

Exercise 3. Improper Amendments

Decide if the amendment in each case is in order or out of order.

1. *Not Germane to the Question*

a. Pending Motion: That the Society authorize the purchase of a new desk for the Secretary.

Amendment: To amend by inserting after “desk” the words “and matching chair.”

New Language: That the Society authorize the purchase of a new desk and matching chair for the Secretary.

Yes, the amendment is in order

No, the amendment is out of order

b. Pending Motion: That a letter be sent to candidate Jones to congratulate him for his performance on the national debate.

Amendment: To amend by striking out “congratulate” and inserting “condemn.”

New Language: That a letter be sent to candidate Jones to condemn him for his performance on the national debate.

Yes, the amendment is in order

No, the amendment is out of order

2. *Rejection of the Original Motion*

a. Pending Motion: That the entertainment committee be instructed to purchase a piñata for the summer picnic.

Amendment: To amend by inserting “not” after “committee.”

New Language: That the entertainment committee not be instructed to purchase a piñata for the summer picnic.

Yes, the amendment is in order

No, the amendment is out of order

b. Pending Motion: That the Treasurer be instructed to use the North Shore checking account for fundraising expenditures.

Amendment: To amend by inserting “not” after “instructed.”

New Language: That the Treasurer be instructed not to use the North Shore checking account for fundraising expenditures.

Yes, the amendment is in order

No, the amendment is out of order

3. *Causes the Amended Motion to be Out of Order*

a. Pending Motion: That the pending motion be postponed to the next regular meeting.

Amendment: To strike out “next regular meeting” and insert “the regular meeting in October of next year.”

New Language: That the pending motion be postponed to the regular meeting in October of next year.

Yes, the amendment is in order

No, the amendment is out of order (Because it is out of order to postpone a motion to a point that far in the future.)

b. Pending Motion: That the Treasurer be instructed to make a report of all the financial transactions that she made in the month of September and that the report be presented at the next regular meeting.

Amendment: To amend by inserting after “September” the words “including the fraudulent checks that she wrote.”

New Language: That the Treasurer be instructed to make a report of all the financial transactions that she made in the month of September including the fraudulent checks that she wrote and that the report be presented at the next regular meeting.

Yes, the amendment is in order

No, the amendment is out of order (Because a motion containing language accusing a member of fraud is out of order)

4. *Changing One form of Amendment into Another*

a. Main Motion: That a professional copy machine be purchased for \$3,000.

Pending Primary Amendment: To strike out “for 3,000” and insert “at a cost not to exceed 4,500.”

Proposed New Language: That a professional copy machine be purchased at a cost not to exceed 4,500.

So far, all of that is okay. Now let’s look at the proposed **Secondary Amendment**, which will apply to the **Primary Amendment**.

Remember that the Secondary Amendment applies only to the Primary Amendment, which is “to strike out ‘for 3,000’ and insert ‘at a cost not to exceed 4,500.’”

Proposed Secondary Amendment: To strike out of the Primary Amendment the words “and insert ‘at a cost not to exceed 4,500.’”

Effect on the Primary Amendment: To strike out “for 3,000.”

Effect on the Original Motion: That a professional copy machine be purchased.

Yes, the amendment is in order

No, the amendment is out of order

This Secondary Amendment would change the form of the Primary Amendment from one that **strikes out and inserts** to one that only **strikes out**. Therefore, it is out of order.

5. *Converting One Parliamentary Motion into Another*

a. Pending Motion: That the pending motion be postponed to the next regular meeting.

Amendment: To amend by striking out “postponed to the next regular meeting” and inserting in its place “referred to a committee of three.”

New Language: That the pending motion be referred to a committee of three.

Yes, the amendment is in order

No, the amendment is out of order

The amendment would **change the motion from Postpone to Commit**. The motion to **Commit** would NOT be in order while a motion to **Postpone** was pending. However, if the parliamentary situation were different and a motion to **Commit** were in order, what **should** a member **do** who wants the motion referred to a committee?

The member should simply make the motion to Commit, instead of trying to amend a different motion to change it into a motion to Commit.

b. Pending Motion: That the pending motion be referred to the Grounds Committee.

Amendment: To amend by adding “with instructions to collect several estimates for the total cost of the project and report at the regular meeting in March.”

New Language: That the pending motion be referred to the Grounds Committee with instructions to collect several estimates for the total cost of the project and report at the regular meeting in March.

Yes, the amendment is in order

No, the amendment is out of order

This **does NOT change** the motion to **Commit** into any other form. The amendment simply adds instruction. And **instructions** for a **Committee** to follow may be added by amendment.

It should also be noted that the motion to Commit can be amended to change it from a standing committee to a special committee or to any of the other three forms of the motion: Committee of the Whole, Quasi Committee of the Whole, and Consider Informally.

6. *One that Strikes Out Enacting Words.*

a. Pending Motion: Resolved, That Mayor Patterson be commended for his work with underprivileged high school students.

Amendment: To amend by striking out “Resolved”

New Language: That Mayor Patterson be commended for his work with underprivileged high school students.

Yes, the amendment is in order

No, the amendment is out of order

Resolved is an **enacting word**, which can NOT be stricken. The word “**That**” is also an **enacting word** and can NOT be stricken.