

(III) STATE THAT THE RESULT OF THE TEST IS AS STATED IN THE REPORT.

(b) [If] TEST RESULTS WHICH ~~DO--NOT~~ COMPLY WITH THE REQUIREMENTS OF SUBSECTION (A) OF THIS SECTION ARE ADMISSIBLE AS SUBSTANTIVE EVIDENCE WITHOUT THE PRESENCE OR TESTIMONY OF THE TECHNICIAN WHO ADMINISTERED THE TEST. HOWEVER, IF the State decides to offer the test results without the testimony of the technician, it shall, at least 15 days before trial, notify the defendant or his attorney in writing of its intention and deliver to the defendant or his attorney a copy of the test results to be offered. If the defendant desires the technician to be present and testify at trial, he shall notify the court and the State in writing no later than 5 business days before trial; and if such timely and proper notice is given, the test results are inadmissible without the testimony of the technician. Failure to give timely and proper notice constitutes a waiver of the defendant's right to the presence and testimony of the technician.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 29, 1984.

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CHAPTER 639

(House Bill 659)

AN ACT concerning

Related Institutions - Remedies

FOR the purpose of authorizing a certain intermediate sanction for failure by a related institution to correct a hazardous condition; defining certain terms; providing for certain notice and opportunity to take corrective action prior to the imposition of a sanction by the Secretary of Health and Mental Hygiene; providing for certain notice and opportunity for an administrative hearing following imposition of a sanction by the Secretary; providing for a direct judicial appeal from a final sanction order of the Secretary; authorizing certain further administrative and judicial remedies should the related institution fail to comply with a sanction order; and generally relating to the enforcement of laws and rules and regulations administered by the Department of Health and Mental Hygiene applicable to related institutions.

BY adding to