

STATE OF ILLINOIS  
96th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

110th Legislative Day

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PRESIDING OFFICER: (SENATOR SCHOENBERG)

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 gallery please rise? The invocation today will be given by Pastor Keith Hallam, the Sanctuary in Batavia, Illinois. Pastor Hallam.

PASTOR KEITH HALLAM:

(Prayer by Pastor Keith Hallam)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please remain standing for the Pledge of Allegiance. Senator Jacobs.

SENATOR JACOBS:

(Pledge of Allegiance, led by Senator Jacobs)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Reading and Approval of the Journal.

SECRETARY ROCK:

Senate Journal of Thursday, April 15th, 2010.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter.

SENATOR HUNTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Hunter moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. Andrew Rarich {sic} (Ranich), on behalf of the Senate Republicans, seek leave of the Body -- requesting permission to videotape. Leave is granted

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only for this circumstance for Senator Bivins. Leave is granted. Madam Secretary, Committee Reports.

SECRETARY ROCK:

Senator Kotowski, Chairperson of the Committee on Commerce, reports House Bill 5946 Do Pass.

Senator Bond, Chairperson of the Committee on Telecommunications and Technology, reports House Bill 4990 Do Pass; and Senate Amendment 2 to Senate Bill 120 recommended Do Adopt.

Senator Raoul, Chairperson of the Committee on Pensions and Investments, reports -- House Bill 5873 Do Pass; and House Bill 6368 Do Pass, as Amended.

Senator Holmes, Vice-Chairperson of the Committee on Labor, reports House Bills 5376 and 6014 Do Pass.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Madam Secretary, Resolutions.

SECRETARY ROCK:

Senate Resolution 764, offered by Senator Demuzio and all Members.

Senate Resolution 765, offered by Senator Demuzio and all Members.

Senate Resolution 766, offered by Senator Demuzio and all Members.

Senate Resolution 767, offered by Senator Lauzen and all Members.

Senate Resolution 768, offered by Senator Dillard and all Members.

Senate Resolution 769, offered by Senator Dillard and all Members.

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Senate Resolution 770, offered by Senator Dillard and all Members.

Senate Resolution 771, offered by Senator Dillard and all Members.

Senate Resolution 772, offered by Senator Demuzio and all Members.

They are death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Consent Calendar - Resolutions. Madam Secretary, House --  
House Bills 1st Reading.

SECRETARY ROCK:

House Bill 4924, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 4947, offered by Senator Harmon.

(Secretary reads title of bill)

House Bill 5289, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 5424, offered by Senator Duffy.

(Secretary reads title of bill)

House Bill 5590, offered by Senator Risinger.

(Secretary reads title of bill)

House Bill 5846, offered by Senator Clayborne.

(Secretary reads title of bill)

House Bill 6045, offered by Senator John Jones.

(Secretary reads title of bill)

House Bill 6063, offered by Senator Schoenberg.

(Secretary reads title of bill)

House Bill 6141, offered by Senator Righter.

(Secretary reads title of bill)

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House Bill 6213, offered by Senator Frerichs.

(Secretary reads title of bill)

House Bill 6450, offered by Senator Martinez.

(Secretary reads title of bill)

House Bill 6460, offered by Senator Harmon.

(Secretary reads title of bill)

1st Reading of these House bills.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski, for what purpose do you seek recognition, sir?

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR BURZYNSKI:

Thank you. In the gallery behind me, we have a group that are visiting Springfield today from DeKalb County. They're here a part of -- as part of the DeKalb County's Youth Program, where we have seventh and eighth graders that come to Springfield. They've been making this trip for several years. They've already participated in a mock trial this morning -- a mock hearing on the four-day school week. They'll be visiting the Capitol and then also going to the Abraham Museum -- Lincoln Museum, as well as others. So I wish you would all join me in welcoming -- welcoming them here to the Illinois Senate.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will our guests in the gallery please rise? And let's give them a warm Senate greeting. Senator Garrett, for what purpose do you seek recognition?

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SENATOR GARRETT:

Thank -- thank you very much, Mr. President. On a point of personal privilege. I would like to announce that I have constituents from Highland Park in the gallery in front of me, Dave and Rae Stuhlmacher. Thank you very much for coming to Springfield.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Guests in the gallery please rise. And let's give Senator Garrett's guests a warm Senate greeting. Senator Lightford, for what purpose do you seek recognition?

SENATOR LIGHTFORD:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR LIGHTFORD:

Ladies and Gentlemen of the Senate, behind me, in the President's Gallery, is a group of great students. They're the Student Council at Catalyst Charter School in Chicago, in my district. They're a awesome group of children. They're here to observe what there actually learning right now back at Catalyst. Principal Sims have brought them all the way down. Two other instructors - the names are escaping me. But can you guys please welcome Catalyst Student Council to the Illinois General Assembly.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will our guests from Catalyst please rise so we can give you a warm Senate greeting? Thank you. Senator Harmon, for what purpose do you seek recognition, sir?

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SENATOR HARMON:

Thank you, Mr. President. I'm hoping to introduce some guests before Senator Hendon riles us all up with tales of softball victories.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

What makes you think that Senator Hendon would do that?

SENATOR HARMON:

Experience, Mr. President, experience. I'm joined on the Senate Floor today by two guests, Betsy Davis and Cathy Blanford. Cathy is the founder of an organization in my district called Parenthesis, and Betsy has been very supportive. They're here today because of their support for Parenthesis. Betsy is actually a constituent of Senator Lightford and Cathy is a constituent of Senator Radogno, so I'll try to make sure that she gets to say hello to her own Senator. But, I ask you to join me in welcoming them here to the Senate Floor today.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Will -- let's welcome Senator Harmon's guests. If you could please rise, so we can acknowledge you? Thank you very much for joining us today. Looking around the Chamber, I see that there is no one else seeking recognition. Senator Hendon, was your light on?

SENATOR HENDON:

Yes, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

If it's all right with everyone else, we're going to extend this point of personal privilege to Senator Hendon. Senator Hendon - with props.

SENATOR HENDON:

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Thank you. Thank you, Mr. President. I -- I -- I know some of our guests are noticing this trophy that is on my desk here and the fact that I have a sixteen-inch softball in my hand. It just so happens that tomorrow is the annual game between the House and the Senate. And, you know, this trophy did not get here by osmosis, meaning we whupped them last year and we're gonna beat them down again this year. Now I don't feel the enthusiasm in this room that's gonna be required for us to stomp the House like we did last year. I see my shortstop, Senator Kotowski, there - he looks ready to roll. Give him a -- he's all pumped up. He ate his Popeye spinach over the weekend. I see Maloney over there, our left fielder. He's ready to go. And our Most Valuable Player from last year, a Republican, a Republican...

PRESIDING OFFICER: (SENATOR SCHOENBERG)

How did we let that happen?

SENATOR HENDON:

Big Mad Murphy, the first baseman with the golden hands, those giant hands. I'm not gonna get excited, but tomorrow, at Lincoln Park, we shall show the House again that this is the House of Lords and they are the lower Chamber. Six o'clock - be there or be square.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Thank you, Senator Hendon. We're pleased to see that you did not pull a muscle in making that announcement. Senator Wilhelmi, for what purpose do you seek recognition, sir?

SENATOR WILHELMI:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)



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Please state your point.

SENATOR WILHELMI:

Thank you very much. Ladies and Gentlemen of the Senate, it's my pleasure and privilege to introduce to you two of my Pages who are with me today. To my right, I have young Jack Geissler from Joliet, and to my left, I have young Reid Filotto. And Reid Filotto's mom and dad, Bob and Debbie Filotto, who are great friends of mine, residents of Joliet, are in the gallery, and Jack's mother is my dentist. It's really a pleasure and an honor to have them with us today. Let's give 'em a warm Springfield welcome.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you. Let's welcome our guests to the Illinois Senate. Senator Crotty, for what purpose do you seek recognition?

SENATOR CROTTY:

I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point.

SENATOR CROTTY:

Well, I, too, have some guests paging with me today. This is their first time here on the Senate Floor. I have Miranda Gattone and her -- and her sister, Mikayla Gattone. And up in the gallery, I have their dad, Mike, and their other sister, Emily. If everybody would welcome them to Springfield.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Welcome to the Illinois Senate. It's nice to have you with us. With that, the Senate will now stand at ease for a few minutes to allow the Committee on Assignments to meet. If the

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members of the Committee on Assignments could please come to the President's Anteroom immediately. Assignments will now meet immediately in the President's Anteroom. The Senate will stand at ease.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will come to order. 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 Agriculture and Conservation Committee - Committee Amendment 2 to House Bill 4866 and Committee Amendment 1 to House Bill 6099; refer to the Consumer Protection Committee - Floor Amendment 1 and Floor Amendment 2 to House Bill 4698; refer to the Criminal Law Committee - Committee Amendment 1 to House Bill 4580, Committee Amendment 1 to House Bill 4598, Committee Amendment 1 to House Bill 4675, Committee Amendment 1 to House Bill 5745, Committee Amendment 1 to House Bill 5749, Committee Amendment 1 to House Bill 6462, Floor Amendment 1 and Floor Amendment 2 to House Bill 4715, Floor Amendment 1 to House Bill 4895, Floor Amendment 1 to House Bill 5150, and House Bill 6460; refer to the Education Committee - Committee Amendment 1 and Committee Amendment 2 to House Bill 16, Committee Amendment 1 to House Bill 4886, Committee Amendment 1 to House Bill 5633, Committee Amendment 1 to House Bill 5863, Committee -- Committee Amendment 1 to Senate Joint

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Resolution 114 and Floor Amendment 1 to House Bill 5515; refer to the Elections Committee - Committee Amendment 2 to House Bill 2465; refer to the Energy Committee - Committee Amendment 1 to House Bill 4649 and Committee Amendment 2 to House Bill 6419; refer to the Executive Committee - Floor Amendment 1 to Senate Joint Resolution Constitutional Amendment 120; refer to the Financial Institutions Committee - Committee Amendment 1 to House Bill 5868; refer to the Human Services Committee - Committee Amendment 1 to House Bill 5132, Committee Amendment 1 to House Bill 5331, Committee Amendment 2 to House Bill 5350, Committee Amendment 1 to House Bill 5357 and Committee Amendment 1 to House Bill 5998; refer to the Insurance Committee - Committee Amendment 1 to House Bill 4782 and Committee Amendment 1 to House Bill 5527; refer to the Judiciary Committee - Committee Amendment 1 and Committee Amendment 2 to House Bill 5126, Committee Amendment 1 to House Bill 5290, Committee Amendment 2 to House Bill 5429, Committee Amendment 1 to House Bill 5448 and Floor Amendment 2 to Senate Bill 2850; refer to the Licensed Activities Committee - Committee Amendment 1 to House Bill 5080, Committee Amendment 1 and Committee Amendment 2 to House Bill 6252; refer to the Local Government Committee - Committee Amendment 1 to House Bill 4837, Committee Amendment 1 to House Bill 4973; refer to the Public Health Committee - Committee Amendment 1 to House Bill 5040, Committee Amendment 1 to House Bill 5219, Committee Amendment 1 to House Bill 5766, Committee Amendment 1 to House Bill 6034 and Committee Amendment 1 to House Bill 6439; refer to the Revenue Committee - Floor Amendment 1 to House Bill 5603; refer to the State Government and Veterans Affairs Committee - Floor Amendment 1 to House Bill

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6267; refer to the Transportation Committee - Committee Amendment 1 to House Bill 156 and Committee Amendment 1 to House Bill 5732.

Signed by Senator James F. Clayborne, Chairman.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

The Chair wishes to announce that the Floor amendments which have just been discharged from the Committee on Assignments will be heard in the following committees at the following times: The Judiciary Committee will meet at 2:30 today in Room 400. The Education Committee will meet today at 4 p.m. in Room 409. Amendments will also be heard tomorrow, Wednesday, at 9 a.m. in Criminal Law - Room 212. Wednesday, 2 p.m., the Executive Committee in 212 and in the Revenue Committee in Room 400. Tomorrow at 4 p.m., Floor amendments will be heard at State Government and Veterans Affairs in Room 409. Thursday, Floor amendments will be heard in Consumer Protection at 9:30 in Room 409. Senator John Sullivan, for what purpose do you seek recognition, sir?

SENATOR SULLIVAN:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR SULLIVAN:

Thank you. Ladies and Gentlemen, I have a group of young students from Monmouth College, which is in my district, in Monmouth, Illinois. They are down here today with their instructor, Robin Johnson. It's a political science class and they're down today to observe the process here in Springfield. They're in the gallery, on the opposite side, behind the

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President. And I'd like everybody to welcome them to Springfield today.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Our guests from Monmouth please rise and let's give them a warm Senate greeting. Senator Althoff, for what purpose do you seek recognition?

SENATOR ALTHOFF:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point.

SENATOR ALTHOFF:

People in the gallery might notice those wonderful flowers on Senator Hunter's desk, and I know she just stepped out and will be embarrassed that I'm actually kind of talking about her without her being on the Floor, but Senator Hunter is being acknowledged and recognized this Saturday by the CommunityHealth, which is Illinois' largest free clinic. They are honoring Senator Hunter with their Public Service award. And Mattie has been a very active and involved member of COWL. So those wonderful flowers on her desk are from all of the members of COWL to acknowledge her efforts and the recognition on Saturday evening. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Thank you, Senator Althoff. ...now have the Members' attention for an introduction from Senator Bivins. Senator Bivins.

SENATOR BIVINS:

Ladies and Gentlemen of the Senate, today, by proclamation of Governor, April 20th is Northwestern Illinois State Champions

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Day. And with me today are several representatives of a variety of schools from northwest Illinois who have all -- one thing in common - they've all won State championships in their respective sports. So I'd ask the Assistant Secretary to read the Proclamation.

ACTING SECRETARY KAISER:

(Secretary reads Governor's Proclamation)

SENATOR BIVINS:

Thank you. Please congratulate and welcome all these fine athletes. Thank you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Burzynski, you were earlier seeking recognition, before the announcement.

SENATOR BURZYNSKI:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR BURZYNSKI:

Thank you. Today we also have another young man from my district that's here visiting us, who happens to be a sophomore at Illinois State University. He's a history and poli sci major from Roscoe, Illinois. Andrew Larson is back here on the Floor behind me.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Welcome, Andrew, to the Illinois Senate. Senator Harmon, for what purpose do you rise, sir?

SENATOR HARMON:

Thank you, Mr. President. I move to waive all notice and

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posting requirements so that House Bill 6460 can be heard on April 21st at 9 a.m. in the Senate Criminal Law Committee.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon moves to waive all notice and posting requirements so that House Bill 6460 can be heard on April 21st at 9 a.m. in the Senate Criminal -- Criminal Law Committee. All those in... Senator Righter.

SENATOR RIGHTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Gentleman indicates he'll yield. Senator Righter.

SENATOR RIGHTER:

Senator Harmon, what is the subject matter of the bill and what is of such importance that we need to waive the posting requirements on this legislation?

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you. Thank you, Mr. President. The subject matter is criminal law, I believe relating to expungements. I am a relatively new sponsor of the measure. Representative Connie Howard, the House sponsor, noticed that no one had signed on to sponsor the bill until this week. I was asked if I would pick up the bill and make sure that it has a hearing. Because of our deadline on Friday for hearing bills in Senate committees, I thought moving to waive the posting requirements would be a preferable substitute to extending the deadline for hearing in committee.

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Senator Righter.

SENATOR RIGHTER:

Thank you, Mr. President, and thank you, Senator Harmon. It is our understanding that this is an expungement bill. It is relatively controversial. It came out on a partisan roll call from the House of Representatives. I'm not aware of any communication that's been had between the Senate President and Leader Radogno on this, which is usually the custom. As that is the case, I would respectfully ask the sponsor to withdraw the motion for the time being. In lieu of that, Mr. President, I would request a roll call on the motion.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Harmon.

SENATOR HARMON:

Thank you, Mr. President. I'm sensitive to the concerns that Senator Righter has raised. I don't think it -- if there is some controversy attached to this bill, there's no need for us to advance it more quickly than is necessary. I would withdraw my motion. I may return with a motion if -- if we have a chance to talk about it, or I may seek a deadline extension, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senator Trotter, for what purpose do you seek recognition?

SENATOR TROTTER:

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Please state your point.

SENATOR TROTTER:

Thank you very much. Mr. President and Members of the



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Senate, as we've done earlier this morning, to talk about the accomplishments and some of the great things that our Members have done, I want to make an announcement that our own Iris -- Senator Iris Martinez is now la Presidenta for the national association of Hispanic legislators. And she just retained {sic} that distinction at the last NCSL meeting.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Let's extend our congratulations to Senator Martinez. With leave of the Body, we will now proceed to House Bills 2nd Reading, page 36 of your printed Calendar. House Bill 5428. Senator Wilhelmi. Madam Secretary, please read the bill.

SECRETARY ROCK:

House Bill 5428.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR SCHOENBERG)

3rd Reading. The Senate will now stand in recess until the call of the Chair. After the committee meetings, the Senate will reconvene to receive committee reports exclusively and there will be no further Floor action. Please note that the Senate will reconvene to receive committee reports only. There will be no further Floor action. The Senate now stands in recess.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Senate will come to order. Senator Haine, for what purpose

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do you seek recognition, sir?

SENATOR HAINE:

A point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

State your point.

SENATOR HAINE:

Mr. President and Ladies and Gentlemen of the Senate, I want to take this opportunity to introduce a group of students from Mississippi Valley Christian School in Alton, Illinois - a wonderful academic environment and producing some of the finest students and adults in our area. Mississippi Valley Christian School. Please give 'em a welcome. ...you.

PRESIDING OFFICER: (SENATOR SCHOENBERG)

Will our guests please rise and be recognized by the Senate? Welcome to the Illinois Senate. Thank you, Senator Haine. The Senate now stands in recess till the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR HARMON)

The Senate will come to order. Mr. Secretary, Committee Reports.

ACTING SECRETARY KAISER:

Senator Crotty, Chairperson of the Committee on Elections, reports House Bill 5727 Do Pass.

Senator Frerichs, Chairman of the Committee on Agriculture and Conservation, reports House Bill 5307 Do Pass; and House Bills 58 -- I'm sorry, 4866 and 6099 Do Pass, as Amended.

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Senator Delgado, Chairperson of the Committee on Public Health, reports House Bills 4587, 5183, 5323, 5388, 5752, 5764 Do Pass; and House Bills 5040, 5053, 5219, 6034, 6439 Do Pass, as Amended; and Senate Joint Resolutions 112 and 117 Be Adopted; and House Joint Resolutions 92 and 104 Be Adopted.

Senator Maloney, Chairperson of the Committee on Higher Education, reports House Bill 6206 Do Pass.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, reports House Bills 1026, 4684, 4928, 5214, 5234, 5282, 5351, 5381, 5489, 5523, 5630, 5677, 5888, 5894, 5912, 6080 Do Pass; and House Bills 5161, 5290, 5409, 5429, 5488 Do Pass, as Amended.

Senator Sandoval, Chairperson of the Committee on Transportation, reports House Bills 4667, 4691, 4859, 5193, 5330, 5507 Do Pass; and House Bills 156, 5732 Do Pass, as Amended; Senate Joint Resolution 118 Be Adopted; and House Joint Resolution 80 Be Adopted.

Senator Meeks, Chairperson of the Committee on Education, reports House Bills 4711, 4879 and 5322 and 5481 Do Pass; and House Bills 16, 4209, 5633, 5863, 6079 Do Pass, as Amended; Senate Joint -- and Senate Joint Resolution 114 Be Adopted, as Amended.

Senator Hunter, Chairperson of the Committee on Human Services, reports House Bills 4910, 4922, 5152, 5204, 5241, 5242, 5306, 5331, 5688, 5859 and 5871 Do Pass; and House Bills 5132, 5350, 5357 and 5998 Do Pass, as Amended; and House -- and, excuse me, Senate Joint Resolution 115 Be Adopted.

PRESIDING OFFICER: (SENATOR HARMON)

There being no further business to come before the Senate,

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the Senate stands adjourned until the hour of 10:30 a.m. on the 21st day of April, 2010. The Senate stands adjourned.