

# MAINE STATE LEGISLATURE

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sits on these cases should go walk in their shoes for a day and see what it's like because they are on the front lines of these cases every single day. We had a fellow who retired from the Maine State Police who for 10 or 12 years did nothing but investigate these cases on behalf of the District Attorney in Somerset County. Talk about burn-out. Let's not cast unfair aspersions against the people who are on the front lines fighting this issue on our behalf. It's all very easy to pass pieces of paper out of this institution and then walk away and say, 'There, we told them.' It's very difficult, it's a more sophisticated challenge, frankly more difficult for us to think objectively about how to bring this scourge under control. Frankly, I think that the Majority Report represents a very thoughtful and good step forward. It doesn't preclude that someday we want to go to a mandatory minimum. Frankly, for subsequent offenses it may well be appropriate. Maybe even for first offenses. The point is that this Majority Report represents a thoughtful and reflective step forward. It is so rampant and even though there are 1,200 cases reflected in this printout from the internet, I can tell you right now there are ten times that many that have gone undetected. Yes, we as a legislature, have to act. I'm with you all the way on that. I just want us to act intelligently so that we take good steps forward in bringing this epidemic under control. I think that the Majority Report does that. I want to thank them for their careful work. This is a horribly emotional issue. It's very difficult to sort out truth from fiction. We need to do that. That's our job. I'm going to vote with the majority. Thank you, Madame President.

**THE PRESIDENT:** The pending question before the Senate is the motion by the Senator from Androscoggin, Senator Nutting to Accept the Majority Ought to Pass as Amended by Committee Amendment "C" (H-1058) Report. A Roll Call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

**ROLL CALL (#463)**

YEAS: Senators: BARTLETT, BRENNAN, BROMLEY, BRYANT, COWGER, GAGNON, HOBBS, MAYO, MILLS, MITCHELL, NUTTING, ROTUNDO, SCHNEIDER, STRIMLING, SULLIVAN, THE PRESIDENT - BETH G. EDMONDS

NAYS: Senators: ANDREWS, CLUKEY, COURTNEY, DAMON, DAVIS, DIAMOND, DOW, HASTINGS, MARTIN, NASS, PERRY, PLOWMAN, RAYE, ROSEN, SAVAGE, SNOWE-MELLO, TURNER, WESTON, WOODCOCK

16 Senators having voted in the affirmative and 19 Senators having voted in the negative, the motion by Senator **NUTTING** of Androscoggin to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "C" (H-1058)** Report, in concurrence, **FAILED**.

The Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "D" (H-1059)** Report **ACCEPTED**, in **NON-CONCURRENCE**.

**READ ONCE.**

Committee Amendment "D" (H-1059) **READ** and **ADOPTED**.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "D" (H-1059)**, in **NON-CONCURRENCE**.

Ordered sent down forthwith for concurrence.

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All matters thus acted upon were ordered sent down forthwith for concurrence.

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Out of order and under suspension of the Rules, the Senate considered the following:

**ENACTORS**

The Committee on **Engrossed Bills** reported as truly and strictly engrossed the following:

**Act**

An Act To Safeguard Maine's Highways  
H.P. 1347 L.D. 1906  
(C "A" H-1041)

**THE PRESIDENT:** The Chair recognizes the Senator from Cumberland, Senator Diamond.

Senator **DIAMOND:** Thank you, Madame President. I would like to encourage everybody to vote for this enactor. This, as some of you may recognize, is the bill that is commonly called 'Tina's Law'. It was a bill that was worked on this current legislative session. Obviously, it is the bill that is an attempt to address several problems that all came to light as a result of that tragic morning of July 29<sup>th</sup> when Tina Turcotte was tragically killed on the Maine Turnpike. Many of us started working on this problem as a result of that. Unfortunately it took that tragedy to bring the problems to light. We found many problems within our system, within the motor vehicle system, and elsewhere. The bill that originally started out has changed considerably through the help of the Sheriff's Association, the Secretary of State, the District Attorneys, NCLU, trucking companies, and CLAC. Everybody came together, worked long and hard on this. We had a unanimous committee report. We're very pleased with that. Tina's family is here in the back of the Chamber. We thank everybody for all their input. We talked to several legislators along the way and the committee, as I said, put out a unanimous committee report. We're feeling like this is going to be a huge improvement to our existing system. It doesn't solve everybody's problems, doesn't go as far as some would like, but it certainly is a beginning. We thank everybody for their help. Thank you, Madame President.

**PASSED TO BE ENACTED** and having been signed by the President was presented by the Secretary to the Governor for his approval.