

CHAPTER 2

CONSTITUTIONAL PROVISIONS GOVERNING PROCEDURE

See also Sec. 281, Right of Legislative Bodies to Suspend Rules.

Sec. 6. Legislative Procedure Is Controlled by Constitutional Provisions

See also Sec. 3, Each House Determines the Rules of Its Own Proceedings.

1. Provisions in the constitutions of the states usually provide, among other things, that each house of the legislature shall determine the rules of its proceedings; that each house shall judge the qualifications, election and returns of members; that each house may choose its officers; that a majority of the house shall constitute a quorum; that each house may discipline or expel members; and that each house shall keep a journal.
2. A constitutional provision regulating procedure controls over all other rules of procedure.

Sec. 7. Constitutional Requirements Concerning Procedure Must Be Complied With

See also Ch. 64, Secs. 694-703, Journals and Records.

1. Being organic in character, constitutional provisions stand on a higher plane than statutes and are mandatory. Constitutional provisions prescribing exact or exclusive time or methods for certain acts are mandatory and must be complied with. Constitutional provisions that are general in nature and not exclusive may be directory. Examples of directory provisions are given below.