

STATE OF MINNESOTA

# Journal of the Senate

EIGHTIETH LEGISLATURE

FIFTY-FIFTH DAY

St. Paul, Minnesota, Thursday, May 8, 1997

The Senate met at 9:00 a.m. and was called to order by the President.

## CALL OF THE SENATE

Mr. Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Judith Allen Kim.

The roll was called, and the following Senators answered to their names:

Anderson	Higgins	Krentz	Neuville	Sams
Beckman	Hottinger	Laidig	Novak	Samuelson
Belanger	Janezich	Langseth	Oliver	Scheevel
Berg	Johnson, D.E.	Larson	Ourada	Scheid
Berglin	Johnson, D.H.	Lesewski	Pappas	Solon
Betzold	Johnson, D.J.	Lessard	Pariseau	Spear
Cohen	Johnson, J.B.	Limmer	Piper	Stevens
Day	Junge	Lourey	Pogemiller	Stumpf
Dille	Kelley, S.P.	Marty	Price	Ten Eyck
Flynn	Kelly, R.C.	Metzen	Ranum	Terwilliger
Foley	Kiscaden	Moe, R.D.	Robertson	Vickerman
Frederickson	Kleis	Morse	Robling	Wiener
Hanson	Knutson	Murphy	Runbeck	Wiger

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 5, 1997

The Honorable Phil Carruthers  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1997 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F.	H.F.	Session Laws	Time and Date Approved	Date Filed
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No.	No.	Chapter No.	1997	1997
	1637	77	2:00 p.m. May 2	May 2
	1880	80	3:00 p.m. May 2	May 2
	1383	81	3:02 p.m. May 2	May 2
	317	82	3:14 p.m. May 2	May 2
	966	83	3:16 p.m. May 2	May 2
	807	84	3:25 p.m. May 2	May 2

Sincerely,  
Joan Anderson Growe  
Secretary of State

May 6, 1997

The Honorable Allan H. Spear  
President of the Senate

Dear President Spear:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 839, 951, 1037, 1669, 890, 1155, 36, 574, 512, 351, 950, 513, 1146, 662, 38, 413, 1894, 472, 101 and 166.

Warmest regards,  
Arne H. Carlson, Governor

May 6, 1997

The Honorable Phil Carruthers  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1997 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1997	Date Filed 1997
	209	86	11:05 a.m. May 6	May 6
	756	87	11:07 a.m. May 6	May 6
839		88	11:09 a.m. May 6	May 6
951		89	11:09 a.m. May 6	May 6
1037		90	11:11 a.m. May 6	May 6
1669		91	11:13 a.m. May 6	May 6
890		92	11:18 a.m. May 6	May 6
1155		93	11:20 a.m. May 6	May 6
36		94	11:25 a.m. May 6	May 6
574		95	11:32 a.m. May 6	May 6
	5	96	11:07 a.m. May 6	May 6

Sincerely,  
Joan Anderson Growe  
Secretary of State

May 7, 1997

The Honorable Phil Carruthers  
Speaker of the House of Representatives

The Honorable Allan H. Spear  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1997 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1997	Date Filed 1997
512		97	2:35 p.m. May 6	May 6
351		98	2:35 p.m. May 6	May 6
950		99	2:40 p.m. May 6	May 6
513		100	2:42 p.m. May 6	May 6
1146		101	2:42 p.m. May 6	May 6
662		102	2:43 p.m. May 6	May 6
38		103	2:43 p.m. May 6	May 6
413		104	2:45 p.m. May 6	May 6
1894		105	2:45 p.m. May 6	May 6
472		106	2:47 p.m. May 6	May 6
101		107	2:50 p.m. May 6	May 6
166		108	2:52 p.m. May 6	May 6

Sincerely,  
Joan Anderson Growe  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1684.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 703:** A bill for an act relating to elections; allowing mail balloting in certain elections in additional cities and towns; amending Minnesota Statutes 1996, section 204B.45, subdivision 1.

Senate File No. 703 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

### CONCURRENCE AND REPASSAGE

Mrs. Scheid moved that the Senate concur in the amendments by the House to S.F. No. 703 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 703 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 39 and nays 14, as follows:

Those who voted in the affirmative were:

Anderson	Foley	Johnson, J.B.	Morse	Solon
Berg	Frederickson	Kelley, S.P.	Murphy	Spear
Berglin	Hanson	Kelly, R.C.	Pappas	Stumpf
Betzold	Higgins	Krentz	Price	Ten Eyck
Cohen	Hottinger	Langseth	Ranum	Terwilliger
Day	Janezich	Marty	Robertson	Wiener
Dille	Johnson, D.E.	Metzen	Samuelson	Wiger
Flynn	Johnson, D.H.	Moe, R.D.	Scheid	

Those who voted in the negative were:

Belanger	Kleis	Limmer	Ourada	Scheevel
Junge	Knutson	Neuville	Pariseau	Stevens
Kiscaden	Lesewski	Oliver	Runbeck	

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 78:** A bill for an act relating to elections; changing certain absentee ballot provisions; amending Minnesota Statutes 1996, sections 203B.02, subdivision 1; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.07, subdivision 2; 203B.11, by adding a subdivision; and 203B.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 203B.

Senate File No. 78 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. Marty moved that the Senate do not concur in the amendments by the House to S.F. No. 78, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS

AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 868:** A bill for an act relating to occupations; removing the sunset relating to state licensing of Minneapolis building contractors; amending Minnesota Statutes 1996, section 326.991, subdivision 1.

Senate File No. 868 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

### CONCURRENCE AND REPASSAGE

Ms. Higgins moved that the Senate concur in the amendments by the House to S.F. No. 868 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 868:** A bill for an act relating to occupations; extending the sunset relating to state licensing of Minneapolis building contractors; amending Minnesota Statutes 1996, section 326.991, subdivision 1.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Frederickson	Kiscaden	Moe, R.D.	Samuelson
Beckman	Hanson	Kleis	Morse	Scheevel
Belanger	Higgins	Knutson	Neuville	Scheid
Berg	Hottinger	Krentz	Oliver	Spear
Berglin	Janezich	Langseth	Ourada	Stevens
Betzold	Johnson, D.E.	Larson	Pappas	Stumpf
Cohen	Johnson, D.H.	Lesewski	Pariseau	Ten Eyck
Day	Johnson, J.B.	Lessard	Price	Terwilliger
Dille	Junge	Limmer	Ranum	Vickerman
Flynn	Kelley, S.P.	Lourey	Robertson	Wiger
Foley	Kelly, R.C.	Marty	Runbeck	

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 254:** A bill for an act relating to natural resources; modifying certain fish habitat and propagation provisions; authorizing the commissioner to establish special hunts for youth; permitting youth residents to hunt deer without a license tag; authorizing rules to restrict airboats; modifying provisions relating to taking minnows; authorizing the commissioner to sell merchandise; providing purposes for the game and fish fund; modifying stamp provisions; modifying the procedure for vacating or modifying a state game refuge; defining terms; prohibiting airboats on certain lakes; permitting persons 65 years of age or older to take certain game with a crossbow; establishing shooting hours for migratory game birds; modifying license provisions; modifying personal watercraft provisions; requiring personal watercraft safety certificate; requiring snowmobile state trail permit; requiring snowmobile safety certificate;

modifying recreational motor vehicle provisions; modifying special license plate provisions; establishing firearms safety pilot program; requiring reports; providing criminal penalties; appropriating money; amending Minnesota Statutes 1996, sections 17.4982, by adding subdivisions; 17.4983, by adding a subdivision; 17.4998; 84.0855; 84.82, subdivisions 2 and 3; 84.87, subdivision 2; 84.872, by adding a subdivision; 84.873; 86B.313, subdivisions 1, 3, 4, and by adding a subdivision; 97A.015, subdivisions 49, 53, and by adding a subdivision; 97A.045, subdivision 7; 97A.055, subdivision 1; 97A.075, subdivision 3; 97A.085, subdivision 8; 97A.101, by adding a subdivision; 97A.411, subdivisions 1 and 3; 97A.421, subdivision 1; 97A.465, subdivision 4; 97A.485, subdivision 9, and by adding a subdivision; 97B.035, subdivision 1; 97B.075; 97B.106; 97B.301, subdivision 6; 97B.655, subdivision 1; 97B.805, subdivision 2; 97C.035, subdivision 1; 97C.211, subdivision 1, and by adding a subdivision; 97C.505, by adding a subdivision; 168.1291; 168.1296, subdivision 1; 296.16, subdivision 1; and 609.487, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 84; and 97B; repealing Minnesota Statutes 1996, section 97A.111.

Senate File No. 254 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. Frederickson moved that the Senate do not concur in the amendments by the House to S.F. No. 254, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 960:** A bill for an act relating to health care; prohibiting contracts that restrict communication between providers and their patients; requiring certain disclosures; requiring health plan companies to provide continuity of care and access to specialty care for certain enrollees; prohibiting certain exclusive arrangements; modifying dispute resolution provisions; requiring identification of health care providers; requiring emergency services coverage; establishing a consumer advisory board; amending Minnesota Statutes 1996, sections 62Q.105, subdivision 1; 62Q.30; 181.932, subdivision 1; and 214.16, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapters 62J; 62Q; and 144.

Senate File No. 960 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Ms. Berglin moved that the Senate do not concur in the amendments by the House to S.F. No. 960, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee to be appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 72:** A bill for an act relating to elections; changing and clarifying provisions of the Minnesota election law; amending Minnesota Statutes 1996, sections 200.031; 201.061, subdivision 1; 201.071, subdivision 1; 201.081; 201.12, subdivision 2; 201.121, subdivision 1; 201.13, subdivisions 1 and 2; 201.15; 201.171; 203B.01, by adding a subdivision; 203B.03,

subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.08, subdivision 1; 203B.11, subdivision 1, and by adding a subdivision; 203B.12, subdivision 2, and by adding a subdivision; 203B.13, subdivisions 1 and 2; 203B.16, by adding a subdivision; 203B.19; 204B.06, by adding a subdivision; 204B.146; 204B.15; 204B.16, subdivisions 1a and 3; 204B.22, subdivision 1; 204B.23; 204B.27, by adding a subdivision; 204B.31; 204B.36, subdivision 2; 204C.08, by adding a subdivision; 204C.15, subdivision 1; 204C.31, subdivision 2; 204C.32; 204C.33, subdivision 1; 205.10, subdivision 3; 205.13, subdivision 1; 205.17, by adding a subdivision; 205A.05, subdivision 1; 205A.08, by adding a subdivision; 206.55; 206.56, subdivisions 1, 3, 5, 8, and 9; 206.57; 206.58; 206.59; 206.61, subdivisions 1, 3, and 5; 206.62; 206.64, subdivision 1; 206.66; 206.80; 206.81; 206.83; 206.84, subdivisions 3, 6, and 7; 206.86, subdivisions 1 and 2; 206.90, subdivisions 4 and 6; 207A.03, subdivision 2; 211B.14; 367.03, subdivision 1; 367.25, subdivision 1; 387.01; 388.01; and 626.846, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 201; 203B; and 204B; repealing Minnesota Statutes 1996, sections 204D.15, subdivision 2; 206.065; 206.56, subdivisions 4, 6, 10, 11, 12, 13, and 15; 206.60; 206.61, subdivisions 2, 6, 7, and 8; 206.63; 206.64, subdivision 2; 206.68; 206.685; 206.69; 206.70; 206.71; 206.72; 206.73; 206.74; 206.75; 206.76; 206.77; 206.84, subdivisions 2, 4, and 5; and 211B.11, subdivision 2.

Senate File No. 72 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. Marty moved that S.F. No. 72 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 435:** A bill for an act relating to motor vehicles; making technical changes to clarify that pickup truck with slip in camper may be registered depending upon its weight; eliminating authority for the appointment of corporations as deputy registrars; restricting telephonic access to certain information related to vehicle registration; allowing vehicle dealers 21 days to send purchase receipt to department of public safety if vehicle not sold; providing for display of fleet vehicle license plates; removing sunset date relating to recreational vehicle combination length; providing for appointment, duties, and discontinuance of appointment of driver's license agents; requiring adoption of rules; amending Minnesota Statutes 1996, sections 168.011, subdivision 25; 168.16; 168.33, subdivision 2; 168.345, subdivision 1; 168A.11, subdivision 2; 169.79; 169.81, subdivision 3c; 171.06, subdivision 4; 373.33; and 373.35, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Minnesota Statutes 1996, section 171.06, subdivision 4.

There has been appointed as such committee on the part of the House:

Juhnke, Marko and Broecker.

Senate File No. 435 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 755:** A bill for an act relating to meetings of governmental bodies; authorizing meetings by interactive television if certain criteria are met; amending Minnesota Statutes 1996, sections 3.055, by adding a subdivision; and 471.705, subdivision 1.

There has been appointed as such committee on the part of the House:

Solberg, Murphy and Mares.

Senate File No. 755 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 735:** A bill for an act relating to metropolitan government; allowing the metropolitan council to determine an allocation method for wastewater services; amending Minnesota Statutes 1996, sections 473.511, subdivision 4; 473.517; and 473.519.

There has been appointed as such committee on the part of the House:

Rhodes, Folliard and Orfield.

Senate File No. 735 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 612:** A bill for an act relating to Washington county; permitting the appointment of the recorder and auditor/treasurer.

There has been appointed as such committee on the part of the House:

Marko, Trimble and Paymar.

Senate File No. 612 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 590:** A bill for an act relating to public utilities; adding a high voltage transmission line that crosses the state boundary to the definition of a large energy facility; amending Minnesota Statutes 1996, section 216B.2421, subdivision 2.

There has been appointed as such committee on the part of the House:

Jennings, Hilty and Vickerman.

Senate File No. 590 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives



Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 575:** A bill for an act relating to employment; modifying requirements for drug and alcohol testing; clarifying provisions on review of personnel records by employees; setting a limit for penalties on unpaid OSHA fines; providing the criminal penalty of gross misdemeanor for an assault on an occupational safety and health investigator; amending Minnesota Statutes 1996, sections 181.953, subdivision 6; 181.961, subdivision 2; 182.666, subdivision 7; and 609.2231, subdivision 6.

There has been appointed as such committee on the part of the House:

Leighton, Mullery and Goodno.

Senate File No. 575 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 555:** A bill for an act relating to telecommunications; authorizing creation of telecommunication services purchasing cooperatives; proposing coding for new law in Minnesota Statutes, chapters 237; and 308A.

There has been appointed as such committee on the part of the House:

Clark, Jennings and Osskopp.

Senate File No. 555 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 473:** A bill for an act relating to human services; eliminating the Medicare certification requirement for home care providers; increasing the annual payment to counties for detoxification transportation; amending Minnesota Statutes 1996, sections 144A.46, subdivision 2; 254A.17, subdivision 3; 256B.055, subdivision 12; and 256B.071, subdivisions 1, 3, and 4.

There has been appointed as such committee on the part of the House:

Greenfield, Dorn and Bradley.

Senate File No. 473 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 378:** A bill for an act relating to taxation; recodifying taxes on liquor; providing civil and criminal penalties; appropriating money; amending Minnesota Statutes 1996, sections 16A.26; 340A.301, subdivision 8; 340A.302, subdivision 1; 340A.414, subdivision 7; 340A.417; and 340A.7035; proposing coding for new law as Minnesota Statutes, chapter 297G; repealing Minnesota Statutes 1996, sections 297C.01; 297C.02; 297C.03; 297C.04; 297C.045; 297C.05; 297C.06; 297C.07; 297C.08; 297C.09; 297C.10; 297C.11; 297C.12; 297C.13; 297C.14; 297C.16; and 297C.17.

There has been appointed as such committee on the part of the House:

Daggett, Skare and Johnson, A.

Senate File No. 378 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 309:** A bill for an act relating to state lands; authorizing the conveyance of tax-forfeited land bordering on public waters to the city of Mankato for no consideration; authorizing sale of certain tax-forfeited lands that border public water or natural wetlands in Cass county; authorizing public sale of certain tax-forfeited land that borders public water in Crow Wing county; authorizing public sale of certain tax-forfeited land that borders public water in Becker county; authorizing public sale of certain tax-forfeited land that borders public water in Aitkin county; authorizing sale of certain tax-forfeited land that borders public water in Mille Lacs county; authorizing sales of certain tax-forfeited lands bordering public waters in Cook county; authorizing the transfers of tax-forfeited lands in Washington county; authorizing the private sale of tax-forfeited land in Carlton county; authorizing private sale of certain state lands to wild rice lessees.

There has been appointed as such committee on the part of the House:

Hausman; Olson, E. and Larsen.

Senate File No. 309 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 302:** A bill for an act relating to health; allowing certain community health clinics to offer health care services on a prepaid basis; proposing coding for new law in Minnesota Statutes, chapter 62Q.

There has been appointed as such committee on the part of the House:

Clark, Greenfield and Mulder.

Senate File No. 302 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 97:** A bill for an act relating to health; providing for the isolation and detention of persons with active tuberculosis who pose an endangerment to the public health; establishing standards and procedures for isolation and detention; requiring reporting by licensed health professionals; modifying tuberculosis screening requirements; appropriating money; amending Minnesota Statutes 1996, section 144.445, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 144.

There has been appointed as such committee on the part of the House:

Goodno, Boudreau and McCollum.

Senate File No. 97 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 4:** A bill for an act relating to the military; changing the tuition and textbook reimbursement grant program; amending Minnesota Statutes 1996, section 192.501, subdivision 2.

There has been appointed as such committee on the part of the House:

Jennings, McCollum and Anderson, B.

Senate File No. 4 is herewith returned to the Senate.

Edward A. Burdick, Chief Clerk, House of Representatives

Returned May 6, 1997

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1460:

**H.F. No. 1460:** A bill for an act relating to government data practices; making certain welfare and housing data available to law enforcement agencies; requiring certain criminal conviction data to be available through the Internet; eliminating the requirement that government agencies pay a fee for commissioner's opinions; modifying school immunization and health record provisions; modifying patient consent to release of records for research; authorizing destruction of records of deceased patients; allowing certain voters to prevent public dissemination of their residence addresses; requiring notice of investigations to health board licensees; providing for retention of juvenile history records; providing for misdemeanor offense reports and access to certain adult criminal history data; providing for disclosure or inspection of certain tax data or return information; limiting disclosure of certain tax data under subpoena; providing criminal penalties;

amending Minnesota Statutes 1996, sections 13.41, by adding a subdivision; 13.46, subdivision 2; 13.54, by adding a subdivision; 13.65, subdivision 2; 13.87, subdivision 2; 13.99, subdivision 53b, and by adding subdivisions; 123.70, subdivisions 5, 7, and 10; 144.29; 144.335, subdivision 3a, and by adding a subdivision; 201.091, subdivision 4; 214.10, subdivision 1; 260.161, subdivision 1a; 270.66, subdivision 3; 270B.01, subdivision 8; 270B.03, subdivisions 1, 3, and 4; 270B.08, subdivision 1; 270B.085, subdivision 1; 270B.09; 270B.12, subdivision 7; 270B.14, subdivision 1, and by adding subdivisions; 270B.16; 287.34; 299C.095; 299C.10, subdivision 1; and 299C.13; proposing coding for new law in Minnesota Statutes, chapters 214; and 270B; repealing Minnesota Statutes 1996, sections 13.072, subdivision 3; 13.71, subdivisions 18, 19, 20, and 21; and 13.99, subdivision 21d.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

McGuire, Skoglund, Biernat, Larsen and Macklin have been appointed as such committee on the part of the House.

House File No. 1460 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1997

Mr. Betzold moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1460, and that a Conference Committee of 5 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 735:

**H.F. No. 735:** A bill for an act relating to civil commitment; clarifying and reorganizing portions of the commitment act; allowing the designated agency to consent to voluntary treatment for certain incompetent persons; creating a new standard for court-ordered early intervention to provide less intrusive treatment; modifying standards and procedures for the administration of neuroleptic medications; providing for access to records; amending the provisional discharge procedures; requiring medical documentation of a patient's refusal to be examined and allowing determination of need for treatment based on other information; prohibiting repetition screeners from filing commitment petitions; limiting use of repetition screening reports in unrelated proceedings; requiring distribution to specified parties; increasing time for return after provisional discharge; modifying provisions governing special review boards; increasing time for hearing appeals; changing provisions for state liens for cost of care; amending Minnesota Statutes 1996, sections 13.42, subdivisions 2 and 3; 55.10, subdivision 4; 246B.01, subdivisions 3 and 4; 253B.01; 253B.02, subdivisions 2, 4, 4a, 7, 9, 13, 14, 15, 18, 18a, 18b, and by adding subdivisions; 253B.03, subdivisions 1, 2, 3, 4, 5, 6, 6b, 7, 8, and by adding a subdivision; 253B.04; 253B.05, subdivisions 1, 2, 3, 4, and by adding a subdivision; 253B.06; 253B.07, subdivisions 1, 2, 2a, 3, 4, 5, 7, and by adding subdivisions; 253B.08, subdivisions 1, 2, 3, 5, and by adding subdivisions; 253B.09, subdivisions 1, 2, 3, 5, and by adding a subdivision; 253B.095; 253B.10; 253B.11, subdivision 2; 253B.12, subdivisions 1, 3, 4, and by adding a subdivision; 253B.13, subdivisions 1 and 2; 253B.14; 253B.15, subdivisions 1, 1a, 2, 3, 5, 10, and by adding subdivisions; 253B.16, subdivision 1; 253B.17, subdivisions 1 and 3; 253B.18, subdivisions 1, 2, 3, 4, 4a, 4b, 5, 6, 7, 9, 12, 14, 15, and by adding a subdivision; 253B.185, subdivision 4; 253B.19, subdivisions 1, 2, 3, and 5; 253B.20, subdivisions 1, 3, 4, 6, and 7; 253B.21, subdivision 4; 253B.22, subdivision 1; 253B.23, subdivisions 1, 4, 6, 7, and 9; 256.015, subdivisions 1, 2, and 4; 256B.042, subdivisions 1, 2, and 4; 256B.37, subdivision 1; 514.71; 514.980, subdivision 2; 514.981, subdivision 2; 514.982, subdivisions 1 and 2; 514.985; 524.1-201; 524.3-801; 524.3-1004; 524.3-1201; and 524.6-207; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1996, sections 253B.03, subdivisions 6c and 9;

253B.05, subdivisions 2a and 5; 253B.07, subdivision 6; 253B.08, subdivisions 4 and 6; 253B.091; 253B.12, subdivisions 5 and 8; 253B.13, subdivision 3; 253B.15, subdivisions 4 and 6; 253B.18, subdivision 4; 253B.21, subdivision 5; and 253B.23, subdivision 1a.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Entenza, Pugh and Rhodes have been appointed as such committee on the part of the House.

House File No. 735 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1997

Mr. Betzold moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 735, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 556:

**H.F. No. 556:** A bill for an act relating to health; permitting health data institute access to certain data; defining terms for vital statistics; modifying lead inspection provisions; modifying provisions for unique identifiers for health care providers, group purchasers, and patients; modifying birth data provisions; limiting access to certified copies of birth and death certificates; requiring standardized format for birth and death certificates; providing for recording and reporting of abortion data; amending Minnesota Statutes 1996, sections 62J.451, subdivision 6c; 62J.54; 144.212, by adding subdivisions; 144.215, by adding subdivisions; 144.225, by adding subdivisions; 144.9504, subdivision 2; and 145.411, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 145.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Greenfield, Hasskamp and Goodno have been appointed as such committee on the part of the House.

House File No. 556 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1997

Mr. Betzold moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 556, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 299:

**H.F. No. 299:** A bill for an act relating to state parks; adding to state parks; renaming O.L. Kipp state park; permitting liquor sales in certain parks; authorizing the commissioner to contract out certain restaurant services; modifying state park permit exemptions; amending Minnesota Statutes 1996, sections 85.012, by adding a subdivision; 85.0505; and 85.054, by adding a subdivision; repealing Minnesota Statutes 1996, section 85.012, subdivision 46.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Bakk, Kinkel and Davids have been appointed as such committee on the part of the House.

House File No. 299 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1997

Mr. Morse moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 299, and that a Conference Committee of 3 members be appointed by the Subcommittee on Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 423.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted May 6, 1997

### FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred to the committee indicated.

**H.F. No. 423:** A bill for an act relating to the metropolitan council; providing for an elected metropolitan council; regulating economic interest statements of candidates and members; regulating contributions to, and expenditures by, candidates; providing public subsidies to certain candidates; requiring a policy advisory committee; modifying levy authority; amending Minnesota Statutes 1996, sections 10A.01, subdivision 5; 10A.09, subdivisions 5 and 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.322, subdivision 1; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4; 204B.09, subdivisions 1 and 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 353D.01, subdivision 2; 473.123, subdivisions 1, 2a, 3a, 4, 7, and by adding a subdivision; and 473.127; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; and 473; repealing Minnesota Statutes 1996, section 473.123, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 175, now on General Orders.

### MOTIONS AND RESOLUTIONS

### SPECIAL ORDERS

Pursuant to Rule 10, Mr. Moe, R.D., Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately.

S.F. Nos. 1334 and 1350.

**SPECIAL ORDER**

**S.F. No. 1334:** A bill for an act relating to employee benefits; permitting political subdivisions to define dependent for certain purposes; amending Minnesota Statutes 1996, section 471.61, subdivision 1a.

**CALL OF THE SENATE**

Mr. Limmer imposed a call of the Senate for the balance of the proceedings on S.F. No. 1334. The Sergeant at Arms was instructed to bring in the absent members.

Mr. Neuville moved to amend S.F. No. 1334 as follows:

Page 1, line 17, delete "additional classes of persons" and insert "parents, grandparents, grandchildren, adult dependent children, and siblings as"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 30, as follows:

Those who voted in the affirmative were:

Beckman	Johnson, D.E.	Langseth	Ourada	Solon
Belanger	Johnson, D.H.	Larson	Pariseau	Stevens
Berg	Johnson, D.J.	Lesewski	Robling	Stumpf
Day	Kelly, R.C.	Lessard	Runbeck	Ten Eyck
Dille	Kleis	Limmer	Sams	Terwilliger
Frederickson	Knutson	Neuville	Samuelson	
Hanson	Laidig	Oliver	Scheevel	

Those who voted in the negative were:

Anderson	Higgins	Kiscaden	Morse	Price
Berglin	Hottinger	Krentz	Murphy	Ranum
Betzold	Janezich	Lourey	Novak	Robertson
Cohen	Johnson, J.B.	Marty	Pappas	Scheid
Flynn	Junge	Metzen	Piper	Spear
Foley	Kelley, S.P.	Moe, R.D.	Pogemiller	Wiener

The motion prevailed. So the amendment was adopted.

Mr. Cohen moved that S.F. No. 1334 be laid on the table. The motion prevailed.

**SPECIAL ORDER**

**S.F. No. 1350:** A bill for an act relating to health; modifying the requirements for dispensing controlled substances; amending Minnesota Statutes 1996, section 152.11.

Mr. Knutson moved to amend S.F. No. 1350 as follows:

Page 3, after line 4, insert:

"Subd. 4. Nothing in this section may be construed to authorize a person licensed in another state or jurisdiction to prescribe a controlled substance with intent to assist another in taking the other's own life in violation of section 609.215 with intent or knowledge that the prescription will be dispensed in Minnesota."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 45 and nays 14, as follows:

Those who voted in the affirmative were:

Beckman	Johnson, D.H.	Laidig	Neuville	Scheevel
Belanger	Johnson, D.J.	Langseth	Novak	Scheid
Berg	Johnson, J.B.	Larson	Oliver	Solon
Day	Junge	Lesewski	Ourada	Stevens
Dille	Kelley, S.P.	Lessard	Pariseau	Stumpf
Frederickson	Kelly, R.C.	Limmer	Robling	Terwilliger
Hanson	Kleis	Metzen	Runbeck	Vickerman
Janezich	Knutson	Morse	Sams	Wiener
Johnson, D.E.	Krentz	Murphy	Samuelson	Wiger

Those who voted in the negative were:

Anderson	Flynn	Hottinger	Pappas	Spear
Berglin	Foley	Lourey	Piper	Ten Eyck
Betzold	Higgins	Marty	Ranum	

The motion prevailed. So the amendment was adopted.

S.F. No. 1350 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Neuville	Sams
Beckman	Hottinger	Laidig	Novak	Samuelson
Belanger	Janezich	Langseth	Oliver	Scheevel
Berg	Johnson, D.E.	Larson	Ourada	Scheid
Berglin	Johnson, D.H.	Lesewski	Pappas	Solon
Betzold	Johnson, D.J.	Lessard	Pariseau	Spear
Cohen	Johnson, J.B.	Limmer	Piper	Stevens
Day	Junge	Lourey	Pogemiller	Stumpf
Dille	Kelley, S.P.	Marty	Price	Ten Eyck
Flynn	Kelly, R.C.	Metzen	Ranum	Terwilliger
Foley	Kiscaden	Moe, R.D.	Robertson	Vickerman
Frederickson	Kleis	Morse	Robling	Wiener
Hanson	Knutson	Murphy	Runbeck	Wiger

So the bill, as amended, was passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Mr. Marty moved that S.F. No. 72 be taken from the table. The motion prevailed.

**S.F. No. 72:** A bill for an act relating to elections; changing and clarifying provisions of the Minnesota election law; amending Minnesota Statutes 1996, sections 200.031; 201.061, subdivision 1; 201.071, subdivision 1; 201.081; 201.12, subdivision 2; 201.121, subdivision 1; 201.13, subdivisions 1 and 2; 201.15; 201.171; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.04, subdivision 1; 203B.06, subdivision 3; 203B.08, subdivision 1; 203B.11, subdivision 1, and by adding a subdivision; 203B.12, subdivision 2, and by adding a subdivision; 203B.13, subdivisions 1 and 2; 203B.16, by adding a subdivision; 203B.19; 204B.06, by adding a subdivision; 204B.146; 204B.15; 204B.16, subdivisions 1a and 3; 204B.22, subdivision 1; 204B.23; 204B.27, by adding a subdivision; 204B.31; 204B.36, subdivision 2; 204C.08, by adding a subdivision; 204C.15, subdivision 1; 204C.31, subdivision 2; 204C.32; 204C.33, subdivision 1; 205.10, subdivision 3; 205.13, subdivision 1; 205.17, by adding a subdivision; 205A.05, subdivision 1; 205A.08, by adding a subdivision; 206.55; 206.56, subdivisions 1, 3, 5, 8, and 9; 206.57; 206.58; 206.59; 206.61, subdivisions 1, 3, and 5; 206.62; 206.64, subdivision 1; 206.66; 206.80; 206.81; 206.83; 206.84, subdivisions 3, 6, and 7; 206.86, subdivisions 1 and 2; 206.90, subdivisions 4 and 6; 207A.03, subdivision 2; 211B.14; 367.03, subdivision 1; 367.25, subdivision 1; 387.01; 388.01; and 626.846, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 201; 203B; and 204B; repealing Minnesota Statutes 1996, sections 204D.15, subdivision 2; 206.065; 206.56, subdivisions 4, 6, 10, 11, 12, 13, and 15; 206.60; 206.61,



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### CONCURRENCE AND REPASSAGE

Mr. Marty moved that the Senate concur in the amendments by the House to S.F. No. 72 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 72 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Higgins	Krentz	Oliver	Scheevel
Beckman	Hottinger	Langseth	Ourada	Scheid
Belanger	Janezich	Larson	Pappas	Solon
Berg	Johnson, D.E.	Lessard	Piper	Spear
Berglin	Johnson, D.H.	Lourey	Pogemiller	Stevens
Betzold	Johnson, J.B.	Marty	Price	Ten Eyck
Cohen	Junge	Metzen	Ranum	Terwilliger
Day	Kelley, S.P.	Moe, R.D.	Robertson	Vickerman
Flynn	Kelly, R.C.	Morse	Robling	Wiener
Foley	Kiscaden	Murphy	Runbeck	
Frederickson	Kleis	Neuville	Sams	
Hanson	Knutson	Novak	Samuelson	

Messrs. Dille, Laidig, Limmer and Mrs. Pariseau voted in the negative.

So the bill, as amended, was repassed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

#### **Messrs. Solon and Johnson, D.J. introduced--**

**S.F. No. 1947:** A bill for an act relating to public improvements; authorizing the issuance of bonds for the construction of improvements to the Duluth entertainment and convention center; appropriating money.

Referred to the Committee on Jobs, Energy and Community Development.

#### **Messrs. Johnson, D.H; Ten Eyck and Ourada introduced--**

**S.F. No. 1948:** A bill for an act relating to taxation; individual income; reducing the rate of tax on the first income bracket; amending Minnesota Statutes 1996, section 290.06, subdivisions 2c and 2d.

Referred to the Committee on Taxes.

**Messrs. Johnson, D.J.; Janezich; Murphy and Novak introduced--**

**S.F. No. 1949:** A bill for an act relating to baseball; providing for a process to construct, fund, maintain, and govern a major league baseball stadium; providing for powers and duties of the metropolitan sports facilities commission; authorizing certain taxes, revenue distributions, bonds and other debt obligations, and allocations; appropriating money; amending Minnesota Statutes 1996, sections 240.15, subdivision 1; 297A.02, subdivision 3; 297A.259; 297E.02, subdivision 6; 473.551, subdivision 8, and by adding subdivisions; 473.552; 473.553, subdivision 1; 473.556, subdivisions 3, 4, 5, and by adding subdivisions; and 609.761, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 349A; and 473; proposing coding for new law as Minnesota Statutes, chapter 473I.

Referred to the Committee on Taxes.

**RECESS**

Mr. Moe, R.D. moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

**APPOINTMENTS**

Mr. Moe, R.D. from the Subcommittee on Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 1409: Messrs. Sams, Dille and Vickerman.

S.F. No. 960: Ms. Berglin, Mr. Morse, Mses. Kiscaden, Wiener and Mr. Terwilliger.

S.F. No. 78: Mr. Marty, Mrs. Scheid and Mr. Frederickson.

H.F. No. 556: Mr. Betzold, Ms. Kiscaden and Mr. Ten Eyck.

H.F. No. 735: Messrs. Betzold, Ten Eyck and Ms. Kiscaden.

H.F. No. 1460: Mr. Betzold, Ms. Ranum, Messrs. Ten Eyck, Knutson and Ms. Kiscaden.

S.F. No. 254: Messrs. Frederickson, Lessard, Stumpf, Mrs. Pariseau and Ms. Krentz.

H.F. No. 299: Messrs. Morse, Price and Laidig.

Mr. Moe, R.D. moved that the foregoing appointments be approved. The motion prevailed.

**MOTIONS AND RESOLUTIONS - CONTINUED**

Mr. Moe, R.D. moved that S.F. No. 1930, No. 14 on General Orders, be stricken and laid on the table. The motion prevailed.

**MEMBERS EXCUSED**

Mrs. Fischbach and Ms. Olson were excused from the Session of today. Mr. Terwilliger was excused from the Session of today at 10:15 a.m. Mr. Beckman was excused from the Session of today from 9:00 to 9:30 a.m. Mrs. Robling was excused from the Session of today from 9:00 to 9:35 a.m. Messrs. Murphy and Pogemiller were excused from the Session of today from 9:00 to 9:40 a.m. Mr. Johnson, D.J. was excused from the Session of today from 9:00 to 9:50 a.m. Ms. Wiener was excused from the Session of today from 9:25 to 9:35 a.m.

**ADJOURNMENT**

Mr. Moe, R.D. moved that the Senate do now adjourn until 10:00 a.m., Friday, May 9, 1997.  
The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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