



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

108TH LEGISLATIVE DAY

WEDNESDAY, APRIL 14, 2010

11:06 O'CLOCK A.M.

SENATE
Daily Journal Index
108th Legislative Day

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The Senate met pursuant to adjournment.
 Senator Don Harmon, Oak Park, Illinois, presiding.
 Prayer by Pastor Jon Morrissette, Lakeside Christian Church, Springfield, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Wednesday, July 15, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, October 22, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, October 28, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Thursday, October 29, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Friday, October 30, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Wednesday, January 6, 2010, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

The Journal of Tuesday, January 12, 2010, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

Senator Hunter moved that reading and approval of the Journal of Tuesday, April 13, 2010, be postponed, pending arrival of the printed Journal.

The motion prevailed.

REPORTS RECEIVED

The Secretary placed before the Senate the following reports:

Law Enforcement Camera Grant Act Report, submitted by the Bond County Sheriff's Department.

Law Enforcement Camera Grant Act Report, submitted by the City of Morrison Police Department.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 2 to Senate Bill 375
 Senate Floor Amendment No. 4 to Senate Bill 580
 Senate Floor Amendment No. 5 to Senate Bill 3348

[April 14, 2010]

The following Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to House Bill 16
Senate Committee Amendment No. 1 to House Bill 4209
Senate Committee Amendment No. 1 to House Bill 4846
Senate Committee Amendment No. 1 to House Bill 5161
Senate Committee Amendment No. 1 to House Bill 5378
Senate Committee Amendment No. 2 to House Bill 5378
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Senate Committee Amendment No. 1 to House Bill 5409
Senate Committee Amendment No. 1 to House Bill 5514
Senate Committee Amendment No. 1 to House Bill 5823
Senate Committee Amendment No. 1 to House Bill 6079
Senate Committee Amendment No. 1 to House Bill 6271
Senate Committee Amendment No. 1 to House Bill 6368
Senate Committee Amendment No. 1 to House Bill 6415
Senate Committee Amendment No. 1 to House Bill 6419
Senate Committee Amendment No. 1 to House Bill 6464
Senate Committee Amendment No. 1 to House Bill 6439

MESSAGES FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 14, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator William Delgado to temporarily replace Senator Dan Kotowski as a member of the Senate Criminal Law Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Criminal Law Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 14, 2010

[April 14, 2010]

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Deanna Demuzio to temporarily replace Senator Maggie Crotty as a member of the Senate Local Government Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Local Government Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 14, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby remove Senator William Delgado who was appointed to temporarily replace Senator Dan Kotowski, who shall resume his position as a member of the Senate Criminal Law Committee. This appointment is effective immediately .

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 14, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

[April 14, 2010]

Pursuant to Rule 3-2(c), I hereby appoint Senator Arthur Wilhelmi to temporarily replace Senator Louis Viverito as a member of the Senate Revenue Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Revenue Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 14, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Mattie Hunter to temporarily replace Senator Louis Viverito as a member of the Senate State Government & Veterans Affairs' Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate State Government & Veterans' Affairs Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 757

Offered by Senator Demuzio and all Senators:
Mourns the death of Robert J. Rhoads of Carlinville.

SENATE RESOLUTION NO. 759

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Joseph C. Bertino, Sr., of Joliet.

SENATE RESOLUTION NO. 760

Offered by Senator Murphy and all Senators:
Mourns the death of Antonia Krueger.

SENATE RESOLUTION NO. 761

Offered by Senator Luechtefeld and all Senators:
Mourns the death of Neal McGarry Bidwill of Broward County, Florida, formerly of Chicago.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

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Senator Link offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 758

WHEREAS, The gift of sight is one of our most valued senses; and

WHEREAS, Older Illinois residents are particularly susceptible to loss of vision through age-related macular degeneration, cataracts, glaucoma, and diabetes; and

WHEREAS, With early detection and treatment, it is possible to preserve sight for this older generation; and

WHEREAS, In 2010, EyeCare America will celebrate its 25th anniversary; and

WHEREAS, Since its inception, EyeCare America has served over 25,000 people in Illinois with 270 volunteer ophthalmologists; and

WHEREAS, More than 7,000 ophthalmologists volunteer to see EyeCare America patients annually; and

WHEREAS, People who are age 65 or older, who have not seen an ophthalmologist in 3 or more years, may be eligible to receive eye exams and care for up to one year at no cost to the patient; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate the week of May 3 - 7, 2010, as EyeCare America Week in the State of Illinois.

Senator Hutchinson offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 762

WHEREAS, The future of our nation's productivity and competitiveness in the global marketplace depends on the success of all men and women; and

WHEREAS, Women have been discriminated against in education, the workplace, and society as a whole; and

WHEREAS, Women continue to earn no more than 78 cents on the dollar compared to men; and

WHEREAS, The pay gap has been shown to start as soon as one year after college; this inequality affects not only women, but their families and society as a whole; and

WHEREAS, The pay gap between women and men has long-term effects on women's economic security; such a gap affects women's Social Security earnings, their ability to save for retirement, and their children's education; and

WHEREAS, Pay equity is closely linked to the eradication of poverty and is essential to having a highly-motivated workforce; and

WHEREAS, Equal Pay Day was originated by the National Committee on Pay Equity in 1996 as a public awareness event to illustrate the gap between men's and women's wages; the day, observed in April, symbolizes how far into the year a woman must work, on average, to earn as much as a man earned the previous year, with Tuesday being the day in which women's wages catch up to men's wages

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from the previous week; because women earn less on average than men, they must work longer for the same amount of pay; this wage gap is even greater for most women of color; and

WHEREAS, Equal pay is a priority for all women and for our society at large; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we designate April 20, 2010 as Pay Equity Day in the State of Illinois in order to raise awareness about this endemic inequity.

READING CONSTITUTIONAL AMENDMENT A THIRD TIME

On motion of Senator Raoul, **Senate Joint Resolution Constitutional Amendment No. 121**, having been printed, was taken up, read in full a third time.

Senator Raoul moved that Senate Joint Resolution Constitutional Amendment No. 121, be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 36; NAYS 22.

The following voted in the affirmative:

Bond	Harmon	Link	Steans
Clayborne	Hendon	Maloney	Sullivan
Collins	Holmes	Martinez	Trotter
Crotty	Hunter	Meeks	Viverito
DeLeo	Hutchinson	Muñoz	Wilhelmi
Delgado	Jacobs	Noland	Mr. President
Demuzio	Jones, E.	Raoul	
Frerichs	Koehler	Sandoval	
Garrett	Kotowski	Schoenberg	
Haine	Lightford	Silverstein	

The following voted in the negative:

Althoff	Dahl	Luechtefeld	Righter
Bivins	Dillard	McCarter	Risinger
Bomke	Duffy	Millner	Rutherford
Brady	Hultgren	Murphy	Syverson
Burzynski	Jones, J.	Pankau	
Cronin	Lauzen	Radogno	

The motion prevailed.

And the resolution was adopted by a three-fifths vote.

Ordered that the Secretary inform the Senate of Representatives thereof and ask their concurrence therein.

REPORTS FROM STANDING COMMITTEES

Senator Link, Vice-Chairperson of the Committee on Elections, to which was referred **House Bills Numbered 4821, 4842, 5157, 5820 and 6077**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Link, Vice-chairperson of the Committee on Elections, to which was referred **House Bill No. 5206**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

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Senator Ferichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bills Numbered 4669, 4721 and 4775**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Ferichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Joint Resolution No. 57**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **House Joint Resolution No. 57** was placed on the Secretary's Desk.

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **House Bills Numbered 4805, 5821, 5838, 5930, 6006 and 6441**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **Senate Bill No. 3773**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred **Senate Joint Resolution No. 89**, reported the same back with amendments having been adopted thereto, with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Joint Resolution No. 89** was placed on the Secretary's Desk.

Senator Delgado, Chairperson of the Committee on Public Health, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 678

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 4756, 4909, 5054, 5459, 5499, 5861 and 5891**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **House Bill No. 5223**, reported the same back with amendments having been adopted thereto, with the recommendation that the bill, as amended, do pass.

Under the rules, the bill was ordered to a second reading.

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **House Bills Numbered 4972, 5411 and 6092**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Wilhelmi, Chairperson of the Committee on Judiciary, to which was referred **House Bills Numbered 3762, 5055, 5232, 5285, 5428, 5469, 5509, 5735, 5918, 5951, 5976, 6082, 6124 and 6477**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Meeks, Chairperson of the Committee on Education, to which was referred **House Bills Numbered 4672, 4674, 4755, 5340, 5515 and 5836**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 4673, 4717, 4778, 4796, 4820, 4982, 5095, 5712, 5718, 5819, 5969 and 6094**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 3 to Senate Bill 3716

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Garrett, Chairperson of the Committee on Environment, to which was referred **House Bills Numbered 5226, 5907, 6047 and 6201**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Garrett, Chairperson of the Committee on Environment, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 4 to Senate Bill 3346

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Koehler, Chairperson of the Committee on Local Government, to which was referred **House Bills Numbered 4699, 4708, 4818, 4868, 5283, 5540, 5555, 5671, 5958, 5970, 5972, 6178 and 6239**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred **House Bills Numbered 596, 3869, 4583, 4825, 4873, 4987, 5150, 5321, 5525, 5669, 5790, 5791, 6101, 6129 and 6151**, reported the same back with the recommendation that the bills do pass.

Under the rules, the bills were ordered to a second reading.

Senator Noland, Chairperson of the Committee on Criminal Law, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 4 to Senate Bill 3513

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME

House Bill No. 5026, sponsored by Senator Demuzio, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5191, sponsored by Senator Burzynski, was taken up, read by title a first time and referred to the Committee on Assignments.

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House Bill No. 5430, sponsored by Senator Martinez, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5565, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5732, sponsored by Senator Hutchinson, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5900, sponsored by Senator Millner, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 5927, sponsored by Senator Delgado, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 6030, sponsored by Senator Steans, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 6140, sponsored by Senator Sullivan, was taken up, read by title a first time and referred to the Committee on Assignments.

House Bill No. 6152, sponsored by Senator Haine, was taken up, read by title a first time and referred to the Committee on Assignments.

At the hour of 12:41 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:48 o'clock p.m., the Senate resumed consideration of business.
Senator Hendon, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 14, 2010 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Commerce: **HOUSE BILL 6153.**

Criminal Law: **Senate Committee Amendment No. 1 to House Bill 6464.**

Education: **Senate Committee Amendment No. 1 to House Bill 4209; Senate Committee Amendment No. 1 to House Bill 6079.**

Energy: **Senate Floor Amendment No. 2 to Senate Bill 2485; Senate Committee Amendment No. 1 to House Bill 5378; Senate Committee Amendment No. 2 to House Bill 5378; Senate Committee Amendment No. 3 to House Bill 5378; Senate Committee Amendment No. 1 to House Bill 6419.**

Executive: **Senate Floor Amendment No. 2 to Senate Bill 375; Senate Floor Amendment No. 3 to Senate Bill 580; Senate Floor Amendment No. 4 to Senate Bill 580; Senate Floor Amendment No. 5 to Senate Bill 3348.**

Financial Institutions: **HOUSE BILL 4781.**

Judiciary: **Senate Committee Amendment No. 1 to House Bill 5161; Senate Committee Amendment No. 1 to House Bill 5409.**

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Labor: **Senate Committee Amendment No. 1 to House Bill 5458; HOUSE BILL 5026.**

Licensed Activities: **Senate Committee Amendment No. 1 to House Bill 5514; Senate Committee Amendment No. 1 to House Bill 6415; HOUSE BILL 6416.**

Local Government: **Senate Committee Amendment No. 1 to House Bill 4846**

Pensions and Investments: **Senate Committee Amendment No. 1 to House Bill 6368; HOUSE BILL 6152.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to House Bill 5823; HOUSE BILL 5191.**

Transportation: **HOUSE BILL 5732.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its April 14, 2010 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Higher Education: **Senate Resolution No. 683.**

State Government and Veterans Affairs: **Senate Resolution No. 682.**

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committee to meet this afternoon, Wednesday, April 14, 2010:

Executive in Room 212 at 2:30 o'clock p.m.

The Chair announced the following committee to meet Thursday, April 15, 2010:

Energy in Room 212 at 9:30 o'clock a.m.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Haine moved that **Senate Resolution No. 642**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Haine offered the following amendment and moved its adoption:

AMENDMENT NO. 1 TO SENATE RESOLUTION 642

AMENDMENT NO. 1. Amend Senate Resolution 642 on Page 4, line 19, by replacing "Edwardsville and Reagan Williams of Danville," with "Edwardsville, Reagan Williams of Danville, and Brynden Tyler Gibson of Herrin,".

The motion prevailed.

And the amendment was adopted and ordered printed.

Senator Haine moved that **Senate Resolution No. 642**, as amended, be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Rutherford moved that **Senate Resolution No. 728**, on the Secretary's Desk, be taken up for immediate consideration.

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The motion prevailed.
Senator Rutherford moved that Senate Resolution No. 728 be adopted.
The motion prevailed.
And the resolution was adopted.

READING BILLS FROM THE HOUSE OF REPRESENTATIVES A SECOND TIME

On motion of Senator Althoff, **House Bill No. 4639** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Dillard, **House Bill No. 4715** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Althoff, **House Bill No. 4758** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Link, **House Bill No. 4738** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Millner, **House Bill No. 4807** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Wilhelmi, **House Bill No. 4945** was taken up, read by title a second time and ordered to a third reading.

On motion of Senator Frerichs, **House Bill No. 5412** was taken up, read by title a second time and ordered to a third reading.

At the hour of 12:59 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, April 15, 2010, at 10:00 o'clock a.m.