



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SEVENTH GENERAL ASSEMBLY

40TH LEGISLATIVE DAY

TUESDAY, MAY 10, 2011

12:30 O'CLOCK P.M.

SENATE
Daily Journal Index
40th Legislative Day

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The Senate met pursuant to adjournment.

Senator James F. Clayborne, Belleville, Illinois, presiding.

Prayer by Pastor Michael Dye, Knox Knolls Free Methodist Church, Springfield, Illinois.

Senator Maloney led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journals of Friday, May 6, 2011 and Monday, May 9, 2011, be postponed, pending arrival of the printed Journals.

The motion prevailed.

LEGISLATIVE MEASURES FILED

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 78
 Senate Committee Amendment No. 1 to House Bill 190
 Senate Committee Amendment No. 1 to House Bill 233
 Senate Committee Amendment No. 1 to House Bill 277
 Senate Committee Amendment No. 1 to House Bill 1218
 Senate Committee Amendment No. 1 to House Bill 1263
 Senate Committee Amendment No. 1 to House Bill 1689
 Senate Committee Amendment No. 1 to House Bill 1908
 Senate Committee Amendment No. 1 to House Bill 1973
 Senate Committee Amendment No. 1 to House Bill 3042
 Senate Committee Amendment No. 1 to House Bill 3285
 Senate Committee Amendment No. 1 to House Bill 3440

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

Senate Floor Amendment No. 1 to House Bill 2084
 Senate Floor Amendment No. 1 to House Bill 3255

COMMITTEE REPORT CORRECTION

The following correction was made on the report from the Senate Committee on Licensed Activities, which reported House Bill 1973 Do Pass and should have reported House Bill 1973 as having been postponed in committee.

PRESENTATION OF RESOLUTION

SENATE RESOLUTION NO. 222

Offered by Senators Frerichs - Brady and all Senators:

Mourns the death of Clinton Craig Atkins of Naples, Florida, formerly of Champaign.

By unanimous consent, the foregoing resolution was referred to the Resolutions Consent Calendar.

APPOINTMENT MESSAGES

Appointment Message No. 95

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

[May 10, 2011]

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Commissioner

Agency or Other Body: Illinois Liquor Control Commission

Start Date: May 9, 2011

End Date: February 1, 2014

Name: Stephen B. Schnorf

Residence: 701 Heathrow Lane, Rochester, IL 62563

Annual Compensation: \$34,053

Per diem: Not Applicable

Nominee's Senator: Senator Larry K. Bomke

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Appointment Message No. 96

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Assistant Director

Agency or Other Body: Department of Commerce and Economic Opportunity

Start Date: May 10, 2011

End Date: January 21, 2013

Name: Dan Seals

Residence: 638 Laporte Ave., Wilmette, IL 60091

Annual Compensation: \$121,090

Per diem: Not Applicable

Nominee's Senator: Senator Jeffrey M. Schoenberg

Most Recent Holder of Office: Roxanne Nava

Superseded Appointment Message: Not Applicable

[May 10, 2011]

Appointment Message No. 97

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Southwestern Illinois Development Authority

Start Date: May 9, 2011

End Date: January 20, 2014

Name: Kennard Tucker

Residence: 7460 Timberwolf Trail, Fairview Heights, IL 62208

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator William R. Haine

Most Recent Holder of Office: Robert Plummer

Superseded Appointment Message: Not Applicable

Appointment Message No. 98

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Southwestern Illinois Development Authority

Start Date: May 9, 2011

End Date: January 16, 2012

Name: Kevin C. Kaufhold

Residence: 21 Berrywood Dr., Belleville, IL 62226

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator James F. Clayborne, Jr.

Most Recent Holder of Office: Robert Hasley

[May 10, 2011]

Superseded Appointment Message: Not Applicable

Appointment Message No. 99

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Southwestern Illinois Development Authority

Start Date: May 9, 2011

End Date: January 20, 2014

Name: John Hipskind

Residence: 725 Wild Horse Creek Dr., Fairview Heights, IL 62208

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator William R. Haine

Most Recent Holder of Office: New Position

Superseded Appointment Message: Not Applicable

Appointment Message No. 100

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Illinois Finance Authority

Start Date: May 9, 2011

End Date: July 16, 2013

Name: Barrett F. Pedersen

Residence: 9500 Belmont Ave., Franklin Park, IL 60131

Annual Compensation: Expenses

Per diem: Not Applicable

Nominee's Senator: Senator Don Harmon

[May 10, 2011]

Most Recent Holder of Office: Joseph McNerney

Superseded Appointment Message: Not Applicable

Appointment Message No. 101

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Director

Agency or Other Body: Division of Financial Institutions within the Department of Financial and Professional Regulation

Start Date: May 9, 2011

End Date: January 21, 2013

Name: Roxanne Nava

Residence: 1012 N. Oakley Blvd., Chicago, IL 60622

Annual Compensation: \$115,613

Per diem: Not Applicable

Nominee's Senator: Senator Annazette R. Collins

Most Recent Holder of Office: Robert Meza

Superseded Appointment Message: Not Applicable

Appointment Message No. 102

To the Honorable Members of the Senate, Ninety-Seventh General Assembly:

I, Pat Quinn, Governor, am nominating and, by and with the advice and consent of the Senate, appointing the following named individual to the office enumerated below. The advice and consent of this Honorable Body is respectfully requested.

Title of Office: Member

Agency or Other Body: Weatherization Initiative Board

Start Date: May 9, 2011

End Date: February 19, 2016

Name: Percy Harris

Residence: 1837 Piggott Ave., East St. Louis, IL 62207

Annual Compensation: Expenses

[May 10, 2011]

Per diem: Not Applicable

Nominee's Senator: Senator James F. Clayborne, Jr.

Most Recent Holder of Office: Reappointment

Superseded Appointment Message: Not Applicable

Under the rules, the foregoing Appointment Messages were referred to the Committee on Assignments.

At the hour of 12:39 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 12:52 o'clock p.m. the Senate resumed consideration of business.
Senator Clayborne, presiding.

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2011 meeting, reported the following Bills have been assigned to the indicated Standing Committees of the Senate:

Criminal Law: **House Bills Numbered 1958, 2582, 3366, 3417 and 3503.**

Executive: **House Bills Numbered 2972 and 3241.**

Judiciary: **House Bill No. 1589.**

Licensed Activities: **Senate Bill No. 2255; House Bill No. 700.**

State Government and Veterans Affairs: **House Bills Numbered 3276 and 3315.**

Transportation: **House Bill No. 3308.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2011 meeting, reported the following Senate Resolution has been assigned to the indicated Standing Committee of the Senate:

Education: **Senate Resolution No. 149.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2011 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Committee Amendment No. 1 to House Bill 3274.**

Commerce: **Senate Committee Amendment No. 1 to House Bill 1262.**

Criminal Law: **Senate Committee Amendment No. 1 to House Bill 1069; Senate Committee Amendment No. 1 to House Bill 1073; Senate Committee Amendment No. 1 to House Bill 1554; Senate Committee Amendment No. 1 to House Bill 3033.**

[May 10, 2011]

Education: **Senate Committee Amendment No. 1 to House Bill 78; Senate Committee Amendment No. 1 to House Bill 2086; Senate Floor Amendment No. 1 to House Bill 2397; Senate Committee Amendment No. 1 to House Bill 3440.**

Energy: **Senate Committee Amendment No. 1 to House Bill 1558.**

Environment: **Senate Committee Amendment No. 1 to House Bill 2056.**

Executive: **Senate Committee Amendment No. 1 to House Bill 222; Senate Committee Amendment No. 1 to House Bill 1530; Senate Committee Amendment No. 1 to House Bill 1960.**

Human Services: **Senate Committee Amendment No. 1 to House Bill 653; Senate Committee Amendment No. 1 to House Bill 1488.**

Insurance: **Senate Committee Amendment No. 2 to House Bill 1870.**

Judiciary: **Senate Committee Amendment No. 1 to House Bill 1153; Senate Committee Amendment No. 1 to House Bill 1549; Senate Committee Amendment No. 1 to House Bill 1574; Senate Committee Amendment No. 1 to House Bill 1909; Senate Committee Amendment No. 1 to House Bill 2362; Senate Committee Amendment No. 1 to House Bill 3012; Senate Committee Amendment No. 1 to House Bill 3335.**

Labor: **Senate Committee Amendment No. 1 to House Bill 2927.**

Licensed Activities: **Senate Floor Amendment No. 2 to House Bill 220; Senate Committee Amendment No. 1 to House Bill 1973.**

Local Government: **Senate Committee Amendment No. 1 to House Bill 248; Senate Committee Amendment No. 1 to House Bill 1576; Senate Committee Amendment No. 1 to House Bill 1605; Senate Committee Amendment No. 1 to House Bill 2974; Senate Committee Amendment No. 1 to House Bill 3425.**

Public Health: **Senate Committee Amendment No. 2 to House Bill 299; Senate Committee Amendment No. 1 to House Bill 1095; Senate Committee Amendment No. 1 to House Bill 1571; Senate Committee Amendment No. 1 to House Bill 1600.**

Revenue: **Senate Floor Amendment No. 1 to House Bill 363; Senate Committee Amendment No. 1 to House Bill 1215; Senate Committee Amendment No. 1 to House Bill 1518.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to Senate Resolution 199; Senate Committee Amendment No. 1 to House Bill 237; Senate Committee Amendment No. 1 to House Bill 1195; Senate Committee Amendment No. 1 to House Bill 3188.**

Transportation: **Senate Committee Amendment No. 1 to House Joint Resolution 27; Senate Committee Amendment No. 1 to House Bill 880; Senate Committee Amendment No. 1 to House Bill 1462.**

Criminal Law Subcommittee on Special Issues: **Senate Committee Amendment No. 1 to House Bill 233; Senate Committee Amendment No. 1 to House Bill 1263; Senate Committee Amendment No. 1 to House Bill 1689; Senate Committee Amendment No. 1 to House Bill 1908; Senate Committee Amendment No. 1 to House Bill 3042; Senate Committee Amendment No. 1 to House Bill 3285.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2011 meeting, reported that the Committee recommends that **Senate Floor Amendment No. 1 to Senate Bill No. 1044** be re-referred from the Committee on Executive to the Committee on Judiciary.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 10, 2011 meeting, reported that the Committee recommends that **House Bill No. 1444** be re-referred from the Committee on Executive Subcommittee on State Government Operations to the Committee on Executive.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced the following committee to meet at 2:30 o'clock p.m.:

Judiciary in Room 400

The Chair announced the following committee to meet at 4:00 o'clock p.m.:

Education in Room 409

The Chair announced the following committees to meet at 2:00 o'clock p.m. on Wednesday, May 11, 2011:

Revenue in Room 400
Licensed Activities in Room 409

MESSAGES FROM THE PRESIDENT

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

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706
217-782-2728

May 10, 2011

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

Dear Madam Secretary:

Pursuant to Rule 3-5(c), I hereby appoint Senator Terry Link to temporarily replace Senator Don Harmon to serve as a member of the Senate Committee on Assignments. This appointment will automatically expire upon adjournment of the Senate Committee on Assignments.

Sincerely,
s/John J. Cullerton
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
217-782-2728

[May 10, 2011]

May 10, 2011

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 Dan Kotowski to temporarily replace Senator James Meeks to serve as a member of the Senate Education Committee. This appointment will automatically expire upon adjournment of the Senate Education Committee.

Sincerely,
s/John J. Cullerton
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
217-782-2728

May 10, 2011

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 Donne Trotter to temporarily replace Senator James Meeks to serve as a member of the Senate Higher Education Committee. This appointment will automatically expire upon adjournment of the Senate Higher Education Committee.

Sincerely,
s/John J. Cullerton
John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

At the hour of 1:00 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 6:17 o'clock p.m., the Senate resumed consideration of business.
Senator Harmon, presiding.

LEGISLATIVE MEASURES FILED

[May 10, 2011]

The following Floor amendment to the Senate Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 3 to Senate Bill 400

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 224
Senate Committee Amendment No. 1 to House Bill 263
Senate Committee Amendment No. 1 to House Bill 1091
Senate Committee Amendment No. 1 to House Bill 2089
Senate Committee Amendment No. 2 to House Bill 3131

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

Senate Floor Amendment No. 1 to House Bill 1699
Senate Floor Amendment No. 1 to House Bill 3041
Senate Floor Amendment No. 1 to House Bill 3414

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE BILL NO. 1362

A bill for AN ACT concerning local government.

Passed the House, May 10, 2011.

MARK MAHONEY, Clerk of the House

The foregoing **House Bill No. 1362** was taken up, ordered printed and placed on first reading.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 31

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that the Joint Task Force on Turkish and Illinois Relations is created; and be it further

RESOLVED, That the Task Force shall consist of the following members:

- (1) two members appointed by the Speaker of the House of Representatives, one of whom shall be a co-chair;
- (2) two members appointed by the President of the Senate, one of whom shall be a co-chair;
- (3) two members appointed by the Minority Leader of the House of Representatives;
- (4) two members appointed by the Minority Leader of the Senate; and

[May 10, 2011]

(5) any other member of the General Assembly who wishes to participate, to be appointed by the presiding officer of that member's chamber; and be it further

RESOLVED, That the Task Force is charged with strengthening and continuing the State's friendship, business, and cultural ties with the Republic of Turkey.

Adopted by the House, May 10, 2011.

MARK MAHONEY, Clerk of the House

The foregoing message from the House of Representatives reporting House Joint Resolution No. 31 was referred to the Committee on Assignments.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 1753

A bill for AN ACT concerning civil law.

Passed the House, May 10, 2011.

MARK MAHONEY, Clerk of the House

REPORTS FROM STANDING COMMITTEES

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bill No. 390**, reported the same back with the recommendation that the bill do pass.

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

Senator Frerichs, Chairperson of the Committee on Agriculture and Conservation, to which was referred **House Bills Numbered 2094 and 3274**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, 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 **House Bills Numbered 105, 1391, 1463, 1663, 1888, 3090 and 3294**, 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 **House Bills Numbered 299 and 1600**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, 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 Resolution No. 170**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 170** was placed on the Secretary's Desk.

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **House Bills Numbered 286, 785, 1470, 1521, 1591, 1656, 1659, 2917, 2982 and 3010**, 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 Bills Numbered 653 and 1488**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

[May 10, 2011]

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

Senator Hunter, Chairperson of the Committee on Human Services, to which was referred **Senate Resolution No. 125**, reported the same back with the recommendation that the resolution, as amended, be adopted.

Under the rules, **Senate Resolution No. 125** was placed on the Secretary's Desk.

Senator Maloney, Chairperson of the Committee on Higher Education, to which was referred **House Bills Numbered 1079, 1710 and 1957**, 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 83, 186, 192, 1317, 1712, 3025, 3478 and 3636**, 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 1153, 1549, 1574, 1909, 2362 and 3012**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, 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 the following Senate floor amendments, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to Senate Bill 400
Senate Amendment No. 1 to Senate Bill 1044

Under the rules, the foregoing floor amendments are eligible for consideration on second reading.

Senator Sandoval, Chairperson of the Committee on Transportation, to which was referred **House Bills Numbered 147, 173, 1256, 1385, 1884, 2265, 2860, 3172 and 3256**, 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 Bill No. 880**, 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 Lightford, Vice-Chairperson of the Committee on Education, to which was referred **House Bills Numbered 190, 1197, 1204, 1240, 1466, 1831, 3022 and 3539**, reported the same back with the recommendation that the bills do pass.

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

Senator Lightford, Vice-Chairperson of the Committee on Education, to which was referred **House Bills Numbered 78, 2086 and 3440**, reported the same back with amendments having been adopted thereto, with the recommendation that the bills, as amended, do pass.

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

Senator Lightford, Vice-Chairperson of the Committee on Education, to which was referred **Senate Resolution No. 176**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 176** was placed on the Secretary's Desk.

[May 10, 2011]

Senator Lightford, Vice-Chairperson of the Committee on Education, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 1 to House Bill 2397

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

At the hour of 6:20 o'clock p.m., the Chair announced the Senate stand adjourned until Wednesday, May 11, 2011, at 11:00 o'clock a.m.