

UNIT LESSON

GERMANENESS IN DEBATE AND AMENDING

Germane is defined as being relevant to a point at hand; pertinent (a question germane to the issue at hand). In parliamentary procedure there are two aspects to germaneness. The first is whether or not a proposed amendment to a pending motion is germane, and the second is whether or not debate is germane to the pending question.

When a main motion has been proposed and is pending, both primary and secondary amendments must be germane. The primary amendment must be germane to the main motion and the secondary amendment must be germane to the primary amendment. If a proposed amendment is not germane or does not relate to the motion, it can be introduced as a main motion after the pending question has been processed.

Aside from these two principles, there is no single, all-inclusive test for determining when a proposed amendment is germane and when it is not. A method by which the germaneness of an amendment can often be verified, however, grows out of the following general rules of parliamentary law: RONR, (11th ed.) p. 136, ll. 20-24

1) During the session in which the assembly has decided a question, another main motion raising the same or substantially the same question cannot be introduced.

2) While a motion has been temporarily disposed of (*by being referred to a committee, postponed, or laid on the table, or by being the subject of a motion to reconsider that has not been called up,*) no other motion can be admitted that might conflict with one of the possible final decisions on the first motion.

If the chair entertains an amendment that is not germane to the pending question, or refuses to entertain an amendment that is germane, a member can appeal from the decision of the chair. RONR (11th ed.), p. 250, ll. 5-8

If the germaneness of an amendment is not questioned, a point of order cannot be raised after debate on the amendment has begun. RONR (11th ed.), p. 250, ll. 23-25

When a main motion has been stated by the chair, all debate must be germane to the pending question. If a member enters into debate that is not germane, the chair should simply rap the gavel lightly, point out the fault, and advise the member to avoid it. RONR (11th ed.), p. 645, ll. 25-27

EXERCISES

A. Find the answers in RONR to the following questions:

1. What makes an amendment germane? To be germane, an amendment must in some way involve the same question that is raised by the motion to which it is applied.
2. What happens to a proposed amendment that is not germane to the pending question? It can later be proposed as a main motion.
3. What does the chair do when an amendment is not germane? The chair rules the amendment out of order.
4. What can the chair do if he is not sure whether or not a proposed amendment is germane? He can refer it to the assembly for its decision.
5. What can a member do if the chair states an amendment that is not germane or rules an amendment out of order because it is not germane? Any member can immediately rise to a point of order to correct the error.
6. What if the chair rules incorrectly on a point of order? Any two members may appeal from the decision of the chair.
7. What happens if no one challenges the fact that the proposed amendment is not germane? If no one challenges it, after debate has begun it is too late to raise a point of order or to challenge the amendment after it has been put to a vote.
8. Must debate be germane to the pending question? Yes. In debate a member's remarks must be germane to the question before the assembly – that is, his statements must have bearing on whether the pending motion should be adopted.

B. Select which proposed amendments are germane and explain why. There may be more than one correct answer.

1. The pending main motion is “to raise the secretary’s salary \$50 a month” a) move to add “and also buy her a desk not to exceed \$75.” b) move to add “and to be retroactive to last January.” c) move to add “and also buy a new laptop computer for the president.”
2. The pending main motion is “to paint the club library green” a) move to add “at a cost not to exceed \$500.” b) move to add “and to buy a new encyclopedia for the library.” c) move to add “and that the work to be done by a licensed contractor.”
3. The pending main motion is “to invite our national president to be the keynote speaker at our convention in August.” a) move to add “provided she can come on our opening day.” b) move to add “and commend her for the excellent job she has done this year.” c) move to add “and pay her an honorarium of \$100.00.”
- 4 The pending main motion is “to hold our annual dinner charity event at the Hyatt

Regency Hotel.” a) move to insert after “event” the words “to be preceded by a cocktail hour.” b) move to add “at a cost of \$100 per person.” c) move to add “and ask our national representative to be the speaker.”

5. The pending main motion is “to have a summer picnic at Evergreen Lake.” a) move to add “and that we rent a boat to go fishing.” b) move to add “and that each member be asked to bring a covered dish.” c) move to add “and that we have a seminar in October.”

6. The pending main motion is “to purchase a blue oriental rug.” a) move to add “at a cost not to exceed \$10,000.” b) move to “strike out blue and insert red.” c) move to add “and that we have it cleaned once a year.”

ANSWERS TO EXERCISES

A. Find the answers in RONR to the following questions:

1. What makes an amendment germane? To be germane, an amendment must in some way involve the same question that is raised by the motion to which it is applied. RONR (11th ed.), p. 136, ll. 7-9
2. What happens to a proposed amendment that is not germane to the pending question? It can later be proposed as a main motion. RONR (11th ed.), p. 137, ll. 7-10.
3. What does the chair do when an amendment is not germane? The chair rules the amendment out of order. RONR (11th ed.), p. 450, ll. 2-4.
4. What can the chair do if he is not sure whether or not a proposed amendment is germane? He can refer it to the assembly for its decision. RONR (11th ed.), p. 137, ll. 32-34; p. 138, ll. 2.
5. What can a member do if the chair states an amendment that is not germane or rules an amendment out of order because it is not germane? Any member can immediately rise to a point of order to correct the error. RONR (11th ed.), p. 249, ll. 34-35; p. 250 ll. 2.
6. What if the chair rules incorrectly on a point of order? Any two members may appeal from the decision of the chair. RONR (11th ed.), p. 250, ll. 5-8.
7. What happens if no one challenges the fact that the proposed amendment is not germane? If no one challenges it, after debate has begun it is too late to raise a point of order or to challenge the amendment after it has been put to a vote. RONR (11th ed.), p. 250, ll. 23-25
8. Must debate be germane to the pending question? Yes. In debate a member's remarks must be germane to the question before the assembly – that is, his statements must have bearing on whether the pending motion should be adopted. RONR (11th ed.), p. 392, ll. 6-9.

B. Select which proposed amendments are germane and explain why. There may be more than one correct answer.

- 1 a.
2. a and c
3. a and c
4. a and b
5. b
- 6 a and b