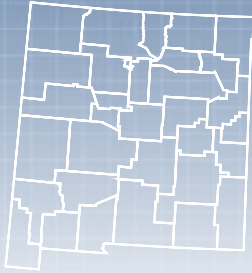


# a Blueprint for a state in the Red



STUDIO C12  
Blueprint

## The New Mexico that could be

New Mexico can be a place where communities thrive and there is opportunity for everyone to build a secure future.

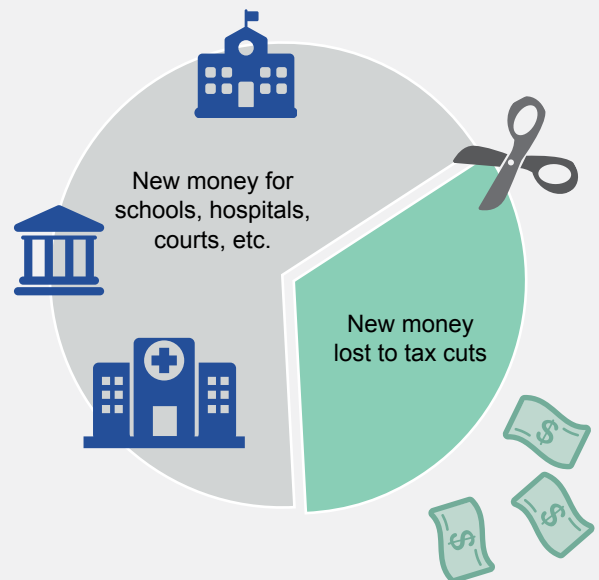
We know what it takes to create strong communities—good schools, roads, libraries, and so forth. Today, though, our budget prioritizes tax breaks instead that starve our state of the revenue it needs to fund critical programs and services. This is the wrong choice for New Mexico’s future.

To afford the things we need, it will take a more sensible approach to revenue. We’re losing millions of dollars in tax breaks for powerful special interests that are inserted into the tax code. When we clean up our tax code, we’ll have more for the public investments New Mexico has been avoiding.

The recession hit New Mexico hard. Revenues plummeted. The state’s investment in health care, education, and other essential services declined.

As the economy started to improve, lawmakers made a fateful choice—massive tax cuts in 2013 for corporations, instead of revenue to invest in the common good.

## ABOUT ONE-THIRD OF ALL NEW MONEY HAS GONE TO TAX CUTS SINCE 2013



Source: NM Voices for Children calculations of data from Post Session Reviews, Legislative Finance Committee, various years  
NEW MEXICO VOICES FOR CHILDREN

“The tax cuts, it was promised, would bring jobs to New Mexico.

But tax cuts don’t create jobs—public investment creates jobs.”

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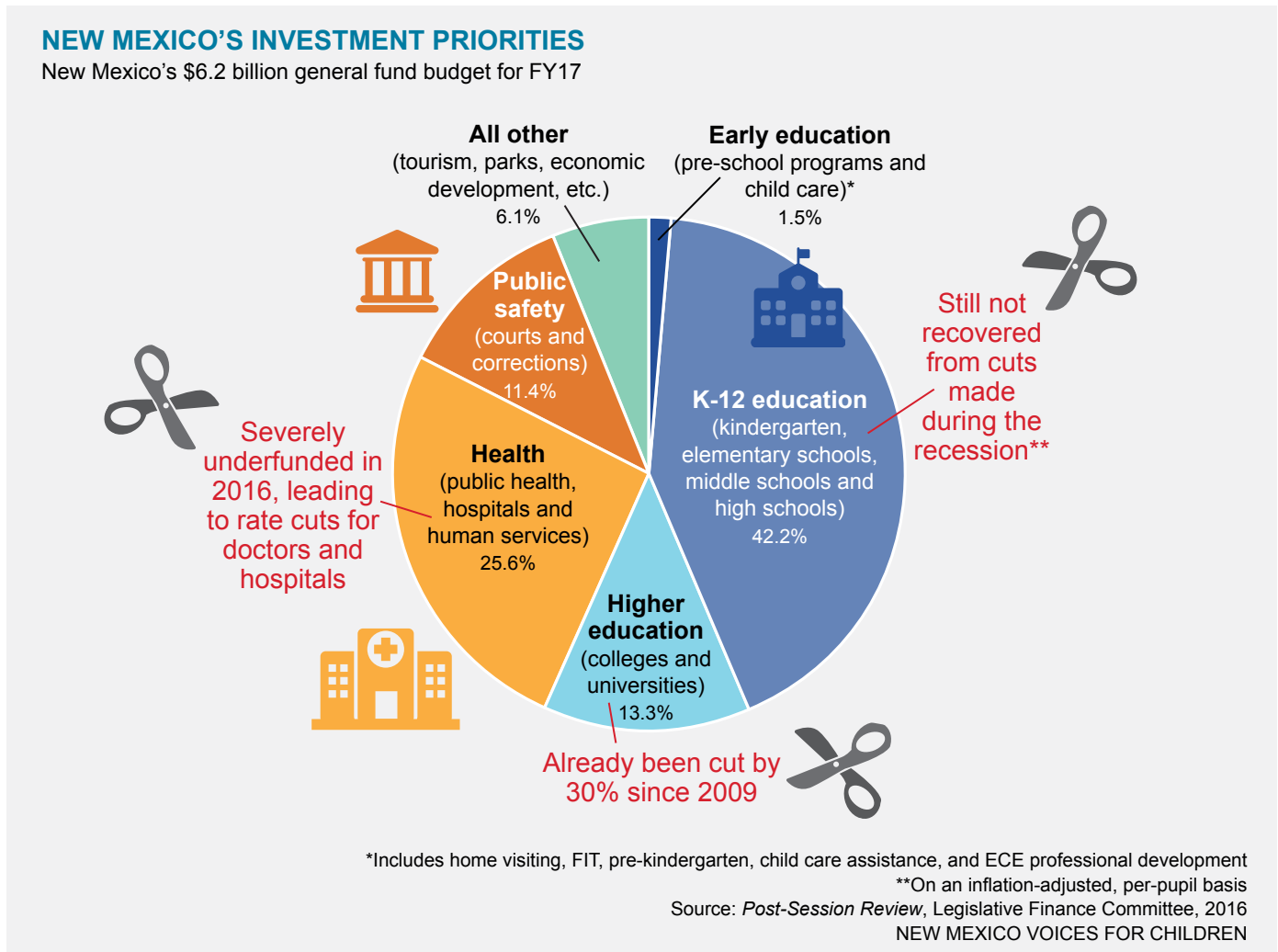
Those tax cuts—following tax cuts enacted in 2003 for the wealthiest New Mexicans—have made New Mexico too dependent on revenue from gas and oil extraction.

This over-reliance on oil and gas revenue became a serious problem—as it has in the past—when the bottom dropped out of gas and oil prices last year.

## The New Mexico that is

These tax cuts have done so much damage that we now have a hole in our budget. New Mexico has a choice: raise enough money by rolling back the ineffective corporate tax cuts or reduce public investment.

Lawmakers have already chosen to protect tax cuts for corporations. Instead of increasing public investment in health care and education—two areas where New Mexico needs to grow—we've seen educators laid off, fewer families helped with child care, school-based health centers closed, and college tuition raised.



## The path to public investment

The path to a strong New Mexico begins with making smart investments. There are many common-sense ways to raise new money, create jobs, and bolster our economy:

- **Freeze the corporate income tax cuts**

The big corporate tax cut of 2013 phases in over 5 years and will cost the state \$70 million a year when fully phased-in. We could freeze the corporate tax rates where they are now and save millions for public investment.

**Could raise \$70 million if repealed or \$20 million if frozen through FY20.**

- **Freeze the tax break for manufacturers**

At the same time the corporate income tax rate was cut, the formula for how manufacturers were taxed was made less fair. The phase-in could also be frozen so we don't continue to lose revenue.

**Could raise at least \$45 million if repealed or \$10-\$15 million if frozen.**

- **Raise the personal income tax rate for those at the top**

In 2003 New Mexico cut the personal income tax rate by nearly half for the wealthiest households. Restoring the rate would help turn our upside-down tax system right-side up. Today the wealthiest pay a smaller percentage of their income in state and local taxes than anyone else does. The 2003 rate cut made that worse (see the graphic below for just how unfair our tax system is).

Amount raised would depend on several factors, but a full repeal of the 2003 cuts would raise up to \$500 million.

- **Curtail tax breaks for capital gains income**

New Mexico taxes income from capital gains (the profits from sales of assets such as stocks or real estate) at a lower rate than it taxes the wages of working people. This break mainly helps the wealthiest—those making over \$200,000—while taking revenue away from much-needed public investment. It also helped make our tax system less fair.

Could raise \$34-\$36 million in FY18; \$44-\$48 million in FY19.

- **Repeal wasteful and ineffective tax breaks**

There are hundreds of tax breaks that have been carved out of the GRT base over the years, many of which simply qualify as a handout to special interests. What’s more, few of them have ever been revisited, let alone evaluated. Repealing wasteful and ineffective tax breaks will allow lawmakers to put that money to work where it will make a difference for our kids, families and communities.

Could raise hundreds of millions.

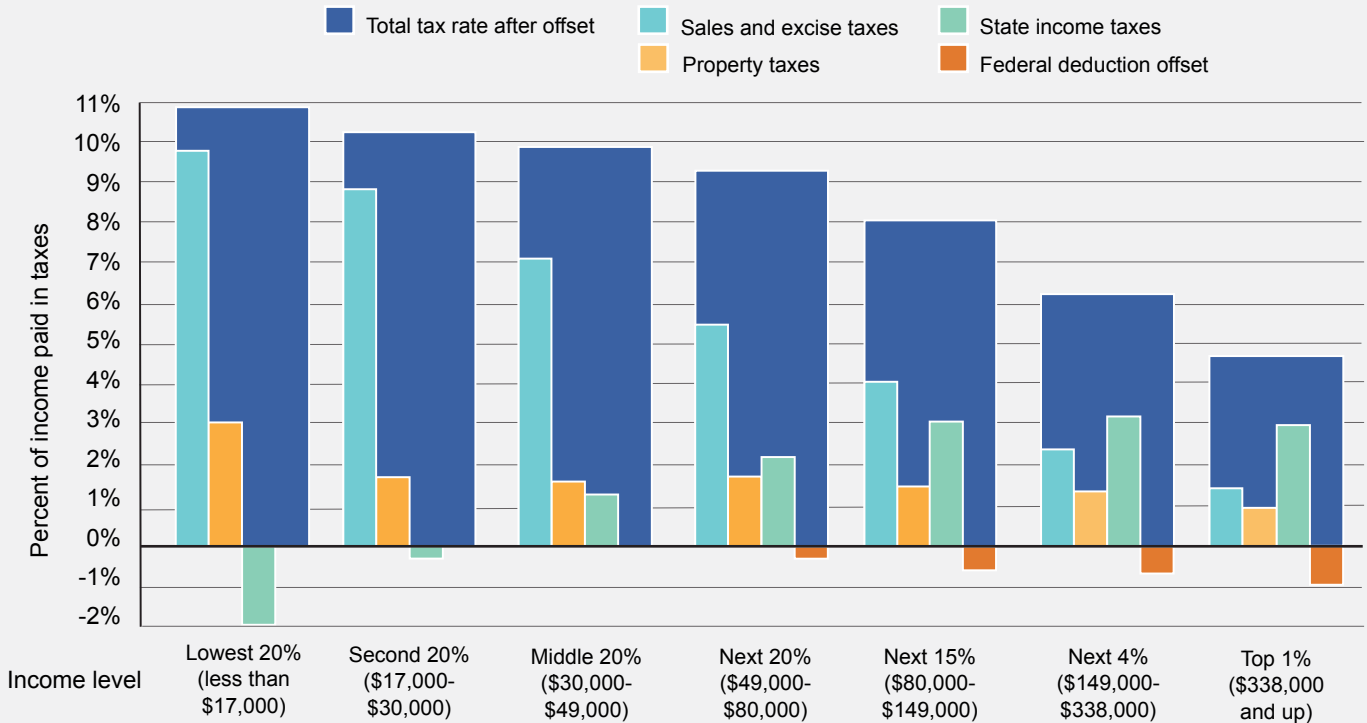
- **Require all out-of-state corporations to pay income tax on their profits in New Mexico**

New Mexico is one of the few states that still allows out-of-state corporations to shift their New Mexico profits on paper to another state to avoid paying taxes here. We lose millions in revenue, and local businesses lose out. A partial fix (called Mandatory Combined Reporting) to this was enacted in 2013, but it exempted many profitable corporations such as banks.

Could raise \$25 million.

### INCOME TAX CUTS IN 2003 MADE NEW MEXICO’S TAX SYSTEM MUCH LESS FAIR

State and local taxes paid by New Mexicans as a portion of their incomes (by quintile)

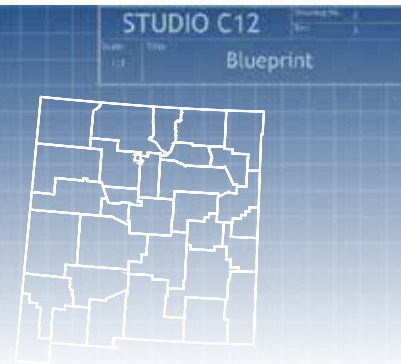


Source: *Who Pays?*, The Institute on Taxation and Economic Policy, 2015

Note: Table shows permanent law in New Mexico enacted through December 31, 2014 at 2012 income levels

NEW MEXICO VOICES FOR CHILDREN

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- **Increase the distribution from the Land Grant Permanent School Fund**

New Mexico has the nation's second largest Land Grant Permanent School Fund. Legislators and voters could choose to increase the distribution of that fund for early childhood education, K-12 schools, and higher education.

**Increasing the distribution by 2% could provide \$300 million.**

- **Enact a health care provider assessment**

Instead of facing cuts in Medicaid reimbursement rates, many health care providers would prefer to be assessed a provider fee. The money collected could then be added to the state's Medicaid budget, allowing the state to draw down the federal matching money.

**Amount raised would vary depending on rates.**

- **Raise alcohol and tobacco taxes and include e-cigarettes**

These taxes could both increase revenue and deter young people from using products that are harmful to their health.

**A 20% increase in both taxes could raise \$26 million; an increase in the alcohol tax of 25-cents a drink could raise \$154 million.**

- **Increase the tax on the sale of motor vehicles**

New Mexico's excise tax on motor vehicles is lower than the general sales tax on most other goods purchased in the state. It's also lower than in surrounding states, and could stay lower even if this proposal is put into effect.

**Could raise about \$100 million.**

- **Decouple from certain federal income tax provisions**

When the federal government makes changes to the income tax code, those changes often affect state tax codes unless states take action. New Mexico could decouple from two current federal rules: bonus appreciation and the cancellation of indebtedness provision of the American Reinvestment and Recovery Act; as well as one potential rule: a deduction for domestic production activities.

**Could raise between \$10-\$14 million.**

- **Extend the gross receipts tax to more internet sales**

"Main street businesses"—those with a brick-and-mortar presence in New Mexico—pay gross receipts taxes on their internet sales here, but businesses without a physical location in the state don't. This exemption drains a lot of revenue from the state and puts local retailers at a competitive disadvantage.

**Could raise \$10 million.**

- **Enact a new tax on diesel fuel**

A large portion of this tax would be paid by out-of-state entities like interstate trucking companies.

**Amount raised would vary depending on rates.**

- **Enact a temporary increase in the gasoline tax**

While gas prices are low, New Mexico could enact a temporary hike in the taxes we pay at the pump. The tax could be set to automatically expire if fuel prices rise to a certain level.

**Could raise \$60 million for every 5 cents per gallon.**

## And to help keep us in the black:

- **Require a tax expenditure budget in statute**

A tax expenditure budget allows legislators to see the hundreds of tax exemptions, deductions and credits they have enacted over the years. This makes it easier to review tax expenditures for their cost-effectiveness and repeal those that do not grow the economy. While the tax department does produce a tax expenditure budget under executive order, requiring one under state law would give legislators more authority over which expenditures are studied.

- **Require sunset provisions on all tax cuts, exemptions, deductions, and credits**

When Congress passes tax cuts, they always include a sunset, meaning they expire after a certain amount of time unless Congress acts to reauthorize them. This allows Congress to evaluate tax cuts and let those that do not have the desired economic impact to expire. New Mexico lawmakers have begun to add sunsets to their tax cuts, but Governor Martinez has been vetoing the sunset provisions. If a sunset was required under statute, the Governor could not veto it.