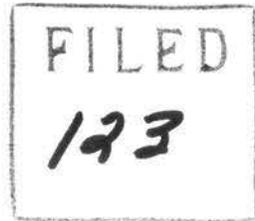


CONSTITUTIONAL LAW: Under the provisions of Section 20(a)
GENERAL ASSEMBLY: of Article III of the Missouri Consti-
tution, the first extraordinary session
of the 77th General Assembly will be automatically adjourned
sine die at midnight, Friday, February 1, 1974, unless it has
adjourned sine die prior thereto.

OPINION NO. 123

January 30, 1974

Honorable Kenneth J. Rothman
State Representative, 77th District
Room 309, State Capitol Building
Jefferson City, Missouri 65101



Dear Representative Rothman:

This is in answer to your recent request for an official
opinion of this office reading as follows:

"Section 20A of Article 3 of the Constitu-
tion of Missouri states that the General
Assembly shall automatically stand adjourned
sine die at midnight on the 60th calendar
day after the date of its convening in spe-
cial session, unless it has adjourned sine
die prior thereto.

"In determining the proper date for the pre-
sent special session to adjourn, does this
mean that the First Extraordinary Session
which convened on December 3, 1973, must
adjourn sine die at midnight on January 31
or February 1, 1974? It is necessary that
we determine this as soon as possible so that
we can plan on the necessary procedure as
concerns passage of various bills. In par-
ticular, we want to be assured that if a
bill were passed on Feb. 1, 1974 that it
would not be unconstitutional since it would
be passed after the close of the special ses-
sion, provided, the special session closes
on January 31, 1974."

The answer to your question is contained in the official
opinion rendered by this office under date of April 1, 1958, to
Governor Warren E. Hearnes, a copy of which opinion we enclose.

Honorable Kenneth J. Rothman

Such opinion holds that in determining the date upon which the General Assembly automatically stands adjourned after being convened in extraordinary session the first day of the session is excluded and the sixtieth legislative day thereafter determines the date of adjournment. Therefore, since the first extraordinary session of the 77th General Assembly convened December 3, 1973, such date is excluded. The sixtieth day thereafter is Friday, February 1, 1974.

CONCLUSION

It is the opinion of this office that under the provisions of Section 20(a) of Article III of the Missouri Constitution, the first extraordinary session of the 77th General Assembly will be automatically adjourned sine die at midnight, Friday, February 1, 1974, unless it has adjourned sine die prior thereto.

The foregoing opinion, which I hereby approve, was prepared by my assistant, C. B. Burns, Jr.

Very truly yours,



JOHN C. DANFORTH
Attorney General

Enclosure: Op. No. 38
4-1-58, Hearnese