

### Affidavit of Notice to the Public

I, Sheila Apodaca, the undersigned, on oath, swear and affirm that the Notice of Public Hearing for the proposed amendments to the Department of Health's Medical Cannabis Program rule 7.34.2.7 and 7.34.3 and 7.34.4.28 NMAC, was provided to the public as identified below:

1. On October 13, 2021, I verified that the Notice of Public Hearing was electronically posted on the New Mexico Department of Health agency website at <http://nmhealth.org/publication/rules/>, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2.
2. On October 13, 2021, I verified that the Notice of Public Hearing was posted on the New Mexico Sunshine Portal website, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2.
3. On October 13, 2021, I emailed the Notice of Public Hearing to persons who have made a written request for notice from the agency of announcements addressing the subject of rulemakings and who have provided the agency an electronic mail address, in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2. The list of persons who requested notice includes the following persons: Tim Gardner, [tgardner@drnm.org](mailto:tgardner@drnm.org); Marilyn Wolfe, [MWolfe@drnm.org](mailto:MWolfe@drnm.org) and Crystal Hodges, [chodges@nmag.gov](mailto:chodges@nmag.gov).
4. No persons have provided a postal address to request written notice by postal mail.
5. On October 13, 2021, I emailed the Notice of Public hearing to the New Mexico Legislative Counsel Service, at [lcsmail@nmlegis.gov](mailto:lcsmail@nmlegis.gov), in accordance with the State Rules Act at NMSA 1978, § 14-4-5.2.
6. On October 13, 2021, I emailed the Notice of Public Hearing to Westlee Painter of New Mexico Small Business Regulatory Advisory Commission, the identified contact person for the receipt of proposed rule changes, at [WestleeA.Painter@state.nm.us](mailto:WestleeA.Painter@state.nm.us), pursuant to the Small Business Regulatory Relief Act at NMSA 1978, § 14-4A-4.
7. On October 15, 2021, I contacted Andrea Sundberg of the Department of Health's Medical Cannabis Program and verified that the Notice of Public Hearing was made available on October 13, 2021 in the Medical Cannabis Program office.
8. On October 13, 2021, I verified that the Notice of Public Hearing was also posted publicly at the entrance to the Harold L. Runnels Building, where the New Mexico Department of Health is located.

FURTHER AFFIANT SAYETH NAUGHT.

  
Sheila Apodaca, Affiant

State of New Mexico )  
County of Santa Fe )

SWORN TO and SUBSCRIBED before me on the 27th day of October, 2021, by Sheila Apodaca.

*Francesca A. Martinez*  
Notary Public

9/24/22  
My commission expires

