

Nineteenth District	John L. Olson
Twentieth District	J. A. Josefson
Twenty-first District	Howard I. Nelson
Twenty-second District	Dr. Vernon K. Jensen
Twenty-third District	Robert G. Johnson
Twenty-fourth District	C. J. Benson
Twenty-fifth District	George E. Grant
Twenty-sixth District	Henry M. Harren
Twenty-seventh District	Jerome V. Blatz
Twenty-eighth District	W. G. Kirchner
Twenty-ninth District	Alf Bergerud
Thirtieth District	Kenneth Wolfe
Thirty-first District	Eugene F. Welter

Mr. Welter answered the roll call of the Senate.

At this point the President stated that, the secretary has your certificate of election which appears to be in proper form. However, we have formal notice that your seat is challenged under Chapter 209 proceedings. Do you care to state your position on that?

Mr. Welter: Mr. President, I do not concede this is ground for the challenge, and I would like the body to hear the matter as soon as possible so that my right to the seat, according to the votes of my constituency, can be determined.

President: I am informed that the Elections and Reapportionment Committee to which the challenge ordinarily would be referred will meet presently.

Mr. Welter: Mr. President, in that event, I prefer to stand aside until the challenge can be heard and disposed of.

The Secretary pro tem then continued with the roll call:

Thirty-second District	Dean A. Nyquist
Thirty-third District	Henry T. McKnight
Thirty-fourth District	Melvin E. Hansen
Thirty-fifth District	Wayne G. Popham
Thirty-sixth District	Glenn D. McCarty
Thirty-seventh District	Harmon T. Ogdahl
Thirty-eighth District	Donald O. Wright
Thirty-ninth District	Leo D. Mosier
Fortieth District	Harold Kalina
Forty-first District	Roy W. Holsten
Forty-second District	John T. Davies
Forty-third District	Karl F. Grittner
Forty-fourth District	Wendell R. Anderson
Forty-fifth District	Edward G. Novak
Forty-sixth District	Nicholas D. Coleman
Forty-seventh District	Clifton Parks
Forty-eighth District	John Tracy Anderson
Forty-ninth District	Robert O. Ashbach
Fiftieth District	Jerome M. Hughes
Fifty-first District	Keith F. Hughes
Fifty-second District	Norman W. Hanson

Fifty-third District	
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for Mr. H. Y. Torre

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Arnold	Grant
Ashbach	Greig
Benson	Grittner
Bergerud	Hansen
Blatz	Hansen
Brown	Hansen
Bursch	Hansen
Coleman	Harrer
Conzemius	Higgin
Davies	Holmq
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Mr. H. Y. Torre  
Senate was declare

Mr. Josefson no  
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ators voted for Mr

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Anderson, J. T. Blatz	
Anderson, W. R. Brown	
Arnold	Bursch
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Benson	Conzer

## FOURTH DAY

St. Paul, Monday, January 9, 1967.

The Senate met at 8:00 o'clock p.m., and was called to order by the President, pro-tem., Mr. Anderson, E. J.

Prayer by the Chaplain.

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

Anderson, E. J.	Dosland	Holsten	Laufenburger	Popham
Anderson, J. T.	Franz	Hughes, J. M.	Leiseth	Rosenmeier
Anderson, W. R.	Gage	Jensen, V. K.	Mammenga	Sinclair
Arnold	Glewwe	Johnson	McCarty	Sommer
Ashbach	Greig	Josefson	McKnight	Sundet
Benson	Grittner	Jude	Metcalf	Ukkelberg
Blatz	Hansen, C. R.	Kalina	Mosier	Wanvick
Brown	Hanson, N. W.	Kirchner	Novak	Wright
Bursch	Hanson, R.	Krieger	Olson	
Coleman	Harren	LaBrosse	Parks	
Conzemius	Higgins	Larson, L. W.	Perpich, A. J.	
Davies	Holmquist	Larson, N.	Perpich, Rudy	

Quorum present.

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

## MEMBERS EXCUSED

Messrs. Jensen, C. A., Hughes, K., Nelson and Popp were excused from the session of today.

Mr. Popp was excused from the session of tomorrow.

## PETITIONS, LETTERS AND REMONSTRANCES

Minneapolis, Minn., January 5, 1967

Honorable Stanley W. Holmquist  
Majority Leader  
Minnesota State Senate  
State Capitol  
St. Paul, Minnesota

Re: 31st Senatorial District Contest

Dear Senator Holmquist:

I want to officially advise you that a contest exists for the senate seat in the 31st District. Richard J. Parish is the contestant.

4TH DAY]

I send you a copy of the record and transcribe the Request should be considered by the Majority Leader who is the Lieutenant Governor.

I understand from the record considered on Monday.

The transcript has been prepared. I presume I will have it by tomorrow.

Senator Parish and I have discussed this. If you know of some other procedure, please advise me.

Honorable H. Y. Tolson  
Secretary of Senate  
State Capitol  
St. Paul, Minnesota

Mr. Richard J. Parish  
3826 West Broadway  
Minneapolis, Minnesota

Mr. Arthur J. Stock  
Soo Line Building  
Minneapolis, Minnesota

Honorable Stanley W. Holmquist  
Majority Leader  
Minnesota State Senate  
State Capitol  
St. Paul, Minnesota

Re: 31st Senatorial District Contest

Dear Senator Holmquist:

I want to confirm the Senate Election results for Tuesday, January 11th, 1967. St. Paul, Minnesota.

Honorable H. Y. Tolson  
Secretary of Senate  
State Capitol  
St. Paul, Minnesota

I send you a copy of the Request I made in his behalf to forward the record and transcript to the Minnesota State Senate. I guess the Request should have been directed to your attention as Majority Leader when in fact the request was directed to the new Lieutenant Governor.

I understand from Senator Parish that the matter will be considered on Monday, January 9, 1967, at 3:30 o'clock p. m.

The transcript has not as yet been delivered to my office but I presume I will have it on Friday.

Senator Parish and I appreciate your courtesies in this matter. If you know of something further that I should be doing procedurally, please advise.

Yours truly,  
Wyman Smith

Honorable H. Y. Torrey  
Secretary of Senate  
State Capitol  
St. Paul, Minnesota

Mr. Richard J. Parish  
3826 West Broadway  
Minneapolis, Minnesota

Mr. Arthur J. Stock  
Soo Line Building  
Minneapolis, Minnesota

Minneapolis, Minn., January 6, 1967

Honorable Stanley W. Holmquist  
Majority Leader  
Minnesota State Senate  
State Capitol  
St. Paul, Minnesota 55101

Re: 31st Senatorial District Contest  
Parish vs. Welter

Dear Senator Holmquist:

I want to confirm that the hearing of this matter will be before the Senate Elections and Reapportionment Committee on Wednesday, January 11th at 3:00 o'clock p.m., Room 28, State Capitol, St. Paul, Minnesota.

Your truly,  
Wyman Smith  
Attorney for Parish

Honorable H. Y. Torrey  
Secretary of Senate  
State Capitol  
St. Paul, Minnesota

Mr. Richard J. Parish  
3826 West Broadway  
Minneapolis, Minnesota

Mr. Arthur J. Stock  
Soo Line Building  
Minneapolis, Minnesota

Honorable Harold R. Popp  
237 State Capitol  
St. Paul, Minnesota

The following report was received and filed by the Secretary of the Senate: Proposed Recodification of Minnesota Insurance Statutes prepared by the Subcommittee on Recodification of Insurance Laws.

The following reports were received and filed by the Secretary of the Senate and a copy placed on the desk of each member: Department of Labor and Industry Industrial Commission of Minnesota, Biennial Report, July 1, 1964 through June 30, 1966; Commissioner of Education on the Minnesota State High School League.

#### EXECUTIVE AND OFFICIAL COMMUNICATIONS

January 6, 1967.

Honorable Stanley W. Holmquist  
Chairman, Committee on Rules and Legislative Expense  
State Capitol

Dear Senator Holmquist:

Your letter of January 5, 1967 relating to the current session of the Minnesota State Legislature requests my opinion on the following

#### QUESTIONS:

"1) What is the last day on which the legislature may be in session?

"2) What is the last day on which new bills may be introduced in either House?

"3) What is the last day on which bills may be passed by either House?"

#### OPINION

1. The Constitution, Art. IV, Sec. 1, limits the regular session of the legislature to 120 days. Minnesota Statutes, Section 3.01 states that the legislature shall assemble on the first Tuesday after the first Monday in January of each odd-numbered year, and accordingly, the legislative session began on January 3, 1967.

The basis for computing the 120 day period is to count all days upon which the legislature could legally sit and to exclude Sundays. Pursuant to Laws 1959, Chapter 52, holidays are no longer exclud-

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Messrs. Holm

S. F. No. 15

## SIXTH DAY

St. Paul, Wednesday, January 11, 1967.

The Senate met at 11:00 o'clock a.m., and was called to order by the President.

Prayer by the Chaplain.

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

Anderson, E. J.	Dosland	Holmquist	Larson, N.	Parks
Anderson, J. T.	Franz	Holsten	Laufenburger	Perpich, A. J.
Anderson, W. R.	Gage	Hughes, J. M.	Leiseth	Perpich, Rudy
Arnold	Grant	Hughes, Keith	Mammenga	Popham
Ashbach	Glewwe	Jensen, C. A.	McCarty	Popp
Benson	Greig	Jensen, V. K.	McKnight	Rosenmeier
Bergerud	Grittner	Johnson	Metcalf	Sinclair
Blatz	Hansen, C. R.	Josefson	Mosier	Sommer
Brown	Hansen, Mel	Jude	Nelson	Ukkelberg
Bursch	Hanson, N. W.	Kalina	Novak	Wanvick
Coleman	Hanson, R.	Krieger	Nyquist	Wolfe
Conzemius	Harren	LaBrosse	Ogdahl	Wright
Davies	Higgins	Larson, L. W.	Olson	

Quorum present.

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

## MEMBERS EXCUSED

Mr. Rosenmeier was excused from the session of tomorrow.

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

STATE OF MINNESOTA,  
County Of Hennepin

District Court  
Fourth Judicial District

In the Matter of the Contest  
Election held November 8, 1966,  
for the office of State Senator,  
31st District

Richard J. Parish, Contestant,  
No. 632669 vs.  
Eugene F. Welter, Contestee.

St. Paul, Minnesota

Received of Gerald R. Nelson, Clerk of District Court, Fourth

Judicial District, Hennepin County, Minnesota, the original file consisting of:

- 1—Notice of Contest of Election filed 11-22-66
- 1—Petition to Inspect Ballots
- 1—Ex-Parte Order for Leave to Take Deposition and Notice of Taking Deposition
- 1—Order Appointing Inspectors
- 1—Oath of Inspectors
- 1—Notice of Hearing
- 1—Answer and Additional Points not Specified in Notice of Contest
- 1—Findings of Fact, Conclusions of Law and Order filed 12-21-66
- 1—Answers to Contestee's Interrogatories
- 1—Reply to Answer of Contestee and his Additional Points not Specified in Notice of Contest
- 1—Request of Clerk of District Court to Forward Record and Transcript of Proceedings
- 1—Report of Inspectors
- 1—Notice of Taking Deposition
- 1—Contestee's Interrogatories and Requests for Admissions from Contestant
- 3—Subpoenas with affidavits of service attached
- 2—Receipts for Exhibits filed 1-4-67
- 1—Transcript filed 1-10-67 in the above entitled cause was received and delivered to Senator Harold R. Popp, Chairman, Senate Elections Committee, State Capitol on January 11, 1967.

#### INTRODUCTION OF BILLS

Messrs. Sinclair, Holmquist and Krieger introduced—

S. F. No. 21: A bill for an act appropriating money to pay the salary of A. M. Keith, lieutenant governor, for the 1966 extra session.

Which was read the first time and referred to the Committee on Finance.

Messrs. McKnight, Hughes, K. and Ukkelberg introduced—

S. F. No. 22: A bill for an act relating to highway traffic regulations; reducing blood alcohol limits in regard to the presumption of driving under the influence of an alcoholic beverage; changing certain other provisions relating to blood alcohol tests; amending Minnesota Statutes 1965, Section 169.121, Subdivision 2.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. McKnight, H

S. F. No. 23: A bill for an act modifying provisions of law relating to hearings incident to removal of judges; Minnesota Statutes 1965, Section 27A.01 and 8.

Which was read the first time and referred to the Committee on Judiciary.

Messrs. Krieger, Larsen

S. F. No. 24: A bill for an act relating to certain state owned lands; Minnesota Statutes 1965, Section 27A.01 and 8.

Which was read the first time and referred to the Committee on Public Domain.

Messrs. Davies, Krieger

S. F. No. 25: A bill for an act relating to election day.

Which was read the first time and referred to the Committee on Local Government.

Messrs. Dosland and

S. F. No. 26: A bill for an act relating to fund; amending Minnesota Statutes 1965, Section 1; and Section 354.

Which was read the first time and referred to the Committee on Civil Administration and Retirement.

Messrs. Ogdahl, Gritt

S. F. No. 27: A bill for an act relating to Retirement Association; Minnesota Statutes 1965, Sections 352.01, Subdivision 1; 352.02, Subdivision 1; 352.03, Subdivision 1; 352.04, Subdivision 1; 352.05; 352.06, Subdivision 1; 352.16; 352.22; 352.23; 352.38, Subdivision 3; Minnesota Statutes 1965, Section 352.38, Subdivision 3.

Which was read the first time and referred to the Committee on Civil Administration and Retirement.

Mr. Ogdahl introduced

S. F. No. 28: A bill for an act relating to retirement association;





Reapportionment of the election in the Thirty-first District—

committee and by the committee, after study, finding in favor of the senator for the

committee adopted the recommendation as a part of the reapportionment made separate from the information

and Reapportionment reports the same as Mr. Welter for the Thirty-first District and

REAPPORTIONMENT:

and Eugene F. Welter, senator for the

is kind should

act of one or only on violation of

legislature authority for the which if combination with knowledge has been exercised after occurrence of dis-

opponent or incumbent's vigor and the misrepresentation person in his knowledge, and unfair interference completeness as

well as literal inaccuracy, but as a ground of disqualification it must be shown that misrepresentation was deliberate and calculatedly unfavorable to the incumbent.

An assertion of incumbency, express or clearly implied, in campaign publicity by one not an incumbent may be a ground of disqualification if the assertion is found to be serious and deliberate.

2. The subcommittee agrees also that in the matter submitted to us that the charge that corporate property, personnel, and services were used to solicit funds in Mr. Welter's behalf in violation of the law, and the charge that the Welter volunteer committee was in fact a personal campaign committee which exceeded permissible limits of expenditure, are not supported by the evidence.

3. Mr. Ogdahl, Mr. Hansen, and Mr. Rosenmeier after review of the evidence conclude that the contestant has not shown there was misrepresentation of the voting record of Mr. Parish in violation of the principle above stated and that he has not shown that Mr. Welter's campaign publicity carried a deliberate, express, or implied false assertion of incumbency. With these conclusions Mr. Anderson and Mr. Benson disagree and they make a separate report.

It is the recommendation of the undersigned, a majority of the subcommittee, that your committee recommend to the Senate that Mr. Welter be seated as the senator from the Thirty-first District.

(Signed) Messrs. Rosenmeier, Ogdahl and Hansen, Mel.

#### MINORITY REPORT OF SENATOR C. J. BENSON TO: SENATE ELECTIONS & REAPPORTIONMENT COMMITTEE

The contestant, Richard J. Parish, submitted four separate claims on charges of violation of the Corrupt Practices Act. The four issues are:

(1) Mr. Parish claims that Eugene Welter falsely claimed to be a state senator, or to be the incumbent senator for the 31st district, when, in fact, the contestant, Richard J. Parish, alone was entitled to claim incumbency and to claim to be the incumbent senator in the 31st district.

(2) Mr. Parish claimed that Mr. Welter had falsely stated that he, Richard J. Parish, had voted in opposition to the reorganization of the Department of Conservation.

(3) The third claim was that Mr. Welter so loosely managed and directed his campaign that his agents used corporate property, personnel and services to solicit funds in his behalf, all in flagrant violation of the law.

(4) Mr. Parish claimed that the volunteer committee of Mr. Welter spent at least twice as much as allowed by statute. In effect, it was the claim of Mr. Parish that the Welter for Senator Volunteer Committee was a *personal campaign committee* of Eugene Welter and was not a volunteer committee within the meaning of the statutes.



I considered each of the four charges carefully. I read the transcript and depositions. I do not feel there has been sufficient evidence shown to this committee to sustain any of the last three charges and I would, therefore conclude that contestant, Richard J. Parish, has not established any violation of the Corrupt Practices Act as to the issues set out in paragraphs 2, 3 and 4.

I am, however, concerned with the evidence presented to this committee through the transcript, the depositions and the exhibits as to the first alleged charge of violation of the Corrupt Practices Act.

It is my feeling that Mr. Welter, through his advertisements as shown on Exhibits 13, 14, 29C, 5 and 8, claimed to be the incumbent senator or sought to leave this impression with those who read these ads. It will be recalled that in all of these ads the heading and heavy type read, "Welter—State Senator" and in the ad under date of November 3, 1966 the following language was used, "Eugene F. Welter, Your 31st District Senator." If there had been only one, or even two of these ads, we might be able to say that an error had been made by the candidate or that the candidate had used poor judgment. Here, however, we have before this committee at least five separate exhibits, in every one of which it is sought to leave the impression with the voter that Mr. Welter at that time was senator. Here we have a systematic series of advertisements, each of which seeks to leave the impression that the candidate was at that time the senator.

While I would not be in favor of having the committee find Mr. Welter guilty of a violation of the Corrupt Practices Act, for the reason that I would not desire to see this charge laid at his door, nor the stigma of this charge placed against him, where it could always haunt him. I do feel, however, that he was unethical in his advertising and he would be guilty of what the lawyers and the Bar Association would call "sharp practices" at the very least. Under the Minnesota Constitution, Article 4, Subdivision 3, it is provided that *each house shall be the judge of the election returns and the eligibility of its own members*. It is my feeling that the Senate has a right to determine not only the question of who won the election but who is *eligible as well* and it is my feeling that Mr. Welter should be declared ineligible and a new election held. If this were done, each candidate could go into the campaign free of any charges of a violation of the Corrupt Practices Act, and in this way neither candidate would have an advantage over the other.

I would like to join in the Majority Report, but I do not feel I can in good conscience do this. My thinking is in no way influenced by the political allegiance of either party to this contest. I feel here we have a serious question, and I feel the Senate is setting a bad precedent if we condone this type of advertising and the statements made by Mr. Welter in his campaign because they were material, they were serious and deliberate misrepresentations.

(Signed) Mr. Benson, C.

## MINORITY REPORT

We, the undersigned, members of the Committee on Reapportionment, to which of State Senator Richard J. Parish was referred the Minority Report, do hereby recommend that the report conclude after a careful, objective examination that Eugene F. Welter was in fact guilty of material violations of the Corrupt Practices Act, and therefore recommend that he be removed from the Minnesota State Senate.

In campaign publicity, Eugene F. Welter, by implication that he was a senator of the Minnesota State Senate. This was done in the campaign.

Strip ads in local newspaper read: "Gene Welter—State Senator."

On November 3, 1966, just before the election, Eugene F. Welter caused to be published a full one-half page ad which read: "Eugene F. Welter, Your 31st District Senator." The words:

"Eugene F. Welter, Your 31st District Senator."

Clearly Mr. Welter was guilty of a violation of the Corrupt Practices Act, for the reason that he sought to convey the impression that he was a senator. In large bold type he read: "Welter—State Senator." These words were prominently displayed:

"Elect . . ."

Your . . ."

It is obvious that this ad, on Exhibits 5, 8, 14, 29c and 3, was designed to convey the erroneous impression that an incumbent state senator.

It is conceded that the ad was in fact published. Mr. Welter caused the ad of November 3, 1966, to be published with "Your" at the top of the ad.

A deposition was taken from Eugene F. Welter on the NORTH HENNEPIN County. Eugene F. Welter was present. Mr. M. J. Benson received a copy and prepared a transcript. A quote from page 39 of said

## MINORITY REPORT

We, the undersigned, members of the Committee on Elections and Reapportionment, to which was referred the election contest of State Senator Richard J. Parish vs. Eugene F. Welter, as a Minority Report, do hereby report the same back, with the recommendation that the report of the Majority be disapproved, and conclude after a careful, objective review of the evidence that Eugene F. Welter was in fact guilty of deliberate, serious, and material violations of the provisions of the Minnesota Corrupt Practices Act, and therefore should not be seated as a member of the Minnesota State Senate.

In campaign publicity, Eugene F. Welter asserted both directly and by implication that he was an incumbent member of the Minnesota State Senate. This, in fact, was a major theme of his campaign.

Strip ads in local newspapers, and letterheads, both indicated "Gene Welter—State Senator."

On November 3, 1966, just *five* days before the election, Eugene Welter caused to be published in the NORTH HENNEPIN POST a full one-half page ad which prominently displayed at the top the words:

"Eugene F. Welter  
Your 31st District  
Senator."

Clearly Mr. Welter was deliberately and intentionally trying to convey the impression that he was the *present* 31st District Senator. In large bold type bordering this ad were the words again—"Welter—State Senator." At the bottom, the following words were prominently displayed:

"Elect . . . . . 'Gene'  
Welter  
Your 31st District  
Senator"

It is obvious that this ad, and other similar ads, (see contestants' exhibits 5, 8, 14, 29c and 37) were carefully and deliberately designed to convey the erroneous impression that Eugene Welter was an incumbent state senator.

It is conceded that the ads and letterheads described above were in fact published. Mr. Welter accepts full responsibility except for the ad of November 3, 1966, where he contends that the word "Your" at the top of the ad was substituted for the word "for."

A deposition was taken from Robert Moksnes, an employee of the NORTH HENNEPIN POST, at which time counsel for Mr. Welter was present. Mr. Moksnes testified under oath that he received a copy and prepared the layouts for Mr. Welter's ad. We quote from page 39 of said deposition as follows:

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Mr. Benson, C.

"Q To the best of your knowledge, the ad that you see here in this newspaper for November 3rd is the way it was presented to you?

A To the best of my knowledge.

Q Do you recall who brought the ads in from time to time that you inserted?

A Mr. Welter."

In the case of *Bank v. Egan*, 240 Minn. 192, 60 N. W. 2d 257 (1953) involving an action brought by a defeated candidate to void an election for alleged violations of the Corrupt Practices Statute, the alleged violations dealt with two cartoons or drawings with statements relating to each underneath them. Contestant alleged that these cartoons and statements violated M. S. A. 211.08 concerning false statements. The Court then defines the meaning of the word knowingly and states at page 259 as follows:

"It is obvious that when it is shown that a statement was published or caused to be published by a candidate it must follow that it was knowingly done. Use of the word 'knowingly' in connection with the publication or act of causing a statement to be published would be entirely unnecessary. The act of publishing or causing to be published in itself presupposes knowledge of the act."

One of the governing principles established by the Majority in its Report is: "An assertion of incumbency expressed or clearly implied, in campaign publicity by one not an incumbent may be a ground of disqualification if the assertion is found to be serious and deliberate."

We believe that when the foregoing principle is objectively applied to the facts cited and to the law as stated in the case of *Bank v. Egan*, supra, it is clearly established that the principle and the law were knowingly violated by Mr. Welter in a serious, deliberate, and material manner.

Further evidence of Mr. Welter's deceptive practices was his misleading use of Senator Parish's voting record.

Candidate Welter widely distributed two separate campaign letters (See contestants' exhibits 8 and 17) in which they erroneously claimed to report "the authentic recording of 'Richard's Record,'" as follows:

Bill	Purpose	Parish Voted
S. F. 748	Reorganization of Conservation Dept.	No

Mr. Welter's claim that he "reasonably relied upon the research" furnished by George G. Goodwin, an employee of the Minnesota State Senate, is not a valid defense in view, not only of Mr. Goodwin's expert knowledge of the workings of the Senate, but also in view of Mr. Welter's sworn statement, taken from page 166, lines 17-22, of the transcript:

"Q Had you been advised that unless you were familiar with that (the Senate Journal) you should use a person with some

expertise or knowledge concerned?

A Yes, at the training campaign, we were very subject."

The subcommittee's finding established that "an unfair interpretation as well as literal inaccuracy

It is apparent that Mr. deception, and that he campaign, and did deliberate Minnesota Corrupt Prac

The attempt to win a misrepresentation and deception on the Legislature. To permit misconduct would not of Majority, but a withering part of those who have leadership.

At a time when the requiring an even more important community, it is irresponsible campaign conduct that even seem to permit twisting

Accordingly, we respect position of the Minority, take his seat in this election campaign.

(Signed

Mr. Popp moved the closing of the foregoing Motion prevailed.

Mr. Popp then moved reports pertaining to election be printed in the Journal Which Motion prevailed

Mr. Holmquist, for Expense, made the following

The permanent rule read as follows:

PERMANENT

1. The rules of procedure son's Manual shall govern are applicable, and in

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expertise or knowledge insofar as voting records are con-  
cerned?

A Yes, at the training session for candidates, early in the cam-  
paign, we were very carefully cautioned in regard to this  
subject."

The subcommittee's final vote seems incompatible with the prin-  
ciple established that "... misrepresentation in this sense includes  
an unfair interpretation of the record or misleading incompleteness  
as well as literal inaccuracy. . ."

It is apparent that Mr. Welter embarked on a course of deliberate  
deception, and that he pursued this course throughout the cam-  
paign, and did deliberately, seriously, and materially violate the  
Minnesota Corrupt Practices Statutes.

The attempt to win a seat in the Minnesota State Senate through  
misrepresentation and deception brings dishonor on the Senate and  
on the Legislature. To permit a person to assume a seat after such  
misconduct would not only be an abuse of power by those in the  
Majority, but a withering away of the standards of conduct on the  
part of those who have the moral responsibility that goes with  
leadership.

At a time when the responsibilities of the Legislature are assum-  
ing an even more important role in the day to day affairs of the  
community, it is irresponsible to further erode standards of cam-  
paign conduct that even now seem none too high, and that already  
seem to permit twisting and distorting.

Accordingly, we respectfully urge the adoption of the substitute  
position of the Minority that Eugene F. Welter is not qualified to  
take his seat in this body by reason of his actions during the elec-  
tion campaign.

(Signed) Messrs. Anderson, W. R., Perpich, R. G.,  
Coleman, Conzemuis and Jensen, V. K.

Mr. Popp moved that the Secretary dispense with further read-  
ing of the foregoing Majority report and Minority reports. Which  
Motion prevailed.

Mr. Popp then moved that the Majority Report and Minority  
reports pertaining to election contest of Mr. Welter and Mr. Parish  
be printed in the Journal of the Senate and be laid on the table.  
Which Motion prevailed.

Mr. Holmquist, for the Committee on Rules and Legislative  
Expense, made the following report:

The permanent rules of the Senate for the 1967 session shall  
read as follows:

#### PERMANENT RULES OF THE SENATE

##### JEFFERSON'S MANUAL

1. The rules of parliamentary practice comprised in Jeffer-  
son's Manual shall govern the Senate in all cases in which they  
are applicable, and in which they are not inconsistent with these

Public Highways,

vers licenses; re-  
to operate motor  
ection 171.041.

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a Statutes 1965,  
Minnesota 1965,

ion that the bill

Temperance and

toxicating liquor  
mending Minne-  
6.

ion that the bill

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tutes 1965, Sec-

on that the bill

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ication by appli-  
utes 1965, Sec-

on that the bill

Public Highways,

highway traffic  
Section 169.14,

Reports the same back with the recommendation that the bill be re-referred to the Committee on Judiciary. Report adopted.

## SECOND READING OF SENATE BILLS

S. F. Nos. 82, 283, 290, 302 and 315 were read the second time.

## MOTIONS AND RESOLUTIONS

Mr. Larson, Norman, introduced—

Senate Resolution No. 2.

A Senate Resolution authorizing the President of the Senate to send seven members thereof to attend the Red River Valley Winter Shows and Northwest School Farmers' Week at Crookston, Minnesota.

*Whereas*, the Red River Valley Winter Shows and Northwest School Farmers' week are being held at Crookston, Minnesota; and

*Whereas*, B. E. Youngquist, President of the Red River Valley Winter Shows Board of Managers, Inc., has extended an invitation to the Senate to send a delegation of six members and the President of the Senate to attend these shows on Thursday, February 23, 1967, which has been designated as "Legislators' Day"; now, therefore,

*Be It Resolved* by the Senate of the State of Minnesota, that the President of the Senate be authorized to appoint a committee of seven members, including himself, to attend said shows; and

*Be It Further Resolved* that the actual expenses of said committee in making this trip shall be authorized and paid out of the Legislative Expense Fund. The Secretary of the Senate is hereby authorized and directed to issue warrants in payment of such expenses.

Which Resolution was referred to the Committee on Rules and Legislative Expense.

Mr. Olson moved that S. F. No. 129 No. 16 on General Orders be re-referred to the Committee on Finance. Which Motion prevailed.

Mr. Popp moved that the Committee report from the Committee on Elections and Reapportionment, pertaining to the Election Contest of Mr. Welter and Mr. Parish, as it appears in the Senate Journal of the 19th day, be taken from the table. Which Motion prevailed.

Mr. Popp then moved that the Committee report from the Committee on Elections & Reapportionment pertaining to the Election Contest of Mr. Welter and Mr. Parish, be now adopted, and that Mr. Welter be seated as a member of the Minnesota State Senate from the thirty-first district.

Mr. Anderson, W. R. moved that the Minority report contained in the foregoing Committee report from the Committee on Elec-



tions and Reapportionment, be substituted for the Majority report. The President of the Senate ruled that the Motion was not in order.

Mr. Grittner moved that the Senate do now recess, subject to the call of the President of the Senate. Which Motion did not prevail.

### CALL OF THE SENATE

Mr. Grittner moved a call of the Senate. The roll being called, the following Senators answered to their names:

Anderson, E. J.	Dosland	Holmquist	Larson, N.	Perpich, A. J.
Anderson, J. T.	Franz	Holsten	Leiseth	Perpich, Rudy
Anderson, W. R.	Gage	Hughes, J. M.	Mammenga	Popham
Arnold	Glewwe	Hughes, Keith	McCarty	Popp
Ashbach	Grant	Jensen, V. K.	McKnight	Rosenmeier
Benson	Greig	Johnson	Metcalf	Sinclair
Bergerud	Grittner	Josefson	Mosier	Sommer
Blatz	Hansen, C. R.	Jude	Nelson	Sundet
Brown	Hansen, Mel	Kalina	Novak	Ukkelberg
Bursch	Hanson, N. W.	Kirchner	Nyquist	Wanvick
Coleman	Hanson, R.	Krieger	Ogdahl	Wolfe
Conzemius	Harren	LaBrosse	Olson	Wright
Davies	Higgins	Larson, L. W.	Parks	

### CALL LIFTED

Mr. Grittner moved that further proceedings under the Call of the Senate be dispensed with, and the Sergeant-at-Arms be instructed to bring in the absent members. Which Motion prevailed.

The question then recurred on the adoption of the Motion as made by Mr. Popp.

And the roll being called, there were yeas 43, and nays 20, as follows:

Those who voted in the affirmative were:

Anderson, E. J.	Gage	Hughes, Keith	McKnight	Rosenmeier
Anderson, J. T.	Glewwe	Johnson	Metcalf	Sinclair
Ashbach	Greig	Josefson	Nelson	Sommer
Bergerud	Hansen, Mel	Kirchner	Nyquist	Sundet
Blatz	Hanson, R.	Krieger	Ogdahl	Ukkelberg
Brown	Harren	Larson, L. W.	Olson	Wolfe
Bursch	Higgins	Larson, N.	Parks	Wright
Dosland	Holmquist	Leiseth	Popham	
Franz	Holsten	McCarty	Popp	

Those who voted in the negative were:

Anderson, W. R.	Conzemius	Hanson, N. W.	Kalina	Perpich, A. J.
Arnold	Davies	Hughes, J. M.	Mammenga	Perpich, Rudy
Benson	Grittner	Jensen, V. K.	Mosier	Wanvick
Coleman	Hansen, C. R.	Jude	Novak	

Which Motion prevailed. Which Majority report was adopted.

### OATH OF OFFICE

Mr. Welter, escorted by Messrs. Leiseth and Johnson, advanced to the Bar of the Senate, where he subscribed to the oath of office as administered by the President of the Senate.

Mr. Holmquist moved to  
11:00 o'clock a.m. tomorrow

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**1967**

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