



NMRLD

NEW MEXICO REGULATION & LICENSING DEPARTMENT

State-Tribal Collaboration Report 2025

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EXECUTIVE SUMMARY

Overview

The New Mexico Regulation and Licensing Department (NMRLD) continuously strives to address the concerns that impact all New Mexicans, including the state's Native American populations residing both on and off Tribal lands. The agency has no regulatory or enforcement authority or jurisdiction on sovereign Tribal lands, but stands ready to assist if the need arises. NMRLD can offer inspection, regulatory services, and technical advice to the governing authority of any Indian Nation, Tribe, or Pueblo.

Who We Are

The goal of NMRLD is to ensure New Mexicans receive quality care and services from qualified individuals and businesses in different industries, professions, and trades.

What We Do

NMRLD licenses and regulates individuals and businesses in 35 different industries, professions, and trades across the state. From having your green chile roasted to visiting the dentist, getting your hair cut, or having your roof repaired, NMRLD touches everyday activities of nearly every New Mexican while ensuring fair and prompt administrative process.

Our Guiding Values

- Service
- Integrity
- Dedication

AGENCY OVERVIEW

Alcoholic Beverage Control Division (ABC) – regulates the manufacture, transportation, distribution, sales, service, and public consumption of alcoholic beverages by licensing establishments and the alcohol servers who sell or serve alcohol to the public. In addition, ABC ensures establishments and employees are selling tobacco and tobacco products in compliance with the law and preventing the sale of these items to anyone under the age of 21. rld.nm.gov/abc

Boards and Commissions Division (BCD) – licenses and regulates more than two dozen professions and specialized trades. Each board or commission abides by its own set of rules and licensing requirements. The BCD issues licenses, provides for continuing education, investigates complaints, and inspects certain professions and licensed premises. rld.nm.gov/boards-and-commissions

Individual Boards & Commissions:

- Accountancy
- Acupuncture and Oriental Medicine
- Athletic Commission
- Athletic Trainers
- Barbers and Cosmetologists
- Body Art Practitioners
- Chiropractic Board
- Counseling and Therapy Practice
- Dental Health Care
- Employee Leasing Program
- Funeral Services
- Home Inspectors
- Interior Design
- Landscape Architects
- Massage Therapy
- Nursing Home Administrators
- Nutrition and Dietetics
- Occupational Therapy
- Optometry
- Pharmacy
- Physical Therapy
- Private Investigations
- Psychologist Examiners
- Real Estate Appraisers
- Real Estate Commission
- Respiratory Care
- Signed Language Interpreting Practices
- Social Work Examiners
- Speech-Language Pathology, Audiology, and Hearing Aid Dispensing Practice

Cannabis Control Division (CCD) – licenses and regulates cannabis producers, manufacturers, retailers, couriers, consumption areas, and testing and research laboratories operating in the medical- and adult-use markets to ensure public health and safety. To achieve this, the CCD establishes policy and rules pertaining to licensing, compliance, and enforcement. rld.nm.gov/cannabis

Construction Industries Division (CID) – licenses and regulates contractors, certifies journeymen in the building trades, issues permits for residential and commercial construction, conducts field inspections to confirm the work meets State standards, and provides resolution to disputes arising from construction activities. rld.nm.gov/construction-industries

Financial Institutions Division (FID) – licenses and regulates New Mexico-chartered banks and credit unions, savings & loan associations, New Mexico-certified independent trust companies,

mortgage loan companies, small loan companies, motor vehicle sales finance companies, collection agencies, repossessioners, money service businesses, escrow companies, and endowed care cemeteries. rld.nm.gov/financial-institutions

Manufactured Housing Division (MHD) – licenses and regulates manufacturers, dealers, salespersons, installers, brokers, and repair technicians of manufactured housing. MHD’s goal is to foster a strong manufactured housing industry and provide consumer protection by providing thorough inspections of installations and alterations, construction process monitoring, and working with the Manufactured Housing Committee on rules and regulations.

rld.nm.gov/manufactured-housing-division

Securities Division (Securities) - licenses broker-dealers, financial advisers, and other investment professionals, registers certain securities offered in New Mexico, investigates securities fraud, and provides education and training about securities laws, scams, and investment issues.

rld.nm.gov/securities-division

Additional Programs:

Carnival Rides – requires inspection of carnival rides for safety and possession of insurance.

rld.nm.gov/carnival-ride-insurance-overview

Crane Operators Safety Program – ensures crane operators are properly trained and certified to protect life and property while operating cranes/hoisting equipment in New Mexico.

rld.nm.gov/crane-operators-safety-program-overview

Employee Leasing Program – requires all employee-leasing contractors that supply temporary workers to employers throughout New Mexico be registered with the State. rld.nm.gov/programs/employee-leasing-program

Recycled Metals Program – regulates the recycled metal industry to make stolen recyclable metals difficult to sell, assists law enforcement with investigations of metals theft, and ensures dealers comply with environmental regulations.

rld.nm.gov/construction-industries/find-a-bureau/recycled-metals

AGENCY-SPECIFIC & APPLICABLE/RELEVANT STATE OR FEDERAL STATUTES OR MANDATES

NMRLD can offer inspection, regulatory services, and technical advice to the governing authority of any Indian Nation, Tribe, or Pueblo, but the agency has no jurisdiction, or regulatory or enforcement authority on sovereign Tribal lands. To find out more about NMRLD and the services we offer, please visit our website at rld.nm.gov.

Alcoholic Beverage Control Division

The New Mexico Liquor Control Act, respecting Tribal and Pueblo sovereignty, has divested the Alcoholic Beverage Control Division from jurisdiction, or regulatory or enforcement authority within New Mexico's sovereign Native American communities.

Liquor Control Act exemptions specified in §60-3A-5 "nothing in the Liquor Control Act [60-3A-1 NMSA 1978] applies to: ...(D) the sale, service, possession or public consumption of alcoholic beverages by any person within the boundaries of lands over which an Indian Nation, Tribe, or Pueblo has jurisdiction, if the alcoholic beverages are purchased from New Mexico wholesalers and if the sale, service, possession, or public consumption of alcoholic beverages is authorized by the laws of the Indian Nation, Tribe, or Pueblo having jurisdiction over those lands and is consistent with the ordinance of the Indian Nation, Tribe, or Pueblo certified by the secretary of the interior and published in the federal register according to the laws of the United States."

Cannabis Control Division

Cannabis Regulation Act, Tribal relations specified by the Cannabis Regulation Act, 26-2C-41. Indian Nations, Tribes, and Pueblos; intergovernmental agreements.

A. The department may enter into one or more intergovernmental agreements with any Tribal government to efficiently coordinate the cross-jurisdictional administration of the laws of this state and the laws of Tribal governments relating to the use of cannabis products set forth in the Cannabis Regulation Act and the Lynn and Erin Compassionate Use Act. The agreements may include, without limitation, provisions relating to:

- (1) Criminal and civil law enforcement;
- (2) Regulatory issues relating to the possession, delivery, production, processing, or use of cannabis products;
- (3) the administration of laws relating to taxation;
- (4) any immunity, preemption, or conflict of law relating to the possession, delivery, production, processing, or use of cannabis products;
- (5) the resolution of any disputes between a Tribal government and the State, which may include, without limitation, the use of mediation or other nonjudicial processes.

B. An agreement that is pursuant to this section shall:

- (1) provide for the preservation of public health and safety;

- (2) ensure the security of cannabis establishments and the corresponding facilities on Tribal land;
- (3) establish provisions regulating business involving cannabis that passes between Tribal land and nontribal land in New Mexico; and
- (4) be negotiated in good faith, which shall respect and protect State and Tribal sovereign immunity.

C. As used in this section, "Tribal government" means a federally recognized Indian Nation, Tribe, or Pueblo located wholly or partially in the state.

Construction Industries and Manufactured Housing Divisions

Construction Industries Licensing Act (CILA) Section 60-13-1, et seq., NMSA 1978 gives the Construction Industries Division (CID) regulatory authority to license contractors and enforce the New Mexico building codes. These codes do not apply to construction on sovereign Indian Nation, Tribal, or Pueblo lands *unless* the governing authority of a Tribe chooses to come under CID jurisdiction. This is also true for the Manufactured Housing Act at Section 60-14-1, et seq., NMSA 1978.

FISCAL YEAR 2025 MAIN AGENCY ACCOMPLISHMENTS AND CHALLENGES RELATED TO NATIONS, PUEBLOS, AND TRIBES

Board of Pharmacy

The Board of Pharmacy continues to provide access to its Prescription Monitoring Program to the Indian Health Services (IHS) health care practitioners in a joint effort to reduce controlled substance abuse. IHS is not required to provide information to the Pharmacy Board.

Boards and Commissions Division

The New Mexico Regulation and Licensing Department recognizes that many Native Americans serve in the armed forces of the United States as an active-duty military, or in an active reserve component of the armed forces of the United States, including the National Guard or are veterans of military service. The Boards and Commissions Division offers expedited licensure for military service members, spouses, dependents, and veterans. A military service member or veteran who is issued an expedited license is not charged a licensing fee for the first three years of licensure.

To be eligible, the applicant must submit a completed application, provide proof of a current and valid license issued by another jurisdiction, and successfully complete any required background check.

Cannabis Control Division

NMRLD has assembled the Cannabis Regulation Advisory Committee (C-RAC) comprised of various members representing different populations affected by the implementation of cannabis legalization. One of the seats in the Advisory Committee is reserved for a representative of an Indian Nation, Tribe, or Pueblo. The committee will advise the CCD in its rule promulgation process to ensure concerns by Indigenous communities are considered in the rulemaking process. The CCD is currently seeking a representative of the Tribal community to serve on the C-RAC.

The Cannabis Control Division maintains and honors individual intergovernmental agreements on cannabis regulation with the Pueblo of Picuris and the Pueblo of Pojoaque. The CCD looks forward to future work with any other Pueblo, Tribe, or Nation in New Mexico interested in becoming involved in the cannabis marketplace.

Construction Industries Division

Following a request by Governor Quanchello, the Construction Industries Division assisted the Pueblo of Picuris with critical electrical inspections on several public buildings. While CID has no jurisdiction on Pueblo lands, the inspections were done to help provide insight into the electrical systems and determine if code violations would have occurred if the buildings were

under CID's regulatory authority. The inspections and identification of code violations gave Pueblo leadership guidance on what repairs needed to be made to ensure the buildings were safe for the community.

Financial Institutions Division

The Financial Institutions Division (FID), in collaboration with an outside consultant, continues to provide financial education outreach to Native communities and organizations. The major components of the financial literacy program center around budgeting, credit development, financial decision-making, and understanding different types of financing options. The initial launch of the program was intended to include tangible workbook materials along with online courses and podcasts. Virtual courses and podcasts continue to be deployed.

In FY25, FID conducted 12 workshops aimed at enhancing financial empowerment for New Mexico's Native and Tribal communities. The Native-led workshops provide participants with tools and strategies to support their financial future while fostering a supportive and interactive environment for questions and discussions.

Securities Division

In collaboration with the Financial Institutions Division, the Securities Division continues to offer consumer protection and investor education to prepare Native investors so they can protect themselves from financial fraud and learn about strategies to grow their assets through sound investments. This is accomplished through seminars, media outreach, and presentations done at the request of Tribal members.

FISCAL YEAR 2026 GOALS AND OBJECTIVES RELATED TO NATIONS, PUEBLOS, AND TRIBES

Boards and Commissions Division

RECOMMENDATION #1: EXPAND COLLABORATIVE PARTNERSHIPS

NMRLD, through the Boards and Commissions Division's Athletic Commission, currently maintains Memorandums of Understanding (MOUs) with four Tribal entities: Pueblo of Isleta, Mescalero Apache Tribe, Pueblo of Laguna, and Pueblo of Tesuque. Moving forward, NMRLD aims to broaden collaboration by establishing MOUs with additional Native Nations, Tribes, and Pueblos. The goal is to ensure that an MOU is in place for any event held on Tribal land that would otherwise fall under regulatory oversight of the Athletic Commission.

Cannabis Control Division

RECOMMENDATION #1: CREATE TASK FORCE FOR CANNABIS-RELATED ISSUES

In addition to the seat on the Cannabis Regulatory Advisory Committee reserved for a member of an Indian Nation, Tribe, or Pueblo, the division seeks to engage Indian Country by creating an additional task force made up of Tribal members. This task force will look closely into cannabis-related issues that may affect Indian Nations. The findings of this task force will be used in rule promulgation, similar in function to the Cannabis Regulatory Advisory Committee.

Construction Industries Division and Manufactured Housing Division

RECOMMENDATION #1: TRIBAL BUILDING PROGRAMS

Tribal governments wanting to form building programs are encouraged to collaborate with the Construction Industries Division and Manufactured Housing Division. Programs could be designed to include components to help administer various types of buildings, including federal HUD residential construction done through the Tribal Housing Authority, traditional construction that is tailored to the area's cultural preferences, modern commercial and non-HUD residential construction, and manufactured housing.

To ensure effective administration and oversight, these programs should be managed by Tribal personnel, including qualified inspectors. These inspectors will have the opportunity to participate in specialized training sponsored by CID and MHD, enhancing their skills and knowledge to better serve their Tribal communities. This collaborative approach will not only strengthen the capacity for building and maintaining quality structures but also promote cultural integrity and sustainability within the Tribal community.

Financial Institutions Division

RECOMMENDATION #1: FULL-SERVICE BANKING CENTERS

In the event a Tribal government decides to increase the availability of banking services within the boundaries of an Indian Nation, Tribe, or Pueblo, the Financial Institutions Division is available to advise or assist with regulatory issues such as the availability of deposit insurance.

If a Tribal governing authority expresses interest in opening a branch of a state bank on Tribal lands or opening a bank, the Financial Institutions Division is ready and willing to offer guidance on State compliance matters.

RECOMMENDATION #2: REDUCE PREDATORY LENDING

Statistics reflect that Native Americans are frequent victims of predatory lending in the form of payday, car title, tax refund, and installment loans. In part, this is due to the scarcity of traditional lending institutions on and around Tribal land. FID has supported numerous efforts to enhance the statutory prohibitions on predatory lending practices and will continue to do so in the future.

Securities Division

RECOMMENDATION #1: CONSUMER PROTECTION AND INVESTOR EDUCATION BUREAU

If Tribal governments are interested and willing to continue having the Securities Division offer investor awareness and education, the division is always pleased to do so.

AGENCY POLICY PROMOTING STATE-TRIBAL RELATIONS

The Regulation and Licensing Department adopted the State-Tribal Collaboration and Communication Policy on December 18, 2009.

AGENCY EFFORTS TO IMPLEMENT POLICY

Every division of NMRLD stands ready and available to collaborate with the governing authority of a Nation, Tribe, or Pueblo, or appropriate Tribal Liaisons, to allow for government-to-government cooperation. Since the agency has no jurisdiction on these sovereign Tribal lands, collaboration will occur upon request of a Tribal leader.

TRAINING AND EMPLOYEE NOTIFICATION

Pursuant to the State-Tribal Collaboration Act, the State Personnel Office also partners with the Indian Affairs Department to provide the training course that is mandatory for State managers and employees who have ongoing communication with Indigenous Nations, Tribes, or Pueblos. In this course titled “State-Tribal Collaboration Act Cultural Competency Training,” participants develop a better understanding of how to engage and collaborate with Native communities in New Mexico. Participants will learn the omitted history of Native Nations in this country and its impact, as well as best practices for working with New Mexico Tribes and Pueblos. Through the duration of the course, participants engage in interactive exercises to grow their awareness and knowledge of what it means to work more collaboratively with Native peoples.

A. STCA TRAINING CERTIFICATION

Per the State Personnel office data, 35 NMRLD employees completed the State-Tribal Collaboration Act Cultural Competency Training in FY25.

B. EMPLOYEE NOTIFICATION ABOUT STCA

Employee notification will occur via interagency memorandum to NMRLD personnel through the Administrative Services Division’s Human Resources office.

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