

STATE OF ILLINOIS
96th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

108th Legislative Day

4/14/2010

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PRESIDING OFFICER: (SENATOR HARMON)

The regular Session of the 96th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? The invocation today will be given by Pastor Jon Morrisette from Lakeside Christian Church, here in Springfield, Illinois.

PASTOR JON MORRISSETTE:

(Prayer by Pastor Jon Morrisette)

PRESIDING OFFICER: (SENATOR HARMON)

Thank you, Pastor. Please remain standing for the Pledge of Allegiance. Senator Jacobs.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR HARMON)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of July 15th, 2009, October 22nd, 28th, 29th and 30th, 2009, and January 6th and 12th, 2010.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senators has additions or corrections to offer.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter moves to approve the Journals just read by the Secretary. There being no objection, so ordered. Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

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Senate Journal of Tuesday, April 13th, 2010.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter.

SENATOR HUNTER:

Mr. President, I move to postpone the reading and approval of the Journals just read by the Secretary, pending arrival of the printed transcript.

PRESIDING OFFICER: (SENATOR HARMON)

Senator Hunter moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. The Illinois Information Service and WICS-Television requests leave to videotape the proceeding. Is there any objection? Seeing no objection, leave is granted. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR ALTHOFF:

I have two very important guests shadowing me today. They are members of the Lincoln Series, which I believe most of you know is the Republican organization for future female leaders. They are Gail Troupe from Waterloo, whose Senator is Senator Luechtefeld. And we also have Christina Villanueva, whose -- is from Chicago and whose Senator is Senator Collins. So might we give them a warm welcome, please?

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to the Senate, ladies. You're -- you're in good company. Senator Pankau, for what purpose do you seek

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recognition?

SENATOR PANKAU:

Thank you, Mr. President. A -- point of personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR PANKAU:

I also have a guest here today who's with the Lincoln Series. Her name is Pat Fee, but she is also the 2nd Vice President of the Illinois Federation of Republican Women. So not only are we bringing along new people into the organization, but we're encouraging the other ones to get off their butts too. So, Mr. President, please welcome to Springfield Pat Fee.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to Springfield. Senator Dahl, for what purpose do you rise?

SENATOR DAHL:

Thank you, Mr. President. Moment of personal privilege, please.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR DAHL:

Thank you. I also have a guest today who is a member of last year's Lincoln Series, Sue Rezin, from Morris, Illinois, who graduated with the Lincoln Series last year and came down to visit with the -- and encourage the new group. Thank you.

PRESIDING OFFICER: (SENATOR HARMON)

Welcome to the Senate. Please join us in welcoming our guest. Ladies and Gentlemen of the Senate, if all Senators

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within the sound of my voice would be at their desks on the Senate Floor, we are turning shortly to substantive and substantial Senate action. Will all Members please be in the Chamber and at their desk? Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 757, offered by Senator Demuzio and all Members.

Senate Resolution 759, offered by Senator Wilhelmi and all Members.

Senate Resolution 760, offered by Senator Murphy and all Members.

Senate Resolution 761, offered by Senator Luechtefeld and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Resolutions Consent Calendar.

SECRETARY ROCK:

Senate Resolution 758, offered by Senator Link.

And Senate Resolution 762, offered by Senator Hutchinson.

They are substantive.

PRESIDING OFFICER: (SENATOR HARMON)

Senator McCarter, for what purpose do you seek recognition?

SENATOR McCARTER:

Personal -- point of personal -- personal privilege.

PRESIDING OFFICER: (SENATOR HARMON)

State your point, Senator.

SENATOR McCARTER:

Like to introduce a young man, Nathan Snoke, from Decatur, in my district. Goes to the Lutheran High School. He's a

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freshman. Sometime in the future, he wants to be an attorney. I -- I questioned that, why -- why he should want to, but he's -- he's convinced that's what he wants to do and an engineer. So, there's -- I -- I think that's a good mix and we wish him the best of luck. And I'm thankful to have his help today.

PRESIDING OFFICER: (SENATOR HARMON)

Thank you. The Democrats always welcome future lawyers. Senator Althoff, for what purpose do you rise?

SENATOR ALTHOFF:

Another point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR HARMON)

Please state your point, Senator.

SENATOR ALTHOFF:

I get two a day. What I would like to do, with your permission, sir, is to welcome today members of Illinois ASCD. That stands for the Illinois Association for Supervision and Curriculum Development. They're visiting us today to join us in promoting education for children, pre-K through grade sixteen in our State. Illinois ASCD is a nonpartisan, nonunion organization which espouses educating the entire whole child. Please join me in welcoming the Illinois ASCD, who are behind in the President's Gallery and standing, to Springfield.

PRESIDING OFFICER: (SENATOR HARMON)

Will our guests in the gallery please rise to be welcomed to Springfield? Ladies and Gentlemen of the Senate, I'm going to renew my call for all Members of the Senate to be at their desks. We are turning to substantive Senate action of a substantial nature. I ask all Members of the Senate within the sound of my voice to be on the Senate Floor and at their desks.

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Ladies and Gentlemen of the Senate, on page 36 of your printed Calendar, on the Order of Constitutional Amendments 3rd Reading, is Senate Joint Resolution, Constitutional Amendment, 121. Senator Raoul, do you wish to proceed? Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Joint Resolution, Constitutional Amendment, 121.

(Secretary reads SJRCA No. 121)

3rd Reading in full of this joint resolution constitutional amendment.

PRESIDING OFFICER: (SENATOR HARMON)

Ladies and Gentlemen of the Senate, the Secretary has just read Senate Joint Resolution, Constitutional Amendment, 121 in full for a third time. Before turning to Senator Raoul to present it, the Associated Press seeks leave to take still photos of the proceedings today and the Illinois Statehouse News seeks leave to videotape the proceedings. Is there any objection? Seeing no objection, leave is granted. Senator Raoul, are you prepared to present your amendment?

SENATOR RAOUL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Joint Resolution, Constitutional Amendment, 121 is one in a series of reforms that this Chamber and this General Assembly has taken up over the course of the past couple of years. Senate -- SJRCA 121 seeks to reform the way we approach the remap process. Under the current law, there are only three criteria that must be met in the remapping process and that's compactness, contiguity and equal population. The current law also has a flaw in that it ends up in a game of chance, where

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the mappers of our great State's legislative and representative map are essentially selected by a pick from a hat. SJRCA 121 seeks to do away with that. And with your support, it will do away with that. But that's not all it does. SJRCA 121 invites transparency and greater public participation in a process that the public at large has historically been kept out of. It does so by having in excess of fifteen hearings - ten hearings conducted by a bipartisan commission in all area -- in different areas of the State in which the public will have an opportunity to give input. But we don't just want the public to have an opportunity to give input, we want the public to have an opportunity to give meaningful input, and therefore SJRCA 121 requires that we provide the public with the data and the tools to have such input. Now, let me touch on the criteria that we've expanded upon. As I mentioned earlier, it's compactness, -- contiguity and equal population. What we have added: We have added the specific language of the Voting Rights Act. But we don't stop there because what we know is that, either through federal legislative action or through federal court interpretation, the protections of the Voting -- Voting Rights Act can be deteriorated. And our great State has gone beyond what's mandated by the Voting Rights Act and we should be proud of that. We should be proud of the diversity that we have in this General Assembly. And so that's why we add criteria, to be considered alongside of all of the criteria that is Supreme Court-recognized, to allow for the protection of minority cross-over and influence districts, and also allow for the protection of communities of interest. We also add criteria to require respect of municipal boundaries, where practical. Now, much has

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been made about who will do the drafting of the map, who will be involved in the drafting of the map, and it's been suggested that another proposal will take that power outside of the power of the General Assembly and give it to an independent commission. Yet, after a four-and-a-half-hour hearing we had just two days ago, it was made clear that that independent commission wasn't so independent. It was a commission made up primarily of people selected by Legislative Leaders, individually. However, they want to continue to communicate with those people that they get to handpick - is uncontrolled. And so I propose to you, would we rather have Legislative Leaders be able to select who draws the map or have the people of the State of Illinois be able to select to draw the map? Our proposal favors the latter and allows the General Assembly the first opportunity to draw the map after having multiple hearings throughout the State, getting input from the public and equipping the public to give such input. So the first opportunity would be for the General Assembly to do so by law. If the General Assembly is unsuccessful at doing so by law, because the proposal allows for denesting, which the majority of states in the United States of America allow for denesting, the General Assembly would, with a supermajority in an individual Chamber, be able to adopt a map via resolution with a three-fifth majority. If, for some reason, the General Assembly or -- or any individual Chamber would be unable to do so, the next stage would be to allow for the bipartisan commission of ten members, appointed by the Legislative Leaders - each Legislative Leader given the opportunity to appoint five members. There would be two separate commissions, one for the House of

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Representatives and one for the Senate, that would deliberate separately about -- over their respective maps. In that membership and that selection of five, the majority of those members selected by the Legislative Leaders could not be Members of the General Assembly. The commission would deliberate and if somehow the commission were unable to come to a consensus on a map, the next step would be for the senior members of the Supreme Court to appoint a special master. Now, because we try to obtain certainty, if a special master cannot come up with a legal map, there's a reversion back to the General Assembly to get a map, because we do not want a crisis. It's important to note that nothing in this resolution infringes upon the Supreme Court's ability to draw a temporary map if there -- if -- if there's a crisis. Ladies and Gentlemen of the Senate, I think that the -- the -- the elements of the proposal of SJRCA 121 goes a long way to moving ourselves away from the redistricting of the past. It goes a long way of promoting diversity and not just ethnic and racial diversity, but the diversity -- the geographic diversity of our State. With a small commission, you cannot adequately reflect the great diversity of our State. That is why the Members of this General Assembly are elected by people from all over the State - downstate, upstate, suburban, collar county - all over the State. And that cannot, I submit, be reflected in a nine-member commission. I urge your support of SJRCA 121 so we can leave the days of pulling out of a hat behind us.

PRESIDING OFFICER: (SENATOR HENDON)

The Statehouse News Service seeks leave to videotape. Is leave granted? Leave is granted. The Chair would just like to

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say for the record how we're going to proceed today. We know that legislative redistricting can be quite partisan and cantankerous and we're going to be lenient as possible with everyone, but we will be on a timer, except for legislative intent. Senator Lauzen.

SENATOR LAUZEN:

Thank you very much, Mr. President. Just -- I know that there's a -- a lot of detail in the various proposals that have come forward and -- and I think that it's important that we all recognize that there have been other proposals made - one proposal made the other night during the committee hearing that unfortunately the majority party voted down. I understand that Senator Raoul has strong feelings about his piece of legislation and that proponents are the Chicago Urban League. But over on the other proposal, you have proponents of the League of Women Voters; you have Brad McMillan from the Illinois Reform Commission; the Better Government Association; CHANGE Illinois!; the Illinois Chamber of Commerce; the Independent Voters of Illinois; Independent Precinct Organization; the Illinois Farm Bureau; the Campaign for Political Reform; Patrick Collins from the Illinois Reform Commission; Sheila Simon from the Illinois Reform Commission; David Hoffman - Illinois Reform Commission; Duane Noland from the same Commission; Common Cause; Americans for Prosperity; Illinois Alliance for Growth; United Power of {sic} (for) Action and Justice; DuPage County United; Lake County United; and Protestants for the Common Good. This is a highly partisan kind of -- piece of legislation. It should not be. It should be simply reform. I think that the people who have just been read off are recognized as being people who

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advance reform. I suggest that we have a No vote on this legislation and that we bring out proposals like Senate Joint Resolution for a constitutional amendment No. 104.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Martinez. Senator -- Senator Martinez.

SENATOR MARTINEZ:

Thank you, Mr. President, Members of the Senate. I stand in support of this proposal because it ensures that Illinois mapmakers, consistent with traditional redistricting principles, exercise the authority recognized by the U.S. Supreme Court decision to create minority cross-over, coalition and influence districts, especially in light of Illinois' long history of polarized voting and the need to remedy its effects.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President and Members of the Senate. To the -- to the bill: You know, I -- if there's one common theme when asked -- when you asked your constituents "What should this new amendment be", I -- I think we all have heard this -- "Legislators should not draw their own voters and their own map." That is, I think, a -- a common theme by Democratic constituents that I've talked to and Republican constituents I've talked to. That is the -- the one thing they ask us not to do. And the -- the bill we have before us today does -- it -- legislators still draw the map. Political -- majority party legislators still draw the map. And -- and no matter how you paint that, this is a fact. You know, and I understand that parties in power want to stay there, and you happen to be the

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party in power at -- at this time. That doesn't make it right. And -- and there will always be attempts to justify or to rationalize or to try to explain why what you're doing is good. But it goes back to, one more time, legislators drawing their own maps. You talked about public hearings. You know, we -- we had public hearings, for instance, on -- on this particular issue throughout the State. I went to one of 'em. But basically what they were, were basically attempts to discredit any new suggestions that people made. It was -- it -- it -- it -- it was a process you went through that, you know, both parties have done in the past, but it really doesn't mean a whole lot. And the same is true with public hearings that you will hear -- have throughout the State. In the end, party Leaders in -- majority party Leaders will draw the map. And that is exactly what we should not be doing. Most everyone agrees with that, Republican or Democrat. So, again, let's just paint it the way it really is. This is an attempt to do as little as possible and not affect who runs this State. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Toi Hutchinson.

SENATOR HUTCHINSON:

Thank you, Mr. President, Members of the -- of the Chamber. I stand in support of this proposal because it strikes the right balance between, number one, adhering to traditional redistricting principles, like equal population, compactness and respect for communities of interest and municipal boundaries, and, number two, ensuring that Illinois mapmakers exercise the authority recognized by the United States Supreme Court

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decisions to create minority cross-over, coalition and influence districts, especially in light of Illinois' long history of polarized voting and the need to remedy those effects. I'd urge an Aye vote.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Kirk Dillard.

SENATOR DILLARD:

Thank you, Mr. President. I rise in opposition to this proposal, primarily because it violates the basic pillar of reform. It still lets and lets politicians redistrict our own districts. This is the ultimate incumbent protection plan, because at virtually every step of the process in HJRCA {sic} 121, the politicians are in control as the mapmaker. Importantly, not one expert came before the Senate Redistricting Committee and testified the Legislature should take the first shot at drafting a map. So why the heck did we even have hearings if we're not going to follow the experts' recommendation? I also, very importantly, oppose the Democrat majority's plan here because I believe it hurts minorities by creating influence districts at the expense of minorities, especially African-Americans. It allows minorities, according to Professor Smith of DePaul University in Chicago, to be put on the back burner and to have more and more Democrats, but at the expense of the minorities. Because the compactness definition in this bill or priority is so low, that is how influence districts are allowed to be created. You can have districts that are one-block long and fifteen miles wide under your proposal. And I think it's interesting to point out that neither MALDEF or the NAACP has come out in support of your

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proposal. I want a Legislature that looks like the face of Illinois, and I think with the growing influence district, it's not going to look like that. Sadly, an independent Democrat, like Senator Meeks, will be a rare commodity, if ever, around here, because you've got to have the local party's support as an independent African-American Democrat to ever have a chance of being elected to the General Assembly. There is practically no public or media or expert support for your plan. Your plan is the politicians' choice. And as Senator Lauzen pointed out, I believe - we believe over here - the people's choice is SJRCA 104. Again, an independent commission, not politicians, ought to be the cartographers here. The Democrat candidate for Lieutenant Governor, Sheila Simon, is for the Fair Map Plan, as is Alexi Giannoulis, the Democrat candidate for the United States Senate. I think that speaks volumes. Last but not least, Mr. President, an expert from the Brennan Center testified that, quote, "When you are in the business of drawing your own district, when the districts look really funny, it's because you're trying to rig the game." And I could not agree with that gentleman's assessment more. I mean, your plan is too partisan for me. I think it hurts minorities and hurts minorities, especially African-Americans, badly. It's controlled by politicians, not independent people. SJR 121 -- and this is my fourth go at remapping - in 1980, as a staffer for us, the Senate Republicans; 1990, as a Governor staffer; 2000, I carried - and I told Senator Raoul - most of the redistricting proposals here. This is my fourth look at the ultimate insider baseball ugly process of redistricting. But SJR 121 is worse than the status quo and I'd urge a No vote.

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PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Burzynski. Leader Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. To the resolution: You know, Senator Dillard indicated that he'd been around for four of these redistrictings, twice as a staffer and now in his second as a Legislator. And certainly, as I look across the Body here, I think that there are only about four of us that have been around for the last three of these, including this one, and myself included. So I think I -- I speak with a little bit of understanding as to what happened in 1992 and what happened in 2002 and what we see occurring here today in the Chamber. But I think that it's very important to point out I've also served on the redistricting commission in '92, as well as this redistricting committee, special committee, this year. And I've had the opportunity to attend and -- and listen to the debate, listen to the comments, the suggestions, in at least three of the hearings that have been held throughout the State. And in all of those, the underlying theme that we were to hear was we need to remove this process from the General Assembly's hands. We need to remove the process from the legislators. And that has been very well opined throughout the meetings, throughout the hearings, and throughout the editorials that we've seen in the State of Illinois as well. Now, the plan that we have in front of us today does not really do that. In fact, the Legislature has the first bite of the apple and they have that bite of the apple where we pass a plan here, we pass one in the -- the same plan in the House, it goes to the Governor for his consideration, where the Governor can veto, sign the bill in

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law, or whatever, at that point in time. But then there's a process in the middle and that includes a couple of other steps. But as we come back to it, ultimately, if all of those fail, then the bill -- then the process comes back to the General Assembly for a second bite of the apple - and you weren't able to do it the first time. So there's no finality here and we've heard that talked about. We heard the -- the sponsor wants finality and I believe that he does. We have a difference of opinion how to get there, but I do believe that he wants finality. But this does not do that, because when that bill comes back here or the process comes back to the General Assembly for the second bite at the apple, then we do something that's called denesting, where the Illinois Senate draws its own maps and the Illinois House draws their map. Well, guess what? There's a component that's been removed at this point and I'm not exactly sure why, but it certainly has. Maybe I can shed some light on that. I don't know. When it comes back for that second time and we denest the districts, the Governor is cut out of the equation. Now, the skeptic in me wants to say that doesn't have anything to do with our gubernatorial candidate, who we think very well will be the next Governor of the State of Illinois, Senator Brady. But certainly it brings up that suspicion, once again, that the Legislature is really out to serve its own interests, not the interest of the citizens, the population and the people of the State of Illinois. You have to ask yourselves, why would the majority that's drawing the map want a Governor from the opposing party to really become a part of the process? This resolution is designed to consolidate the power to draw the legislative boundaries in the hands of the

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General Assembly and the Senate President and the House Speaker. Very, very simply. I think it's the wrong direction to go. I think this goes about redistricting in the wrong way. It, again, disallows what the public has already stated that they want in a redistricting process, which would be an independent body drawing the map, not the legislators. I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator -- Leader Don Harmon, for legislative intent. Leader Harmon.

SENATOR HARMON:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Harmon.

SENATOR HARMON:

Thank -- thank you, Mr. President, and I would -- Senator, could -- I may need a few more moments to prepare the -- my dialogue on legislative intent. Could you come back to me?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Schoenberg.

SENATOR SCHOENBERG:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senate Joint Resolution, Constitutional Amendment, 121. This is my third opportunity to experience reapportionment and it's -- I can tell you, my first one, I actually did better in the Republican map than I did in the Democratic map. So, I want to say, from my personal vantage point, this isn't just a question of reforming process; it's also a question of strengthening outcomes. This proposal, of

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any that has been put forward, is by far the strongest. It -- preserving and strengthening the Voting Rights Act, as well as preserving the integrity of communities of interest. I've yet to hear anyone speak to the community of interest that I come from, the Jewish community, but I -- but I could not support any proposal that would dilute a community of interest like the Jewish community in the State of Illinois, as well as any other community of interest that is perhaps not covered directly under the Voting Rights Act. Finally, Mr. President, Ladies and Gentlemen of the Senate, I want to debunk some of the myths associated with what -- with -- with the -- statements that the political majority party is the one that draws the map and therefore we get these flawed outcomes. If you look at our congressional map, that congressional map was negotiated in a bipartisan manner between former Speaker Dennis Hastert and former Congressman Bill Lipinski. Illinois had to lose one seat because of a population loss. That seat ended up being a southern Illinois district. But in the course of that bipartisan negotiation between a congressional leader on the Democratic side and the leading House member of all four hundred and thirty-five on the Republican side, the outcome that was created was, on the Democratic side, the 17th Congressional District, which belonged then to former Congressman Lane Evans, was made more Democratic, which is why it looks the way it did. And Speaker Hastert and all the congressional Republicans in the delegation agreed to it and, indeed, many of those who are in the General Assembly here today, who were there then, agreed to it as well. And on the flip side, the 10th Congressional District became stronger for its incumbent, the Republican

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nominee for the U.S. Senate, Mark Kirk. How did that occur? Well, the irony is that that bipartisan agreement resulted in former Congressman Phil Crane, a Republican, losing his congressional seat. How did that happen? Because, solidly Republican precincts from Palatine Township, Congressman Crane agreed to give those to Congressman Kirk's 10th Congressional District to make that more solidly Republican and less swing district. And, indeed, if you look at the results of those congressional races over time, you'd argue that that made the difference to Congressman Kirk being able to stay in office today. When Congressman Crane, however, found himself in a tough election fight with a woman named Melissa Bean, he sure could have used those precincts in Palatine Township, which he had given away in order to make the 10th Congressional District safer. Congressman Kirk in turn made an agreement with Congresswoman Schakowsky that they would trade precincts and population so that Wilmette, which was a -- more of Wilmette, which is in my Senate district, could go into the 10th -- go into the 9th Congressional District. Precincts which were predominately Jewish, increasingly Asian and more Democratic in performance, they in turn went to the 9th District in exchange for the pickup of the Palatine Township precincts from the 8th District. All of which occurred -- I mentioned all this because the 17th District gets used as "exhibit A" for what is wrong with the reapportionment process. So it wasn't just one party that brought about this congressional district. This was the active negotiation and agreement between congressional leaders from both parties and the entire congressional delegation, save for one person who unfortunately found himself without a seat to

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run into. So before we hear any overheated rhetoric about the tyranny of the majority subverting the will of the people, let's make clear how the current congressional district came about and, more importantly, how bitter partisan fights can be avoided when, in fact, there's bipartisan cooperation over something as contentious as reapportionment.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Senator Murphy, I want to give you opportunity to catch your breath, as our first baseman next Wednesday in the softball game. Saw you coming -- rushing up the stairs. I know you had important business downstairs. Senator Murphy.

SENATOR MURPHY:

To the -- to the bill, Mr. President. Thank you. You know, we sit in this Chamber today amidst a crisis of confidence among the people of this State about the ability of the people in this building to govern and lead and solve the problems that we face today. The people have made it pretty clear with increasing -- increasing volume that they don't trust the Springfield leaders. They don't believe that, through their actions, the people who run this building are putting the people first above their own interests. What's unfortunate about that is, is that a couple times this year on a bipartisan basis, we actually have done some significant things that showed that we can put the people's interests before our own. We took pay cuts. I'm sure you all were lauded by your constituents, as I was, over and over again for those pay cuts, or maybe not. We voted for pension reform, meaningful pension reform, to put this State on a better founding -- foundation. But when it comes to

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giving up power, those who run this building and their supporters have so far not been willing to prove that they'll put the people first. This redistricting proposal, like so-called campaign finance reform last year before it, is a cynical ploy to convince the people that real reform has arrived when all that is really achieved is the continued consolidation of the power in the hands of a few. This is a blatant incumbent protection plan. The people saw through it in campaign finance reform and they'll see through it again on redistricting. Insulting the people's intelligence is no way to win back their faith and trust. The way to win back the people's faith and trust, the way to resolve this crisis of confidence is to prove we're willing to put their interests before our own by establishing a truly nonpartisan system of redistricting that empowers independent outsiders to draw the map, not incumbents with an interest to protect. Over forty Members of this General Assembly, myself and some of you on the other side of the aisle included, acknowledged as much when we told our constituents, through a Daily Herald survey in May 2009, that we would vote to create a nonpartisan system. This, 121, is not a nonpartisan system. It's a hyper-partisan system. 104, the -- our proposal, the League of Women Voters' proposal, the ed boards' proposal, the people's proposal, is the type of nonpartisan system you promised to support. But the majority here voted to kill it in committee. I'm sure attempts will be made at twisted logic and sophistry to try and spin this plan as nonpartisan. Delude yourself into believing those spin words if you need to. But it doesn't really matter what you say or believe out here on this Floor or how you attempt to rationalize your vote for this

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power grab when you get back home - the final judgment, as always, will be rendered by your constituents. Before you vote for this, ask yourself if the editorial boards will tell your constituents that you represented their interests first and not your own. Reflect before you vote up for this bill on your experiences with constituents after passage of that phony campaign finance reform bill or even the landmark pension reform that was meritorious. Remember their palpable doubt about whether the people in this room actually did something real. Remember whether they felt that we had actually put them first. Do you really think -- do you really think that they'll believe that by allowing incumbents to continue to draw districts for incumbents, do you really think that by supporting that they're going to believe that you put their interests in front of your own? As I said before, we have done meaningful things to win back the faith of the people of this State - taking pay cuts when others were suffering, meaningful pension reform. We have started to rebuild that relationship. We've started to take steps to earn their faith and trust. This is a dramatic step in the wrong direction. It is a dramatic misstep on the path to coming back to winning the faith and trust of the people of this State. I implore you, don't do this. Go back to the drawing board. Relook at 104. Look at what the League of Women Voters and the forty editorials and the seventeen ed boards and the people all across this State have said and listen to them. Show them you're willing to give up the power. Show them this isn't all about power to you. Show them it's about winning back their faith and trust. The reward for that is more than you might imagine. I strongly encourage a No vote today.

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PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. Leader Righter.

SENATOR RIGHTER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Mr. President, to the resolution, please. Thank you. You know, all of us came here today knowing that this resolution would be called for a vote. And I'm sure that all of us had different expectations of what we would hear and what we would see. And I had my own. One thing that I saw here already, Mr. President, that I thought for sure would not happen, would be that the most compelling argument to be made against Senate Joint Resolution, Constitutional Amendment, 121 and in favor of the League of Women Voters' plan, which the Democrat majority killed two days ago, was made by a Member of your side of the aisle who got up just minutes ago and talked -- railed against the maps that we've seen in the last few decades, talked about bipartisan compromise and the system as it exists today and said that doesn't work. And he's right - it doesn't work. That's exactly why Members of the General Assembly should not be drawing their own lines. This resolution that's before you has five basic steps. Four out of the five steps, incumbent legislators control the process. Four out of the five steps, incumbent legislators control the process. There is transparency. We applaud that. And there are hearings and we applaud that - although the hearings may sound a little more valuable than they really are. Because we all know that we can travel around the State and we can have all the hearings we want, but if the policymakers don't listen to what was said in the hearings, it really doesn't matter, does it? It's good

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politics. We sit there and nod yes and we say, "Oh, yes, I think you make great points. We think you're right." And then we go back -- we come back here, you close the door and you do what you want. And I know that that's the case, because that's what you did in the Senate redistricting committee hearings. We traveled all around the State, and what did we hear from the experts? Almost everyone said, "You ought to have an independent commission draw the map." That is in the League of Women Voters' proposal that you killed. It is not in 121. No one endorsed the notion that the incumbent Members of the General Assembly as a whole should be drawing the lines - none of them did. And yet, it is in 121. You didn't hear them. Maybe you were listening, but you didn't hear them and you didn't take them seriously. The reason that the experts don't think the Members of the General Assembly shouldn't {sic} be drawing the lines, Mr. President, the reason that the reform groups lined up in favor of the League of Women Voters' proposal and opposed to 121, are of -- the reason they don't believe that incumbents should be drawing these lines is simple, and it's something that I think that you have yet to grasp - they don't trust us. The people who vote in elections in Illinois, who pay the bills in Illinois and who live in this State do not trust the fifty-nine Members of this Senate or the hundred and eighteen Members of the House or the Governor to draw lines for a legislative map that serves them, the people, not the people who sit in this room. In the end, 121 is nothing other than the status quo. You are stuck in the status quo. You are stuck in time. Stop talking about the past and open up the process and say, we don't want to have Democrats have it; we don't want to

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have Republicans have it; we want to give it away. We want to give it away, because that is the first step in restoring trust in this State. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Leader Righter. Leader Radogno.

SENATOR RADOGNO:

Thank you, Mr. President, Ladies and Gentlemen of the Chamber. I feel like this is déjà vu. We're about to take a vote on something that pretends to be real reform, but in reality is actually worse than what we have as the status quo right now. It reminds me a lot of the original campaign finance reform bill. The many infirmities of this bill have been pointed out by other folks that have gone before me, but it's key to repeat -- it's important to repeat the key difference, which is this proposal has incumbent legislators from the majority party drawing the lines for the map. So by voting for this proposal, if you choose to do that, you're actually telling all of the partners of the Fair Map Amendment - and let me reiterate once again who those are: CHANGE Illinois!; United Power for Action; the Farm Bureau; the Campaign for Political Reform; the League of Women Voters; the Illinois Chamber of Commerce; Independent Voters of Illinois; the Better Government Association; your Lieutenant Governor candidate, Sheila Simon; and former United States Senate candidate on the Democratic side, David Hoffman; all who have endorsed the Fair Map Amendment - you are telling them that you reject their idea, that you're not interested in the kind of reform that they want to see happen. As a result, what will happen is the Leaders in the majority party will continue to draw those lines. They will

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reward their friends and they will punish their enemies. And they won't just punish their enemies on this side of the -- of the aisle. Those of you that are a little too independent or a little too outspoken also stand to suffer if the -- if we have the incumbents drawing those lines. So what I hope happens is that -- is that everyone here votes No on this proposal and that we have an opportunity to see the much more widely supported Fair Map proposal put before the people of this State. So I ask you to vote No, but in the event that we don't vote No and that this passes, and I realize there's that likelihood, I hope that common sense and the respect for the people of Illinois prevails and that they have the opportunity to vote on a system that will spare them the kind of inept government that they have seen for years and years in this State. So please vote No. Thank you.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Madam Leader. Because of legislative intent, we're breaking from the tradition of no one speaking after the Leader but the President to allow Senator Harmon, Leader Harmon, for legislative intent. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Will the sponsor yield for some questions for the purpose of legislative intent?

PRESIDING OFFICER: (SENATOR HENDON)

He indicates he will yield. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Raoul - and to all the Members of the -- the Senate, I -- I do apologize - I have a long list of questions for you. I expect some of your answers will be somewhat involved as well. But I ask you all to bear

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with us so that the record of today's proceedings accurately reflects the legislative intent. Senator Raoul, Senate Joint Resolution, Constitutional Amendment, 121 contains a list of redistricting criteria. Does this list prevent mapmakers from considering other traditional redistricting principles, such as incumbency and partisanship and other data?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

No, Senator, the redistricting criteria listed in SJRCA 121 are not intended to be an exhaustive list of redistricting principles by which mapmakers may draw districts, just as current -- current criteria in the Illinois Constitutions {sic} are not exhaustive. Mapmakers are free to be guided by other traditional redistricting principles, such as incumbency, partisanship, or other principles recognized in Illinois and federal court decisions.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

...Mr. President. SJRCA 121's redistricting criteria uses the phrase "racial minorities and language minorities". What are racial minorities and language minorities for the purpose of legislative intent?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Senator, for your question. That phrase affords protection to the same class of voters who are members of a

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race, color or language minority group receiving protection under the federal Voting Rights Act. The federal Voting Rights Act currently protects voters who are African-American, American-Indian, Asian-American, Alaskan-Natives or of Spanish heritage.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. In this constitutional amendment, right after the first criterion for substantial equality of population, the second and third criteria pertain to minority voting rights. What is the scope of the second criterion?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Senator. The second criterion, which provides racial minorities and language minorities with an equal opportunity to participate in the political process and elect candidates of their choice, is verbatim to Section 2 of the federal Voting Rights Act and thereby enshrines it into our Constitution. The inclusion of Section 2 language expressly establishes a minimum floor - not a ceiling - of protection for minority voting rights in the form of majority-minority districts. Majority-minority districts are those where a minority group composes a numerical, working majority of the relevant population.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

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SENATOR HARMON:

Thank you, Mr. President. Senator Raoul, as a -- as a follow-up, is it your intent that a minority group would need to demonstrate the three Gingles factors as set forth in the United States Supreme Court precedent construing Section 2 of the federal Voting Rights Act in order to muster a minority voter dilution claim under your second criterion?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Yes.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you -- thank you, Mr. President. Senator Raoul, what is the scope of the third criterion?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Senator, for that question. The -- third criterion of providing racial minorities and language minorities who constitute less than a voting age majority of a district with an opportunity to control or substantially influence the outcome of an election expressly ensures the creation and protection of what are known as minority cross-over districts, coalition districts and influence districts.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

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Thank you, Mr. President. Senator Raoul, why was this third criterion included?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kwame Raoul.

SENATOR RAOUL:

This criterion was included to provide express protection for racial minorities and language minorities who -- who do not constitute fifty percent of the voting-age population of a district. Per the United States Supreme Court decision in Bartlett v. Strickland, these minority groups are not entitled to protection under Section 2 of the federal Voting Rights Act. The criterion was included to enshrine State constitutional protection for these minority groups because federal law does not do so.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Don Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Raoul, does the inclusion of the redistricting criterion for the creation and protection of cross-over districts, coalition districts and influence districts run afoul of the U.S. Supreme Court's racial gerrymandering decision in Shaw?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Absolutely not, and it's not intended to do so whatsoever. The U.S. Supreme Court has considered cross-over, coalition, and influence districts on several occasions and never remotely suggested that any of these districts violate the Constitution.

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Moreover, this third criteria -- criterion should not be considered in a vacuum, apart from the other criteria. The federal constitutional principle of one-person, one-vote receives the highest priority in our amendment, followed by the federal statutory mandate of Section 2 districts under the Voting Rights Act. In addition, principles of contiguity, compactness, as well as concerns for communities of interest and local boundaries, remain important principles as well, that must be considered. This third criterion does not mandate cross-over, influence districts at the expense of all else.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Raoul, could you explain to us what a cross-over district is?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Kwame Raoul.

SENATOR RAOUL:

Yes. A cross-over district is one in which a racial minority or a language minority is not a numerical majority of the voting-age population but the minority, at least potentially, is large enough to elect the candidates of its choice with help from voters who are not of that racial or language minority and who cross over to support the minority's preferred candidate. We are using this terminology as it was discussed in the U.S. Supreme Court decision of Bartlett versus Strickland.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

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SENATOR HARMON:

Thank you, Mr. President. Senator Raoul, in that same vein, what is a coalition district?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Thank you, Senator. A coalition district is one in which more than one minority group work together to form a majority and elect a candidate who will represent their interests. We are using this terminology as it was discussed in the U.S. Supreme Court decision of Bartlett versus Strickland.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon. And, Senator Raoul, if you would speak up, we would appreciate it. Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Again, in the same vein, Senator Raoul, what is an influence district?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

An influence district is one in which a racial minority or language minority is not a majority of the voting-age population and may not be able to elect a candidate of their choice but can play a substantial, although not decisive, role in the electoral process. We are using this terminology as it was discussed in the U.S. Supreme Court decision of Bartlett versus Strickland. I would also refer you to the 2003 U.S. Supreme Court decision of Georgia versus Ashcroft.

PRESIDING OFFICER: (SENATOR HENDON)

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Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. Senator Raoul, does the third criterion distinguish in priority between cross-over districts, coalition districts, and influence districts?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

No. The third criterion accords equal priority to each.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. SJRCA 121 provides, among other things, that Senate and House districts must respect, to the extent practical, communities of interest. What is the intended scope and definition of the communities of interest criterion?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

The term "communities of interest" is defined as an area of residents who are cohesive based on shared similar interests, including but not limited to racial, ethnic, economic, geographic, governmental, regional, social, cultural, partisan and historic interests. These areas would be determined by mapmakers in part through public input and submissions provided at the various public hearings required under SJRCA 121 as well as public input received by the General Assembly.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

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SENATOR HARMON:

Thank you, Mr. President. Senator, the communities of interest criterion also uses the phrase "respect, to the extent practical". What is the intended meaning for that phrase?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

For -- for the purposes of legislative intent, the phrase "respect, to the extent practical" means to avoid violating or interfering with communities of interest when practical. For practical purposes, a mapmaker would comply with this criterion by separating two communities of interest with competing political interests into separate districts. A separation of this sort refrains from interfering with the community's interest by allowing it to seek representation free from the dominant influence of a competing community.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon. Sorry. Senator Raoul.

SENATOR RAOUL:

With that said, this criterion does not establish a requirement that a community cannot be split. A mapmaker, for example, may split a community of interest to accommodate redistricting criteria that have a higher priority than communities of interest criterion, such as equal population requirement and the community of interest is larger than one district may accommodate. The mapmaker could not, however, refuse to recognize a community of interest solely because it spans more than one municipality, as respect for municipal boundaries has a lower priority than the recognition of

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communities of interest.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I'm nearing the end of my -- my questions. I appreciate your indulgence. Senator Raoul, is the criterion for communities of interest, as it relates to a minority group, intended to supplement -- I'm sorry, to supplant the minority voting rights criteria set forth in SJRCA 121?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

...speak -- clearly your question is whether it's intended to supplant the minority voting rights criteria set forth in SJRCA 121. The answer is, no. If a minority group is capable of forming a cross-over district, coalition district or influence district, then a mapmaker must draw these districts. The mapmaker could not avoid fulfilling the minority voting rights criteria.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. One last question, Senator Raoul. Subsection (f) of SJRCA 121 states that if a redistricting bill, resolution, or plan is invalidated in whole or part by a court, or a redistricting plan is not filed by October 5th with the Secretary of State, then the General Assembly may redistrict by law. If either of these scenarios occurred and the General Assembly failed to act or could not

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enact a redistricting plan into law, then would the Illinois Supreme Court have the power to adopt its own interim redistricting plan?

PRESIDING OFFICER: (SENATOR HENDON)

Senator Raoul.

SENATOR RAOUL:

Very good and important question. As stated earlier, this is designed to achieve certainty. And, yes, the Illinois Supreme Court would have the power to adopt its own interim redistricting plan. This ultimate step of certainty of allowing the Illinois Supreme Court retains the Court's historical role in redistricting as supported by the 1970 Constitutional Convention debates and Court decisions in *People ex rel. Engle v. Kerner* and *People -- Scott v. Grivetti*. This ensures that an Illinois governmental body, not a federal court, will draft a redistricting plan.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator Harmon. This is final action. Senator Raoul, to close, sir. Senator Raoul, to close.

SENATOR RAOUL:

Thank -- thank you, Senator Hendon, and I -- I appreciate the opportunity, and I really appreciate the opportunity that President Cullerton has given me to travel the State and receive input from the citizens of Illinois. And I just want to address some of the things that was raised by some of my colleagues, and -- and some of 'em who had an opportunity to travel the State with me, and to make a few corrections. As to whether I would sponsor a resolution that would harm the African-American community or other minority communities, I am offended. I am

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offended that -- because clearly, by a simple visual of this Chamber, you can see who has made an effort to address their policy positions to try to attract the support of minority communities. I don't need to say who that is. Eyes -- people's eyes would not lie. I would say to the gentleman from DuPage County who said -- who -- who spoke to that and to those of you all who attempt to point the finger of gerrymandering to me, I have never been part of a redistricting process in my life before. You all have. The congressional map that people refer to that show the gerrymandered districts was a map that was sponsored by you - not me. Had I been there, I would have voted against it, just like my predecessor voted against it. So do not point the finger at me. I haven't had the opportunity to be involved -- to be involved yet and I will do -- things differently than you all have already done it. I choose the people over the Legislative Leaders. The people get to choose who would draw the map under this scenario, not the Legislative Leaders. I asked the question in committee and I allowed over four-and-a-half hours of testimony in committee. I did not cut anybody off, because I respect everybody's input in this process. Not a single witness did I cut off. I asked - was there anything in the other competing proposal that prohibited the Legislative Leaders to meet in a smoke-filled room with the people that they handpicked to draw the map? There was nothing in that proposal. I choose who the people select to draw the map instead of who the Legislative Leaders select to draw the map. I want to talk about diversity. Would a nine-member commission be able to reflect the diversity of this State? What has already been seen in another state that has a sixteen-member

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-- commission, a so-called independent commission, in California, where the Latino voting population is -- thirty-six percent of the state, it's already being seen that that commission is discriminatory towards Latinos, which comprise thirty-six percent of their voting population. Do I want such a -- a smaller commission that would be discriminatory towards minorities? No. I want the great diversity that we see in this General Assembly. I want the geographic diversity that we see in this General Assembly. A Legislative Leader who can only pick two people, how are they going to address the geographic diversity of this State? Hypocrisy - hypocrisy - you've heard me talk about hypocrisy before. Our plan is designed after the Paul Simon Public Policy Institute Plan that was put into legislation just two years ago and passed out with bipartisan -- wide bipartisan support in the other Chamber and picked up by the gentleman from Mattoon/Charleston, who now says he's against the plan. It's hypocrisy. Now, it's said that we take the Governor out of the process. Tell me, where's the Governor in the process in their plan? Nowhere. Hypocrisy. Show me, what line? Where in your proposal is the Governor involved? I apologize to the gentleman, the would-be Governor, from Bloomington, but your party cuts you out. Hypocrisy. I've gone all around the State. We took input from the Reform Commission, Illinois Campaign for Political Reform, the NAACP, MALDEF, the League of Women Voters - twice, when we found out -- when I found out from a newspaper that they had a proposal that was drafted by the Senate Republican lawyers. I said, "Okay, I don't care who drafted it. Let's have a hearing on it. Let's raise questions about it." And in December, we raised questions

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as to where it fell short in terms of addressing minority voting rights concerns, where it fell short of addressing concerns of communities of interest, like the Chinatown community that came forth and testified before our committee - in December. January, no changes made. February, no changes made. March, no changes made. Oh, and then two days ago, in acknowledgement of the shortcomings, it was said, "Well, maybe we can consider making some changes." You had your chance. You had plenty of time. We had a hearing, a public hearing. You don't want to compete for the support of minority communities. It's evident. And you don't want to address -- it was said -- a public comment was made by the chief sponsor of that proposal that we wasted time talking about the Voting Rights Act. I disagree with that and I urge your support on this bill.

PRESIDING OFFICER: (SENATOR HENDON)

The question is, shall Senate Joint Resolution, Constitutional Amendment, 121 pass. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the question. On that question -- take the roll -- the record. On that question, there are 36 voting Aye, 22 voting Nay, and none voting Present. Senate Joint Resolution, Constitutional Amendment, 121, having received the required three-fifths constitutional majority pursuant to Article XV, Section 2(a) -- XIV, Section 2(a) of the Illinois Constitution, is hereby adopted. Madam Secretary, Messages -- Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Link, Vice-Chairperson of the Committee on

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Elections, reports House Bills 4821, 4842, 5157, 5820, 6077 Do Pass; and House Bill 5206 Do Pass, as Amended.

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, reports House Bills 4669, 4721, 4775 Do Pass; and House Joint Resolution 57 Be Adopted, as Amended.

Senator Delgado, Chairperson of the Committee on Public Health, reports House Bills 4805, 5821, 5838, 5930, 6006, 6441 Do Pass; Senate Bill 3773 Do Pass, as Amended; and Senate Joint Resolution 89 Be Adopted, as Amended -- oh, I'm sorry, and Senate Amendment 3 to Senate Bill 678 recommended Do Adopt.

Senator Hunter, Chairperson of the Committee on Human Services, reports House Bills 4756, 4909, 5054, 5459, 5499, 5861, 5891 Do Pass; and House Bill 5223 Do Pass, as Amended.

Senator Maloney, Chairperson of the Committee on Higher Education, reports House Bill 4972, 5411 and 6092 Do Pass.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, reports House Bills 3762, 5055, 5232, 5285, 5428, 5469, 5509, 5735, 5918, 5951, 5976, 6082, 6124 and 6477 Do Pass.

Senator Meeks, Chairperson of the Committee on Education, reports House Bills 4672, 4674, 4755, 5340, 5515, 5836 Do Pass.

Senator Sandoval, Chairperson of the Committee on Transportation, reports House Bills 4673, 4717, 4778, 4796, 4820, 4982, 5095, 5712, 5718, 5819, 5969, 6094 Do Pass; and Senate Amendment 3 to Senate Bill 3716 recommended Do Adopt.

Senator Garrett, Chairperson of the Committee on Environment, reports House Bill 5226, 5907, 6047, 6201 Do Pass; and Senate Amendment 4 to Senate Bill 3346 recommended Do Adopt.

Senator Koehler, Chairperson of the Committee on Local

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Government, reports House Bills 4699, 4708, 4818, 4868, 5283, 5540, 5555, 5671, 5958, 5970, 5972, 6178 and 6239 Do Pass.

Senator Noland, Chairperson of the Committee on Criminal Law, reports House Bills 596, 3869, 4583, 4825, 4873, 4987, 5150, 5321, 5525, 5669, 5790, 5791, 6101, 6129, 6151 Do Pass; and Senate Amendment 4 to Senate Bill 3513 recommended Do Adopt.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Luechtefeld, for what purpose do you seek recognition?

SENATOR LUECHTEFELD:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

Just a moment, Senator. The Chamber is extremely noisy. This is the Senate. This is not the House. Please lower your voices. A Senator is seeking recognition. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, I would -- or, Mr. President, I would like to introduce some people from back home who have come here today with their -- with their young son to -- to watch a process go on that we just finished here. First, if they would please stand and you would welcome them. The young son is -- is Philip Poston. His mother and father, Scott and Lizette Poston. Would you welcome them, please?

PRESIDING OFFICER: (SENATOR HENDON)

Will our -- welcome to the Illinois Senate. Welcome. House Bills 1st Reading.

SECRETARY ROCK:

House Bill 5026, offered by Senator Demuzio.

(Secretary reads title of bill)

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House Bill 5191, offered by Senator Burzynski.

(Secretary reads title of bill)

House Bill 5430, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 5565, offered by Senator Delgado.

(Secretary reads title of bill)

House Bill 5732, offered by Senator Hutchinson.

(Secretary reads title of bill)

House Bill 5900, offered by Senator Millner.

(Secretary reads title of bill)

House Bill 5927, offered by Senator Delgado.

(Secretary reads title of bill)

House Bill 6030, offered by Senator Steans.

(Secretary reads title of bill)

House Bill 6140, offered by Senator Sullivan.

(Secretary reads title of bill)

House Bill 6152, offered by Senator Haine.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR HENDON)

The -- Committee on Assignments will be meeting soon, so don't go far. Senator Righter, for what purpose do you seek recognition, sir?

SENATOR RIGHTER:

Thank you, Mr. President. I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR HENDON)

State your point, Senator.

SENATOR RIGHTER:

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Thank you, Mr. President. First of all, I do want to thank you, for during the debate I saw several times, actually on both sides of the aisle, where the timer had expired and you continued to allow the Members to -- to finish their comments. You and I had talked about that before and I appreciate that. Having said that, Mr. President, I am disappointed in the way that debate ended with regards to the sponsor of the resolution clearly, clearly referring to me. I understand that he did not use the words "Dale Righter". He said the Senator from Mattoon/Charleston. You and I both know there is only one Member of this Body who comes from Mattoon/Charleston. And to say that that is not referring to a -- a Member by name or calling them out in debate is a little like me closing on a bill and saying that the Senator whose initials are R.H. was wrong and you saying, "Nah, he's not taking about me." That defies common sense, with all due respect, Mr. President. Additionally, if that's the way we are going to interpret the procedure, Mr. President, you and your colleagues are going to encourage Members on both sides in their closings to wait - wait until they've got anything substantive to say, including wait until they have any comments about what other Members have said and then lay 'em out in their closing and not give any Members a chance to respond. The rule that allows a Member to respond if their name is spoken in debate is not limited to the closing by a sponsor on a resolution or a bill. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator, and I certainly understand your position. Senator Meeks.

SENATOR MEEKS:

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Yeah, thank you so much, Mr. Chairman {sic}. I'd just like to add that R.H. could have been Senator Randy Hultgren. So, there is more than one Senator in the Chamber with the initial R.H. Didn't have to be Rickey Hendon. It could be Randy Hultgren.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. As you know, I was very patient with everyone, because I want everyone to play for me next Wednesday and play your hearts out in the annual game against the House. So when you leave -- I know some people are leaving today, I'm told. Next week, make sure you bring your workout clothes, your softball clothes, so we can beat the House once again. The game is Wednesday, the 21st of April. So be prepared. Lincoln -- Lincoln Park. Senator John Jones, for what purpose do you seek recognition, sir?

SENATOR J. JONES:

Thank -- thank you, Mr. President. A -- an announcement, please.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement, Senator.

SENATOR J. JONES:

If -- if I could, remind everybody that tonight is the Sportsmen's Caucus dinner and auction. The -- the meal starts at 6 o'clock. Poe Catering is -- is catering it. So come out and have some good ol' fried chicken and bring your pocketbooks and checkbooks so you can bid on some items. It -- it's for a great cause as -- as we help the youth and the handicapped sportsmen throughout the State of Illinois. So, just want to remind everybody that.

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PRESIDING OFFICER: (SENATOR HENDON)

The Senate will stand at ease for a few moments -- few minutes to allow the Committee on Assignments to meet. The members of the Committee on Assignments will come to the President's Anteroom immediately. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HENDON)

Senate will come to order. We would like to recognize the former Leader of the Senate, Senator Frank Watson. Good to see you, Frank. I actually wish you was here next week, 'cause, you know, we could use a good second baseman. So just in -- just talk to your colleagues, and we're going to win it -- win it for you. All right, Senator Raoul, for what purpose do you seek recognition, sir?

SENATOR RAOUL:

Purposes of announcement. Mr. President, Members of the Senate, this evening the Operating Engineers will be hosting a reception on behalf of Haiti at the Sangamo Club from 5:30 to 8:30. I highly encourage people to come and support to the extent that they can.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Clayborne, Chairman of the Committee on Assignments, reports the following Legislative Measures have been assigned: Refer to the Commerce Committee - House Bill

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6153; refer to the Criminal Law Committee - Committee Amendment 1 to House Bill 6464; refer to the Education Committee - Committee Amendment 1 to House Bill 6079, Committee Amendment 1 to House Bill 4209; refer to the Energy Committee - Committee Amendments 1, 2 and 3 to House Bill 5378, Committee Amendment 1 to House Bill 6419, Floor Amendment 2 to Senate Bill 2485; refer to the Executive Committee - Floor Amendment 2 to Senate Bill 375, Floor Amendment 5 to Senate Bill 3348, and Floor Amendment 3 and 4 to Senate Bill 580; refer to the Financial Institutions Committee - House Bill 4781; refer to the Higher Education Committee - Senate Resolution 683; refer to the Judiciary Committee - Committee Amendment 1 to House Bill 5161 and Committee Amendment 1 to House Bill 5409; refer to the Labor Committee - Committee Amendment 1 to House Bill 5458 and House Bill 5026; refer to the Licensed Activities Committee - Committee Amendment 1 to House Bill 5514, Committee Amendment 1 to House Bill 6415, and House Bill 6416; refer to Local Government Committee - Committee Amendment 1 to House Bill 4846; refer to the Pensions and Investments Committee - Committee Amendment 1 to House Bill 6368 and House Bill 6152; refer to the State Government and Veterans Affairs Committee - Committee Amendment 1 to House Bill 5823, House Bill 5191 and Senate Resolution 682; refer to the Transportation Committee - House Bill 5732.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR HENDON)

Gordon Graham from WAND seeks leave to video. Is leave granted? Leave is granted. Senator Hunter, for what purpose do you seek recognition?

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SENATOR HUNTER:

For a point of -- of an announcement, Mr. President.

PRESIDING OFFICER: (SENATOR HENDON)

Make your announcement, Senator.

SENATOR HUNTER:

I'd like to invite everyone this evening to -- to visit us at the State Library, in the main lobby, where myself and Senator Hendon and Representative Burns will be hosting a reception on behalf of the National Public Housing Museum. And you remember the movie Good Times? Well, Thelma, whose name is Bern Nadette -- Bern Nadette Stanis, will be in town for that reception. And I'd like to invite everyone tonight, please.

PRESIDING OFFICER: (SENATOR HENDON)

Thank you, Senator. The Executive Committee will meet at 2 p.m. in Room 212 today. And tomorrow, the Energy Committee will meet at 9 -- 9:30 a.m. in Room 212. The other committees will meet as previously noted. ...gonna do a few resolutions. Madam Secretary, Senate Joint -- Senate Resolution 642. Madam Secretary, read the resolution.

SECRETARY ROCK:

Senate Resolution 642, offered by Senator Haine.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Haine.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, this recognizes next week, this coming week, as Shaken Baby (Syndrome) Awareness Week, to bring awareness to this terrible - these terrible acts that cause these irreparable damages to infants.

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PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? Is there... We are looking for -- to see if there is an amendment to your resolution, Senator. Is there - 642 - an amendment? Senator Haine moves the adoption of Amendment No. 1 to Senate Resolution 642. Is there any discussion? Seeing none, all in favor, say Aye. Opposed, say Nay. The Ayes have it, and the amendment is adopted. Have there been any further Floor amendments approved for consideration?

SECRETARY ROCK:

No further amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

Senator -- to the resolution, Senator Haine.

SENATOR HAINE:

It -- it -- the amendment was a technical change. It brings awareness to this -- this -- the growing occurrence of this terrible -- these terrible acts.

PRESIDING OFFICER: (SENATOR HENDON)

Question is, shall Senate Resolution 642 pass. All those in favor, say Aye. Opposed, say Nay. The Ayes have it, and the resolution is adopted. Senate Resolution 728. Senator Rutherford. He's not on the Floor. Out of the record. Okay, we're going to go back to Senate Resolution -- I'm sorry, 728. Senator Rutherford is the sponsor of 728. Madam Secretary, please read the resolution.

SECRETARY ROCK:

Senate Resolution 728, offered by Senator Rutherford.

PRESIDING OFFICER: (SENATOR HENDON)

Senator Rutherford.

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SENATOR RUTHERFORD:

Thank you, Mr. President. This deals with Mr. Larry Nedrow, who passed away some years ago, but helped establish a substantial part of the organization today called Northern Illinois Painting and Drywall Institute. And this acknowledges and recognizes his contribution.

PRESIDING OFFICER: (SENATOR HENDON)

Is there any discussion? The question is, shall Senate Resolution 728 pass. All those in favor will vote Aye. Opposed will vote Nay. The Ayes have it, and the resolution is adopted. Please turn your Calendar to page 33. We're going to House Bills 2nd Reading. House Bill 4639. Senator Althoff. Just on 2nd Reading, moving it to 3rd. Madam Secretary, read -- read -- read the bill.

SECRETARY ROCK:

House Bill 4639.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 4710. Senator Risinger. 4710. Out of the record. House Bill 4715. Senator Dillard. Dillard, 4715. Move it to 3rd? Madam Secretary, read the bill.

SECRETARY ROCK:

House Bill 4715.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

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3rd Reading. House Bill 4738. Senator Link. 4738. Out of the record. House Bill 4758. Senator Althoff. You have another. Madam Secretary, read the lady's bill.

SECRETARY ROCK:

House Bill 4758.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. We're going to go back to House Bill 4738. Senator Link. Madam Secretary, read my good friend's bill.

SECRETARY ROCK:

House Bill 4738.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 4776. Senator Schoenberg. Jeff Schoenberg. Out of the record. House Bill 4807. Senator Millner. Senator Millner, on -- do want this moved to 3rd Reading, sir? Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4807.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 4895. Senator Bomke. Out of the record. House Bill 4945. Senator Wilhelmi. A.J. Madam

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Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 4945.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. House Bill 5412. Senator Frerichs. Madam Secretary, read the gentleman's bill.

SECRETARY ROCK:

House Bill 5412.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR HENDON)

3rd Reading. There's a revised schedule announcement. Executive Committee will meet at 2:30 today instead of 2 o'clock - 2:30 today in Room 212. Please be on time. There being no further business to come before the Senate, the Senate stands adjourned until the hour of 10 a.m. on the 15th day of April, 2010. The Senate stands adjourned.