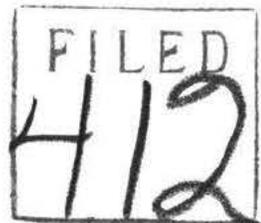


December 13, 1962



Honorable T. D. McNeal  
State Senator  
2906 A Union Boulevard  
St. Louis 15, Missouri

Dear Senator McNeal:

This refers to your letter of November 13, 1962, concerning your proposed resignation as State Senator from the 7th District upon your becoming State Senator from the 4th District pursuant to your election on November 6.

We know of nothing in the state constitution or statutes which expressly states the precise date upon which a person's term as state senator commences. We are inclined to the view that, in your case, your term as Senator from the 4th District would begin with the convening of the regular session of the general assembly on January 2, 1963, but we do not believe that it is necessary to reach a definite decision as to this matter.

It is our suggestion that some time during December, 1962, you submit your resignation to Governor Dalton by letter in substantially the following form:

"I hereby resign from my office as State Senator from the 7th Senatorial District effective at the beginning of my term of office as State Senator from the 4th Senatorial District pursuant to my election to the latter office on November 6, 1962."

If your resignation is made effective in this manner, without mention of a specific date, it is not apparent to us that any problem could arise.

Very truly yours,

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THOMAS F. EAGLETON  
Attorney General

JCB lc