

§1112. Analysis of scheduled drugs

1. A laboratory that receives a drug or substance from a law enforcement officer or agency for analysis as a scheduled drug shall, if it is capable of so doing, analyze the same as requested by a method designed to accurately determine the composition of the substance, including by chemical means, visual examination, or both, and shall issue a certificate stating the results of the analysis. The certificate, when duly signed and sworn to by a person certified as qualified for this purpose by the Department of Health and Human Services under certification standards set by that department, is admissible in evidence in a court of the State, and gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the composition, quality and quantity of the drug or substance are as stated in the certificate, unless, within 10 days written notice to the prosecution, the defendant requests that a qualified witness testify as to the composition, quality and quantity.

[PL 2001, c. 667, Pt. D, §34 (RPR); PL 2001, c. 667, Pt. D, §36 (AFF); PL 2003, c. 689, Pt. B, §6 (REV).]

2. Transfers of drugs and substances to and from a laboratory for purposes of analysis under this chapter may be by certified or registered mail, and when so made shall be deemed to comply with all the requirements regarding the continuity of custody of physical evidence.

[PL 1975, c. 740, §105 (AMD).]

3.

[PL 1975, c. 740, §106 (RP).]

SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 1975, c. 740, §§104-106 (AMD). PL 1979, c. 512, §34 (AMD). PL 2001, c. 383, §142 (AMD). PL 2001, c. 383, §156 (AFF). PL 2001, c. 419, §22 (AMD). PL 2001, c. 667, §D34 (AMD). PL 2001, c. 667, §D36 (AFF). PL 2003, c. 689, §B6 (REV).

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