |
| Excess (deficiency) of revenues over expenditures | <u>\$ (218)</u> | <u>-</u> | <u>(323,128)</u> | <u>\$ (323,128)</u> |
| Explanation of Differences: | | | | |
| Sources/inflows of financial resources: | | | | |
| Actual amounts (budgetary basis) "available for appropriations" from the budgetary comparison schedule | | | | \$ 4,470,179 |
| Differences - budget basis to GAAP: | | | | |
| Net increase in receivables | | | | 7,301 |
| Resources considered revenues for budgetary purposes but are not revenues for financial reporting purposes | | | | 81,416 |
| Resources considered revenues for financial reporting purposes but are not revenues for budgetary reporting purposes | | | | (5,406) |
| Total revenues as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds | | | | <u>\$ 4,553,490</u> |
| Uses/outflows of financial resources: | | | | |
| Actual amounts (budgetary basis) "total charges to appropriations" from the budgetary comparison schedule | | | | \$ 4,793,307 |
| Differences - budget basis to GAAP: | | | | |
| Transfers to other funds are outflows of budgetary resources but are not expenditures for financial reporting purposes | | | | (20,138) |
| Outflows of budgetary resources used for financing expenditures that are not expenditures for budgetary purposes | | | | 278,388 |
| Total expenditures as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds | | | | <u>\$ 5,051,557</u> |

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Schedule of Expenditures of Federal Awards
For the Year Ended June 30, 2004

| FEDERAL GRANTOR/PROGRAM TITLE | FEDERAL CFDA NUMBER | EXPENDITURES |
|--|------------------------------------|---------------------|
| US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT | | |
| Direct Programs: | | |
| Housing Choice Voucher | 14.871 | \$ 143,075 |
| Pass through PR Office of Municipal Affairs State Blank Grant Program Grant | 14.228 | <u>457,458</u> |
| Total US Department of Housing and Urban Development | | <u>600,533</u> |
| US DEPARTMENT OF HEALTH AND HUMAN SERVICE | | |
| Indirect Program: | | |
| Pass-through the Family and Education Department Child Care and Development Block Grant | 93.575 | <u>103,050</u> |
| Total US Department of Health and Human Services | | <u>103,050</u> |
| US DEPARTMENT OF JUSTICE | | |
| Direct Program: | | |
| Public Safety Partnership and Community Policing Grant (COPS) | 16.710 | <u>47,091</u> |
| Total US Department of Justice | | <u>47,091</u> |
| US DEPARTMENT OF AGRICULTURE | | |
| Direct Program: | | |
| Rural Housing Preservation Grant | 10.433 | <u>10,067</u> |
| Total US Department of the Interior | | <u>10,067</u> |
| US FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) | | |
| Direct Program: | | |
| Public Assistance Grants | 83.544 | <u>529,965</u> |
| Total US Federal Emergency Management Agency | | <u>529,965</u> |
| TOTAL FEDERAL FINANCIAL ASSISTANCE | | <u>\$ 1,290,706</u> |

The accompanying notes to the basic financial statements are an integral part of this schedule.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Notes to Schedule of Expenditures of Federal Awards
For the Year Ended June 30, 2004

1. GENERAL

The accompanying schedule of expenditures of federal awards presents the expenditure of all the federal financial assistance programs of the municipality of Rio Grande (the Municipality). The Municipality's reporting entity is defined in note 1 to the Municipality's general- purpose financial statement.

2. BASIS OF ACCOUNTING

The accompanying schedule of expenditures o federal awards is presented using modified-accrual accounting basis of accounting, which is described in note 1 to the Municipality's general purposes financial statement.

JUAN A. RIVERA, CPA
CERTIFIED PUBLIC ACCOUNTANT

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***REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE
TO EACH MAJOR PROGRAM AND ON INTERNAL CONTROL
OVER COMPLIANCE IN A ACCORDANCE WITH OMB CIRCULAR A-133***

To the Honorable Mayor and
the Municipal Assembly
Municipality of Maricao
Maricao, Puerto Rico

Compliance

We have audited the compliance of Municipality of Maricao with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement that are applicable to each of its major federal programs for the year ended June 30, 2004. The Municipality of Maricao major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of the Municipality of Maricao management. Our responsibility is to express an opinion on the Municipality of Maricao compliance based on our audit.

We conducted our audit of compliance in accordance with generally accepted auditing standards; the standards applicable to financial audits contained in Governmental Auditing Standards, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those Standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Municipality of Maricao compliance with those requirements and performing such others procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not include a legal determination of the Municipality of Maricao compliance with those requirements.

As described in item Section III in the accompanying schedule of findings and questioned costs, the Municipality of Maricao did not comply with requirements regarding cash management that are applicable to its CDBG Program. Compliance with such requirements is necessary, in our opinion, for the Municipality of Maricao to comply with the requirements applicable to that program.

In our opinion, except for the noncompliance described in the preceding paragraph, the Municipality of Maricao complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2004.

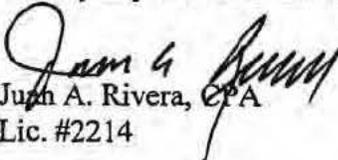
Internal Control Over Compliance

The management of the Municipality of Maricao is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the Municipality of Maricao internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance and to test and report on the internal control over compliance in accordance with OMB Circular A-133.

We noted certain matters involving the internal control over compliance and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over compliance that, in our judgment, could adversely affect the Municipality of Maricao ability to administer a major federal program in accordance with the applicable requirements of laws, regulations, contracts, and grants. Reportable conditions are described in the accompanying schedule of findings and questioned costs in Section II and III.

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that noncompliance with the applicable requirements of laws, regulations, contracts, and grants that would be material in relation to a major federal program being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over compliance would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses.

However, we believe that none of the reportable conditions described above is a material weakness. This report is intended for the information of the audit committee, the Municipality's management, the Department of Housing and Urban Development (Cognizant Agency), and federal awarding agencies and pass-through entities. However, this report is not intended to be and should not be used by anyone other than these specified parties.


Juan A. Rivera, CPA
Lic. #2214

December 28, 2004
Toa Baja, Puerto Rico



NOTE: Stamp No. 2010621 Puerto Rico State Society of Certified Public Accountants was affixed to the original report.

**JUAN A. RIVERA, CPA
CERTIFIED PUBLIC ACCOUNTANT**

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***REPORT ON COMPLIANCE AND INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS***

To the Honorable Mayor and
the Municipal Assembly
Municipality of Maricao
Maricao, Puerto Rico

We have audited the financial statements of the Municipality of Maricao as of and for the year ended June 30, 2004, and have issued our report thereon dated December 28, 2004. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Municipality of Maricao financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, providing and opinion on compliance with those provisions was not an objective of our audit, and accordingly, We do not express such as an opinion. The results of our tests disclosed instances of noncompliance that are required to be reported under Government Auditing Standards and which are described in the accompanying schedule of findings and questioned costs Sections II and III.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Municipality of Maricao internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting.

However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect the Municipality of Maricao ability to record, process, summarize, and report financial data consistent with the

assertions of management in the financial statements. Reportable conditions are described in the accompanying schedule of findings and questioned costs Section II and III.

A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weakness. However, we believe that none of the reportable conditions described above is a material weakness.

This report is intended for the information of the audit committee, the Municipality's management, the Department of Housing and Urban Development (Cognizant Agency), and federal awarding agencies and pass-through entities and not is intended to be and should not be used by anyone other than these specified parties.


Juan A. Rivera, CPA
Lic. #2214



December 28, 2004
Toa Baja, Puerto Rico

Stamp NO. 2010622 of the Puerto Rico Society of Certified Public Accountants was affixed to the original report.

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

Section I – Summary of Auditor’s Results

Financial Statements

Type of auditor’s report issued: unqualified opinion

Internal Control over financial reporting:

Material weakness (es) identified? ___ yes X no

Reportable condition (s) identified that are
Not considered to be material weakness? X yes ___ none reported

Noncompliance material to financial statements noted? ___ yes X no

Federal Awards

Internal Control over major programs:

Material weakness (es) identified? ___ yes X no

Reportable condition (s) identified that are
Not considered to be material weakness? X yes ___ none reported

Type of auditor’s report issued on compliance for major
programs: qualified

Any audit findings disclosed that are required
To be reported in accordance with section
510 (a) of Circular A-133? X yes ___ no

Identification of major programs:

| <u>CFDA Number(s)</u> | <u>Name of Federal Program or Cluster</u> |
|-----------------------|---|
| 83.544 | Public Assistance Grant |

Dollar threshold used to distinguish
Between type A and type B programs: \$500,000

Auditee qualified as low-risk auditee X yes ___ no

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

Section II – Schedule of Financial Statements Findings and Questioned Costs

FINDING NUMBER 04-01
Accounting and Reporting
System

Condition

During the performance of our audit procedures the following exceptions were noted:

- a. The Municipality's accounting system provides only for the recording of revenues, expenditures and other limited transactions. In addition, the accounting records are not integrated and do not provide for, a self balancing set of accounts for each fund operated by the Municipality, recording cash and other financial resources, together with all related assets, liabilities and residual equities or balances, and changes therein. Additionally, we noted that certain records in use were not adequately maintained.
- b. Accounting records do not provide for segregation between expenditures and encumbrances.

Criteria

A municipality's accounting system must make it possible to present fairly and with full disclosure the financial position and results of financial operations of the funds and account groups of the governmental unit in conformity with accounting principles generally accepted in the United States of America and determine and demonstrate compliance with finance, legal and contractual provisions as established in the Autonomous Municipalities' Law Chapter 215§ 4360.

Cause

The Municipality of Maricao has not established the accounting procedures, controls and records necessary to provide accurate information to prepare the financial statements and federal reports in conformity with accounting principles generally accepted in the United States of America, the governmental accounting and financial reporting

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

FINDING NUMBER 04-01
Accounting and Reporting
System-(Cont.)

principles issued by the Governmental Accounting Standards Board (GASB), and the related grant agreements.

Effect

Due to the deficiencies mentioned above, the examination of the general-purpose financial statements for the year ended June 30, 2004, was more difficult and less efficient than would have been in ordinary circumstances. Since the accounts and other records are not designed to provide the information as it is presented in the financial statements, was necessary to obtain such information from various departments and persons within the Municipality and from numerous accounting records, which are not integrated. This situation can cause the financial statements not to present all the assets, liabilities, revenues and expenditures of the Municipality.

Recommendation

In order to streamline the accounting and reporting systems and provide proper closing of records and adequate and timely information, we recommend the Municipality to consider the acquisition of new accounting systems.

The Municipality should implement a new accounting system that allows the preparation of monthly and year-end financial statements in accordance with accounting principles generally accepted in the United States of America applicable to government entities. This plan should provide for the following:

- a. Adequate training to all accounting personnel in order to improve the understanding of the system.
- b. The implementation of a double entry accounting system and the integration of all subsidiary ledgers.

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

FINDING NUMBER 04-01
Accounting and Reporting
System-(Cont.)

- c. The preparation of periodic financial reports to be submitted to the Finance Director, the Mayor and the Municipal Assembly.
- d. Reconciliation of financial with the reports prepared and submitted to the Federal government, and The preparation of the general purpose financial statements in accordance to Accounting principles generally accepted in the United State of America.

Auditee Response

The government agency known as 'OCAM' who is in charge of the accounting system of the municipalities is evaluating the actual system with the intention of perhaps changing to another system. The Municipality is awaiting instructions from such agency.

FINDING NUMBER 04-02
Contracts

Condition

During the test of contracts we noted the following deficiencies:

| | | |
|---|------|-----|
| ➤ Contract not registered in OCPR | 1/25 | 4% |
| ➤ The contracts does not include the following clauses: | | |
| The account to be committed has | | |
| Budget balance | 4/25 | 16% |
| No evidence of child support | 1/25 | 4% |
| Evidence about municipal tax paid | 1/25 | 4% |

Criteria

The Municipality must comply with of the Puerto Rico's Comptroller Office Circular in accordance with the requirements for contracts and the clause to be established in them.

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

FINDING NUMBER 04-02

Contracts- (Cont.)

| | |
|-------------------------|--|
| Cause | The contracts do not establish the clauses required by Puerto Rico's Comptroller Office Circular. |
| Effect | The Municipality do not have legal base against contractors because contracts are incomplete and delay the performance of contracts. |
| Recommendation | The Municipality's Secretary must review all the contract to ensure the completeness of them and encourage the promptly settle of contracts. |
| Auditee Response | The mayor gave specific instructions to the Secretary Office in order to avoid the situation mentioned above immediatly. |

FINDING NUMBER 04-03

Disbursement Test

Condition In our test of the vouchers to observed the compliance with good disbursement procedures we encountered the following exceptions:

| | | |
|---|------|-----|
| ➤ Missing documents – General Account Invoices | 4/25 | 16% |
| ➤ Reciept evidence (services or goods) | 4/25 | 16% |
| ➤ No Evidence of Quatations (3) | 1/25 | 4% |
| ➤ Purchase orders prepared after goods or services received | 3/25 | 12% |

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

FINDING NUMBER 04-03
Disbursement Test-(Cont.)

| | |
|-----------------------|--|
| Criteria | Good internal control requires that each voucher must have the information and the documents necessary to support the disbursement and the preinterview must verify the completeness as established in the Municipalities' regulation # 5262 § IV-7. |
| Cause | The documents necessary are not being requested and the information in the vouchers and purchase order has been completed partially. |
| Effect | The municipality disbursed resources without the necessary authorization. |
| Recommendation | The major instructed the Finance Director to enforce the internal control procedure immediately to avoid the situations mentioned above. |

FINDING NUMBER 04-04
Personnel

| | | |
|--|--|-----|
| Condition | In our internal control system revision of the personnel files, the following exception was encountered: | |
| ➤ Report of Employee Changes was not updated | 4/25 | 16% |
| ➤ No evidence of Accrued hours for training- (Unable to verify the capacitation requirements) | 6/25 | 24% |

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

FINDING NUMBER 04-04
Personnel-(Cont.)

Criteria

As established in the Autonomus Municipalities' Law # 81, Chapter 223, § 4557, employees shall comply with the following requirements:

- Phisically and mentally competent
- United States citizen
- Not use drugs and alcoholic beverage
- Not bring false information
- Has not been incompetent by destitution
- Has not been committed illegal acts and shame conducts
- And other elements that the Municipality consider

To obtain assurance of the compliance with those requirements the § 4572 sustain that the Municipality will keep a file with all information about its employees.

The Municipality should implant an evaluation system of the performance of its employees as establish in the § 4560 of the Autonomus Municipalities' Law.

Cause

Not request sufficient information that would suggest that everything is in accordance with the Autonomus Municipalities' Law.

Effect

You could be dealing with employees who are not meeting the requirements stated by law.

Recommendation

Do a purge of all personnel files, regardless of the year, in order to evidence employee's good standing.

Auditee Response

The Mayor gave instructions to purge all employees file in order to maintain the personell files as required by law.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

FINDING NUMBER 04-05

Volume of Business Tax
(Cont.)

| | |
|-------------------------|--|
| Effect | The volume of business tax received was not properly documented. |
| Recommendation | The Municipality must establish the necessary procedures to comply with the law, regulation, and internal control mentioned above. Also the Municipality must establish a system to recognize the volume of business tax certification with the taxpayer to make easily the way to find documents. |
| Auditee Response | The Finance Director gave specific instructions to the Tax Collectors in order to not prepare any Volume of Business Certificate until all necessary documents were submitted by the tax payer. |

FINDING NUMBER 04-06

Bank Accounts

| | |
|------------------|--|
| Condition | The following control deficiencies in bank reconciliation were noted: a. Adjustments for several months in two bank accounts were not booked. |
| Criteria | The Municipality must maintain adequate controls as require in the Autonomous Municipalities' Law Chapter 215 § 4360 in order to produce reliable information to be use as basis in the preparation and justification of the budget needs. |
| Cause | The Municipality has not been complete the process of bank reconciliation and booking the adjustments. |
| Effect | The process required for bank account reconciliation and supervision might cause that the municipality does not know the resources available or not. |

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

FINDING NUMBER 04-06

**Bank Accounts and Cash
Management-(Cont.)**

Recommendation

All bank accounts shall be reconciled every month and all reconciling differences, if any, must be investigated and adjusted, accordingly.

Auditee Response

The Finance Director gave instruction to prepared and posted the adjustments immediatly.

COMMONWEALTH OF PUERTO RICO
MUNICIPALITY OF MARICAO
Schedules of Findings and Questioned Cost
For the Year Ended June 30, 2004

III. Federal Awards Findings and Questioned Costs

Compliance findings:

Our examination of compliance with federal requirements for the Municipality of Maricao for the year ended June 30, 2004, disclosed that grants funds were generally administered in a satisfactory manner, except for the following situations:

FINDING NUMBER 04-07

Cash Management

| | |
|-------------------------|--|
| Condition | The following control deficiencies in bank reconciliation were noted: |
| Criteria | As required by Code of federal regulation (30 CFR part 205), the Pass trough entity should establish procedures to comply with requirements for cash management. OCAM established the federal funds should be used into three to five labor days in order to maintain less than \$5,000 on the bank account. |
| Cause | The Municipality does not make disbursement into three to five labor days required.. |
| Effect | The Municipality is not in compliance with federal regulation of cash management |
| Recommendation | The Municipality should establish procedures in conjunction with finance department in order to make disbursement into the time required. |
| Auditee Response | The Finance Director has under evaluation the current process of disbursement to avoid this situation in the future. |

COMMONWEALTH OF PUERTO RICO
MUNICIPALTY OF MARICAO
Schedules of Prior Year Findings and Questioned Cost
For the Year Ended June 30, 2004

| <u>Program</u> | | <u>Condition</u> | <u>Status</u> |
|----------------|---------|---|---------------|
| All Funds | 2002-01 | Accounting System- We noted that The Municipality of Maricao is not keeping an accounting system as required by General Accepted Accounting Principles. | Still Prevail |
| CFDA | 2002-04 | Cash Management-As required by Code of federal 14-220 regulation (30 CFR part 205), the Pass trough entity should establish procedures to comply with requirements for cash management. OCAM established the federal funds should be used into three to five labor days in order to maintain less than \$5,000 on the bank account. | Still Prevail |



Modesto Ayala Quiñones
Director de Finanzas

ESTADO LIBRE ASOCIADO DE PUERTO RICO
Gobierno Municipal de Maricao

Oficina del Director de Finanzas
Apartado 837
Maricao, Puerto Rico 00606

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Fax. 838-2592

8205
2/1/05

27 de enero de 2005

Lcdo. Ángel Castillo
Comisionado
OCAM
P.O. Box 70167
San Juan, P.R. 00936-8167

Call 465.557

Reciba un cordial saludo a nombre de nuestra Administración Municipal de Maricao.

Adjunto, copia del Informe de Auditoría "Single Audit Report" para el año fiscal 2003-2004.

Cualquier duda al respecto, favor comunicarse con este servidor al 838-2290 Ext.234.

Cordialmente,

Sr. Modesto Ayala Quiñones
Director de Finanzas,
Municipio de Maricao

ysl

2/1/05 EEO - Carmen Iris ←