



NMRLD

**NEW MEXICO
REGULATION &
LICENSING DEPARTMENT**

2024 STRATEGIC PLAN | 2023 ANNUAL REPORT





CONTENTS

Message from the Superintendent	2
NMRLD Overview	3
Our Strategic Planning Focus & Goal Areas	4
Our Organization	7
Employee Survey	11
Alcoholic Beverage Control Division	12
Boards and Commissions Division	17
Cannabis Control Division	41
Construction Industries & Manufactured Housing Divisions	47
Financial Institutions Division	54
Securities Division	59
Appendix	63
In Memory: Marguerite Salazar	65

MESSAGE FROM THE SUPERINTENDENT

I am pleased to introduce the NMRLD 2024 strategic plan and 2023 annual report that illustrates everything the department and its dedicated staff do to assure that all New Mexicans and visitors to our state receive quality services from qualified individuals and businesses.



State agencies aren't perfect. Due to their size and complexity, they never will be—but that won't stop us at NMRLD from actively seeking ways to improve and streamline our services. We have listened closely to feedback, complaints, and frustrations, and have used them as a road map to zero in on problem areas and fix them to better serve all the people who count on us.

A few of our accomplishments this year:

- secured legislative funding that enabled us to create an online licensing platform to make applying for or renewing a license both quicker and easier
- created a new online complaint form the public can use to report unfair or unsafe practices by professionals licensed through NMRLD; the new complaint form helps protect licensees from false accusations by reducing the number of anonymous complaints
- added names and contact information for all staff at each board or commission to create as many contact points as possible, increasing transparency and accountability
- created an online data dashboard, Cannabis Reporting Online Portal (C.R.O.P.), that tracks Cannabis Control Division data for the public, media, and stakeholders

True perfection may be unattainable, but we are listening, being responsive, and trying to get as close to perfect as we possibly can. I continue to welcome feedback from constituents and licensees about what we've done well, and areas we can improve so that we may better serve New Mexicans and visitors to the Land of Enchantment.

LINDA M. TRUJILLO
Superintendent

NEW MEXICO REGULATION AND LICENSING DEPARTMENT

WHAT WE DO

We regulate more than 500,000 individuals and businesses in 35 industries, professions, and trades across the state. Our goal is to assure that New Mexicans receive quality services from qualified individuals and businesses while also ensuring a fair and prompt administrative process.

Our priority is your protection.

EMPOWERING THE VITALITY OF NEW MEXICO ENTERPRISE.

Mission

To promote public confidence in professional, occupational services, trades, and industries by finding innovative solutions for business in the interest of public safety and economic vitality.

Guiding Principles

- Quality Customer Service
- Accuracy and Accountability
- Respect and recognition for the Indigenous peoples and tribal lands where we now live, work, and play

OUR STRATEGIC PLANNING FOCUS & GOAL AREAS

FOCUS AREA: BUDGET/FISCAL

- Continue to develop and implement a quality assurance process for online revenue transactions.
- Increase collaboration with divisions, ASD, and Office of the Superintendent in refinement of the budget development and accounts receivable process.

encouraging collaboration among all parties, and gaining and maintaining public trust through responsible stewardship and a transparent process, and evaluating ongoing effectiveness.

- Communicate with internal and external constituencies to identify strategies to improve customer service and reduce regulatory barriers.
- Expand on NMRLD's public-facing website to efficiently provide transparent data and annual reports, including online performance dashboards for each division.

FOCUS AREA: COMMUNITY ENGAGEMENT

- Break down barriers to licensure to increase the diversification of New Mexico's economy, revenue, and employment.
- Present and maintain a cohesive narrative among all department representatives when discussing NMRLD's goals and mission to ensure consistency and effective communication to all constituents.
- Show NMRLD is a frequent connector of all stakeholders in the professional and occupational industries,



**FOCUS AREA:
CONSUMER EDUCATION**

- Facilitate online workshops to include tailored trainings for specific audiences utilizing various platforms to raise awareness for consumer protection.
- Expand NMRLD’s presence at community events to raise department profile.
- Build on NMRLD materials and resources to ensure constituents are up to date.

**FOCUS AREA:
HUMAN RESOURCES**

- Recruitment and retention of employees.
- Develop and implement retention strategies to maintain a team of licensing specialists and public safety inspectors.
- Develop career ladders and training programs to focus on the lifecycle of employee talent to include employee

retention and development to reduce NMRLD’s vacancy rate.

- Develop and implement recruitment and retention programs through flex schedules, alternative work schedules, fitness and wellness leave, and paid parental leave.
- Formalize department-wide employee handbook and systematize onboarding and exit record keeping.

**FOCUS AREA:
INFORMATION TECHNOLOGY**

- **Application**
 - Complete application, inspection, and renewal automations for Alcoholic Beverage Control Division, Boards and Commissions Division, and Cannabis Control Division.
 - Implement third-party, cloud-based applications which serve to improve communications with the public and regulated community.



- **Data**

- Improve the availability, backup, and security of the department's data.

- **Interconnect**

- Implement and manage data-sharing platform.
- Collect and share appropriate NMRLD data with team members, State of New Mexico agencies, and the public.

- **Infrastructure**

- Complete modernization of network infrastructure including establishment of hybrid-cloud solutions.
- Optimize voice communications with a focus on cost, functionality, and quality.

- **Cybersecurity**

- Improve cybersecurity by conducting monthly vulnerability scans and quarterly penetration testing.
- Provide NMRLD team members with regular cybersecurity and phishing resistance training.

**FOCUS AREA:
LICENSING**

- Ensure equitable access to NMRLD information for individuals with limited English proficiency.
- Facilitate discussions with key partners and stakeholders to reduce licensing barriers and increase information sharing.

**FOCUS AREA:
OPERATIONS**

- Implement continuous improvement strategies to improve efficiency and customer service.
- Create, track, and expand employee training and development programs, with a focus on leadership development.
- Initiate compensation classification analysis for CID to ensure internal equity and balanced workloads, adjust to market conditions, and ensure career advancement pathways.





OUR ORGANIZATION



OFFICE OF THE SUPERINTENDENT

Linda Trujillo, Superintendent
Clay Bailey, Deputy Superintendent

The Office of the Superintendent provides leadership and support to NMRLD's eight divisions. Functions include legal, communications, and legislative services.

ADMINISTRATIVE SERVICES DIVISION (ASD)

The Administrative Services Division encompasses Financial Services, Information Technology, and Human Resources. ASD serves as a resource and provides support to the divisions in coordination with other state agencies. Financial Services provides fiscal support and oversight, financial

advice, accounting, budget preparation and management, procurement, fleet, and telecommunication services.

ALCOHOLIC BEVERAGE CONTROL DIVISION (ABC)

The Alcoholic Beverage Control Division focuses on protecting the health, safety, and welfare of all New Mexicans and visitors to the state by responsibly regulating the sale, service, and public consumption of alcohol, tobacco, and/or tobacco products. The division takes seriously every complaint alleging potential violations of liquor control laws, and works closely with the Special Investigations Unit of the Department of Public Safety in investigating and prosecuting such violations.

BOARDS AND COMMISSIONS DIVISION (BCD)

The Boards and Commissions Division comprises more than two dozen professional and occupational licensing boards and commissions, divided between Health Licensing and Professional Licensing Bureaus. The division is responsible for licensing individuals qualified to practice in the state, protecting health and public safety, and serving support roles for the boards and commissions that create the rules governing these professions.

CANNABIS CONTROL DIVISION (CCD)

The Cannabis Control Division regulates and licenses cannabis producers, producer microbusinesses, manufacturers, retailers, couriers, cannabis consumption areas, testing laboratories, and research laboratories operating in the medical- and adult-use markets to ensure public health and safety in cannabis and cannabis products. To achieve this, the division establishes rules pertaining to licensing, promoting social equity, compliance, and enforcement.

CONSTRUCTION INDUSTRIES DIVISION (CID)

The Construction Industries Division collaborates with the general public, trade organizations, municipalities, local code officials, contractors, subcontractors, architects, design professionals, LP gas distributors, and homeowners to assist economic growth in New Mexico, protect life and property, and ensure safety of all citizens.

FINANCIAL INSTITUTION DIVISION (FID)

The Financial Institutions Division works to protect public interest, preserve public trust, and promote economic vitality by licensing and regulating independent trust companies, mortgage loan companies and originators, money service businesses, small loan companies, collection agencies and repossessioners, escrow companies, motor vehicle sales finance companies, endowed care cemetery trusts operating in New Mexico, and state-chartered banks, savings and loan associations, and credit unions.

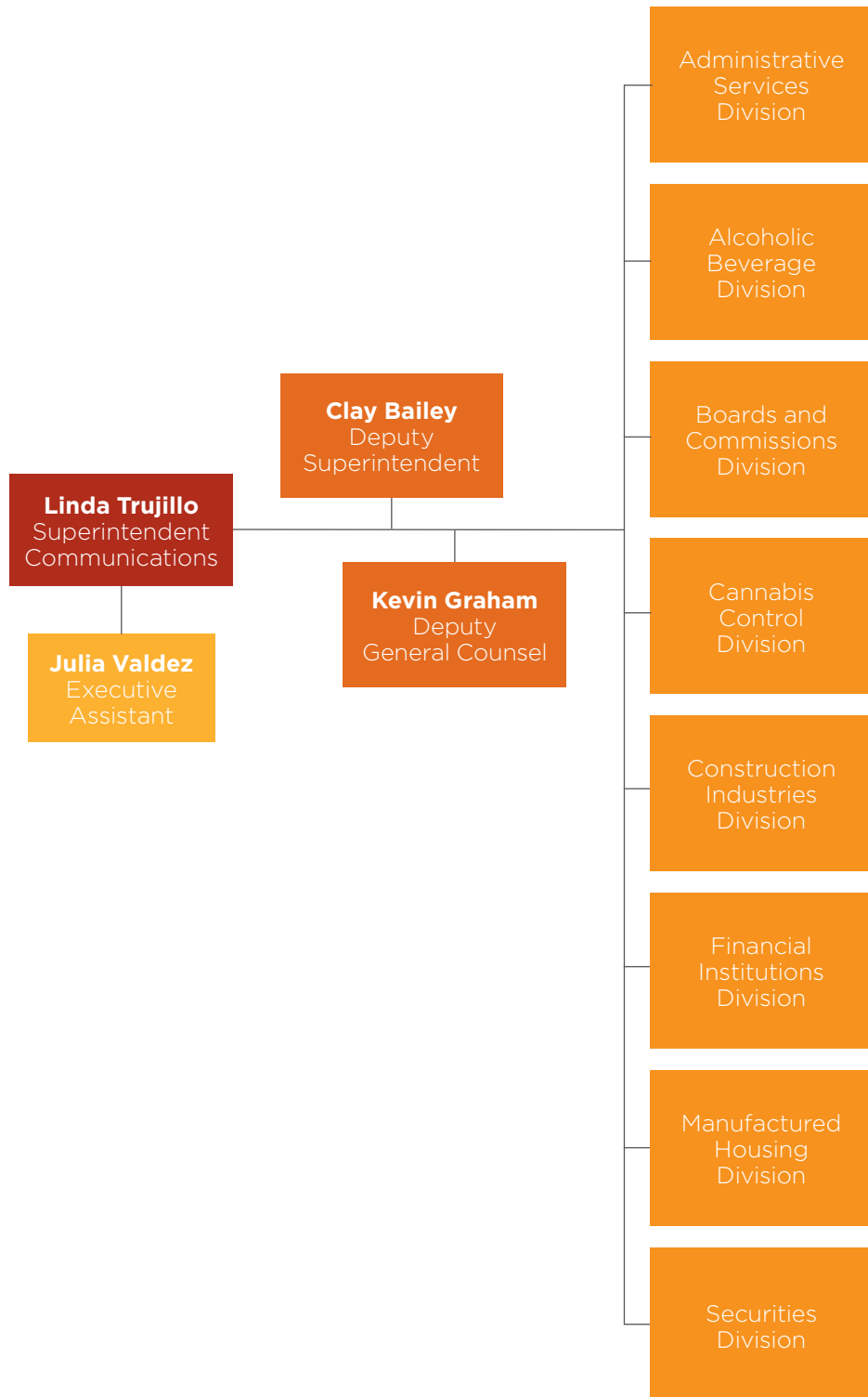
MANUFACTURED HOUSING DIVISION (MHD)

The Manufactured Housing Division regulates manufacturers, dealers, brokers, salespersons, installers, and repair technicians to ensure compliance of federal and state law in the manufacture and installation of manufactured homes.

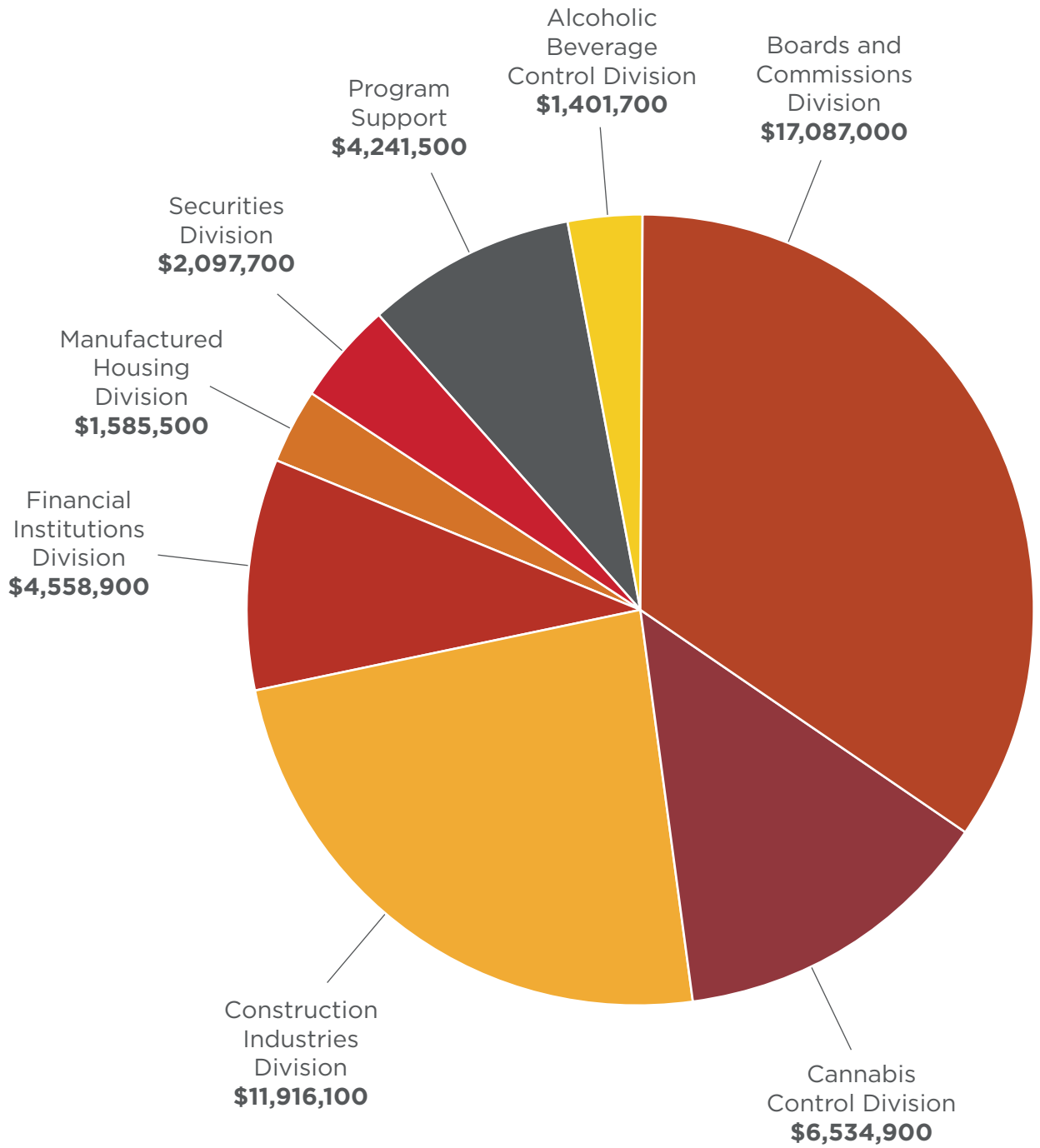
SECURITIES DIVISION

The Securities Division protects investors and maintains public confidence in the securities markets. The division seeks to preserve and strengthen a free and competitive securities market for New Mexico, increase investor confidence and thereby encourage the formation of capital, and promote integrity, fairness, and full disclosure of financial services.

OUR ORGANIZATIONAL STRUCTURE



OUR ANNUAL BUDGET

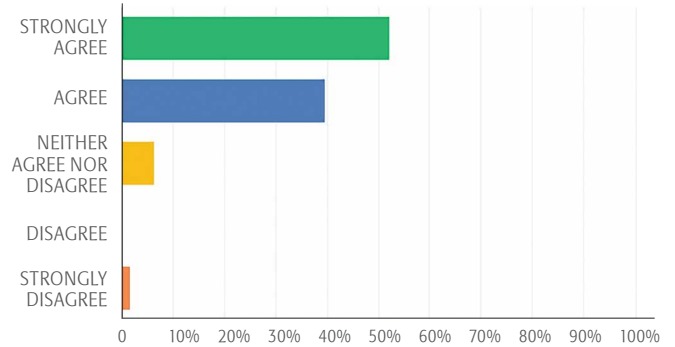


TOTAL BUDGET: \$49,423,300

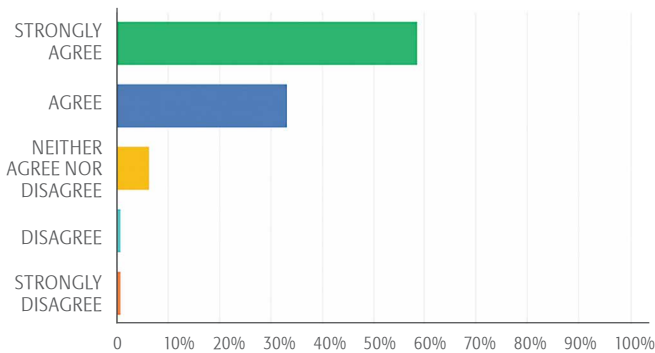
EMPLOYEE SURVEY

At NMRLD, we believe in continual growth and development. To take the pulse on important topics like employee satisfaction and department culture, an annual employee survey is conducted. This survey provides us a better understanding of how our employees view what is happening within the department, along with insight on how we can do things better. At right is a snapshot of the 2023 NMRLD Employee Survey.

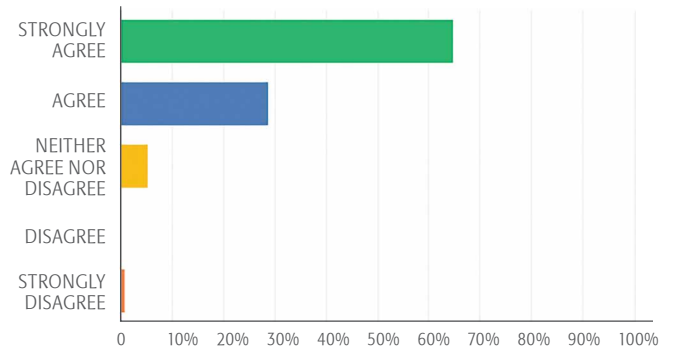
Q1: I like the kind of work I do.



Q13: The work I do is important.



Q7: When needed, I am willing to put in the extra effort to get a job done.





ALCOHOLIC BEVERAGE CONTROL DIVISION

NMRLD's Alcoholic Beverage Control Division (ABC) is responsible for regulating the manufacture, transportation, distribution, sale, service, and public consumption of alcoholic beverages by licensing establishments and servers who sell or serve alcohol to the public. The division's primary goal is to protect the health, safety, and welfare of the residents and visitors to New Mexico while allowing for responsible economic growth. The division is also responsible for adjudication of citations issued by the Department of Public Safety's Special Investigations Unit (SIU) for violations of the Liquor Control Act. Division staff answers questions from both in-state and out-of-state industry members who are operating in New Mexico, as well as those who wish to become licensed in the state.

FTE

13

BUDGET

\$1,401,700

DESCRIPTION OF SERVICES

The Alcoholic Beverage Control Division issues and regulates 37 different license types. Before issuing a license, the division staff review liquor and tobacco license applications to ensure they are complete and correct, conduct preliminary hearings, work with the Department of Public Safety's Special Investigations Unit (SIU) to post public notice signs at the proposed liquor location, work with local governing bodies for public hearings, ensure applicants are qualified to hold a license, collect all fees, and ensure that the license requested by the applicant is the appropriate license type for the proposed business model.

In addition to issuing liquor licenses, the ABC also issues permits for public and private celebrations, such as the Albuquerque International Balloon Fiesta, the Wine and Chile Festival, and weddings and graduation parties. The division processes more than 5,000 applications annually.

ABC also issues or renews approximately 25,000 Alcohol Server Permits annually to individuals who sell or serve alcohol in establishments such as grocery stores, convenience stores, bars, or restaurants. Every server is required to take an approved class that covers the alcohol-related laws of New Mexico, as well as responsible serving practices. A primary focus is the requirement that servers must ensure that they do not sell or serve alcohol to minors or to intoxicated persons. Class schedules are maintained on the division website.

The division works closely with SIU to ensure that license holders operate responsibly. In the event that citations are issued, ABC reviews the citations to determine if fines and penalties are warranted. Fines are assessed in accordance with the established fine schedule and can be as high as \$10,000 per offense. A suspension of alcohol sales may also be imposed. The division makes every effort to work with our license holders to prevent violations from occurring, but does receive between 300 and 400 citations annually.





PROGRAM GOALS & OBJECTIVES

- Provide timely and efficient licensing processes to customers and clients.
- Provide information in person, through correspondence, and through the ABC website that is accurate and reliable.
- Process citations in a fair and impartial manner.
- Continue to stay fully staffed, and with as little turnover as possible.
- Create career paths for employees to encourage stability and institutional memory and expertise.
- Continue to provide best practices to ensure liquor consumption is performed safely and responsibly.
- Meet regularly with all members of the New Mexico alcohol and tobacco industries to ensure compliance and encourage a free flow of information between ABC and each industry.
- Continue coordination with SIU to ensure fair enforcement of the Liquor Control Act and the Tobacco Products Act.
- Continue to encourage local option districts to plan for liquor control within their jurisdiction to meet the needs and concerns of their communities.

STRATEGIC ACTIONS

- Continually upgrade the internal processes and requirements to break down needless or unnecessary barriers to licensure.
- Provide proactive training on key topics to customers and industry members.

RECENT HIGHLIGHTS & MAJOR ACCOMPLISHMENTS

Coordinated with licensees, SIU, and local law enforcement officers to ensure safe service and consumption of alcoholic beverages for major holiday weekend.

Worked with key members of the wine-grower’s association and SIU to ensure safe practices while conducting large scale wine festivals throughout the state.

ABC staff served as panelists during multiple national conferences presenting information and guidance to members of the liquor industry located throughout the country who participate in the liquor industry in New Mexico.

ABC staff continues to remain available to licensees, applicants, potential applicants, and members of the public to assist in navigating the Liquor Control Act and the Tobacco Products Act.

PERFORMANCE MEASURES	FY23 Actual	FY24 Target	FY25 Recommendation
Number of days to process a dispenser license	116	120	120
Number of days to resolve an administrative citation that does not require a hearing	60	160	160
Number of days to issue a restaurant beer and wine liquor license	107	120	120
Number of days to process a craft distiller’s license	116	130	130

LIQUOR LICENSEES

3rd Party Delivery Permit	2	Rural Dispenser	26
Bed & Breakfast	4	Rural Retailer	4
Canopy	87	Server Certification	approx 65K
Club	131	Small Brewer	116
Common Carrier	209	Small Brewer Limited Wholesaler	6
Craft Distiller	36	Small Brewer Offsite	60
Craft Distiller Off-Site	16	Wholesaler	70
Delivery Permit	11	Wine Bottler	0
Direct Shipment Permit	1057	Wine Grower	87
Dispenser	790	Wine Grower Offsite	39
Governmental	89	Wine Wholesaler	25
Instructor Certification	5		
Inter-Local Dispenser	414		
Lottery	18		
Manufacturer	2		
Nonresident	794		
Provider Certification	4		
Public Service	14		
Rectifier	4		
Restaurant A	496		
Restaurant A + NM Spirits	89		
Restaurant B	102		
Retailer	71		

TOBACCO LICENSEES

Distributor	49
Manufacturer	9
Retailer	1595

102,055
TOTAL LICENSEES

Statutory Authority - See appendix for a comprehensive listing.



BOARDS AND COMMISSIONS DIVISION

In FY23, NMRLD's Boards and Commissions Division was comprised of 29 different administratively attached professional and occupational licensing boards and commissions.

Divided between the Health Licensing and Professional Licensing Bureaus, the Boards and Commissions Division establishes specialized standards on education and training to ensure New Mexicans receive quality care and services from qualified professionals. The division is responsible for:

- Day-to-day operations of licensing individuals qualified to practice in the state
- Protecting health and public safety through monitoring complaints and related investigations
- Serving support roles for the boards and commissions that promulgate rules governing these professions and that take disciplinary action against licensed and unlicensed individuals

FTE

92.4

BUDGET

\$17,087,000

The boards and commissions under each of the division's bureaus include:

Health Licensing Bureau

Board of Acupuncture and Oriental Medicine
Athletic Trainer Practice Board
Chiropractic Board
Counseling and Therapy Practice Board
Board of Dental Health Care
Massage Therapy Board
Nutrition and Dietetic Practice Board
Board of Examiners for Occupational Therapy
Board of Optometry
Board of Pharmacy
Physical Therapy Board
Board of Podiatry
Board of Psychologist Examiners
Advisory Board of Respiratory Care
Board of Social Work Examiners
Speech-Language Pathology, Audiology, and
Hearing Aid Dispensing Practices Board

Professional Licensing Bureau

Public Accountancy Board
Athletic Commission
Board of Barbers and Cosmetologists
Board of Body Art Practitioners
Board of Funeral Services
Home Inspectors Board
Interior Design
Board of Landscape Architects
Nursing Home Administrators Board
Private Investigations Advisory Board
Real Estate Appraisers Board
Real Estate Commission
Signed Language Interpreting Practices Board

DESCRIPTION OF SERVICES

Each professional and occupational licensing board and commission operates under the authority of a distinct enabling statute, referred to as a practice act, which provides regulation of certain professions in order to protect public health and safety, and help ensure consumer trust of those licensed professionals. These boards and commissions – with the exception of the division's two advisory boards – are granted authority under each respective practice act to promulgate rules and issue discipline against licensed and unlicensed individuals who violate provisions of the law. Staff within the division and bureaus provide

service to the boards and commissions in their statutory duties, as well as to applicants, current licensees, and the general public.

PROGRAM GOALS & OBJECTIVES

1. Reform the Licensing Process

- a. Complete the next phase of the new digital licensing system on schedule with full functionality for initial and renewal applications, payment, updating records, public complaint form, disciplinary tracking, and history.
- b. Eliminate the need for paper applications and payment for all professions in the new system.

- c. Replace any remaining licensing forms with fillable PDFs available, as appropriate, on the website.
- d. Create communication schedules for applicants and licenses subject to renewals.

2. Continue Implementing the 2022 Reorganization Plan

- a. Complete recruitment and hiring of reclassified positions from second round of reclassification and new position requests connected to division reorganization.
- c. Complete comprehensive job duties and responsibilities documents for every classification and working title within the division.

- d. Enable new positions within the Health Licensing Bureau and related investigative staff by establishing monthly group meetings; identify internal and external partners to assist with strategy and planning of new roles.

3. Engage and Empower Division and Bureau Staff

- a. Review annual budget and identify opportunities for training and professional conferences and set training priorities for the entire year for staff and board members.
- b. Establish expectations for manager, supervisor, team, groups, and staff meetings for the entire year for the division.



- c. Develop and provide at least two trainings focused on rulemaking, annual rulemaking reports, and expectations to address out-of-date, redundant, unnecessary, and otherwise problematic rules.
- d. Provide written expectations for staff supervisors and conduct quarterly manager-supervisor staff meetings to discuss and share issues.

4. Physical and Office Improvements

- a. Continue to reform support in the division through the established operations and administrative support team by incorporating additional responsibilities and processes related to equipment, supplies, facilities, fleet, technology, phones, mail, website, purchases, travel, accounting, onboarding, and other related areas.
- c. Complete first phase of large-scale floor plan redesign to address long-standing security, safety, and practical needs of the division, including new reception area with secure access and sound reduction, replacing dated workstation walls and desks to maximize existing floor space, provide needed privacy, and create more practical areas based on operational needs.

5. External Coalition Building

- a. Board and commission members will receive more regular communication from senior leadership in the division, including email updates and presentations at least one public meeting per year.
- b. Create and maintain current lists of all state and national professional and trade associations, prominent education

programs in the state, and other external organizations that may be considered resources or training opportunities.

- c. Reestablish regular meetings with directors at the Office of the Attorney General and division management, and also between OAG counsel and staff for boards and commissions.
- d. Create and maintain contacts within state government, as appropriate, to leverage networking.

6. Legislative Initiatives

- a. Identify further barriers in the licensing process that require legislative action and prepare recommendations each year, including redundant or unnecessary provisions, dated requirements or fee structures; and opportunities to create greater consistencies within the individual practice acts, Uniform Licensing Act, and other applicable statutes.

RECENT HIGHLIGHTS & MAJOR ACCOMPLISHMENTS

Held inaugural NMRLD Constituent Day in the Santa Fe office. Boards and Commissions Division was able to assist approximately 70 persons with various matters relating to initial licensure and renewal of licenses, as well as provide clarification. Constituents needing assistance with renewal or initial licensure were able to leave that day with their license in hand.

Onboarded an additional seven boards and commissions to NM-PLUS. As of June 30, 2023, NM-PLUS is able to automatically renew an additional 46,597 licenses as well as accept applications for initial licensure. The platform accepts online license verification requests and lists requests of licensed professionals. It also accepts complaints against its licensees relating to allegations of unprofessional conduct, substandard care, violations of confidentiality, ethics, and so on.

18 boards enacted HB 191 to provide for expedited licensing for individuals who reside in approved jurisdictions and territories seeking licensure in New Mexico. Each of these 18 boards successfully adopted rules and established qualified jurisdictions to support the legal provisions enacted in HB 191.

Boards and Commissions was able to bring all employees to midpoint of their respective pay bands in efforts to retain/maintain staff.

Worked collaboratively with the Governor's Office to ensure that boards and commissions membership vacancies were filled with geographic, racial, and gender members.

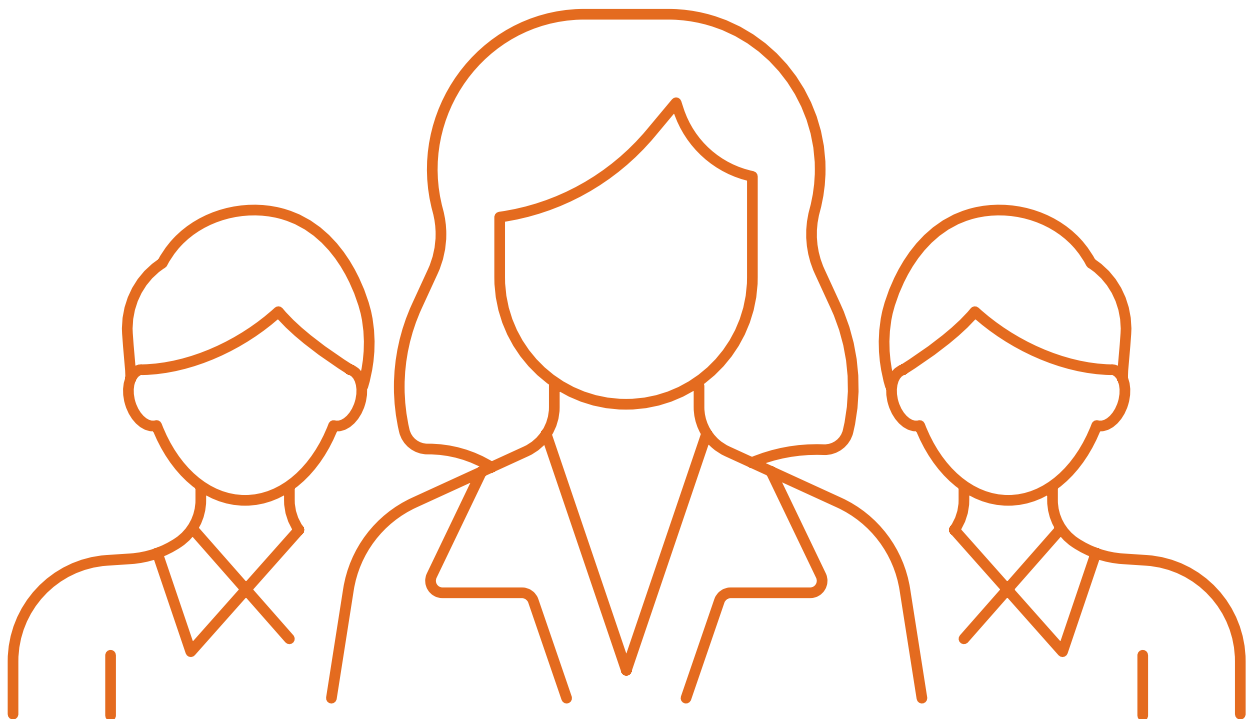
Board of Funeral Services, Board of Pharmacy, Board of Optometry, Public Accountancy Board, Private Investigations Board, and the Real Estate Appraisers Board received extended sunset dates. The boards are now set to sunset on July 1, 2029.

Governor Michelle Lujan Grisham officially declared "Boxing Day" on February 23, 2023. The Athletic Commission held numerous fights including Bare Knuckle Boxing, MMA, Pro-Wrestling, and Boxing throughout the state.

As one of the newest boards to NMRLD, the Home Inspectors Board increased its license count to more than 200 licenses.

PERFORMANCE MEASURES	FY23 Actual	FY24 Target	FY25 Recommendation
Percent of initial applications and renewals processed within three days of receipt of completed application	82%	95%	95%
Noncompliant barber and cosmetology establishments brought into compliance within 90 days	5	N/A	N/A
Percentage of pharmacy board-licensed facilities inspected annually	43%	50%	50%
Number of noncompliant body art establishments brought into compliance within 90 days	3	N/A	N/A

Statutory Authority – See appendix for a comprehensive listing.



BOARDS & COMMISSIONS**102,853 LICENSEES**

Acupuncture & Oriental Medicine	705
Athletic Commission	587
Athletic Trainers	114
Barbers & Cosmetology	15,465
Body Art Practitioners	1,106
Carnival Rides	74
Chiropractors	619
Counseling & Therapy	5,412
Crane Operators	600
Dental	5,730
Employee Leasing	550
Funeral Services	520
Home Inspectors	212
Interior Design	59
Landscape Architects	189
Massage Therapy	2,832
Nursing Home Admins	152
Nutrition & Dietetics	717
Occupational Therapy	1,622
Optometry	278
Pharmacy	27,578
Physical Therapy	3,021

Podiatry	169
Private Investigators	8,356
Psychology	885
Real Estate Appraisers	865
Real Estate Commission	11,214
Respiratory	1,815
Signed Language Interpreters	669
Social Work Board	5,033
Speech/Lang/Hearing	2,390

Statutory Authority - See appendix for a comprehensive listing.



HEALTH LICENSING BUREAU

BOARD OF ACUPUNCTURE AND ORIENTAL MEDICINE

PURPOSE: In the interest of the public health, safety, and welfare, and to protect the public from the unprofessional, improper, incompetent, and unlawful practice of acupuncture and oriental medicine, it is necessary to provide laws and regulations to govern the practice. The primary responsibility and obligation of the Board of Acupuncture and Oriental Medicine is to protect the public. Section 61-14A-2, NMSA 1978

Professional Board Members

- Mavrick Lobe
- Jeanne Dixon
- Brandon Taylor
- Nityamo Prem Lian

Public Board Members

- Vanessa L. Brogdon
- Robbie R. Tafoya
- Anna Silva

Type of Licenses

Doctor of Oriental Medicine
Certified Auricular Detox Specialist
Externship Supervisor
Temporary License
Limited Temporary License

Total License Count

705

ATHLETIC TRAINER PRACTICE BOARD

PURPOSE: In the interest of public health, safety, and welfare, and to protect the public from unprofessional, improper, incompetent, and unlawful practice of athletic training, it is necessary to provide laws and regulations to govern the granting of the privilege to practice as an athletic trainer. The primary responsibility and obligation of the athletic trainer practice board is to protect the public. Section 61-14D-2, NMSA 1978

Professional Board Members

- Juanita Diane Marquez
- Roberta Lucero
- Vacant

Public Board Members

- Nicholas D. Salazar
- Abimael Valcarcel Sanchez

Type of License

Athletic Trainer Practitioner License

Total License Count

114

CHIROPRACTIC BOARD

PURPOSE: The Board of Chiropractic regulates the practice of licensed chiropractors in New Mexico. All practitioners of this profession must graduate from accredited chiropractic colleges and successfully complete all portions of the test delivered by the National Board of Chiropractic Examiners (NBCE). The board monitors and approves continuing education and disciplines licensees who have violated the Chiropractic Physicians Practice Act or board rules. Section 61-4-3 NMSA 1978

Professional Board Members

- Forrest Goforth, DC
- Bradley Fackrell, DC
- Darcy Pope Wyatt, DC & APC
- Robert O. Perea, Jr., DC & APC

Public Board Members

- Telletha Valenski
- Kathy Fresquez-Chavez

Type of Licenses

Chiropractic Physician
Advanced Practice Chiropractic Certification

Total License Count

619

COUNSELING AND THERAPY PRACTICE BOARD

PURPOSE: In the interest of public health, safety, and welfare, and to protect the public from unprofessional, improper, incompetent, and unlawful counseling and therapy practice, it is necessary to provide laws and regulations to govern the practice of counseling and therapy. The primary responsibility and obligation of the Counseling and Therapy Practice Board is to protect the public. Section 61-9A-2, NMSA 1978

Professional Board Members

- Lesley L. McKinney
Licensed Mental Health Counselor
- Rafael L. Moya
Licensed Clinical Mental Health Counselor
- Christine L. Ross
Licensed Marriage and Family Therapist
- Laura L. Lansrud-Lopez
Licensed Art Therapist
- Kourtney T. Vaillancourt
Licensed Alcohol and Drug Abuse Counselor

Public Board Members

- Marnella L. Kucate-Yepa
- Robert L. Chavez

Type of Licenses

Alcohol Abuse Counselor, Alcohol and Drug Counselor, Art Therapist, LPCC Clinical Mental Health Counselor, Drug Abuse Counselor, Substance Abuse Associate, Marriage and Family Therapist, Registered Mental Health Counselor, Registered Independent Counselor, Professional Mental Health Counselor, Licensed Mental Health Counselor, Associate Marriage and Family Therapist, Temporary License, CEU Provider Certificate

Total License Count

5,412

NEW MEXICO BOARD OF DENTAL HEALTH CARE

PURPOSE: The Board of Dental Health Care in conjunction with the Dental Hygienist Committee oversees the practice of dentistry, dental hygiene, dental assisting, expanded function dental auxiliary, and community dental health coordinator in New Mexico. The board sets professional and educational standards to obtain and maintain licenses for dentist, dental hygiene, dental assistants, expanded function dental auxiliary, and community dental health coordinator practicing in New Mexico. Section 61-5A-8 NMSA 1978

Professional Board Members

- Charles Schumacher, DDS
- Vacant
- Jolynn Galvin, DDS
- David Warren, DDS
- Vacant

Dentist Hygienist Board Members

- Denise Leann Myrick
- Melissa Barbara

Public Board Members

- Holly Ann Beaumont
- Kevin A. McMahon

Type of Licenses

Dentist
Dental Resident
Sedations (Nitrous Oxide Included)
Anesthesia
Community Dental Health Coordinator
Dental Therapist
Expanded Function Dental Auxiliary
Dental Assistant
Non-Dentist Owner

DENTAL HYGIENIST COMMITTEE

PROFESSIONAL:

- Valoree Althoff
- Melissa Barbara
- Maya L. Mascarenaz
- Paula Jenkins
- Denise Leann Myrick

PROFESSIONAL DENTIST:

- Jolynn Galvin, DDS
- Burrell Tucker, DDS

PUBLIC:

- Holly Ann Beaumont
- Vacant

Type of Licenses

Dental Hygienist
Local Anesthesia
Local Anesthesia Under General Supervision
Hygienist Collaborative

Total License Count

5,730



MASSAGE THERAPY BOARD

PURPOSE: The Massage Therapy Board oversees the practice of individuals who use the title of Massage Therapists or otherwise represent themselves to be massage therapists, and massage therapy schools. Massage therapy is a health care service that treats soft body tissue for therapeutic purposes, primarily for comfort and relief of pain. Massage therapy does not include the diagnosis or treatment of illness or disease. The board ensures professionals in this industry are qualified by setting educational and continued educational standards. Section 61-12C-7 NMSA 1978

Professional Board Members

- Star Amber Risdale
- Susan M. Hedges Myers
- Vacant

Public Board Members

- Cynthia P. Lentini
- Vacant

Type of Licenses

Massage Therapist
Provisional Massage Therapist
Massage Therapy School

Total License Count

2,832

NUTRITION AND DIETETICS PRACTICE

PURPOSE: The purpose of the Nutrition and Dietetics Practice Act is to safeguard life and health and to promote the public welfare by providing for the licensure and regulation of the persons engaged in the practice of nutrition and dietetics in the state, and by providing the consumer a means of identifying those qualified to practice nutrition or dietetics. Section 61-7A-2(B), NMSA 1978

Professional Board Members

- Lee Ann Loney, *Nutritionist & Dietician*
- Mary Ann Martinez, *Dietician*
- Craig Klein, *Nutritionist*

Public Board Members

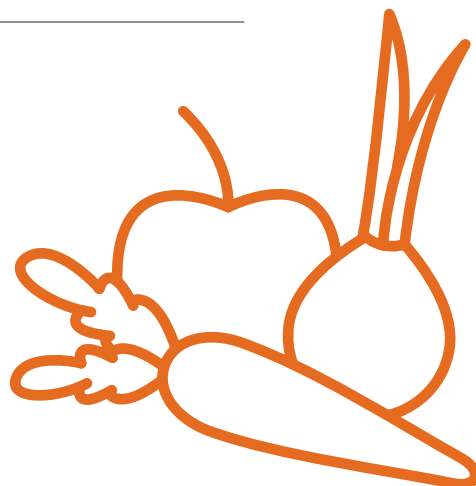
- Linda Kelly
- Yuri D. Findlay

Type of Licenses

Licensed Dietitian
Licensed Nutritionist
Licensed Nutritionist Associates

Total License Count

717



BOARD OF EXAMINERS FOR OCCUPATIONAL THERAPY

PURPOSE: It is the purpose of the Occupational Therapy Act to provide for the regulation of persons offering occupational therapy services to the public in order to safeguard the public health, safety, and welfare; to protect the public from being misled by incompetent and unauthorized persons; to assure the highest degree of professional conduct on the part of occupational therapists and occupational therapy assistants; and to assure the availability of occupational therapy services of high quality to persons in need of such services. Section 61-17-B-2, NMSA 1978

Professional Board Members

- Margaret Porte
- Kelly Aragon
- Sharon Peterson

Public Board Members

- Carmel Martinez
- Maria Flores

Type of Licenses

- Occupational Therapist
- Occupational Therapist Assistant

Total License Count

1,622

BOARD OF OPTOMETRY

PURPOSE: The primary purpose and obligation of the board is to protect the health, safety, and welfare of the public by providing laws and regulations to govern the practice of optometry, and to safeguard against any unprofessional, improper, incompetent, and unlawful practice of the profession, the most significant of which could result in blindness or loss of life. Section 61-2-5 NMSA 1978

Professional Board Members

- Dwight Thibodeaux, O.D.
- Lynn Annette David, O.D.
- Thomas J. Kunz, O.D.
- (James) Daniel Mayes, O.D.

Public Board Members

- Diane P. Vaughn
- Susan Marie Wilson Akins

Type of Licenses

- Optometrist

Total License Count

278



BOARD OF PHARMACY

PURPOSE: The purpose of the Pharmacy Act is to promote, preserve, and protect the public health, safety, and welfare by and through the effective control and regulation of the practice of pharmacy, including the licensure of pharmacists and pharmacist interns and registration of pharmacy technicians; the licensure, control, and regulation of all sites or persons, in or out of state, who distribute, manufacture, or sell drugs or devices used in the dispensing and administration of drugs in New Mexico; and the regulation and control of such other materials as may be used in the diagnosis, treatment, and prevention of injury, illness, or disease of a patient or other person.
Section 61-11-1 NMSA 1978

Professional Board Members

- Lewis Dale McCleskey
- Teri Rolan
- Angela Gonzales Jaber
- Chris Woodul
- Johnny Volpato, Jr.
- William S. Lord, Jr. (Hospital Rep)

Professional Board Members

- Gwen Griscom
- Mandelyn Cordova
- Cathy L. Drake

Type of Licenses

Animal Control Clinic, Class A,B,C, and E Clinic, School Based Emergency Medicine Class D Clinic , Custodial Care Facility (boarding home or nursing home), Emergency Medical Service, Home Care Service, Contact Lens Distributor, Drug Warehouse, In-State Hospital Pharmacy, In-State Limited Veterinary Drug Retail or Wholesale, In-State retail pharmacy, In-State Sterile Pharmacy, In-State Telepharmacy, Limited Drug Researcher, Nonresident Pharmacy, Nonresident Pharmacy-Sterile, Outsourcing Facility, Manufacturer, Repackager, Third-Party Logistics Provider, Virtual Manufacture, Virtual Wholesale Distributor, Wholesale Drug , Distributor, Pharmacist, Pharmacist Clinician, Pharmacist Intern, Pharmacy Technician, Controlled Substance Registrant, practitioner), Controlled Substance Registrant (facility)

Total License Count

27,587



PHYSICAL THERAPY BOARD

Purpose: The purpose of the Physical Therapy Act is to protect the public health, safety, and welfare, and provide for control, supervision, licensure, and regulation of the practice of physical therapy. To carry out those purposes, only individuals who meet and maintain minimum standards of competence and conduct may engage in the practice of physical therapy. The practice of physical therapy is declared to affect the public interest and that act shall be liberally construed so as to accomplish the purpose stated in that act. Section 61-12D-2, NMSA 1978

Professional Board Members

- Mayra Denisse Santiago
- Russell W. Lees
- Bettina Brown

Public Board Members

- Christina Chavarria
- Vacant

Type of Licenses

- Physical Therapist
- Physical Therapist Assistant

Total License Count

3,021



BOARD OF PODIATRY

PURPOSE: The New Mexico Board of Podiatry licenses eligible podiatrists, reviews complaints, and takes any necessary disciplinary action to protect patients from unprofessional or illegal conduct. Podiatrists are doctors who examine, diagnose, treat (including surgery), and prevent ailments affecting the human foot and ankle. Section 61-8-5 NMSA 1978

Professional Board Members

- Vacant
- Dr. Matthew Sean Spiva
- Dr. Stephanie M. Parks

Public Board Members

- Mary Francis Snyder
- Vacant

Type of License

- Podiatrist

Total License Count

169

NEW MEXICO STATE BOARD OF PSYCHOLOGIST EXAMINERS

PURPOSE: The function of the Board of Psychologist Examiners is to regulate the practice of psychology in a manner that assures public safety by ensuring appropriate licensure requirements for psychologists, psychologist associates, and prescribing psychologists; establishing and enforcing the laws, regulations, and the code of professional conduct governing the practice of psychology; requiring that any person practice or offering psychological services is licensed and providing effective means for resolving consumer complaints. Section 61-9-6 NMSA 1978

Professional Board Members

- Kenneth A. Gilman, Ph.D.
- Merranda R. Marin, Ph.D.
- Nicole C. Ebberhart Duranceaux, Ph.D.
- David J. Ley, Jr., Ph.D.
- Caroline Blanchard Williams, Ph.D.

Type of Licenses

Psychologist
Temporary Psychologist
RXP Initial Conditional Prescription
RXP Prescription Cert.
Psychologist Associate

Public Board Members

- Mizel A. Garcia
- Mary Elizabeth Walker
- Ann Marie Luna

Total License Count

885

ADVISORY BOARD OF RESPIRATORY CARE PRACTITIONERS

PURPOSE: In the interest of public health, safety, and welfare, and to protect the public from unprofessional, improper, incompetent, and unlawful care, it is necessary to provide laws and rules to govern the practice of respiratory care. The primary purpose of the Respiratory Care Act is to safeguard life and health, and promote the public welfare by licensing and regulating the practice of respiratory care in the state. Section 61-12B-2, NMSA 1978

Professional Board Members

- Debra Allen
Physician
- Gina Buldra
Respiratory Care Practitioner
- Lee K. Brown
Respiratory Care Practitioner

Type of Licenses

Respiratory Care Practitioner License
Student Extern
Graduate Temporary Permit

Total License Count

1,815

Public Board Members

- Sandra Peace
- Berrin Basak-Vener

BOARD OF SOCIAL WORK EXAMINERS

PURPOSE: The Board of Social Work Examiners regulates the practice of social work through the licensure of three different levels to practice. The board assures continued professional competence by requiring all licensed social workers to obtain 15 hours of continuing education annually. The board also investigates complaints from the public about unprofessional or unethical conduct, and takes disciplinary action when required. Section 61-31-7 NMSA 1978

Professional Board Members

- Deanna De Vore, LMSW
Community Organization
- Antoinette (Toni) M. Sanchez-Romero
Clinical Social Work
- John Michael Tourangeau
University Social Work Administration
- Susan J. McFeeters, Ph.D. LCSW-C
Social Work Research

Public Board Members

- Belen Vigil, FNP
- Vanessa al Rashida, MD
- Mr. Haniff Sealy

Type of Licenses

- Provisional Licensed Baccalaureate Social Worker
- Provisional Licensed Master Social Worker
- Provisional Licensed Clinical Social Worker
- Provisional Independent Social Worker
- Licensed Baccalaureate Social Worker
- Licensed Master Social Worker
- Licensed Clinical Social Worker
- Licensed Independent Social Worker

Total License Count

5,033



SPEECH-LANGUAGE PATHOLOGY, AUDIOLOGY, AND HEARING AID DISPENSING PRACTICES BOARD

PURPOSE: The purpose of the Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Board is to adopt and establish policy necessary to carry out the Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practices Act; adopt rules for continuing education; adopt a code of ethics that includes rules requiring audiologists and hearing aid dispensers. Section 61-14B-9 NMSA 1978

Professional Board Members

Audiologists:

- Dr. James M. Decker
- Dr. Lisa Pulsipher

Licensed Speech Language Pathologists:

- Linde Ann Schuster
- Michael Kaplan
- Alicia Ellen Roberts

Licensed Hearing Aid Dispensers:

- Richard W. Earnest
- Heather Lovato

Licensed Otolaryngologists:

- Vacant

Public Board Members

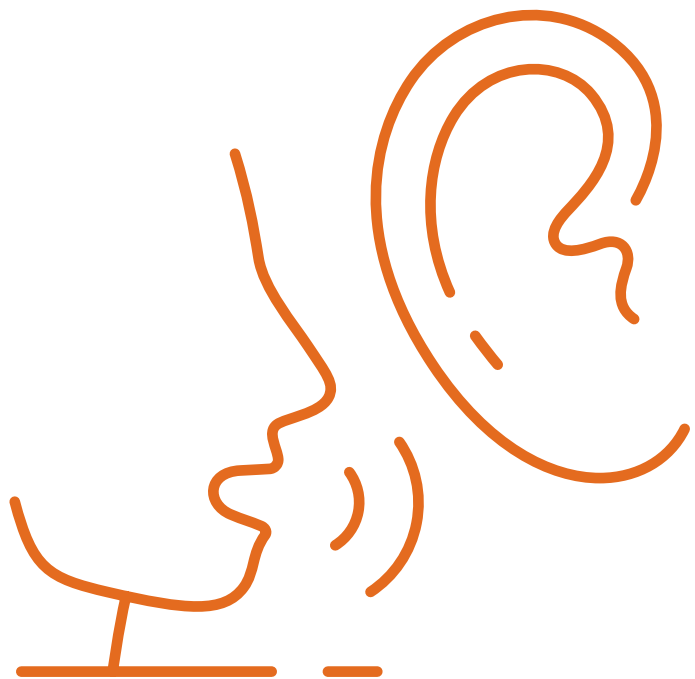
- Mary M. Clark
- Damian T. Romero
- Norman N. Dawson, Sr.

Type of Licenses

Speech-Language Pathologist
Audiologist
Hearing and Dispenser
HAD Trainee
Clinical Fellow
ASL (apprentice)
Bilingual Multicultural Endorsement

Total License Count

2,390



PROFESSIONAL LICENSING BUREAU

NEW MEXICO PUBLIC ACCOUNTANCY BOARD

PURPOSE: The purpose of the 1999 Public Accountancy Act is to protect the public interest by regulating the practice of public accountancy. Section 61-28B-1 NMSA 1978

Professional Board Members

- Sanjay Bhakta
- Suzanne Bruckner
- Melissa Santistevan
- Carlos S. Lobato

Public Board Members

- Jeffrey M. Riggs
- Bruce Bradford
- Barbara Salas

Type of Licenses

Certified Public Accountants
and Firm Permits

Total License Count

3,315

NEW MEXICO ATHLETIC COMMISSION

PURPOSE: The New Mexico Athletic Commission licenses and regulates the amateur and professional athletes who participate in competitive combative sports in New Mexico. The commission has been given the authority to enforce the rules and statutes as published in the New Mexico Athletic Commission Chapter 6, Boxing, Wrestling, and Martial Arts. Section 60-2A-3 NMSA 1978

Professional Board Members

- Joe O. Chavez
- Lawrence Andrew Louick
- Vacant

Public Board Members

- Jerome O'Connell
- Ed Manzanares

Type of Licenses

Amateur Mixed Martial Arts Application,
Announcer, Boxing Referee, Foreign Co-Promoter,
Judge Trainee, Manager, Matchmaker, Mixed
Martial Arts Federal ID, Mixed Martial Arts Judge,
Mixed Martial Arts Referee, Professional Boxing,
Professional Boxing Judge, Professional Mixed
Martial Arts, Professional Wrestler, Promotor,
Second, Timekeeper, Trainer

Total License Count

587

BOARD OF BARBERS AND COSMETOLOGISTS

PURPOSE: The Board of barbers and Cosmetologists sets standards for licensure and renewals to ensure licensed professionals and establishments meet the required standards of education, competency, and practice so customers receive quality services. Section 61-17A-6, NMSA 1978

Professional Board Members

- Andrew Madvin, Cosmetologist
- Tammy Ojeda, Cosmetologist
- Amanda Montelongo, Barber
- Mary Ann Luevano, School Representative
- Vacant, Hairstylist

Public Board Members

- Jonathan Muniz
- Vacant

Type of Licenses

Barber, Barber Instructor, Cosmetologist, Cosmetologist Instructor, Barber/Cosmetologist, Barber/Cosmetologist Instructor, Manicurist/Pedicurist, Esthetician, Manicurist/Esthetician, Electrologist, Hairstylist, Establishment, School Establishment, Student Permit, Barber Apprentice, Provisional Instructor, Special Event Permit

Total License Count

15,465

BOARD OF BODY ART PRACTITIONERS

PURPOSE: The purpose of the Body Art Safe Practices Act is to provide a safe and healthy environment for the administration of body art. Section 61-17-B-2 1978

Professional Board Members

- Kristina Tafoya, *Artist*
- Jonelle Duvall, *Operator*

Public Board Members

- Madison Coss
- Bernadette M. Chavez
- D'Aun Flesher Hekal

Type of Licenses

Apprentice
Apprentice Sponsor
Tattoo Artist
Body Piercing-Scarification Practitioner
Permanent Cosmetic Practitioner
Body Art Establishment
Guest Artist
Body Art Special Event
Mobile Establishment

Total License Count

1,106

BOARD OF FUNERAL SERVICES

PURPOSE: In the interest of public health, safety, and welfare, and to protect the public from the unprofessional, improper, incompetent, and unlawful practice of the care and disposition of the dead human body, it is necessary to provide laws and regulations to govern the handling and care of the dead and the sensitivities of those who survive, whether they wish or do not wish rites or ceremonies. The primary responsibility and obligation of the Board of Funeral Services is to protect the public. Section 61-32-2, NMSA 1978

Professional Board Members

- Roderick A. Berardinelli
- Ernest E. Martinez
- Glenn D. Rosenbaum
- Robert Kent House (Disposer)

Public Board Members

- Ann Swanson
- Jane Braithwaite

Type of Licenses

Funeral Service Intern (General or Direct), Licensed Funeral Arranger, Licensed Funeral Embalmer, Funeral Service Practitioner, Direct Disposer, Funeral Establishment, Commercial Establishment, Direct Disposer Establishment, Crematory

Total License Count

502

NEW MEXICO HOME INSPECTORS

PURPOSE: The Home Inspector Board sets the standards for licensure and renewals to ensure licensed professionals follow the Home Inspector Licensing Act. Section 61-24D-3 NMSA 1978

Professional Board Members

- Alan "Randy" Moya
- Korea C. Buffardi
- Patrick A. Trujillo
- C. Earl Green (Real Estate Broker)

Public Board Member

- W.A. Major, Jr.

Type of Licenses

Home Inspector

Total License Count

212



INTERIOR DESIGN BOARD

PURPOSE: The function of the Board of Interior Design is to license interior designers working in New Mexico. The Interior Design Act provides that no person may use or be identified by the title Licensed Interior Designer unless they are licensed with the State of New Mexico. Section 61-24C-4 NMSA 1978

Professional Board Members

- Margaret Favour
- Anna K. Lewis
- Ronnie F. Dicappo

Type of Licenses

Interior Designer

Total License Count:

59

BOARD OF LANDSCAPE ARCHITECTS

PURPOSE: The purpose of the Landscape Architects Act is to ensure public safety and to promote quality performance by registration of landscape architects. Section 61-24-B-2, NMSA 1978

Professional Board Members

- George Radnovich
- Will Moses
- Christopher J. Green

Public Board Members

- Cristina M. Salvador
- Andrew P. Lisignoli

Type of Licenses

Landscape Architect
Landscape Architect in Training

Total License Count:

189



BOARD OF NURSING HOME ADMINISTRATORS

PURPOSE: The Nursing Home Administrator Board is created to protect the health, safety, and welfare of the public by providing laws and regulations to govern the practice of nursing home administration, and protect the citizens of New Mexico from unprofessional, unscrupulous, or incompetent nursing home facility administrators. Section 61-13-5, NMSA 1978

Professional Board Members

- Paul J. Reid
- Vacant
- Jolene Greene
- Thomas W. Wulf, MD (Physician)

Public Board Members

- Sonna J. Corder
- Nicole A. Frankland
- Vacant

Type of Licenses

Nursing Home Administrator

Total License Count

152

PRIVATE INVESTIGATIONS ADVISORY BOARD

PURPOSE: The Regulation and Licensing Department administers the provisions of the Private Investigations Act, and, with advice from the Private Investigations Advisory Board, adopts and enforces the rules necessary to carry out the provisions of the Private Investigations Act, including establishing professional and ethical standards. Section 61-27B-6 NMSA 1978

Professional Board Members

- John Hughes
Private Investigator/Private Patrol
- Peter Pierangeli
Professional Polygraph Examiner
- Hilary Rodela
Professional Private Investigator
- Michael Mackewich
Private Investigator Member

Public Board Members

- Nicholas Karns
- Vacant

Type of Licenses

Security Guard Level 1
Security Guard Level 2
Security Guard Level 3
Polygraph Examiner
Private Investigator
Private Investigator Company
Private Investigations Employee Registration
Private Investigations Manager
Private Patrol Company
Private Patrol Operator
Private Patrol Operations Manager

Total License Count

8,356

REAL ESTATE APPRAISERS BOARD

PURPOSE: The purpose of the Real Estate Appraisers Act is to provide a comprehensive body of law for the effective regulation and active supervision of the business of developing and communicating real estate appraisals in response to the federal Financial Institutions Examination Council Act of 1978, 12 U.S.C. 3301, et seq., as amended by Title XI, Real Estate Appraisal Reform Amendments, 12 U.S.C. 3331 through 3351. Section 61-30-2(A), NMSA 1978

Professional Board Members

- Maria C. Wolfram
Residential Certified Appraiser
Congressional District 1
- Ricardo Armijo
General Certified Appraiser
Congressional District 2
- Charles Trego
Residential Certified Appraiser
Congressional District 2
- Christopher J. Vigil
Licensed Residential Appraiser
Congressional District 3
- Mark John Vanderlinden
Professional Lender Member

Public Board Members

- Paul S. Jurkowski
- James D. Libbin

Type of Licenses

- Temporary Practice Permit
- Trainee Appraiser
- General Certified Appraiser
- Licensed Residential Appraiser
- Residential Certified Appraiser
- Appraisal Management Company

Total License Count

865



NEW MEXICO REAL ESTATE COMMISSION

PURPOSE: The mission of the New Mexico Real Estate Commission is to protect the public and enhance the professional competence of real estate brokers. The New Real Estate Commission was created by state law in 1959 and charged with enforcing the Real Estate License Law and the Real Estate Commission rules. The real estate industry in New Mexico is one of the largest economic activities in the state. Through upturns and downturns, the real estate professionals in New Mexico remain committed to the highest standards in professionalism. Section 61-29-4 NMSA 1978

Professional Board Members

- Bill Davis, *Qualifying Broker*
- Constance (Connie) Ann Hettinga, *Qualifying Broker*
- Matthew Thomas Smith, *Qualifying Broker*
- Linda DeVlieg, *Associate Broker*

Public Board Member

- Lindsay Rollins

Type of Licenses

Associate Broker, Qualifying Broker, Trade Name (business permit – physical license not issued), Education Sponsors (like Trade Name), Education Instructor, Education Course (not a license type but tracked and should be associated with the instructor and sponsor).

Total License Count

11,214

SIGNED LANGUAGE INTERPRETING PRACTICES BOARD

PURPOSE: The purpose of the New Mexico Signed Language Interpreting Practices Board is to adopt minimum standards and qualifications pertaining to the licensure of interpreters for the deaf and to ensure that members of the interpreting profession perform with a high degree of competency. Section 61-34-7 NMSA 1978

Professional Board Members

Community Interpreters:

- Sally Schwartz
- Joslene D. Gomez

Licensed Educational Interpreters:

- Vacant
- Kristina E. Gullett

Consumer Board Members

- Trevor Brennan
- Vacant

Public Board Member

- Elizabeth R. Martinez

Type of Licenses

Community Signed Language Interpreter
Educational Signed Language Interpreter
Provisional Signed Language Interpreter

Total License Count

669



CANNABIS CONTROL DIVISION

The Cannabis Control Division (CCD) strives to ensure consumer protection, promote responsible storage, and encourage safer consumption through the licensing and regulation of cannabis producers, producer microbusinesses, manufacturers, retailers, couriers, cannabis consumption areas, testing laboratories, and research laboratories operating in the medical- and adult-use markets.

The division's objective is to provide quality customer service, serve as a resource for local governments and the public, thoroughly investigate allegations of misconduct, and act swiftly on incidences found to be out of compliance with state laws and division rules.

FTE

29

BUDGET

\$6,534,900

DESCRIPTION OF SERVICES

The Cannabis Control Division regulates and licenses cannabis producers, manufacturers, retailers, couriers, and testing and research laboratories operating in the medical- and adult-use markets to ensure public health and safety. To achieve this, the division establishes policy and rules pertaining to licensing, promoting social equity, compliance, and enforcement.

Policy

The division works to establish rules for the cannabis industry based on best practices through a process that invites input from the public and industry stakeholders in order to make informed decisions. The Cannabis Regulatory Advisory Committee assists in this process by examining issues and making recommendations to the division. The division imposes emergency rules when appropriate and follows the state process for rulemaking by publishing and conducting public hearings on proposed laws.

Licensing

The Cannabis Control Division issues 10 different license types to business owners across New Mexico. The division works in concert with the Department of Public Safety, Office of the State Engineer, Environment Department, other state agencies, tribes, and Pueblos to assist applicants in getting licensed

Social Equity

The Cannabis Control Division works to promote and encourage participation in the cannabis industry by people in communities disproportionately harmed by enforcement of cannabis prohibition, rural communities likely to be impacted by cannabis production, and agricultural producers from economically disadvantaged communities. Further, the division seeks to demonstrate respect and recognition for the Indigenous peoples and tribal lands where we all now live, work, and play.



Compliance

The Cannabis Control Division works to ensure compliance with the Cannabis Regulation Act and CCD rules by monitoring cannabis transactions, conducting site inspections, working with local governments, and responding to consumer complaints. Division compliance officers are trained on requirements for cannabis establishments, advertising and marketing, recording sales, fire safety, security, occupational health and safety standards, and laws pertaining to display, packaging, and labeling. When a violation is discovered, CCD staff works with the licensee to get them into compliance with legal requirements, unless the alleged violation is illegal activity or a threat to public health and safety.

Enforcement

The Cannabis Control Division investigates reports of violations of the Cannabis Regulatory Act. If a violation is discovered, CCD staff will either work with the violating party to correct the issue, notify local law enforcement, or work together with law enforcement officials to prepare for possible prosecution.

PROGRAM GOALS & OBJECTIVES

The Cannabis Control Division strives to ensure the public's health and safety is protected as New Mexico adopts a new industry based on legalizing cannabis possession and adult-use sales. It is the objective of the division to provide quality customer service, to serve as a resource for local governments and the public, and to thoroughly investigate allegations of misconduct and swiftly act on incidences found to be out of compliance with state laws and division rules.

To meet these objectives, it is the goal of the division to streamline the application process to make it easily understood and user friendly. This includes:

- Responding to questions and concerns in a professional and timely manner

- Maintaining a website that informs and educates the public and provides a licensing platform for applicants
- Assisting applicants through the licensing process
- Creating opportunities for social equity applicants
- Educating current licensees to ensure they remain in compliance with state laws and CCD rules
- Educating applicants, licensees, and the public about cannabis and the laws pertaining to legalized cannabis in New Mexico
- Serving as a resource for local governments with regard to licensing cannabis establishments and adopting ordinances to ensure cannabis laws are being properly applied

STRATEGIC ACTIONS

- Continually upgrade internal processes for licensing and compliance inspections of cannabis establishments
- Promptly and thoroughly investigate potential incidents of noncompliance identified through facility inspections or allegations of noncompliance reported to the division
- Consider input from the Cannabis Regulatory Advisory Committee (C-RAC), industry stakeholders, and members of the public to amend laws and adopt rules governing the industry
- Develop a social equity program that benefits applicants disproportionately impacted by cannabis prohibition, those from rural communities, and agricultural producers from economically disadvantaged communities.

CANNABIS REGULATORY ADVISORY COMMITTEE (C-RAC) MEMBERS

Debbi Moore, Chair

Doña Ana County

Expertise in Small Business Development

Emily Kaltenbach

Santa Fe County

Cannabis Policy Advocacy Organization

Esther Lopez

Bernalillo County

Labor Organization

Nathaniel Paolinelli

Bernalillo County

Qualified Patient

Phillip Sanchez

Santa Fe County

State or Local Agency with Relevant Expertise as the Director and the Superintendent Deem Appropriate

Vacant

A Native American Nation, Tribe, or Pueblo with Relevant Experience as the Director and the Superintendent Deem Appropriate

Dr. Steven Jenison

Rio Arriba County

Expertise in Public Health

Lou Ann Branch

Bernalillo County

Expertise Regulating Commercial Activity of or Adult-use Intoxicating Substances

Ginger Baker

Bernalillo County

Expertise and Experience in Cannabis Laboratory Science

Nina Wells

Santa Fe County

Experience in Environmental Science

David McDermid

Roosevelt County

Expertise in Small Business Development

Harold Trujillo

Mora County

Expertise in Water Resources

Bart Faris

Bernalillo County

Expertise in Water Resources

Chris Duvall

Bernalillo County

Expertise in Other Relevant Areas as the Director and the Superintendent Deem Appropriate

Rachael Speegle

Bernalillo County

Previous Experience as a Cannabis Retailer, Cannabis Producer, or Cannabis Manufacturer, and Who is a Non-voting Member

Bennett Baur

Santa Fe County

Chief Public Defender

Mary Carmack-Altwies

Santa Fe County

First Judicial District Attorney

Chief Christopher Williams

City of Portales

Roosevelt County, Municipal Police Chief

Kim Stewart

Doña Ana County

County Sheriff

RECENT HIGHLIGHTS & MAJOR ACCOMPLISHMENTS

The Cannabis Control Division (CCD) developed the Cannabis Reporting Online Portal (C.R.O.P.) which supports the mission of the CCD to measure relevant data in the emerging cannabis industry. The resources posted on the C.R.O.P. allow the public, cannabis licensees, and supportive financial, banking, and insurance businesses to analyze data in New Mexico to drive policy, business decisions, and answer/provide information on data and issues that are frequently requested.

The CCD introduced a new, first-of-its-kind logo intended to support cannabis microbusiness in New Mexico. The NM MICRO BIZ logo will help consumers identify and purchase products sourced from small New Mexico businesses. Use of this logo is not required. However, small businesses are integral to New Mexico's economy, and we know that promoting them is key to a thriving New Mexico cannabis industry and Cannabis Microbusiness licensees are encouraged to incorporate the logo into their branding.

The New Mexico cannabis industry reached \$300 million in adult-use cannabis sales in its first year. Hundreds of millions of dollars in economic activity have been generated in communities across the state, the number of businesses continues to increase, and thousands of New Mexicans are employed by this new industry. Monthly sales have remained consistent throughout the last year, with June 2023 marking the highest adult-use sales at \$33.3 million.

The CCD compliance staff traveled to Colorado to train with the Colorado Marijuana Enforcement Division, and accompanied Colorado inspectors and investigators on inspections of production, manufacturing, and retailer facilities. Staff from both agencies engaged in discussions regarding statutes, rules, policies, procedures, successes, trial and error, and Q&A as an opportunity to collaborate, learn from each other, identify resources, and foster a relationship between the two agencies.

The CCD compliance officers have conducted approximately 602 inspections of licensed production, manufacturing, and retailer facilities throughout the state to ensure the safe production, testing, sale, and consumption of commercial and medical cannabis.

As of March 2023, more than \$27 million in cannabis excise taxes has gone to the state general fund and to local communities. To date, the state has recorded more than 10 million licensed cannabis transactions.

The CCD issued its first Cannabis Research Laboratory, Tier 1 License. Cannabis Research Laboratories may produce cannabis for research and conduct clinical, agricultural, and market research studies. This is the only Cannabis Research Laboratory in New Mexico. It is expected to create hundreds of research and agricultural jobs in New Mexico and help in the production of high-quality cannabis for the advancement of medical research.

PARENT LICENSES	1,538 TOTAL
Vertically Integrated Cannabis Establishments	160
Integrated Cannabis Micro Business	288
Producer	229
Micro Producer	258
Manufacturer	214
Retailer	321
Courier	44
Consumption Area	17
Testing Laboratory	6
Research Laboratory	1

APPROVED LICENSES	2,682 TOTAL
Producer	403
Micro Producer	462
Manufacturer	702
Retailer	1,047
Consumption Area	17
Courier	44
Testing Laboratory	6
Research Laboratory	1

Statutory Authority - See appendix for a comprehensive listing.





CONSTRUCTION INDUSTRIES AND MANUFACTURED HOUSING DIVISIONS

OVERVIEW OF CONSTRUCTION INDUSTRIES AND MANUFACTURED HOUSING

FTE

113 CID
16 MHD

BUDGET

\$11,916,100
CID
\$1,585,500
MHD

NMRLD’s Construction Industries Division (CID) and the Manufactured Housing Division (MHD) enforce building codes throughout the state to ensure that all structures are safe for public utilization and personal habitation. CID is comprised of four trade bureaus: the General Construction Bureau, the Mechanical Plumbing Bureau, the Electrical Bureau, and the LP Gas Bureau. The division licenses roughly 16,000 contracting businesses and more than 41,000 certificate holders in 78 different licensing classifications. MHD regulates 1,594 active contractors and 128 salespersons through its offices located in Santa Fe, Albuquerque, and Las Cruces, while also providing licensing, plan review, and permitting services online.

CID and MHD work in concert with the Construction Industries Commission and the Manufactured Housing Committee to update building codes, set continuing education standards for licensees and inspectors, and address complaints filed against licensees for alleged code violations. CID also operates the New Mexico's statewide Recycled Metals Program, which is legislatively instituted to ensure compliance within the areas of restricted and regulated metals. This program has been credited with reducing metal thefts, including catalytic converter thefts, in the state.

DESCRIPTION OF SERVICES

CID licenses contractors and certifies qualifying parties of contractors, journeymen, and inspectors throughout the state. CID conducts plan reviews, issues permits, and provides inspection services for contractors, homeowners, and for all public building projects, including public schools.

With an emphasis on fulfilling its mandate and mission, CID's customers include the general public, with CID interacting with trade organizations, municipalities, local code officials, contractors, subcontractors, architects, design professionals, liquefied petroleum (LP) gas distributors, and homeowners building or remodeling their own homes. The LP Gas Trade Bureau provides inspection services for construction, as well as New Mexico's film industry, the concert industry, seasonal chile roasters, transportation vehicles ranging from large transports to bobtails, bulk storage facilities, special events such as the Albuquerque International Balloon Fiesta and the New Mexico State Fair, as well as anywhere an LP gas cylinder is exchanged or filled throughout the entire state.



The Recycled Metals Program enforces the Sale of Recycled Metals Act to combat metal theft. CID and its trade bureaus, along with MHD, travel all 120,000 square miles of the state.

MHD licenses contractors, installers, manufacturers, dealers, and salespersons to ensure that the New Mexico Manufactured Housing Act, its regulations, codes, and HUD standards are met. MHD monitors the production plants where manufactured homes are constructed and provides plan review, permitting, and inspection services for individual manufactured homes.

MHD's customers include the federal government, the general public, trade organizations, contractors, subcontractors, architects, and design professionals.

CONSTRUCTION INDUSTRIES DIVISION

Commissioners

Billy Romero, *Chair*
Phillip Ramirez, *Vice Chair*
Dale Armstrong
John Stroud
Tim Nisly
John McKinstry
Pamela Freund
James Borrego
Isaiah Zemke

Type of Licenses

General Building
Mechanical-Plumbing
Electrical
LPG Company

Type of Certificates

Qualifying Party
Electrical Journeyman
Mechanical-Plumbing Journeyman
LP Gas
Inspectors

PROGRAM GOALS & OBJECTIVES

- Ensure public safety and foster economic growth while helping to preserve New Mexico's multicultural values. CID strives to promote innovations in the industry by providing consistent and reliable building code interpretations, timely inspections, and exceptional customer service.
- Continue efforts of collaboration with industry, customers, and all interested stakeholders by providing a neutral forum which fosters open discourse about critical issues associated with the division's legislatively prescribed duties and mission.
- Facilitate an annual Inspectors Summit for all state-certified inspectors.
- Provide quarterly bureau training for inspection and administrative staff to enhance knowledge, efficiency, and consistency in all facets of customer service

- Continuously review codes so as to promote the protection of life, property, and the general welfare of people in New Mexico.
- Adopt and enforce codes and ensure compliance while keeping up to date with current industry practices and advancing technology.

STRATEGIC ACTIONS

- Update and adopt the 2021 International Energy Conservation Code.
- Adopt codes for the Elevator Safety Act.
- Strengthen enforcement of statutes and rules by hiring a compliance manager and an additional investigators to enable CID to investigate unlicensed contracting more effectively and prosecute contractors for violations of the Construction Industries statute and rules.



RECENT CID HIGHLIGHTS & MAJOR ACCOMPLISHMENTS

including Trades Bureaus and the Recycled Metals Program

In line with the governor's mission to move forward with green energy and conservation initiatives, the General Construction Bureau is working on updating the energy conservation code to the current 2021 International Energy Conservation Code.

All bureaus are working collaboratively on a number of commercial projects such as Intel, University of New Mexico Hospital expansion project, Facebook/Meta, Amazon, and several large residential subdivision development projects.

CID adopted the New Mexico Viga Span Chart now located in the Residential Code 14.7.3.16, Chapter 8 Sections R802.1.3 and Table R802.1.3.1. This chart will help facilitate the use of New Mexico timbers for traditional construction methods that the code had previously made difficult.

The expansion of CID's investigations and enforcement team allows the division to conduct prompt investigations of both unlicensed and licensed activity. The team works diligently to ensure that the constituents of New Mexico are protected from individuals who would prey upon them.

The LP Gas Bureau continues to work with and inspect special events and film industry projects, which use LP gas in creating explosions and fires on movie sets. The bureau also assists and inspects for New Mexico's seasonal chile roasters, ensuring the safety of the operators and the state's citizens and visitors.

CID continues to work with the cannabis industry regarding permitting, planning, inspections, and extraction. CID encourages cannabis-related businesses to consult with a licensed contractor to ensure full compliance with state and local regulations.

All trade bureau codes were updated to the current 2021 code.

The Recycled Metals Program continues to build on its partnership with Albuquerque Police Department and Santa Fe District Attorney's Office in investigating and prosecuting metal theft.

Create successful pipeline and succession plan for key positions.

LICENSEES (CID)	57,353 TOTAL
Qualifying Parties	22,702
Qualifying Parties LP	2,436
Journeyman Licenses	16,132
Licensee - Companies	15,375
Licensee LP	646
Secondhand Metal Dealers	62

Statutory Authority - See appendix for a comprehensive listing.

32,331 CID PERMITS ISSUED

96,134 CID INSPECTIONS

CONSTRUCTION INDUSTRIES AND MANUFACTURED HOUSING DIVISION

PERFORMANCE MEASURES	FY23 Actual	FY24 Target	FY25 Recommendation
Percent of all installation of manufactured homes inspections performed within seven days of a request	80%	95%	95%
Percent of commercial plans reviewed within ten working days	93%	92%	92%
Percent of residential plans reviewed within five working days	90%	95%	95%
Time to final action, referral or dismissal of complaint, in months	8	8	8

Statutory Authority - See appendix for a comprehensive listing.

MANUFACTURED HOUSING DIVISION

Committee Members

Carl Ulibarri,
Chair
Jeff Williams,
Vice Chair
Scott Christensen
Nancy Erickson
Mike Bustamante
Andrea Serna-Probst
Vincent Smith

Type of Licenses

Manufacturer
Dealer
Salesperson
Installer
Crossovers

revised codes, industry standards, and HUD requirements.

- Implement a competitive salary schedule designed to obtain and retain top talent.
- Strengthen enforcement of statutes and rules by hiring a compliance manager and an additional investigator to enable MHD to more effectively investigate and prosecute contractors for violations of the MHD statute and rules.
- Hire a compliance officer to deal specifically with the unique issues related to manufactured housing.

PROGRAM GOALS & OBJECTIVES

- Ensure that licensees receive top-tier services delivered in a professional and cordial manner.
- Ensure federal and state laws are enforced.
- Update and improve processes for reviewing and identifying outdated or obsolete rules, thereby maintaining a compliance scheme consistent with evolving laws and regulations.
- Perform timely inspections, maximize production and efficiency while ensuring that MHD permits are issued and inspections are competently conducted.
- Maximize efficient timeliness of services to consumers, including conducting home inspections no later than seven days from the date of a request, and quickly respond to inquiries regarding permits, inspections, and consumer issues.
- Growing and maintaining sufficient staffing levels so that consumers and licensees are served in a professional and prompt manner. MHD staff will be encouraged to take advantage of specialized training to enhance skills and knowledge while providing inspectors with an opportunity to stay informed and up to date on new products,

STRATEGIC ACTIONS

- Improve application-processing times and maintain records for licensees by employing a vendor.
- Review the Manufactured Housing Act and its regulations and work to update provisions in line with current industry best practices focused on protecting life and property.
- Create additional positions for inspectors and administrators throughout New Mexico to ensure that services are delivered at a level that meets demand.
- Increase training opportunities for MHD employees in the new database system and assist consumers and licensees in using the updated technology as a means to modernize and maximize economic growth for the industry.
- Replace outdated computer equipment and software, and provide training for staff to promote competencies in MHD.
- Replace high-mileage/problem vehicles.

RECENT MHD RECENT HIGHLIGHTS AND MAJOR ACCOMPLISHMENTS

To remove barriers for licensure, efforts have begun to consolidate licensing and testing into one platform.

MHD is devoted to the concept of dual and multiple inspector certifications as a means of streamlining inspections.

LICENSEES (MHD)	1,594 TOTAL
Crossover	1,234
Dealers	86
Installers	124
Manufacturers	22
Salesperson	128
Secondhand Metal Dealers	128

Statutory Authority - See appendix for a comprehensive listing.

6,423 MHD PERMITS ISSUED

7,343 MHD INSPECTIONS





FINANCIAL INSTITUTIONS DIVISION

FTE

39

BUDGET

\$4,558,900

NMRLD’s Financial Institutions Division (FID) is responsible for licensing and oversight of many of the financial services providers operating within New Mexico. FID’s primary focus is to effectively regulate the financial industries within its jurisdiction to ensure the safety and soundness of the financial sector in New Mexico. A stable financial sector, overseen through stable regulation, supports economic development while protecting consumers who utilize the services of the state’s licensed and chartered financial institutions.

DESCRIPTION OF SERVICES

FID, in partnership with its federal regulatory counterparts, serves New Mexico consumers and regulated financial services industries. New Mexicans and their ability to access reliable financial products and services are the division's first priority. FID works diligently to safeguard consumer rights through education and training, assisting in mediation when applicable, and instituting enforcement actions against providers, if necessary.

FID regulates more than 16,000 financial services entities. These entities receive prompt licensing and timely examinations with swift complaint resolution. All depository institutions are closely supervised and examined to assure the safety and soundness of the public's deposits and the healthy growth and performance of the state's economy.

PROGRAM GOALS & OBJECTIVES

- Augment examination and support personnel
- Advance examination staff through continued training
- Review and modernize related statutes and administrative rules
- Develop knowledge, skills, and abilities of staff through cross-training for succession planning purposes



STRATEGIC ACTIONS

Goal #1

Augment examination and support personnel to meet the increasing need for effective supervision due to the growth in the number of licensees, the growth of regulated depositories and their increase in risk assets and product offerings, evolving cybersecurity concerns, to meet regulatory performance objectives and the requirement to maintain a stable financial system for New Mexico consumers.

STRATEGIES:

- Secure additional legislative funding to expand the examination and support staff.
- Continued development of a shared resource examination model to conduct effective examinations across all industries.
- Develop a hybrid model to implement a cybersecurity examination program across all industries.
- Meet with regulated entities and conduct discussions to identify and communicate current concerns and suggestions.

Goal #2

Further the advancement of our examination staff through continued training.

STRATEGIES:

- Continue sending the bank and trust examination staff to all levels of the FDIC, Cannon Trust School, and the Conference of State Bank Supervisors (CSBS) training programs.
- Continue sending credit union examination staff to all levels of National Credit Union Association training programs.
- Send the small loan examination staff to available examination schools provided by National Association of Consumer Credit Administrators.
- Train and certify the mortgage examination staff through continuing education.

- Expand the internal training programs provided by each of the industry managers and chief examiner.
- Continue utilizing the online examination courses and education programs provided to state regulators through CSBS.
- Finalize the training manuals for each sector within the division to ensure that a proper training program is established and followed.

Goal #3

Continue reviewing current state statutes under the division’s jurisdiction for uniformity with the newly enacted federal laws and initiate the review and revision process of the administrative code as it pertains to the statutes of industries under the division’s supervision.

STRATEGIES:

- Conduct roundtable discussions with industry representatives to identify and communicate current concerns and suggestions.
- Begin to draft language to introduce bill proposals that address necessary issues identified. Conflicts exist with federal law as well as several of the acts under the division’s purview.
- Establish a working group within the division inclusive of legal counsel, industry managers, and examiners to review the current administrative code.
- Establish timely deadlines and benchmarks to effectively manage ongoing revisions to the code.
- Follow proper procedures for rule writing to ensure accuracy and effectiveness.
- Continue to pursue approval for the Money Transmission Modernization Act in the 2024 legislative session.
- This will be a multiyear process with a 5-year horizon goal.



Goal #4

Rebuild strong candidates for succession planning due to significant loss of institutional knowledge over the last few years.

STRATEGIES:

- Look at alternative means to fill gaps in the interim to include possibility of contract labor/ other state assistance.
- Continue discussions with NMRLD Superintendent, ASD Director, HR Administrator, and State Personnel Office to expand staffing levels and institute increased pay-bands to be more commensurate with the knowledge, skills, and abilities required by FID’s statutory mandates, varied disciplines, and increasingly complex products and services available in the financial market.
- Cross-train staff in the examinations and oversight of related fields to ensure coverage (e.g., bank and credit union cross-train/non-depository areas cross train).

RECENT HIGHLIGHTS & MAJOR ACCOMPLISHMENTS

The Financial Institutions Division, in conjunction with the Securities Division and federal law enforcement, announced in April 2022 that Christopher Adam Jensen-Tanner, the former owner of Roswell Escrow Services, was arraigned in federal court on a 38-count indictment charging him with 34 counts of wire fraud and four counts of engaging in monetary transactions in property derived from the specified unlawful activity. The case arose out of an FID-initiated investigation of Roswell Escrow Services in October 2019. The extent of the alleged fraud was in excess of \$2 million. On April 26, 2023, Jensen-Tanner pleaded guilty to one count each of wire fraud and engaging in monetary transactions in property derived from specified unlawful activity. He has not yet been sentenced, but faces up to 20 years in prison.

In May 2022, more than \$1.1 million was received from a settlement agreement with Cincinnati Insurance and the Evanston Insurance Company to provide compensation to victims of criminal activity that took place at the Desert State Life Management trust company. The extent of the fraud was in excess of \$6 million. The settlement is part of the ongoing

fight that FID has been pursuing for more than five years on behalf of the victims of Paul Donisthorpe, former CEO and owner of Desert State Life Management. Donisthorpe is currently serving a 12-year federal sentence for his crimes.

FID continues to anticipate receiving settlement funds in another client class-action lawsuit against Vanguard and Charles Schwab. The process has begun to transfer accounts and beneficiaries to appropriate third-party trust companies. As of May 16, 2023, FID has collected \$381,924.78 and disbursed \$283,167.41 on behalf of former DSLM clients during FY23.

During FY23, FID issued regulatory guidance and/or regulatory alerts on the following topics: prepayment penalty protections, conventional mortgage rates as defined in the New Mexico Home Loan Protection Act, updated guidance on buy-not-pay-later products, Small Loan statute and rule changes related to HB 132 (2022 regular session), licensing determination requests, and fraudulent online activity utilizing a real licensee's name and alerted FID licensees.

LICENSEES		15,933 TOTAL
State-Chartered Banks		28
State-Chartered Trust Companies		12
State-Chartered Credit Unions		18
State-Chartered Mortgage Companies		528
Mortgage Branch Offices		1,146
Mortgage Loan Originators		7,699
State-Chartered Escrow Companies		29
Endowed Care Cemeteries		14
Collection Agencies		534
Collection Branches		363
Collection Managers		15
Repossessor		31
Motor Vehicle Finance Companies		187
Small Loan Companies		264
Check Cashers		17
Currency Exchangers		1
Money Transmitters		183
MSB Authorized Delegates		4,864

PERFORMANCE MEASURES	FY23 Actual	FY24 Target	FY25 Recommendation
Percent of statutorily complete applications processed within 90 days by type of application	99.1%	97%	97%
Percent of state-chartered banks, state-chartered credit unions, independent trust companies, small loan companies, mortgage loan companies, mortgage loan branches, and escrow companies examined	64.8%	95%	95%
Number of financial literacy outreach sessions conducted on a quarterly basis, targeting vulnerable populations	10	8	8

Statutory Authority - See appendix for a comprehensive listing.



SECURITIES DIVISION

FTE

21

BUDGET

\$2,097,700

RLD’s Securities Division seeks to enable a safe and reliable capital market within New Mexico through licensing professionals, regulating sales and offers to sell securities, investigating and prosecuting fraud and market misconduct, and educating consumers, investors, and businesses seeking to raise capital within the state. The division strives to preserve and strengthen a free and competitive securities market for New Mexico and to increase investor confidence, thereby encouraging capital formation and promoting integrity and full disclosure in the investment industry.

DESCRIPTION OF SERVICES

The Securities Division regulates and licenses individuals and companies whose businesses involve the offering, selling, and purchasing of securities within the state, as well as other professionals who seek to provide investment advice to New Mexico residents. Through its work in FY23, the division generated \$24,699,415.68 in revenue from registrations, renewals, and penalties.

The Securities Division is comprised of the following units:

Consumer Protection and Investor Education

One of the most effective forms of investor protection is investor outreach and education. We develop and implement education programs, create and publish informative presentations, and participate in outreach events across the state to help New Mexicans learn about smart investing strategies and how to avoid falling victim to fraud.

Enforcement

The division investigates and prosecutes administrative, civil, and criminal actions

against individuals and entities for violating state securities laws. The division employs certified law enforcement officers, forensic accountants, and attorneys who help to stop white-collar criminal activity in New Mexico. The division takes allegations of investor fraud seriously, and investigates such allegations and complaints made by the public. The division often works collaboratively with state and federal agencies to investigate and litigate instances of unlawful interstate conduct.

Compliance

The division is responsible for reviewing all public, non-traded offerings of securities to determine whether offerings conform to relevant legal requirements. Registered offerings are reviewed to determine whether they provide a fair allocation of risk between investors and promoters, and to ensure that the offering documents adequately provide notice of required material information to potential investors.

The division conducts routine and for-cause examinations of industry participants to ensure compliance with state requirements and industry standards.



PROGRAM GOALS & OBJECTIVES

The Security Division’s strategic plan continues to call for a greater emphasis on educating the public and industry regarding the dangers posed by securities fraud. The increase in communicating, working, and learning through digital means creates additional risks of financial exploitation the division hopes to minimize through outreach and education. Additionally, the sizable population of elderly New Mexicans requires a high level of services from the division. The population of vulnerable adults is growing and meeting these needs will be challenging. The division continues to plan and evolve to meet these needs.

Due to the advent of new types of investments, including crypto currency and interest-bearing digital asset accounts, the division has worked closely with other jurisdictions to investigate and institute enforcement actions concerning unlawful conduct and consider new forms of regulation.

STRATEGIC ACTION

- Craft investor education programs aimed at raising awareness and investment literacy for all New Mexicans.
- Increase investigative collaborations with state and federal law enforcement agencies.



- Maintain productive working relationships with industry participants.
- Conduct industry outreach to better detect, deter, and prevent financial exploitation of seniors.
- Conduct law enforcement outreach and education to better equip local police and sheriffs’ departments to investigate and prevent possible securities fraud in the community.
- Obtain and implement case management software to more efficiently and effectively manage and record investigations and examinations.

REGISTRANTS	174,574 TOTAL
Broker-Dealer Firms	1,386
Broker-Dealer Representatives	168,711
Investment Advisor Firms	84
Investment Adviser Representatives	3,173
Investment Adviser Notice Filers	1,120

Statutory Authority – See appendix for a comprehensive listing.

RECENT HIGHLIGHTS & MAJOR ACCOMPLISHMENTS

In FY23, the Securities Division collected \$24,699,415.68 for registrations, renewals, and penalties. The division’s revenue has increased \$779,186.44 from FY22 and \$2,089,790.68 from FY21.

The division conducted 34 examinations of investment advisors registered in New Mexico.

On April 3, 2023, the division entered into a consent order with Nexo Capital Inc. (“Nexo”) related to unlawfully providing virtual currency-related financial services to retail and institutional borrowers. The settlement agreement resolved a multi-jurisdictional investigation concerning

unlawful activity in connection to Nexo’s sales of securities to retail investors. Under the terms of the order, Nexo consented to pay a \$424,528.30 civil penalty, cease and desist further unregistered activity, and properly register any new investment products it intended to offer or sell.

The division has spearheaded a number of educational programs designed to reduce incidences of financial fraud, including a financial crimes training for patrol officers across New Mexico. In FY 2023, the Securities Division provided trainings to the Albuquerque Police Department, Sandoval County Sheriff’s Office, and Las Cruces Police Department. Trainings are set to continue next year.

PERFORMANCE MEASURES	FY23 Actual	FY24 Target	FY25 Recommendation
Percent of investment adviser registrants examined annually	35.8%	33%	33%
Percent of complaints logged and assigned within two days of receipt of written complaint, then investigated and a course of action determined no later than four months from receipt of complaint	0%	50%	50%
Total revenue collected from licensing, in millions	\$24	\$24	\$24
Monies awarded or recovered through criminal or administrative prosecutions or settlements in thousands	\$425	\$250	\$250
Number of investor education events focused on fraud protection	14	14	14

Statutory Authority – See appendix for a comprehensive listing

APPENDIX: STATUTORY AUTHORITY

Alcoholic Beverage Control Division

- Section 60-3A-7 through 60-3A-11 NMSA 1978 Liquor Control Act, General Provisions
- Section 60-6A-1 through 60-6A-35 NMSA 1978 Liquor Control Act, State Licenses
- Section 60-6B-1 through 60-6B-21 NMSA 1978 Liquor Control Act, License Provisions
- Section 60-6C-1 through 60-6C-9 NMSA 1978 Liquor Control Act, Suspension and Revocation of Licenses
- Section 60-6E-1 through 60-6E-12 NMSA 1978 Liquor Control Act, Alcohol Server Education
- Section 60-7A-1 through 60-7A-25 NMSA 1978 Liquor Control Act, Offenses
- Section 60-7B-1 through 60-7B-13 NMSA 1978 Liquor Control Act, Regulation of Sales and Service of Minors
- Section 60-8A-1 through 60-8A-19 NMSA 1978 Liquor Control Act, Trade Practices
- Section 61-1-1 through 60-1-35 NMSA 1978 Tobacco Products Act

Boards and Commissions Division

- Public Accountancy Board 61-28B-1 through 29
- Board of Acupuncture and Oriental Medicine 61-14A-1 through 22
- Athletic Commission 60-2A-1 through 34
- Athletic Trainers Practice Board 61-14D-1 through 19
- Board of Barbers and Cosmetologists 61-17A-1 through 25
- Board of Body Art Practitioners 61-17B-1 through 18
- Counseling and Therapy Practice Board 61-9A-1 through 30

- Chiropractic Board 61-4-1 through 17
- Board of Dental Health Care 61-5A-1 through 61-5A-30 and 61-5B-1 through 11
- Employee Leasing Program 60-13A-1 through 14
- Board of Funeral Services 61-32-1 through 31
- Board of Interior Design 61-24C-1 through 17
- Board of Landscape Architects 61-24B-1 through 17
- Board of Massage Therapy 61-12C-1 through 28
- Board of Nursing Home Administrators 61-13-1 through 17
- Nutrition and Dietetics Practice Board 61-7A-1 through 15
- Board of Examiners for Occupational Therapy 61-12A-1 through 24
- Board of Optometry 61-2-1 through 18
- Board of Osteopathic Medicine 61-10-1 through 22
- Board of Pharmacy 61-11-1 through 29
- Physical Therapy Board 61-12D-1 through 19
- Board of Podiatry 61-8-1 through 17
- Private Investigations Advisory Board 61-27B-1 through 36
- State Board of Psychologist Examiners 61-9-1 through 19
- Real Estate Appraisers Board 61-62-1.1 thru 14, 61-30-1 through 24, 47-14-1 through 23
- Real Estate Commission 61-29-1 through 29
- Advisory Board of Respiratory Care Practitioners 61-12B-1 through 17
- Signed Language Interpreting Practices Board 61-34-1 through 17

- Board of Social Work Examiners 61-31-1 through 25
- Speech-Language Pathology, Audiology & Hearing Aid Dispensing Practices Board 61-14B-1 through 25

Cannabis Control Division

- NMSA 1978, Section 26-2B-1, et seq. Lynn and Erin Compassionate Use Act
- NMSA 1978, Section 26-2C-1, et seq. Cannabis Regulation Act

Construction Industries and Manufactured Housing Division

- NMSA 1978, Section 60-13-1 et seq. Construction Industries Licensing Act
- NMSA 1978, Section 70-5-1 et seq. Liquefied Petroleum Gas and Compressed Natural Gas Act
- NMSA 1978 Section 60-14-1 et seq. Manufactured Housing Act
- NMSA 1978, Section 57-30-1et seq. Sale of Recycled Metals Act

Financial Institutions Division

- Section 58-1-1 through 58-1-85 NMSA 1978 Banking Act
- Section 58-1A-1 through 58-1A-8 NMSA 1978, Consumer Credit Banking Act
- Section 58-1B-1 through 58-1B-11 NMSA 1978, Interstate Bank Acquisitions Act
- Section 58-1C-1 through 58-1C-13 NMSA 1978, Interstate Bank Branching Act
- Section 58-2-1 through 58-2-8 NMSA 1978, Insurance of Bank Deposits
- Section 58-3-1 through 58-3-4 NMSA 1978, Accounts
- Section 58-4-1 through 58-4-13 NMSA 1978, Merger and Consolidations of Banks
- Section 58-5-1 through 58-5-11 NMSA 1978, Organization and Management
- Section 58-6-1 through 58-6-5 NMSA 1978, Miscellaneous Loans

- Section 58-7-1 through 58-7-9 NMSA 1978, New Mexico Bank Installment Loan Act
- Section 58-8-1 through 58-8-3 NMSA 1978, National Housing Act
- Section 58-9-1 through 58-9-13 NMSA 1978, Trust Company Act
- Section 58-10-10 through 58-10-111 NMSA 1978, Savings and Loan Act
- Section 58-11-1 through 58-11-65 NMSA 1978, Credit Union Act
- Section 58-11A-1 through 58-11A-7 NMSA 1978, Leasing of Safe Deposit Facilities
- Section 58-12-1 through 58-12-15 NMSA 1978, Credit Union Share Insurance Companies
- Section 58-13A-1 through 58-13A-22 NMSA 1978, Model State Commodity Code
- Section 58-15-1 through 58-15-39 NMSA 1978, Small Loan Business Act
- Section 58-16-1 through 58-16-18 NMSA 1978, Remote Financial Services Units
- Section 58-17-1 through 58-17-21 NMSA 1978, Endowed Care Cemetery Act
- Section 58-19-1 through 58-19-14 NMSA 1978, Motor Vehicle Sales Finance Act
- Section 58-21-1 through 58-21-32 NMSA 1978, Mortgage Loan Company Act
- Section 58-21B-1 through 58-21B-24 NMSA 1978, Mortgage Loan Originator Licensing Act
- Section 58-21A-1 through 58-21A-14 NMSA 1978, Home Loan Protection Act
- Section 58-21-1 through 58-22-23 NMSA 1978, Escrow Company Act
- Section 58-26-1 through 58-26-8 NMSA 1978, Interstate Depository Institutions
- Section 58-32-101 through 58-32-1004 NMSA 1978, Uniform Money Services Act

Securities Division

- NMSA 1978, § 58-13C-101 Through 58-13C-105 General Provisions
- NMSA 1978 § 58-13C-201 Through 58-13C-204 Exemptions from Registration
- NMSA 1978, § 58-13C-301 Through 58-13C-307 Registration of Securities and Notice Filing of Federally Covered Securities
- NMSA 1978, § 58-13C-401 Through 58-13C-412 Broker-Dealers, Agents, Investment Advisers, Investment Adviser Representatives, and Federal Covered Investment Advisers
- NMSA 1978, § 58-13C-501 Through 58-13C-510 Fraud and Liability
- NMSA 1978, § 58-13C-601 Through 58-13C-611 Administration and Judicial Review



IN MEMORY

MARGUERITE SALAZAR

1953 - 2022

Marguerite was a trailblazer from Colorado's San Luis Valley. She served our nation through a presidential appointment in the Obama administration, and led state agencies in her home state of Colorado and her adopted state of New Mexico.

Marguerite's career was marked by work in health care, earning the 2009 Aaron L. Brown Memorial Public Service Award for individuals who have made significant contributions to the community health field in public policy. She spent 25 years as CEO of Valley-Wide Health Systems in Alamosa, Colorado before being appointed Region VIII administrator for the U.S. Department of Health and Human Services in 2010 by President Barack Obama.

That same year, Marguerite was honored with an annual Marguerite Salazar Day on April 30 from Valley-Wide Health Systems and the Colorado Community Health Network, a special day on which to celebrate the good work of all who serve in the Community Health Center movement.

Three years later, Colorado's Governor John Hickenlooper appointed her Commissioner of Insurance, and in 2017, named her head of the Department of Regulatory Agencies. Because of her vast experience in public service, Marguerite was appointed in 2018 by New Mexico Governor Michelle Lujan Grisham to lead NMRLD, a position she held until her retirement in December 2020. Fond memories of her time with the department can still be heard throughout NMRLD, and she will be greatly missed.





NMRLD

NEW MEXICO
REGULATION &
LICENSING DEPARTMENT

RLD.nm.gov