

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2197. Inhalant Abuse Program; Educational Resources.

(a) The Secretary of Public Health shall develop education resources focusing on the problem of inhalant abuse by minors. The secretary shall ensure that special emphasis is placed on the education of parents about the risks of inhalant abuse. The secretary shall develop tools to help parents talk to their children about the extraordinary risks associated with even a single use of inhalants as well as those risks that arise from repeated use.

(b) The secretary shall develop education resources focusing on merchants that sell products containing any chemical material having the property of releasing toxic vapors and fumes as defined under 6 CMC § 2401. The secretary shall encourage merchants that sell such products to post signs that inform the public that using those products for the purpose of intoxication is illegal and potentially deadly.

(c) The secretary may develop and print a standard sign for the purposes of subsection (b) of this section, and may make the sign available to merchants that elect to display the sign. The sign shall:

(1) Contain the message, "Illegal to inhale fumes for purpose of intoxication. Fumes may cause serious injury or death."

(2) Be at least five by seven inches in size with lettering that is at least three-eighths of an inch in height.

(3) Contain a graphic depiction of the message to convey the message to a person who cannot read the message. If the depiction contains a picture of a person, the depiction of the person shall be of a minor and shall not reflect any specific race or culture.

(d) The sign developed under subsection (c) of this section shall be in English, Chamorro, and Carolinian and in such other languages as determined necessary by the secretary. Merchants shall be encouraged to post signs in languages other than English if those languages are not the primary languages of a significant number of the patrons of the business.

(e) If and when deemed necessary to protect the health and safety of the general public, the secretary may require by regulation merchants to keep a record of the sale of specific products or substances containing any chemical material having the property of releasing toxic vapors and fumes as defined under 6 CMC § 2401. Such regulation shall require the record to be in a permanently-bound register and available for police inspection for a period of six months after the last sale is recorded herein, and shall also identify the name of the substance, the date and hour of delivery, the intended use of the substance, the signature and address of the purchaser, and the signature of the seller or deliverer. The secretary may restrict the record keeping requirement to sales to minors if deemed necessary.

Source: PL 14-58, § 2(2), modified.

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Commission Comment: The Commission designated another section within the Code other than that specified in the original text of PL 14-58, § 2(1) pursuant to the authority granted in 1 CMC § 3806(a) and (b). PL 14-58 was enacted on January 27, 2005, and contained an amendment to 6 CMC § 2404, findings and purpose, severability, and savings clause provisions. The findings and purpose of PL 14-58 stated:

Section 1. Findings and Purpose. The Legislature finds that inhalant abuse of toxic vapors especially among the youth has remained unchanged as a result of primarily three factors: (a) availability and accessibility of a wide range of products containing toxic vapors; (b) the corresponding difficulty in enforcing and prosecuting violations; to combat this serious public health threat, the Act emphasizes public education by mandating the Department of Public Health to develop public education programs aimed at parents, other responsible adults, and business which sell products containing toxic vapors and, if deemed necessary, to require businesses to keep an official record on the sales of such products; the Act also provides that offenders may be required to attend a substance abuse treatment program in lieu of the fine or imprisonment punishment under existing statute; and (c) continuing transformation of the CNMI demographic, cultural and population landscape.