

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

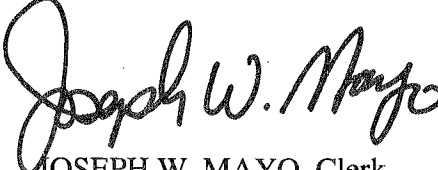
No. 305

H.P. 241

House of Representatives, January 23, 1997

An Act to Prohibit the Inhaling of Toxic Vapors for Effect.

Reference to the Committee on Criminal Justice suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative MARVIN of Cape Elizabeth.
Cosponsored by Senator MITCHELL of Penobscot and
Representatives: JONES of Greenville, McALEVEY of Waterboro, MUSE of South Portland,
O'BRIEN of Augusta, PEAVEY of Woolwich, POVICH of Ellsworth, WINSOR of Norway,
Senator: PENDLETON of Cumberland.

2
3 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 17-A MRSA §517 is enacted to read:**

6 **§517. Inhaling toxic vapors for effect**

8 1. A person may not intentionally smell or inhale the fumes
9 of any substance having the property of releasing toxic vapors
10 for the purpose of causing a condition of intoxication, euphoria,
11 excitement, exhilaration, stupefaction or dulled senses of the
12 nervous system, or possess, buy or sell any such substance for
13 the purpose of violating or aiding another to violate this
14 section.

16 2. This section does not apply to the inhalation of
17 anesthesia for medical or dental purposes.

18 3. A person who violates subsection 1 commits a Class E
19 crime and is subject to a fine of not less than \$50 or more than
20 \$500 or not less than 10 hours or more than 100 hours of
21 community service, or both, and must be referred to a licensed
22 social worker or licensed substance abuse counselor for
23 evaluation and education.

24 Prior to sentencing for a 2nd offense, the court, at its
25 discretion, may refer the offender to a licensed mental health or
26 licensed substance abuse facility for full evaluation.
27 Notwithstanding any other provision of this section, judicial
28 discretion as to the imposition of a fine or a sentence of
29 imprisonment may be exercised for this Class E crime.

32 **SUMMARY**

34 This bill prohibits inhaling toxic vapors for effect. This
35 form of inhalant abuse is also called "huffing" and can cause
36 "sudden sniffing death" at any time.
38