

Exhibit G

Journal
OF THE
Constitutional Convention
OF
Missouri—1943-1944

**TWO HUNDRED THIRD DAY—WEDNESDAY,
SEPTEMBER 6, 1944.**

The Convention met pursuant to adjournment.

President Blake in the Chair.

Prayer by the Chaplain:

For all Thy Mercies, Father in heaven, which Thou dost renew with each rising of the Sun, we would extol and magnify Thy name.

For the problems and responsibilities that Thou givest us, and for the resources to solve and meet them, we give Thee our Hearty Thanks.

Give unto us now the Grace and Humility of Jesus as we begin the work of this day. Teach us anew the eternal truth that he is greatest who renders the greatest service, and that he will conquer who yields himself most willingly to the Cause of righteousness and justice. To Thee we dedicate our efforts anew. Amen.

On roll call the following delegates were present:

Present—Delegates

Allen,	Daniels,	Hennings,
Arnold,	Deason,	Hogan,
Babler,	Downes,	Hughes,
Benecke,	Duensing,	Hullverson,
Bradshaw,	FitzGibbon,	Jones,
Brown (of Carroll),	Fogle,	Julian,
Burkhead,	Ford,	Kehr,
Clark,	Goener,	Kirchner,
Coleman,	Gouge,	Kirk,
Cope,	Hanks,	Kreamalmeyer,
Crain,	Hargis,	McCluer,
Crome,	Heege,	McReynolds,
Damron,	Hemphill,	McVay,

Manlove,
Marr,
Maupin,
Mayer,
Meador,
Miller,
Moore,
Morton,
Naeter,
Opie,
Park,
Parker,
Petts,

Phillips (of Jackson),
Phillips (St. Louis City).
Pitney,
Potter,
Righter,
Robison (of DeKalb),
Robinson (of Macon),
Sater,
Searcy,
Seyb,
Shepley,
Simpson,

Slay,
Smith,
Stayton,
Storekman,
Taubert,
Tee,
Wesley,
Williams,
Wisdom,
Wood (of Greene),
Wood (of Johnson),
Mr. President—76.

Absent with leave—Delegates

Brown (of Christian),
Clayton,
Duncan,
Garten,
Lindsay,

Nacy,
Stevens—7.

Mr. McReynolds called up for consideration report of the Committee on Rules and Order of Business.—No. 1, which was read:

REPORT OF COMMITTEE ON RULES AND ORDER OF BUSINESS—NO. 1.

August 29, 1944.

Mr. President:

Your Committee on Rules and Order of Business begs leave to report that it has considered the problem of third reading and final passage of the Constitution, and as a result of that consideration recommends that Rule 55 heretofore adopted be repealed and that in lieu thereof a new Rule 55 be adopted which shall read as follows:

“Rule 55. Upon third reading and final passage any section of a file of the Constitution may be considered separately upon the request of twenty delegates. After the separate consideration and approval or rejection of any individual sections, the file as a whole, consisting of certain designated sections which shall be enumerated and set out in the journal, shall be submitted for the approval or rejection of the Convention. After the separate consideration and approval or rejection of all files, the Constitution as a whole, consisting of certain designated files and sections which shall be enumerated and set out in the journal, shall be submitted for the approval or rejection of the Convention. All votes, whether upon a file as a whole, or the

Constitution as a whole, shall be taken by yeas and nays and entered in the journal. Forty-two votes shall be required to pass and approve any file or the Constitution as a whole, but not for the approval of sections voted upon separately."

Your Committee recommends the adoption of the report. All of which is respectfully submitted.

ALLEN McREYNOLDS
Chairman

Mr. McReynolds moved that the above report be adopted and that recommended Rule 55 be substituted for present Rule 55, seconded by Mr. Hemphill.

Messrs. Moore, Robison (of DeKalb), Cope and Phillips (of Jackson) offered Amendment No. 1, which was read:

AMENDMENT NO. 1.

Amend Report No. 1 of Committee on Rules and Order of Business by striking out the first sentence in the second paragraph after the word and figures "Rule 55." and inserting in lieu thereof the following:

"Upon third reading and final passage any section of a file shall be considered separately upon the request of twelve delegates, and in such event the votes shall be taken by yeas and nays and entered on the Journal and forty-two votes shall be required to pass and approve such section."

Further amend said Report No. 1 in the last sentence of the second paragraph by changing the comma to a period and striking out the rest of such sentence.

Mr. Cope moved that the above amendment be adopted, seconded by Mr. Moore.

Mr. Shepley moved that further consideration of the report of the Committee on Rules and Order of Business, with Amendment No. 1 pending, be deferred until after the Convention has disposed of File No. 21, seconded by Mr. Ford.

Mr. Mayer offered a substitute motion that further consideration of the report of the Committee on Rules and Order of Business, with Amendment No. 1 pending, be deferred until 1:30 o'clock P. M., seconded by Mr. McVay.

Which substitute motion was lost.

Mr. Shepley, with unanimous consent, withdrew motion to defer consideration of the report of the Committee on Rules and Order of Business, with Amendment No. 1 pending.

Mr. Ford requested a division of the question.

On motion of Mr. McVay, seconded by Mr. Cope, the Convention recessed until 1:30 o'clock P. M.

AFTERNOON SESSION.

The time of recess having expired, the Convention was called to order by the President.

Mr. Duncan was present in the Chamber.

Mr. Phillips (of Jackson) moved that the privileges of the floor be extended to Mr. J. R. Baker, a member of the Missouri Constitutional Convention of 1922-1923, seconded by Mr. McCluer.

Which motion prevailed.

Report of the Committee on Rules and Order of Business was again taken up.

Amendment No. 1 was again taken up.

Mr. Moore requested a roll call.

Which request was granted.

The President then put the question: "Shall the report of the Committee on Rules and Order of Business be amended by striking out the first sentence in the second paragraph after the word and figures 'Rule 55.' and inserting in lieu thereof the following:

'Upon third reading and final passage any section of a file shall be considered separately upon the request of twelve delegates,?'"

The first part of Amendment No. 1 was adopted by the following vote:

YEAS—Delegates

Arnold,
Babler,
Benecke,
Brown (of Carroll),
Burkhead,
Clark,
Cope,
Daniels,
Downes,
Duensing,

Duncan,
FitzGibbon,
Fogle,
Ford,
Goener,
Gouge,
Hanks,
Hargis,
Heege,
Hennings,

Hogan,
Hughes,
Jones,
Kehr,
Kirchner,
Kreamalmyer,
Manlove,
Marr,
Maupin,
Miller,

Moore,	Robinson (of Macon),	Storekman,
Parker,	Sater,	Tee,
Phillips (of Jackson),	Searcy,	Wesley,
Phillips (St. Louis City),	Simpson,	Williams,
Pitney,	Slay,	Wisdom,
Robison (of DeKalb),	Smith,	Wood (of Greene)—48.

NAYS—Delegates

Bradshaw,	McCluer,	Petts,
Coleman,	McReynolds,	Potter,
Crain,	McVay,	Righter,
Crome,	Mayer,	Seyb,
Damron,	Meador,	Shepley,
Deason,	Morton,	Stayton,
Hemphill,	Naeter,	Taubert,
Hullverson,	Opie,	Wood (of Johnson),
Julian,	Park,	Mr. President—28.
Kirk,		

Absent—Delegate Allen—1.

Absent with leave—Delegates

Brown (of Christian),	Garten,	Nacy,
Clayton,	Lindsay,	Stevens—6.

The President then put the question: "Shall the report of the Committee on Rules and Order of Business be further amended by adding to the first sentence in the second paragraph, as amended, the following: 'and in such event the votes shall be taken by yeas and nays and entered on the Journal and forty-two votes shall be required to pass and approve such section.' And in the last sentence of the second paragraph by changing the comma to a period and striking out the rest of such sentence?"

The second part of Amendment No. 1 was adopted by the following vote:

YEAS—Delegates

Arnold,	Hanks,	Phillips (St. Louis City),
Babler,	Hargis,	Pitney,
Benecke,	Heege,	Potter,
Brown (of Carroll),	Hemphill,	Robison (of DeKalb),
Burkhead,	Hogan,	Robinson (of Macon),
Clark,	Jones,	Sater,
Cope,	Julian,	Searcy,
Crain,	Kehr,	Simpson,
Daniels,	Kirchner,	Slay,
Downes,	Kreamalmyer,	Smith,
Duensing,	Manlove,	Tee,
Duncan,	Maupin,	Wesley,
FitzGibbon,	Miller,	Williams,
Fogle,	Moore,	Wisdom,
Goener,	Parker,	Wood (of Greene)—47.
Gouge,	Phillips (of Jackson),	

NAYS—Delegates

Bradshaw,	McCluer,	Petts,
Coleman,	McReynolds,	Righter,
Crome,	McVay,	Seyb,
Damron,	Marr,	Shepley,
Deason,	Mayer,	Stayton,
Ford,	Meador,	Storeckman,
Hennings,	Morton,	Taubert,
Hughes,	Naeter,	Wood (of Johnson),
Hullverson,	Opie,	Mr. President—29.
Kirk,	Park,	

Absent—Delegate Allen—1.

Absent with leave—Delegates

Brown (of Christian),	Garten,	Nacy,
Clayton,	Lindsay,	Stevens—6.

Mr. Cope moved that Amendment No. 1 be adopted seconded by Mr. Bradshaw.

Which motion prevailed.

Mr. Park offered Amendment No. 2, which was read:

AMENDMENT NO. 2.

Moves to substitute for the report of the Committee on Rules and Order of Business No. 1, Rule 55, as appears in the Journal of August 29, 1944, as amended, the following:

Upon third reading and final passage, the Constitution as a whole, consisting of certain designated files and sections which shall be enumerated and set out in the Journal, shall be submitted for the approval or rejection of the Convention. This vote shall be taken by yeas and nays and entered in the Journal. Forty-two votes shall be required to pass and approve the Constitution as a whole.

Mr. Park moved that the above amendment be adopted, seconded by Mr. Hullverson.

Which motion was lost.

Mr. Williams requested a roll call on report of the Committee on Rules and Order of Business, as amended.

Which request was granted.

Report of the Committee on Rules and Order of Business, as amended, was adopted by the following vote:

YEAS—Delegates

Arnold,	Hanks,	Parker,
Babler,	Hargis,	Phillips (of Jackson),
Benecke,	Heege,	Phillips (St. Louis City),
Bradshaw,	Hogan,	Potter,
Brown (of Carroll),	Hughes,	Robison (of DeKalb),
Burkhead,	Jones,	Robinson (of Macon),
Clark,	Julian,	Sater,
Cope,	Kehr,	Searcy,
Crain,	Kirchner,	Seyb,
Daniels,	Kreamalmyer,	Slay,
Downes,	McVay,	Smith,
Duensing,	Manlove,	Storekman,
Duncan,	Marr,	Tee,
FitzGibbon,	Maupin,	Wesley,
Fogle,	Mayer,	Williams,
Goener,	Miller,	Wisdom,
Gouge,	Moore,	Wood (of Greene)—51.

NAYS—Delegates

Coleman,	McCluer,	Petts,
Crome,	McReynolds,	Righter,
Damron,	Meador,	Shepley,
Deason,	Morton,	Stayton,
Ford,	Naeter,	Taubert,
Hemphill,	Opie,	Wood (of Johnson),
Hennings,	Park,	Mr. President—22.
Hullverson,		

Absent—Delegates

Allen,	Pitney,	Simpson—4.
Kirk,		

Absent with leave—Delegates

Brown (of Christian),	Garten,	Nacy,
Clayton,	Lindsay,	Stevens—6.

Mr. McVay, Chairman of the Special Committee relating to a group photograph of the members of the Convention, submitted the following report:

REPORT OF THE SPECIAL COMMITTEE UNDER THE RESOLUTION OF MR. SEARCY.

Your committee appointed to investigate the matter of preparing a group photograph of the members of the Constitutional Convention to be placed on the corridor wall of the Capitol Building, beg leave to report that:

Such picture may be had of the 83 members of Convention, framed and hung in the corridor for \$200.00.

Any member desiring a copy of the assembled photographs in the 16 x 20 size may purchase same for their own use at \$2.50 each.

The above offer is from the Ruth Rust Studio and your committee recommends that a contract to furnish the large grouped picture of the members of the Convention be awarded this Studio.

Respectfully submitted,

E. C. KEHR

L. N. SEARCY

R. F. WOOD

D. C. McVAY, Chairman

Mr. McVay moved that the rules be suspended and that the Special Committee be authorized to proceed with the recommendations of the above report, seconded by Mr. Manlove.

Which motion prevailed.

Mr. McVay moved that when the Convention adjourns at 12:30 o'clock P. M., Tuesday, September 12, 1944, that it adjourn until 9:30 o'clock A. M., Wednesday, September 13, 1944, seconded by Mrs. Hargis.

Which motion prevailed.

GENERAL ORDERS.

File No. 21, Report of the Committee on Congressional, State Senatorial and Representative Districts.—No. 16, was again taken up.

Section 7a was again taken up.

Mr. Mayer offered Amendment No. 5, which was read:

AMENDMENT NO. 5.

Amend File No. 21, Page 7, Section 7-a, by striking out the period following the last word of Amendment No. 3 to said Section, and by striking out the following words:

“If the Commission fails to redistrict the state as herein provided within one year after their appointment and confirmation”

and by inserting in lieu of said words the following:

“Unless the Commission should fail to redistrict the state as herein provided within one year after the appointment and confirmation of the Commission, in which event”

so that said Section as amended would read:

“Immediately following the adoption of this Constitution, and immediately following the taking of each decennial census thereafter the governor, by and with the advice and consent of the senate, shall appoint a bi-partisan commission of ten members, five from each of the two major political parties, from a list of ten submitted to the governor by the state committee of each of said parties, to redistrict the State into thirty-four senatorial districts. The population of the state shall be divided by the number thirty-four and the quotient shall be the ratio of representation in the senate. No senatorial district shall vary from the ratio more than one-fourth of a ratio. A full statement of the districts formed by the commission, including the names of the counties embraced in each district and the number of the districts, shall be filed in the office of the secretary of state. The report of the Commission must be approved by at least seven members, and thereafter senators shall be chosen from said districts until the state has been re-districted, as herein provided, unless the Commission should fail to redistrict the state as herein provided within one year after the appointment and confirmation of the Commission, in which event the commission shall be deemed discharged and the senators to be elected at the next succeeding general election shall be elected at large and following said election a new commission shall be appointed with like powers as above set forth. The redistricting herein provided for shall not be subject to the referendum”.

Mr. Mayer moved that the above amendment be adopted, seconded by Mr. Phillips (of St. Louis City).

Which motion prevailed.

Mr. Searcy offered Amendment No. 6, which was read:

AMENDMENT NO. 6.

Amend File No. 21, Page 7, Section 7a by adding at the end of said Section 7a the following:

“Each member of such Commission shall receive a per diem of Fifteen dollars but in no event to receive more than One Thousand Dollars”

Mr. Searcy moved that the above amendment be adopted, seconded by Mr. Phillips (of St. Louis City).

Which motion prevailed.

Mr. Phillips (of St. Louis City) moved that Section 7 of File No. 17, transferred to File No. 21, be stricken from the Report, seconded by Mr. Kreamalmyer.

Which motion prevailed.

Mr. Searcy moved that Section 7a, as amended, be adopted, seconded by Mr. Opie.

Which motion prevailed.

Mr. Searcy moved that Section 10a be stricken from the Report, seconded by Mr. Wood (of Johnson).

Which motion prevailed.

Supplemental Report was taken up.

Section 55 was taken up.

Mr. Searcy yielded to Mr. Phillips (of St. Louis City).

Mr. Mayer offered Amendment No. 7, which was read:

AMENDMENT NO. 7.

Amend File No. 21, Page 14, Section 55, by striking the section out and substituting the following:

The General Assembly immediately following the decennial census of 1950 and the General Assembly immediately following each succeeding decennial census and the determination of the number of representatives in Congress to which the state is entitled shall by law apportion the state into districts corresponding with the number of representatives to which it may be entitled in the house of representatives of the Congress of the United States, which districts shall be composed of contiguous and compact territory containing as nearly as practicable an equal number of inhabitants.

Mr. Mayer moved that the above amendment be adopted, seconded by Mr. Phillips (of St. Louis City).

Which motion prevailed.

The President then put the question: "Shall Amendment No. 7 be adopted as a part of the text?"

Which motion prevailed.

Mr. Searcy moved that the recommendation as to Section 2 of Article IV; recommendation as to Section 8 of Article IV; recommendation as to Sections 5 and 9 of Article IV; recommendation as to Section 3 of Article IV and recommendation as to Section 6 of Article IV be stricken from the Report, seconded by Mr. Mayer.

Which motion prevailed.

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Mr. Searcy moved that File No. 21, as amended, be adopted, seconded by Mr. Phillips (of St. Louis City).

Which motion prevailed.

On motion of Mr. McVay, seconded by Mr. Mayer, the Convention adjourned until 9:30 o'clock A. M., Thursday, September 7, 1944.

CALENDAR.

**TWO HUNDRED FOURTH DAY, THURSDAY,
SEPTEMBER 7, 1944.**

GENERAL ORDERS.**Files for Third Reading and Final Passage:**

- File No. 1 (Article on Military Affairs).
- File No. 3 (Article VII—Impeachments).
- File No. 4 (Sections 57, 58, 59, 60, 61 of Article IV—
Initiative and Referendum and Article XV—
Mode of Amending the Constitution.)
- File No. 9 (Article XII—Corporations—Railroads—
Banks.)
- File No. 7 (Article XIV—Miscellaneous Provisions).
- File No. 10 (Article on Labor).
- File No. 2 (Article VIII—Suffrage and Elections).
- File No. 8 (Preamble, Article I—Bill of Rights, Article
II—The Distribution of Powers).
- File No. 11 (Article IX—Local Government).
- File No. 13 (Article XI—Education).
- File No. 15 (Article VI—Judicial Department).
- File No. 12 (Sections 16, 17, 18, 19, 20(a), 20(b), 20(c),
20(d), 20(e), 20(f), 20(g), 20(h), 20(i), 20(j),
20(k), 20(l), 21, 22, 23, 24, 25, 26 of Article
IX—Local Government (City of St. Louis,
St. Louis County and Jackson County).)
- File No. 14 (Article on Department of Revenue).
- File No. 16 (Article V—Executive Department).

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