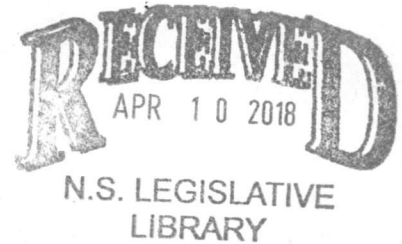


LAW AMENDMENTS COMMITTEE

Red Chamber, Province House

Monday, April 9, 2018



Bill 82 - Halifax Regional Municipality Charter (amended)

3:30 p.m. 1. John Traves, Counsel
Halifax Regional Municipality

Bill 84 - Halifax Regional Municipality Charter (amended)

3:30 p.m. 1. John Traves, Counsel
Halifax Regional Municipality

Bill 65 - Psychologists Act (amended)

3:45 p.m. 1. Todd Leader, President
Association of Psychologists of Nova Scotia

Bill 107 - Labour Standards Code (amended)

4:15 p.m. 1. Jimmy Bray

Bill 99 - House of Assembly Act (amended)

4:30 p.m. 1. Norbert LeBlanc, Président
Conseil acadien de Par-en-Bas (CAPEB)

2. Ghislain Boudreau, Président
 Marie-Claude Rioux, Directrice générale
Fédération acadienne de la Nouvelle-Écosse (fane)

5:00 p.m. 3. Daniel Thériault, Directeur général
Fédération culturelle acadienne de la Nouvelle-Écosse (FéCANE)

4. Brenda Pickup, Présidente
Conseil Communautaire du Grand-Havre

5. Elaine Thimot, Directrice générale
La Société acadienne de Clare

Bill 108 - Cannabis Control Act

- 5:30 p.m. 1. Sharon MacIntosh
2. Kevin Russell, Executive Director
 Investment Property Owners Association of Nova Scotia
- 6:00 p.m. 3. Robert MacDonald, CEO and President
 Mohammed Al-Hamdani, Director of Health Initiatives
 Lung Association of Nova Scotia (LANS)
- 6:30 p.m. 4. Shirley Burdock, Executive Director
 Injury Free Nova Scotia
5. John Traves, Counsel
 Halifax Regional Municipality
- 7:00 p.m. 6. Kate Johnston
 IWK

Bill 79 - Property Valuation Services Corporation Act (amended)

No representation

Bill 87 - Fisheries and Coastal Resources Act (amended)

No representation

Bill 104 - Research Nova Scotia Corporation Act

No representation

Bill 106 - Insurance Act (amended)

No representation

Having worked to reduce tobacco use and its harms in Nova Scotia for 35 years, I applaud the government's stated intent for Bill 108 "to reduce smoking of any kind" through "smoke-free places [which] support a smoke-free culture and play an important role in reducing both tobacco use and exposure to second hand smoke".ⁱ

We need to expand the public's protection from second hand smoke and the normalizing of cannabis and tobacco use in Nova Scotia because we currently have the highest smoking rate in Canada at 20%.ⁱⁱ

Health Canada reports that many of the harmful chemicals found in tobacco smoke are also found in cannabis smokeⁱⁱⁱ. In 2009 the State of California added cannabis smoke to its list of chemicals known to cause cancer or birth defects or other reproductive harm.^{iv} People exposed to second hand cannabis smoke can have levels of THC detected in their saliva, blood and urine.^v

Six provinces have already legislated that there be no use of cannabis in public places. Another three provinces have prohibited cannabis use in areas frequented by children.^{vi}

Today I encourage you to make Nova Scotia a leader in providing protection from exposure to second-hand smoke for all Nova Scotians, particularly our children and youth.

You can do this by amending Bill 108 to **prohibit smoking and vaping in ALL "outdoor public spaces" in Nova Scotia where people gather, or at minimum, spaces frequented by children.** The Act defines outdoor public spaces as "an outdoor place to which the public is ordinarily invited or permitted access, irrespective of whether a fee is charged for entry".

Expanding provincial legislation in this way would make it easier for the public to comply with smoke-free outdoor spaces legislation because the rules would be clear and apply consistently across the province, versus differing by municipality. All Nova Scotians deserve the same protection from second-hand smoke regardless of where they live.

Currently in some public places where large public gatherings include children, there is no protection from second-hand smoke. I live in HRM and examples here include the Buskers Festival and at Natal Day and Canada Day events on the Halifax Waterfront.

With the legalization of recreational cannabis, unless this Act is expanded to include outdoor public spaces like these in HRM, my future grandchildren could be absorbing the harmful components of cannabis smoke as well as THC, the active ingredient in cannabis that gives you a high, by being near people smoking cannabis. This also sends the message to children that smoking cannabis is a socially acceptable behaviour. Does that seem right to you?

In terms of public support, 85% of Nova Scotians 15 years and older do not consume cannabis.^{vii} The majority of Nova Scotians surveyed in the past support smoke-free public spaces including outdoors on restaurant and bar patios, on beaches and in parks and playgrounds. The majority surveyed recently also support apartment owners being able to specify no cannabis smoking or vaping in the lease.

Because of the strong support for smoke-free spaces, and the majority of Nova Scotians do not smoke or use cannabis, smoke-free legislation is largely self-enforcing when combined with adequate signage and public education about the risks of exposure to various kinds of second-hand smoke.

Background

Creating smoke-free public places, both in enclosed spaces and in specified outdoor spaces, is a globally recognized best practice. Smoke-free spaces not only protect people from the harmful effects of exposure to second-hand smoke, but also serve to denormalize tobacco and cannabis smoking.

There is good evidence demonstrating that smoking prohibitions help people cut down and even quit smoking. The majority of people who smoke would like to quit. Having to leave an area to smoke becomes a conscious act. Once people are used to only being able to smoke at certain times, it can become easier to quit altogether. Thus this Act can help Nova Scotia reduce its high smoking rate.

According to the most recent *Canadian Tobacco, Alcohol and Drugs (2015)* survey, fourteen percent of Nova Scotians and twelve percent of Canadians had used cannabis in the last year.^{viii}

It is common for people to mix tobacco with cannabis and smoke them together in a variety of ways. About one-third (31%) of cannabis users (who do not identify as tobacco smokers) report mixing tobacco with their marijuana.^{ix}

Given the highly addictive nature of tobacco, increased smoking of cannabis, especially among young people, could lead to increased tobacco smoking rates.

Canadian survey data also show that current smokers are more likely to try smoking cannabis (61%) than former (40%) or never smokers (19%).^x This co-use increases the risk of harm to people who smoke and undermines public health efforts to denormalize smoking behaviour and reduce smoking.

Decades have been spent legislating and educating to denormalize tobacco smoking. The legalization of cannabis could potentially normalize cannabis smoking and vaping, which could in turn re-normalize tobacco smoking and increase our already high smoking rates. Smoking is still the leading preventable cause of death.

For these reasons, I encourage you to expand this legislation to protect all Nova Scotians from the harms of exposure to second-hand smoke and to reduce current and future tobacco use **by prohibiting smoking and vaping of tobacco and cannabis in ALL outdoor public places throughout Nova Scotia.**

Thank you for your consideration.

Sharon MacIntosh, Bedford, Nova Scotia

ⁱ NS Departments of Justice and Health and Wellness. News Release. March 27, 2018

ⁱⁱ Canadian Community Health Survey, 2001-2016. Canadian Smoking Prevalence, Review of Historical Trends, 2001-2016
<https://mail.google.com/mail/u/0/?tab=wm#inbox/162913bfad251d8d?projector=1&messagePartId=0.1>

ⁱⁱⁱ Health Canada. Consumer Information – Cannabis (Marihuana, marijuana).
<http://www.hc-sc.gc.ca/dhp-mps/marihuana/info/cons-eng.php>.

^{iv} California Environmental Protection Agency, Office of Environmental Health Hazard Assessment.
<http://oehha.ca.gov/media/downloads/proposition-65//p65single080516.pdf>.

^v Holitzki H., Dowsett L., Spackman E. et al. CMJA Open. Vol 5. 2017 *Health effects of exposure to second- and third-hand marijuana smoke: a systematic review* <http://cmajopen.ca/content/5/4/E814.full>

^{vi} Canadian Centre for Substance Use and Addiction. March 15 2018. *Summary of Provincial and Territorial Cannabis Regulations*.
<http://www.ccsa.ca/Resource%20Library/CCSA-Canadian-Provincial-Territorial-Cannabis-Regulations-Summary-2018-en.pdf?>

^{vii} Canadian Tobacco, Alcohol and Drugs Survey, February - December 2015 Referenced Tables 11.
<https://www.canada.ca/en/health-canada/services/canadian-tobacco-alcohol-drugs-survey/2015-supplementary-tables.html#a11>

^{viii} Ibid.

^{ix} Centre for Addiction and Mental Health. CAMH Monitor 2015 (unpublished). Data presented by Kirst, Chaiton & Webster of the Ontario Tobacco Research Unit, 2014. *A common public health oriented policy framework for cannabis, alcohol and tobacco in Canada?*

^x Ibid.

April 4, 2018
m
Law Amendments Committee
c/o Legislative Counsel Office
PO Box 1116
Halifax, NS B3J 2X1 via email legc.office@novascotia.ca

Dear Committee members:

RE Bill 108

As a grandmother of a six-year-old boy, and as a former health promoter who worked in tobacco control, I am pleased to see the Government's plan, through Bill 108, to strengthen the public's protection from unwanted exposure to second-hand tobacco and cannabis smoke. I am also pleased that the government recognizes the important role that smoke-free legislation plays in the denormalization of tobacco use in our society.

We've known for a long time of the deadly impact of second hand tobacco smoke. Recent studies show that second hand cannabis smoke could damage your heart and blood vessels as much as second-hand cigarette smoke.ⁱ With the legalization of cannabis expanding to multiple jurisdictions, the health effects of exposure to second-and-third-hand marijuana smoke will be increasingly studied. Smoke is smoke. Some studies have already shown that cannabis smoke to contain chemicals that cause cancer or birth defects or other reproductive harm.ⁱⁱ It is not likely that future studies will paint a more rosy picture.

As I review Bill 108 two immediate questions are in the forefront of my mind:

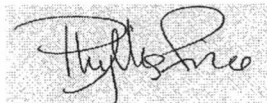
- 1) Does the bill sufficiently protect the public from the impact of second hand smoke of all kinds?
- 2) Are children and youth adequately protected by the proposed legislation?

To be able to give a resounding yes to the above questions, I would encourage you to prohibit smoking and vaping in ALL "outdoor public spaces" in Nova Scotia where people gather, or at minimum, spaces frequented by children. I would therefore encourage you to follow the lead of six other Canadian provinces who have already banned use of cannabis in public places and the other three provinces have who prohibited cannabis use in areas frequented by children.

The legislation as it stands is likely to lead to confusion and inconsistency. The simple amendment as indicated above would correct this problem.

The vast majority of Nova Scotians does not use tobacco or cannabis.ⁱⁱⁱ The experience in Nova Scotia shows overwhelming support for protection from second hand tobacco smoke. Strengthened legislation, with adequate public education and signage, is likely to see similar support for protection from exposure to second hand smoke from both tobacco and cannabis.

Thank you for your consideration.



Phyllis Price

██████████, Broad Cove, NS ██████████

ⁱ Xiaoyin Wang, Ronak Derakhshandeh, Jiangtao Liu, Shilpa Narayan, Pooneh Nabavizadeh, Stephenie Le, Olivia M. Danforth, Kranthi Pinnamaneni, Hilda J. Rodriguez, Emmy Luu, Richard E. Sievers, Suzaynn F. Schick, Stanton A. Glantz, and Matthew L.

Springer. One Minute of Marijuana Secondhand Smoke Exposure Substantially Impairs Vascular Endothelial Function. *Journal of the American Heart Association*, July 2016. <http://jaha.ahajournals.org/content/5/8/e003858>

ⁱⁱ California Environmental Protection Agency, Office of Environmental Health Hazard Assessment. <http://oehha.ca.gov/media/downloads/proposition-65//p65single080516.pdf>.

ⁱⁱⁱ Canadian Tobacco, Alcohol and Drugs Survey, February - December 2015 Referenced Tables 2 and 11. <https://www.canada.ca/en/health-canada/services/canadian-tobacco-alcohol-drugs-survey/2015-supplementary-tables.html#a11>

April 9, 2018

To Whom It May Concern:

My name is Dr. Ryan Sommers and I am a family physician in Truro, Nova Scotia and the Regional Medical Officer of Health for the Northern Zone, Nova Scotia Health Authority. Medical Officers of Health have a legislated role in Nova Scotia to protect the public's health^{1,2} the purpose of this letter is to provide my feedback to the Law Amendments committee about the recently introduced Cannabis Control Act – Bill 108.

It is encouraging that the Nova Scotia Government has adopted an approach to cannabis similar to recommendations made by a number of organizations that have proposed a public health approach to cannabis. The creation of a government monopoly, prohibiting the operation of vehicles while under the influence of cannabis, and prohibiting public consumption of cannabis in public place are a few examples of how this proposed legislation will help minimize the harms from cannabis and to protect the health of all Nova Scotians.

While the legislation expands the Smoke Free Places Act to include the public consumption of cannabis, there is a significant opportunity to provide further enhancements and protections from the harms of cannabis. Compared to other proposed provincial and territorial cannabis legislation, the Nova Scotia Cannabis and Control Act can be further enriched by banning the use of Cannabis in all public settings. Six other provinces (Newfoundland, New Brunswick, Ontario, Saskatchewan, Yukon and the Northwest Territories) have banned the public consumption of cannabis. For more information on how the Cannabis Control Act compares to other jurisdictions please visit:

<http://www.ccsa.ca/Resource%20Library/CCSA-Canadian-Provincial-Territorial-Cannabis-Regulations-Summary-2018-en.pdf>.

¹ An Act to Provide for the Protection of Health. Government of Nova Scotia. 2016. Available: [nslegislature.ca/legc/statutes/health%20protection.pdf](https://www.novascotia.ca/legc/statutes/health%20protection.pdf) [5 Sep 2017].

² A Guide to the Health Protection Act and Regulations. Nova Scotia Health. 2005. Available: <https://novascotia.ca/dhw/.../Guide-to-the-Health-Protection-Act-and-Regulations.pdf> [5 Sep 2017].

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Public Health Services – Northern

A universal approach to public consumption will ensure all communities are protected from the harms of cannabis. The current legislation would require municipalities to create bylaws for their own jurisdictions. I am very concerned this will result in a mismatch of rules and regulations and could impact our efforts to prevent the normalization of cannabis use in children and youth. A complete ban on the public consumption of cannabis will also provide citizens and visitors with clear messages on where cannabis can be consumed in our province. Finally, enhanced legislation would mean the Cannabis Control act would be similar to many other Canadian jurisdictions.

Nova Scotia has a long history of taking the lead in creating legislation that protects our communities from the negative secondary hand exposure from harmful products. Our province was one of the first provincial jurisdictions in Canada to introduce legislation that banned smoking in public places. This was one of the first stepping-stones for the creation of similar policies in other parts the country. ***It is my recommendation, as a specialist in public health and preventive medicine, that the Government of Nova Scotia bans the consumptions of cannabis in all public settings.*** Let's continue being leaders in public health and take bold and immediate measures to ensure that the health of all Nova Scotians are protected from the negative harms of cannabis.

Please contact me if you have any comments or questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Sommers".

Dr. Ryan Sommers, MD CCFP FRCPC (PHPM)
Medical Officer of Health Northern Zone, Nova Scotia Health Authority

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April 8, 2018

Law Amendments

PURPOSE

On behalf of the Northern Zone Community Health Boards of the Nova Scotia Health Authority (NSHA) this letter outlines our recommendations for consideration on the proposed legalization framework for the usage, sale, and marketing of recreational cannabis products. Our recommendations are based on evidence and are aligned with the IWK Health Centre, Public Health Association of Nova Scotia, and Injury Free Nova Scotia.

We have great concerns with the existing proposal particularly with respect to where cannabis can be smoked. We are pleased with the expanded Smoke Free Places Act however we don't believe that alone is enough to protect society particularly our youth from the harms of cannabis. We feel consuming cannabis should be limited to personal residences with the possibility of increasing to other designated locations in future.

The objectives of Bill C-45, the Act respecting cannabis are to:

- Prevent young persons from accessing cannabis
- Protect public health and safety
- Deter criminal activity; and
- Reduce the burden on the criminal justice system.

To achieve the objectives of Bill C-45, the Province of Nova Scotia must consider a public health approach to cannabis as it becomes legalized. The health of the public must take precedence over revenue generation if related harms are to be minimized and our children safe-guarded. The goal of a public health approach is to maximize benefits and minimize harms, promote the health and wellness of all members of a population, reduce inequities within the population, and ensure that the harms associated with interventions and laws are not disproportionate to the harms of the substance themselves.

WHAT WE KNOW

The use of cannabis by youth has side effects that can seriously limit their educational, occupational and social development. The evidence also describes the link to negative neurological and cognitive effects (memory, attention and psychomotor speed) and effects on mental health. Finally, the evidence describes the regular-use of cannabis in adolescence to be associated with low-levels of education attainment, diminished life satisfaction, higher likelihood of developing cannabis-use related disorders and an increased risk of developing mental health problems later on in life. (3) Unfortunately research also states that youth between the ages of 15 and 25 have the highest rate of use. (5)

We urge the Province of Nova Scotia to establish strict regulations that govern access to cannabis and cannabis products, as well as the marketing and advertising of these products. We recommend that the legalization framework for cannabis take a public health approach (further outlined in our recommendations). Taking a public health approach will ensure that all decisions are made in light of the best available evidence. A public health approach is essential to minimize the harms associated with

cannabis use. It also sets the health of Nova Scotians as the priority, thus increasing our collective productivity, in turn contributing to the prosperity of Nova Scotia.

We recommend the following points which are also outlined by many of our provincial partners including: IWK Health Centre; Nova Scotia Health Authority; Injury Free Nova Scotia; Smoke Free Nova Scotia; Public Health Agency of Nova Scotia; and CHB Council of Chairs for the Western & Eastern Zone. We recommend that:

- Advertising, marketing and sponsorship of ALL cannabis, cannabis products and cannabis companies should be prohibited as this could have negative impacts on children.
- Child proof packaging be required on all products to minimize the risk of child-poisoning.
- A limit be placed on the types of products available to minimize the appeal to children and youth (i.e. candy, chocolate bars, cookies, or other products that target children and youth).
- Strict guidelines and limitations on packaging be implemented to minimize the appeal to children and youth.
- Labels should include the health risks of using the product (as does tobacco packaging).
- Retail outlets not be located close to schools, playgrounds, community centers and other places where children and youth are in close proximity.
- Restrict use of cannabis products (smoke-form and edibles) to residential use only.

More to the point, our CHBs are concerned about what could happen in lieu of a government monopoly (and marketing regulations). A frequently cited concern with legalization is that: "... it will allow the rise of Big Cannabis similar to Big Tobacco and Big Alcohol. These powerful multi-national corporations have revenues, and market expansion as their primary goals, with little consideration of the impact on public health. They increase tobacco and alcohol use by lobbying for favorable regulations and funding huge marketing campaigns. It is important that the regulations actively work against the establishment of Big Cannabis." (2)

ABOUT THE CHBs

CHBs are a committed group of volunteers that support the work of the NSHA by advising on local perspectives, trends, issues and priorities. They contribute to health-system accountability by facilitating an exchange of information and feedback between the community and the NSHA (Health Authorities Act, Section 62). There are currently 37 CHBs in Nova Scotia and CHB members must live within the boundaries of the community that the CHB represents. CHB members are recognized volunteers of the NSHA, guided by the NSHA vision and mission.

<https://www.communityhealthboards.ns.ca/>

The Northern Zone Community Health Boards strongly believe that a portion of the revenue should be used for health promotion, surveillance, unintended consequences, and associated costs. We appreciate the rationale behind legalization of non-medical cannabis, but we want to keep Nova Scotians as safe as possible. Legal does not mean safe.

Community Health Boards are committed to the promotion of wellness and addressing concerns in our communities which have a negative impact on our health. We believe that in the process of legalization

our government must give immediate priority to understanding and educating the public about the risks associated with cannabis. This important work must happen now as we prepare for the availability of legal cannabis. This important work must happen now as we prepare for the availability of legal cannabis for recreational use and cannot be postponed to some late date after revenue from the product becomes available. We recommend an immediate investment in research and education.

Finally, aligning with past healthy public health policy efforts, we also recommend that:

- Smoking and vaping of cannabis be aligned with existing smoke-free policy (i.e. smoking or inhaling cannabis products be prohibited in public places).
- Smoke-free policies in provincially owned spaces be further enhanced to include such locations as parks, beaches, and walking trails.
- Set the price high enough to reduce demand and low enough to undercut the illegal market.
- Regulations and sanctions be such that they deter cannabis use and driving (ex. In the absence of conclusive and accepted standards implement a zero-tolerance cannabis use in vehicles, higher sanctions, probation)
- Educate, empower and support police partners on the enforcement of driving under the influence laws and smoke-free places act.
- Offer concerted education to all health care providers.

Respectfully submitted

Along the Shore CHB

East Hants CHB

North Shore and Area CHB

Pictou Central and East CHB

Pictou West CHB

Pugwash and Area CHB

SOAR (Springhill, Oxford, Amherst and Region) CHB

South Colchester CHB

SPAR (Southampton, Parrsboro, Advocate and Region) CHB

Truro and Area CHB

Bill Schurman

Chair, Northern Zone CHB

Council of Chairs

bschurman@amherst.ca

Positions reviewed referenced and supported.

References Cited:

1. Canadian Public Health Association. (2016) A Public Health approach to the Legalization, Regulation and Restriction of Access to Cannabis. Retrieved from <https://www.cpha.ca/public-health-approach-legalization-regulation-and-restriction-access-cannabis>
2. (Cannabis Legalization: adhering to public health best practice Sheryl Spithoff, Brian Emerson, Andrea Spithoff CMAJ. 2015 Nov 3; 187(16): 1211-1216 doi:10.1503/cmaj.150657 PMID: PMC4627877)
<http://www.cmaj.ca/content/early/2015/09/21/cmaj.150657.full.pdf+html>
3. Centre for Addiction and Mental Health (2014) Cannabis policy framework retrieved from https://www.camh.ca/en/hospital/about_camh/influencing_public_policy/documents/camhcanabispolicyframework.pdf
4. Recommendations for a regulatory framework for the legalization of cannabis: issued by the IWK Health Centre retrieved from <https://www.ifns.ca/images/stories/documents/Cannabis/IWK%20Cannabis%20Legalization%20Recommendations%20FINAL.pdf>
5. Substance Abuse in Canada 2015 The Effects of Cannabis Use During Adolescence; The Canadian Centre on Substance Abuse retrieved from <http://www.ccsa.ca/Resource%20Library/CCSA-Effects-of-Cannabis-Use-during-Adolescence-Report-2015-en.pdf>

RE: Proposed Legislative Amendments - Law Amendment 108

April 9, 2018

C/O: Nova Scotia House of Assembly

legc.office@novascotia.ca or fax: 902 424 – 0547

To whom it may concern,

The Cumberland Municipal Alcohol and Cannabis Project is a partnership between three municipalities and partnering local organization. Its purpose is to determine ways in which municipalities can bring change to the culture of alcohol use and cannabis use and their related harms.

We have read the proposed cannabis legislation, law amendment 108, and we are very pleased with the expanded Smoke Free Places Act, however that is not enough and we have some very strong concerns.

Under the proposed legislation it would be legal to smoke cannabis in several public spaces including sidewalks. We recommend amending the proposed legislation to further limit use of cannabis to private residences with potential for more designated spaces. A complete ban on the public consumption of cannabis would provide citizens and visitors with clear messages on where cannabis can be consumed in our province, thus providing support to our enforcement officers. Finally, enhanced legislation would mean the Cannabis Control act would be similar to many other Canadian jurisdictions. We thank you for your consideration of these, our law amendment suggestions.

On behalf of the Cumberland County Municipal Alcohol & Cannabis Project,

Angela Downey, Community Policing Officer