

VETOES

~~TESTIMONY OF THE LABORATORY TECHNICIAN, THE PARTY OFFERING THE LABORATORY REPORT SHALL NOTIFY THE OTHER PARTY TO THE PROCEEDING OF ITS INTENTION AT LEAST 20 DAYS BEFORE TRIAL.~~

~~(4) IF ANY PARTY DESIRES THE TECHNICIAN TO BE PRESENT AND TESTIFY AT TRIAL, THE PARTY SHALL NOTIFY THE COURT AND THE OPPOSING PARTY IN WRITING NO LATER THAN 10 DAYS BEFORE TRIAL, IF TIMELY AND PROPER NOTICE IS GIVEN, THE TEST RESULTS ARE INADMISSIBLE WITHOUT THE TESTIMONY OF THE TECHNICIAN.~~

~~(5) FAILURE TO GIVE TIMELY AND PROPER NOTICE CONSTITUTES A WAIVER OF THE RIGHT TO THE PRESENCE AND TESTIMONY OF THE TECHNICIAN.~~

(3) IF A PARTY INTENDS TO INTRODUCE A LABORATORY REPORT IN EVIDENCE WITHOUT THE TESTIMONY OF THE LABORATORY TECHNICIAN OR ANALYST, THE PARTY WHO INTENDS TO OFFER THE LABORATORY REPORT SHALL NOTIFY THE OTHER PARTY TO THE PROCEEDING OF ITS INTENTION AT LEAST 20 DAYS BEFORE TRIAL.

(4) (I) IF ANY PARTY DESIRES THE TECHNICIAN OR ANALYST TO BE PRESENT AND TO TESTIFY AT TRIAL, THE PARTY SHALL NOTIFY THE COURT AND THE OPPOSING PARTY IN WRITING NOT LATER THAN 5 DAYS BEFORE TRIAL.

(II) IF TIMELY AND PROPER NOTICE UNDER THIS PARAGRAPH IS GIVEN, THE TEST RESULTS ARE INADMISSIBLE UNLESS THE TECHNICIAN OR ANALYST IS PRESENT AT TRIAL AND SUBJECT TO CROSS-EXAMINATION BY ANY PARTY TO THE PROCEEDING.

(5) FAILURE TO GIVE TIMELY AND PROPER NOTICE UNDER PARAGRAPH (4) OF THIS SUBSECTION CONSTITUTES A WAIVER OF THE RIGHT TO THE PRESENCE AND TESTIMONY OF THE TECHNICIAN OR ANALYST.

(F) A COPY OF THE LABORATORY REPORT OF THE RESULTS OF THE BLOOD TEST IS ADMISSIBLE AS SUBSTANTIVE EVIDENCE WITHOUT THE PRESENCE OR TESTIMONY OF THE LABORATORY TECHNICIAN OR ANALYST IF THE REPORT:

(1) IS SIGNED BY THE LABORATORY TECHNICIAN OR ANALYST; AND

(2) STATES THAT THE RESULT OF THE BLOOD TEST IS AS STATED IN THE REPORT.

SECTION 2 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

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