



2005
Briefing Book
for
New Mexico's Decision
Makers



The Status of Children in New Mexico

New Mexico has the nation's highest rate of child poverty. **Almost half** of our state's children live in low-income households with an income under 200% of the federal poverty level.



The future prospects of almost half of the children living in New Mexico are severely compromised by poverty and the problems and missed opportunities that poverty brings: inadequate healthcare; inaccessible educational opportunities; increased rates of substance abuse, violence and teen pregnancy; decreased chances for economic prosperity as an adult.

Even in poverty, there is inequality. Children living in rural areas are more likely to be poor than those living in urban and suburban areas. 20% of children living in urban areas, and 29% of children in rural areas, live in households with income under 100% of the federal poverty level.

Native American children are more likely to be poor than Hispanic children – who are more likely to be poor than their Asian or White, Non-Hispanic counterparts. 42% of all Native American children live in poverty, compared to 30% of all Hispanic children, 14% of all Asian children, and 13% of all White non-Hispanic children.

Percentage of Children in Poverty in New Mexico by Race/Ethnicity	
Native American	42%
Black	33%
Hispanic	30%
Other	19%
Asian	14%
White	13%
Total % of children living in poverty	25%

Public Policy Makes a Tremendous Difference in Quality of Life for Children

New Mexico can improve its ranking as a positive place to raise children. It is possible, through public policy, to improve the health, well-being and future prospects for all of our children. Investments in Medicaid and early childhood education, for example, have improved health and education outcomes for thousands of children across the state. Since 1990, the teen pregnancy rate has declined significantly in New Mexico as a result of positive education and outreach efforts.

Policy Recommendations to Improve the Lives of Children in New Mexico

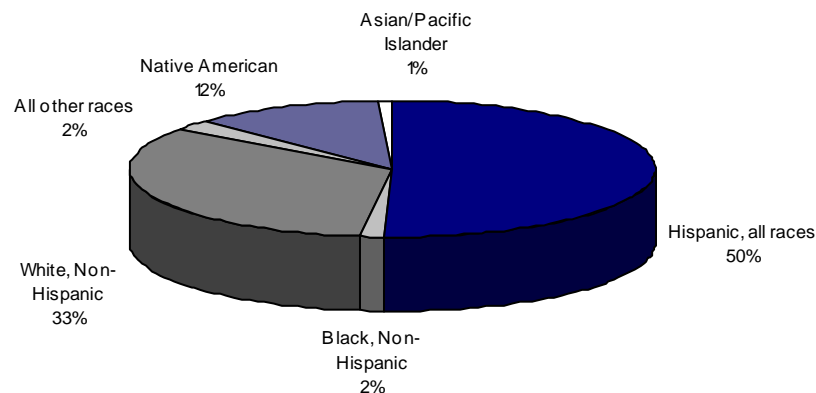
The policy analysis and recommendations provided in this book are all designed to improve the health and well-being of New Mexico's children. Adequate funding for health care for children – through Medicaid and school-based health centers – is essential in order for children to succeed in school and in society. An investment in early childhood care and education pays huge dividends in improved school performance and higher earnings as an adult. Encouraging asset development in low-income families is an important poverty-reduction strategy. Regulation of the small loan industry and restraint of predatory lending practices is a necessary first step so that low-income families can achieve economic stability. And fair, responsible state budget and tax policy provides the resources needed to fund essential services that benefit us all.



Excerpts from *“Minority / Majority – A Profile of New Mexico’s Children A Kids Count Special Report”*
by New Mexico Voices for Children, 2003

New Mexico's Children
By Race/Ethnicity 2000

	# Children	% of Total Child Population
Hispanic, all races	256,731	50%
White Non-Hispanic	167,731	33%
Black	8,171	2%
Asian & Pacific Islander	4,278	1%
Native American	59,761	12%
All other races	12,450	2%
Total	509,122	100%



New Mexico's total population is 42% Hispanic, the highest proportion Hispanic of any state. Even more striking, fifty percent of children in New Mexico are Hispanic. "Hispanic" is an ethnic rather than racial distinction. A Hispanic person can be of any race. The U.S. Census identifies race as White, Black, Native American, and Asian/Pacific Islander. The vast majority of New Mexico Hispanics are identified as part of the White race, although over 40% of Hispanics would not identify themselves as White.

Forty three percent of New Mexico Hispanics trace their ancestry to Mexico. Another 20% consider themselves "Spanish," "Spanish American," "Tejano" or "Nuevo Mexicano." Most of the remaining New Mexico Hispanics consider themselves to be simply "Hispanic."

Black is a racial distinction used by the United States Census Bureau. It includes African Americans, as well as Black people of other ancestral origins; Black Dominicans, for example.

White non-Hispanics are 46% of New Mexico's population, and 33% of New Mexico's child population. Nearly 10% of the total population is Native American, and 12% of all children in New Mexico are Native American. Black, non-Hispanic children are 2% of the total child population, and Asian children are 1%.

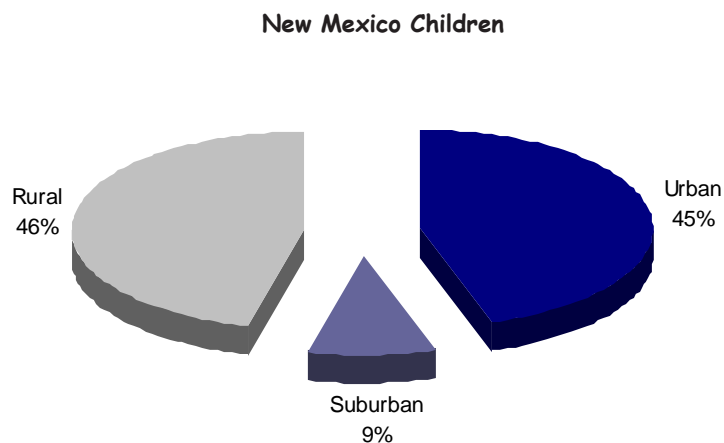
Source: Unless cited separately, all statistics presented derive from the 2000 Census.

Race and Ethnicity of New Mexico Children

Children: Urban, Suburban and Rural

New Mexico is a rural state with only three large metropolitan areas — Las Cruces in Dona Ana County; Santa Fe in Santa Fe County; and Albuquerque in Bernalillo County. Many smaller communities are located on the outskirts of Albuquerque in Sandoval and Valencia Counties. The affluent and densely populated City/County of Los Alamos neighbors Santa Fe.

For purposes of this report, children residing in Bernalillo, Santa Fe, Los Alamos, and Dona Ana counties are considered “urban”; children residing in Valencia and Sandoval counties are “suburban”; and children in New Mexico’s remaining 27 counties are “rural”. Due to data limitations, elsewhere in this report children are classified as “urban” and “non-urban.” In these instances, suburban and rural children are counted as “non-urban.”²



New Mexico Counties

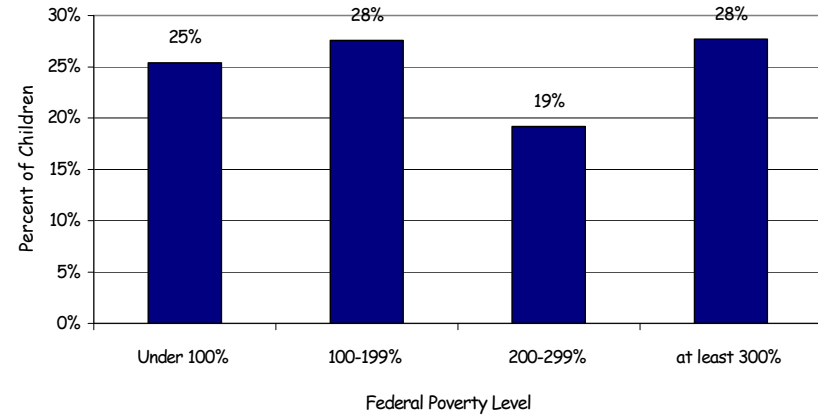
Urban	Bernalillo Dona Ana Los Alamos Santa Fe
Suburban	Sandoval Valencia
Rural	Remaining 27 Counties

²Most of the data that forms the foundation of this report comes from the 2000 Census Public Use 5% Microsample (PUMS) for New Mexico. PUMS geography is delineated into public use microsample areas (PUMAs). PUMAs are areas with a population of 100,000 or more. Because New Mexico’s population is small, most PUMAs in our State are made up of one or more counties. The exception is Bernalillo County, which is composed of 5 PUMAs. New Mexico’s counties tend to be large geographically. Thus, it is rare that a New Mexico county, not to mention a PUMA, is entirely “urban,” “suburban,” or “rural.” As a consequence, the “urban” and “non-urban” designations in this report are somewhat imprecise. “Urban” is defined as Bernalillo, Santa Fe, Los Alamos, and Dona Ana Counties. “Non-urban” refers to the remaining 29 counties. We acknowledge that parts of Sandoval and Valencia are certainly “urban.” However, because other parts of Sandoval and Valencia counties are very rural and have a low population density, and because data limitations prevent us from subdividing individual PUMAs, we have designated these “suburban” counties as “non-urban.”

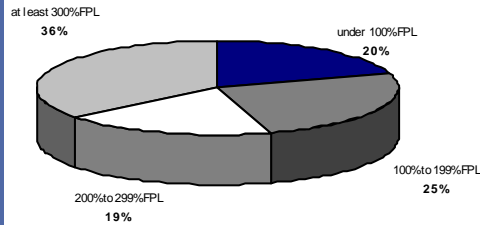
Income Distribution and Poverty

New Mexico has the nation's highest rate of child poverty. One quarter of New Mexico children live in households with income below the poverty threshold. Another 28% live in "low income" households, that is, households with income between 100% and 200% of the federal poverty level (FPL). Even households with income greater than 200% of the FPL can have difficulty affording necessities such as health insurance and quality child care. Only 28% of New Mexico children live in households with income greater than 300% of the FPL.

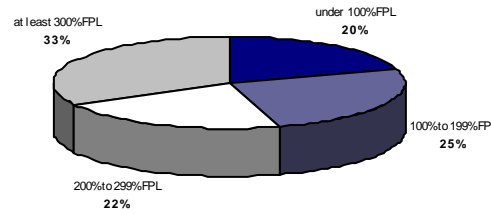
Income Distribution of New Mexico Children



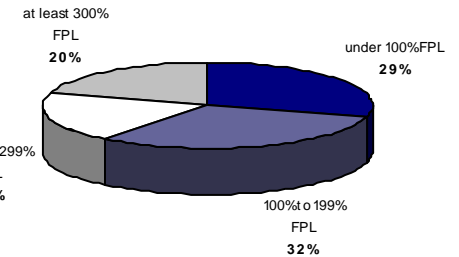
Poverty Status of NM's Urban Children



Poverty Status of NM's Suburban Children



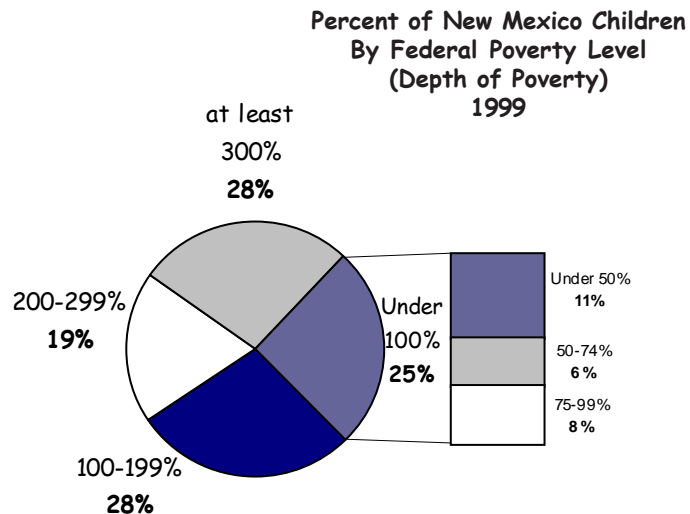
Poverty Status of NM's Rural Children



Federal Poverty Guidelines		
Family size	1999	2003
1	8,240	\$8,980
2	11,060	12,120
3	13,880	15,260
4	16,700	18,400
5	19,520	21,540
6	22,340	24,680
7	25,160	27,820
8	27,980	30,960

Children living in New Mexico's urban and suburban areas are considerably less likely to be poor than those living in rural areas. Twenty percent of urban-area children live in households with income under 100% FPL, compared to 29% of children living in a rural area.

New Mexico Children: Depth of Poverty



Depth of poverty is the extent to which a family's income falls short of the poverty threshold. In this report, we measure depth of poverty using median income-to-poverty ratios for families with income less than the poverty level. An income-to-poverty ratio is the ratio of a family's income to the federal poverty level.

Twenty five percent (129,300) of New Mexico children live in poverty. Of these, nearly half (57,000) are deeply poor, that is, their families' income is less than 50% of the poverty level.

Poor families living in the urban areas are slightly *less* poor than non-urban poor families, but the relationship between living in a large city and depth of poverty is not consistent across racial and ethnic groups. For Hispanic children, the median depth of poverty in big cities is equal to the median depth of poverty in more rural areas. White children living in poverty outside urban areas are poorer than White children living in poverty in large cities. Conversely, poor Native American children are much poorer in cities than they are outside of cities.

Also notable is the fact that although White children are less likely than children in any other racial or ethnic group to be poor, non-urban poor white children are *poorer* than non-urban poor Black or Hispanic children.

Depth of Poverty: Income-to-Poverty
Ratios for Children Living in Poverty - 1999
(Lower Percentage Indicates Deeper Poverty)

	non-urban	urban	total
Hispanic	57%	58%	57%
White	48%	53%	50%
Black	50%	57%	56%
Native American	52%	34%	51%
Navajo	53%	43%	52%
Pueblo	58%	24%	54%
All other races	36%	52%	38%
Total	53%	57%	54%

Tax Policy and the State Budget

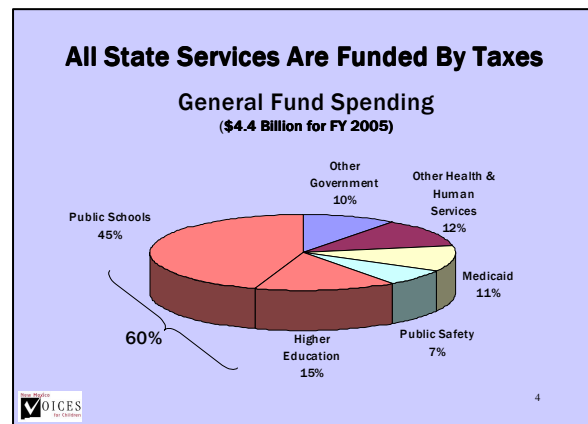
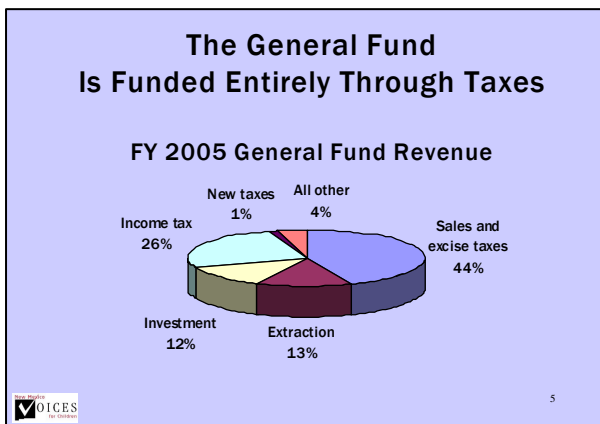
Background

New Mexico's budget challenges are not unique. Nearly every state in the country has even more severe budget challenges than does New Mexico. Many states responded to the strong economy of the 1990's with large tax cuts. New Mexico was one of a very few states that did not follow suit. A strong, diverse tax base was – until recently - one of the state's strengths.

All that changed dramatically in 2003 when major tax cuts were made. The top rate of the personal income tax was reduced from 8.2% to 4.9%. The capital gains tax was also cut by half. These tax cuts have not only created serious problems for the state budget, they have made tax policy much less fair. The state's wealthiest families have benefited greatly, while lower-income families have received *nothing*.

When fully phased in (in 2007), these tax cuts will cost the state budget \$360 million each year.

Here is what General Fund revenues and expenses look like for fiscal year 2005:



The General Fund will also lose an additional \$84 million in fiscal year 2006 as a result of the 2003 tax cut. The total loss so far to General Fund revenues from the tax cut will be \$167 million in fiscal year 2006 (i.e., adding the losses from each year since 2003 when the tax cut first began to be implemented). The oil and gas severance tax windfall this year will help the state budget in the short run, but the huge tax cuts passed in 2003 have created a permanent shortfall (or “structural deficit”) in the state budget. Future tax increases, or spending cuts to essential public services such as education, health care, and/or public safety, will be necessary in order to address the revenue problem created by this built-in deficit.

Tax and Budget Recommendations

We need a tax system that ensures adequate revenue to fund essential services such as health care (including full funding for Medicaid and expansion of school-based health centers), and early childhood education. And it is important to restore fairness to New Mexico's tax system. The following actions will ensure adequate revenue through fair tax policies:

- Freeze further implementation of the personal income tax cut for wealthy taxpayers to restore \$256,000,000 to the state budget over the next three years. A one-year freeze would restore \$84,000,000 to the budget.
- Provide a one-time tax rebate to low and middle income taxpayers (instead of a permanent tax cut) until gas and oil severance tax revenues can be more accurately predicted.
- Require higher income people who itemize on their tax returns to add-back state and local taxes paid when calculating their New Mexico taxable income.
- Restore New Mexico's estate tax for wealthy households. New Mexico's estate tax expired last year when the federal estate tax was repealed.
- Amend the Corporate Income and Franchise Tax Act to mandate combined reporting.
- Support a reduction in gross receipts tax "pyramiding" on services in business to business transactions **only** if other progressive taxes are increased to offset the loss of income to the General Fund.
- Oppose the proposed sales tax holiday.
- Oppose an excise tax on sodas or sweetened food items.
- Use non-recurring funds, if necessary, to fully fund Medicaid in FY2006. (See Children's Health section of this book for discussion of Medicaid.)

More information on each of these proposals is provided below.

Freeze Implementation of the 2003 Tax Cut

The 2003 tax cuts gave the wealthiest 1% of taxpayers a tax cut of over \$13,000 per year, while the lowest 65% of taxpayers received nothing. Freezing further implementation of the tax cut will restore \$256,000,000 to the state budget over the next three years.



One-Time Tax Rebate for Low and Middle Income Taxpayers

Rather than a permanent tax cut for low and middle income families – which would further reduce revenue into the state budget – support a one-time tax rebate targeted to these families. A rebate could be funded by the current windfall in gas and oil severance taxes, and would cost the state budget approximately \$40,000,000 for one year.

Personal Income Tax “Add Back”

Close a loophole that allows higher income people who itemize their deductions to deduct their state and local taxes from their countable income for the purpose of determining their state taxable income. Require filers to add back into their adjusted gross income the state and local taxes they paid but were allowed to deduct on their federal tax form. This add-back is done in all but a handful of states. New income generated: approximately \$60,000,000.

Restore New Mexico’s Estate Tax

New Mexico’s estate tax piggybacked on a provision of the federal estate tax which was eliminated at the end of 2004. New Mexico must now reinstate its estate tax. A New Mexico estate tax should tax property worth over \$2 million and exempt family farms. Such a proposal would impact higher-income taxpayers only and would not impact family farms or small business. Seventeen states in the country have acted to decouple their estate tax from the federal estate tax in order to preserve their estate tax. New income generated: \$20,000,000.

Amend the Corporate Income and Franchise Tax Act

Close the loophole for corporations that allows those that conduct business in more than one state to use filing methods that permit them to avoid paying some of their New Mexico corporate income tax. Mandate combined reporting or unitary reporting by corporate tax filers. New income generated: \$30 million.

Reduce Tax Pyramiding on Business

New Mexico taxes all gross receipts on services and products, including business to business transactions. This practice makes New Mexico business products more costly than their competitors in other states. Voices supports a proposal to exempt business to business transactions for services from gross receipts taxation **ONLY** if the loss of revenue is offset by increasing other taxes. The income lost to the state budget if this policy is passed without a tax increase to offset it would be approximately \$30,000,000.



Tax Holiday

A one day holiday for shoppers from the gross receipts tax is an ineffective proposal that would only benefit business and upper-income people (who have the disposable income to spend up to the \$2,500 ceiling for purchases made in one day). It would not really help low-income families who need help the most. The experience of other states is that wealthy families are more likely to take advantage of the tax holiday. A tax holiday would cost the state \$5,000,000 in lost revenue, and \$3,000,000 in city and county tax revenue.

Soda or Sugar Tax

A tax on sodas or sweetened foods is regressive (impacting lower income families disproportionately) and does nothing to reduce consumption of high-sugar foods.

Use non-recurring funds to fully fund Medicaid in fiscal year 2006:

Voices supports full funding for Medicaid - the health insurance program for low-income children, disabled and elderly – and no additional cuts in eligibility or benefit levels. The current estimate by the Human Services Department is that Medicaid will need \$91.7 million in new funding to ensure that no additional cuts in eligibility or benefits will be required. If sufficient recurring revenue is not available for Medicaid, we recommend that non-recurring funds be used, rather than making cuts to benefits or eligibility.

Children's Health

Health Care for Children: An Investment in the Next Generation

Children's health depends on the availability of health insurance, and of health care services at accessible locations. Medicaid provides needed health insurance to thousands of children, while school-based health centers provide health care services to under-served children across New Mexico.

Medicaid: Good Medicine for Our Children

Medicaid provides health insurance to over 400,000 New Mexicans ...



2/3 of whom are children

Still, New Mexico has the second highest rate of uninsured children in the country. Children without health insurance too often do not receive health care until they are seriously ill. Many of the ailments for which uninsured children are ultimately hospitalized could have been taken care of with minimal cost if they had been treated early. Medicaid is the only access many of our children have to basic health care.

The Medicaid budget passed in the 2004 legislative session under-funded Medicaid by \$40 million. Families now cannot get Medicaid reimbursement for medically-necessary supplies and medications for their disabled children. 14,000 people have lost their Medicaid health insurance coverage within the first four months of FY05. The reimbursement rates for physician's services have been reduced, threatening the ability of some to continue their practice. The Human Services Department estimates that an additional state investment of \$91.7 million is needed just to maintain *current* benefit and eligibility levels (this would not restore the \$40 million in under-funding from last year). The LFC recommends that \$83.6 million in additional funds be allocated; the Governor has proposed an additional investment of \$78.4 million.

School-Based Health Care: Providing Services Where the Children Are

School-based health centers are located in middle and high schools and provide comprehensive physical and behavioral health services to children and adolescents regardless of their ability to pay. School-based health centers provide the only health care accessible to many adolescents. There are currently 34 school-based health centers in New Mexico's school-based health centers serving both urban and rural communities.


Recommendations to Improve Our Children's Health

Each of the following proposals is recommended only if the preceding proposals are fully funded:

- Full funding of Medicaid with no further cuts in eligibility or benefit levels.
- If Medicaid is fully funded: expand Medicaid to include the low-income parents of eligible children (with an income at or below the federal poverty level).
- If Medicaid is fully funded, and expanded to include low-income parents: expand Medicaid to include childless, low-income adults with an income at or below the federal poverty level.
- If Medicaid is fully funded and expanded as described above: fund the State Coverage Initiative for workers with an income between 100-200% of the federal poverty level.
- Oppose the proposed tax credits (of 25%) for businesses that provide health insurance for their employees. The cost of this tax credit is the same as the cost of expanding Medicaid to cover those low-income employees – and such an expansion of Medicaid would cost business nothing. New Mexico's investment of state dollars would also be matched by federal dollars at a rate of 3:1 (\$3 federal dollars provided for each \$1 of state investment).
- Provide an additional \$2 million to support existing school-based health centers.
- Provide \$4 million in new funding to double the number of school-based health centers.

Medicaid is also Good Medicine for New Mexico's Economy

In addition to providing health care for thousands of children – as well as disabled and elderly people – Medicaid provides tremendous economic benefits to New Mexico. It generates jobs – 80 for every \$1 million investment that the state makes (which is then matched with \$3 million in federal dollars). Federal funding of New Mexico Medicaid supports over 28,000 jobs in the state. Most of these jobs pay wages and salaries at least 13% higher than the state's average weekly wage. The vast majority (79%) of these jobs are in the private sector. Over 35,000 New Mexicans have private health insurance as employees through these jobs. In 2003 nearly \$2 billion in



economic activity in New Mexico was generated through the state's investment of \$348 million dollars and the federal match money.

Every \$1 million cut in New Mexico's Medicaid spending costs the state 80 jobs and \$2.4 million in lost wages and salaries. Medicaid is an economic engine for New Mexico and it drives the economy in tremendously productive ways.

Who Medicaid Serves: Middle Class and Lower Income Families

Medicaid is the health insurance program for 1 in 4 New Mexicans: low-income children; pregnant women; elderly people (in nursing homes, for example); disabled adults. Medicaid is utilized by both low-income, as well as middle and upper income, families. For example, through the Medicaid "waiver" program a middle class family with a child that has a specific long-term acute disability or illness may qualify for Medicaid. Similarly, middle-class families that cannot afford to pay the cost of a nursing home for a parent also utilize Medicaid for that care once the parent becomes income-eligible.

Medicaid also finances private health care providers by reimbursing them for health care services they provide to their patients on Medicaid. Medicaid finances tens of thousands of health care providers and private businesses – hospitals, nursing homes, community health centers, group homes, managed care plans and private medical practices. For example, in 2001 over 60% of Molina's premium income was from Medicaid.

School-based Health Centers

School-based health centers serve over a million students each year across America. They are an accessible, friendly place where students can obtain a wide variety of health care services. The centers work in partnership with school nurses and also provide their own trained healthcare professionals.

Within New Mexico's 89 school districts there are 34 school-based health centers. About half serve only high school students.

Governor Richardson has committed to doubling the number of school-based health centers so that there is at least one in every county in the state. 34 school districts have been targeted for school-based health centers.

The New Mexico Assembly on School-Based Health Care is a statewide organization dedicated to promoting accessible, culturally competent, quality school-based preventive health, primary health and mental health care for children and families. The Assembly supports school-based health care as an essential strategy to improve the lives of children and to optimize their opportunities to succeed in school and in society.

Early Childhood Development

An Investment in Early Childhood Development Has Substantial Payoffs

For once, the experts agree: an investment in high quality early childhood development programs (ECD) has substantial payoffs. According to the Minneapolis Reserve Bank, an investment in early childhood education can yield a far higher return than almost any other type of government investment.

ECD programs provide a wide range of education services for children under the age of six. Children who participate in these programs show significantly improved academic performance. As adults they have higher earnings and lower rates of criminal conduct. Children denied access to early childhood education are more likely to be held back a grade, be placed in special education, or drop out of school.

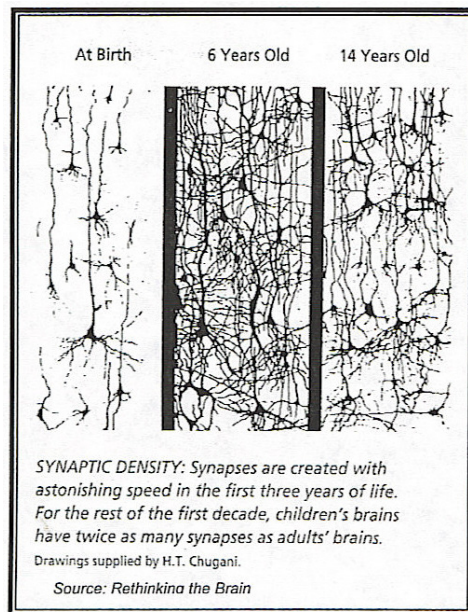
It is Essential To Make An Adequate Investment From Birth to Age 3

An adequate investment in children from birth to age 3 is critical because early experiences have the most significant impact on the brain. By age three 85% of the brain's architecture is formed:

Unfortunately, public policy has not caught up with what the research tells us is most effective. Currently, a relatively tiny state investment is made for children ages 0-3. The vast majority of educational resources are invested for children age 6 and older. New Mexico's current investment in early childhood development is a fraction of what we spend on higher education.

Recommendations to Maximize Our Return on Investment in Early Childhood Development

- Add at least \$10 million to the child care assistance program (Children, Youth and Families Department) in order to increase the number of low-income families able to access quality child care. An additional \$10 million investment will raise eligibility for child care subsidies for families with an income of 200% of the federal poverty level (currently, only families with an income up to 150% of the federal poverty level are eligible to receive a subsidy).
- Support the Lieutenant Governor's proposal for a pre-kindergarten initiative for 4-year-old children.





Failure to Adequately Invest: Current Policy in New Mexico

Cost is the greatest barrier to quality child care and early education for New Mexico's low-income families. In 2004 full-time child care (in a center) for one young child of a working parent averaged more than the cost of tuition at a state university.

New Mexico's Children, Youth and Families Department (CYFD) administers the state's childcare subsidy program. Families with a maximum income at or below the federal poverty level (\$22,620 for a family of four) are eligible to receive a subsidy. Even with a subsidy, the family is required to pay a percentage of the child care bill (according to a sliding fee established by CYFD).

CYFD reduced the eligibility threshold for subsidies in 2001 from 200% to 100% of the federal poverty level. Prior to that decision, families with an annual income of twice the federal poverty level were eligible for a subsidy. The eligibility level was raised to 150% of the federal poverty level under the Richardson administration.

The federal government provides money to the states for childcare subsidies. In fiscal year 2003 New Mexico invested \$48 million in early childhood care and education, and received an additional \$92 million from the federal government.

For a more complete discussion of how an investment in early childhood development pays off, see the attached Executive Summary of a national report "**Exceptional Returns**".

Predatory Lending

New Mexico Borrowers Taken Advantage of By Unscrupulous Lenders

The small loan industry – payday, car title and tax refund lenders – can legally charge interest rates in **excess of 600%** annual percentage rate. These are the lenders of last resort for low-income families living from paycheck to paycheck in need of a small loan for an unexpected car repair, doctor’s bill – or for needed school supplies and other necessities. Banks and credit unions do not offer very small loans on an as-needed basis. So, these families turn to the local predatory lender who takes advantage of their need and lack of alternatives.

In 1981, New Mexico lawmakers removed all caps on interest rates that these lenders could charge on small loans. Predatory lenders often charge in interest more than the amount of the original loan. The New Mexico-based case studies in the following pages dramatically illustrate the need for state regulation of the small loan industry.

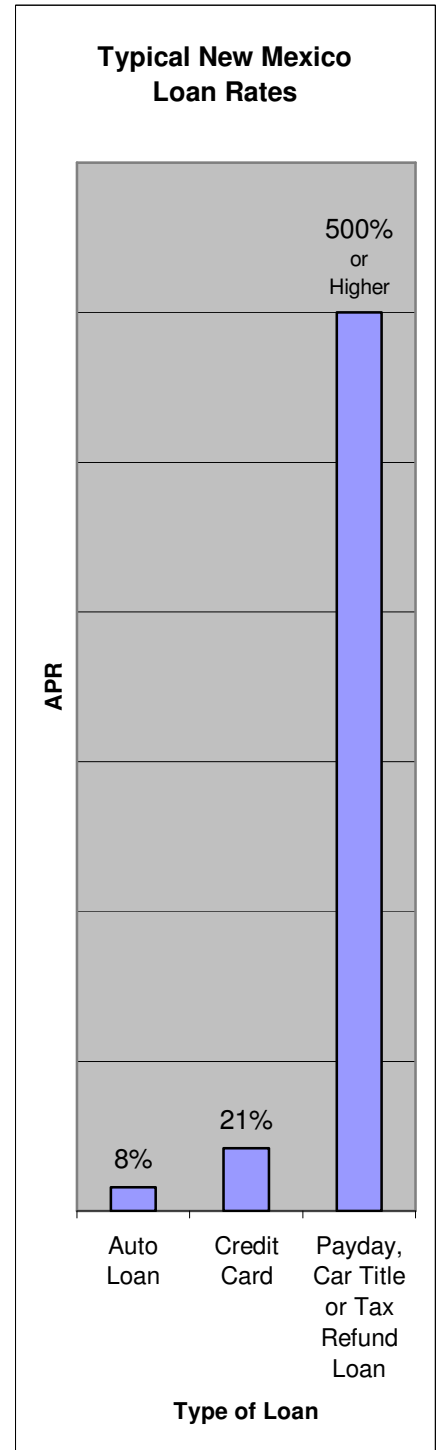
It is important to note that in states where there is an interest rate cap and a limit on fees and rollovers, the small loan industry is still thriving - just not at the expense of unsuspecting consumers. Over 80% of payday lenders in New Mexico are from out of state. These are not New Mexico-owned mom-and-pop businesses.

Military Families Targeted

Military families and minorities, especially Native Americans, are targeted by predatory lenders, pulling them into a downward spiral of debt. New Mexico should protect its most vulnerable citizens – as other states have done - by enacting strong consumer loan legislation.

Recommendations for Fairness in Lending:

- Limit interest rates on consumer loans (including payday loans, car title loans and tax refund anticipation loans).
- Abolish triple digit interest rates.
- Limit fees and rollovers.
- Enact comprehensive legislation that includes payday, car title and tax refund loans. Reject legislation that stops short of enacting interest rate caps.





Predatory Lenders Take a Cut of Tax Credits for Low-Income Families

The efforts of the state and federal government to reduce poverty through tax credits to low-income working families are being undermined by predatory lenders. The federal Earned Income Tax Credit (EITC) and Child Tax Credits, and the state's Low Income Comprehensive Tax Rebate (LICTR) are the most effective anti-poverty programs established by government. Predatory tax refund lenders are skimming off millions of dollars by charging unconscionable fees and interest rates when taxpayers use them to complete their tax returns. The lender will offer an unsuspecting consumer a short-term loan on the expected tax refund or credit due. The consumer often does not understand how expensive that loan really is. For example, an Earned Income Tax Credit of \$3800 for a low income family can shrink to less than \$3200 after the lender has taken his cut for a guaranteed no-risk loan of a few days.



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2340 Alamo S.E., Suite 120
Albuquerque, New Mexico 87106

Phone - (505) 244-9505
Fax - (505) 244-9509
nmvoices@nmvoices.org

www.nmvoices.org

