

THE MOTION TO AMEND – “Perfection Before Voting”

By Steve Glanstein, Professional Registered Parliamentarian

Note: References are to *Robert’s Rules of Order Newly Revised* (12^h ed.). The references use an abbreviated format. The format contains the prefix of “RONR” followed by the word “Section” and the section number (bold) or an appropriate section and paragraph number. Footnote numbers are preceded by “n”. Complete details of *Amend* are in RONR Section **12**.

The same RONR section contains procedures on filling blanks. They are not included in this handout (RONR 12:92-12:113).

TYPES OF MOTION TO AMEND: It is important to distinguish between the **subsidiary motion to Amend** and the motion to amend resolutions already adopted, e.g., bylaws, standing rules, or other resolutions. (The latter is known as the motion to *Amend Something Previously Adopted* which is an **incidental main motion**). This handout deals **only with the subsidiary motion to Amend** (RONR 12:1-2).

PURPOSE: The subsidiary motion to *Amend* is a motion to modify the wording – and within certain limits – the meaning of a **pending motion** before the pending motion itself is acted upon (RONR 12:1). We have identified this principle as, “**Perfection Before Voting**”.

TARGET MOTION: An amendment may be proposed to a specific motion. In order to avoid confusion, we call the motion to which the amendment is proposed, the “target motion”.

SUBSEQUENT VOTE: After the subsidiary motion to *Amend* has been disposed of (whether adopted or lost), the target motion remains pending until handled (whether by further debate, additional subsidiary motions, vote, etc.)

DETAILED RULES: The subsidiary motion to *Amend* is probably one of the most complicated, yet widely used motions. Its effect is often misunderstood due to its complexity. There are several basic concepts that must be clearly understood before discussing the different types and methods of amendments. The most common rules are enumerated below.

1. **ANY MOTION WITH A VARIABLE:** *Amend* can be applied to any main motion (with some limitation for incidental main motions) and can be applied to most other motions that legitimately contain a variable factor, e.g., a time, date, place, etc. (RONR 12:7(2)).
2. **PRECEDENCE:** *Amend* takes precedence over the motion to which it purports to amend (“target motion”).
3. **FLOOR ASSIGNMENT:** *Amend* must be made by someone who has been assigned the floor.
4. **SECONDING REQUIREMENTS:** *Amend* must be seconded, except in a small board (approximately 12 members or less present) or committee (RONR 4:9n7).
5. **DEBATE RULE:** *Amend* is debatable whenever the target motion is debatable. Conversely, *Amend* is undebatable when the target motion is undebatable.
6. **DEBATE LIMITATION:** If debatable, the debate on *Amend* is restrictive. It must be confined to the merits of the amendment and must not extent into the merits of the target motion.

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7. **VOTE:** A majority vote is required for adoption of *Amend*, regardless of the vote required for the target motion. After deciding whether to adopt the motion to *Amend*, the target motion must still be considered (e.g. debate, another subsidiary motion, or a vote).
8. **RECONSIDER:** The vote on *Amend* can be reconsidered pursuant to the standard rules for the motion to *Reconsider*.
9. **PRIMARY AMENDMENT (1st degree):** Amendments applied directly to motions (other than *Amend*) are called primary amendments or amendments of the first degree.
10. **SECONDARY AMENDMENT (2nd degree):** Amendments applied to primary amendments are called secondary amendments or amendments of the second degree.
11. **TERTIARY AMENDMENT (3rd degree):** No tertiary amendments or amendments of the third degree are permitted (RONR 12:13).
12. **PRIMARY/SECONDARY AMENDMENT RULES:** Only one primary and one secondary amendment are permitted at a time with respect to a target motion, but any number of each can be offered in succession-so long as they comply with the rules for the motion to *Amend* (RONR 12:13-15). The next 2 paragraphs contain exceptions to this rule.
13. **SERIES OF AMENDMENTS:** A series of amendments to a pending main motion (or to a lengthy primary amendment, such as a substitute) may be offered in one subsidiary motion to *Amend*. (RONR 12:14; Separate votes may be demanded unless they are conforming amendments as indicated below.)
14. **CONFORMING AMENDMENTS:** Sometimes several changes throughout a motion or resolution are needed in order to achieve one result. The changes collectively create an “all or nothing” alternative. These may be presented in a single motion (RONR 12:15).
15. **GERMANE:** All proposed amendments must have a rational relationship to the target motion. The parliamentary term is that the amendment must be germane (RONR 12:16).

A corollary to this rule is that the words in the motion to strike out and insert must propose to either:
 - (a) strike out words from one place and insert different but germane words in the same place; or
 - (b) transfer the same words from one place to another (RONR 12:57).
16. **WORDS IN ONE PLACE:** An amendments to words must be in one place even though they it be separated by a secondary amendment to strike out words from a primary amendments (RONR 12:26, 12:47).
17. **“NOT” NOT IN ORDER:** An amendment is not in order which will make the target motion into an exact rejection. For example, assume that the pending motion is, “The group will purchase a desk.” It is out of order to attempt to insert, “not” after “will” (RONR 12:22(2)).

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18. **NO PARLIAMENTARY MOTION TRANSFORMATION:** An amendment is not in order which will change one parliamentary form of a motion into another.

For example, assume that an amendment is pending to, “Strike Out 'oak' before 'furniture’”. This cannot be amended into a Strike Out and Insert motion by moving to add, “and Insert 'maple’” so the amendment would read, “Strike Out 'oak' before 'furniture' and Insert 'maple’”.

This also means that the motion to “strike out and insert” cannot be divided into two separate motions (RONR 12:22(5)).

19. **NO STRIKEOUT OF ENACTING WORDS:** An amendment is not in order which proposes to strike out “Resolved” or other enacting words (RONR 12:22(6)).

20. **NO FRIVOLITY, ABSURDITY, OR CREATING OUT OF ORDER MOTIONS:** An amendment is not in order which (a) is frivolous, (b), is absurd, (c) proposes to change a motion by leaving it in an incoherent wording or a wording that contains no rational proposition, or (d) would make the underlying target motion out of order (RONR 12:22(3), 39:3).

21. **PREAMBLE LAST:** When a resolution has a preamble (one or more clauses that begin with, “Whereas”), the preamble is not opened to amendment until after the resolving clauses have been completed. Finally, a single vote is still necessary on the question of adopting the entire resolution or motion (RONR 12:23).

22. **FRIENDLY AMENDMENTS:** The term “friendly amendment” is often used to describe an amendment offered by someone who is in sympathy with the purposes of the main motion. Regardless of whether or not the maker of the main motion “accepts” the amendment, it must be opened to debate and voted on formally (unless adopted by unanimous consent) and is handled under the same rules as amendments generally (RONR 12:91, 33:11-19)

23. **ONCE IS USUALLY ENOUGH:** An amendment is not in order which will make a motion into one: (1) that has either already been decided during the same session, or (2) that is still in the control of the assembly (e.g. a similar question in committee, laid on the table during the same session, etc.) (RONR 38:5[1], 38:8, 39:5).

After an amendment has been decided, it is generally not in order to raise the same question without reconsideration or a very special set of circumstances defined for each type of motion to *Amend*. There is a limited exception to this rule which occurs if a motion is referred to committee. The committee is free to recommend for adoption its own amendments to the main motion. After the committee reports, the assembly is also free to consider any amendments (RONR 13:20).

This supports the principle of **Perfection Before Voting**, i.e. make sure the motion is in its best form before it goes to a vote.

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The motion to *Amend* consists of several types of amendments. They have been classified into two major categories: (1) motions to amend **words**, and (2) motions to amend **paragraphs**.

Formal Term	Explanation
1. Add/Insert Words	Insert one or more words into the target motion. Add is used for placing words at the end of the target motion. The words to be inserted must be in one particular location.
2. Strike Out Words	Delete one or more words from a target motion. The words to be deleted must be in one particular location.
3. Strike Out and Insert Words	Transfer the same words from one place to another, or delete words from one place and put in other words at the same place.
4. Add/Insert a Paragraph	Insert a paragraph in the middle of other paragraphs, or add a paragraph following the last paragraph.
5. Strike Out a Paragraph	Delete a paragraph.
6. Substitution	Replace a paragraph with another paragraph.

Each of the above amendments has a specific set of rules. Careful study will reveal the presence of several common principles that are applicable to all types of amendments. The most important principle is **Perfection Before Voting**. This is the purpose of both primary amendments and secondary amendments; make the proposed amendment in its most acceptable form before voting on its adoption. This also connects with the concept of **Once is Usually Enough**.

The above amendments are described below, in the same order. Another point to remember is that the adoption of the amendment merely changes the text in the target motion; final disposition (in the form of a vote or other action) is still needed on the target motion as amended.

1. **Add/Insert Words**

The words to be inserted or added must be located in one place. The term, insert, is used when placing the words in the body of a motion. Add is used when the words are to be placed at the end of the motion. The words that are proposed to be added or inserted must be **Perfected before Voting**. They are thus opened to amendment by secondary amendments of insert/add, strike out, and strike out and insert.

Adopted: The words are inserted or added into the target motion. These words can't be amended unless a reconsideration of the motion to amend is made or another amendment is used that presents a different question. (An example would be to strike out the entire paragraph containing the words that were inserted, provided that a different question is presented.)

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Lost: Even though the amendment is lost, it is still in order—provided that it will present an essentially new question—to make a motion to insert all or part of the same words together with some others, insert the same words in place of others, or to insert the same words in another place where the effect will be different.

2. Strike Out Words

The words that are proposed to be struck out must be consecutive and in one place. However, as a result of secondary amendments, the words could become separated. The only secondary amendment to the motion to *Amend* that proposed to strike out words is to strike out words from the list of words to be struck out. (In other words, you can only strike out a strike out!)

An example follows:

Suppose that the main motion is to, “Send Mrs. A, Mrs. B, Mrs. C, Mrs. D, and Mrs. E to the convention.”

A motion is made to strike out, “Mrs. B, Mrs. C, Mrs. D” from the motion. (If adopted, only Mrs. A and Mrs. E will remain **in the motion to go to the convention.**) If lost, then there is no change to the main motion.

SPECIAL CASE: Assume that the majority wants Mrs. C to go to the convention.

The proper procedure is to move to strike out Mrs. C **from the motion** to strikeout, “Mrs. B, Mrs. C, Mrs. D”. This motion is a secondary amendment since it proposed to amend a primary amendment.

Normally, a motion to strike out required that the words be in one place. However, this exception provides a mechanism for the assembly to take a position that Mrs. C should go to the convention.

If the secondary amendment to strike out is lost, then there would be no change to the primary amendments, which was to strikeout, “Mrs. B, Mrs. C, Mrs. D”.

If the secondary amendment to strike out is adopted, then Mrs. C will be removed from the list of “Mrs. B, Mrs. C, Mrs. D.”

The primary amendment now pending would be, “strike out Mrs. B, Mrs. D” from the motion. Notice how the words are no longer consecutive. Further, Mrs. C **remains** in the main motion regardless of the vote on this primary amendment.

Summarizing, the rule is as follows: The motion to *Amend* by striking out words can be amended only by striking out words from the primary amendment. The effect of such a secondary amendment is that words struck out of the primary amendment **will remain** in the main motion regardless of whether the primary amendment is adopted or rejected.

Adopted: The words are struck out and cannot be inserted again unless the place or the wording is so changed as to make a new proposition.

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Lost: It is still in order—subject to the requirement that the words must be consecutive—to strike out only a part of the words, the same words with others, or to strike out the same words and insert different ones.

3. Strike Out and Insert Words

This motion is a combination of the motions to Strike Out Words and to Insert/Add Words.

There are two types of motions to Strike Out and Insert Words:

- (a) the same wording is struck out and inserted into another place, i.e. a **transfer**; and
- (b) wording is struck out from one place and replaced by different wording.

The motion to Strike Out and Insert Words can become complicated with respect to secondary amendment.

- (a) The words proposed to be struck out are opened for amendment.
- (b) The words proposed to be inserted are opened for amendment.
- (c) Both parts of the motion are opened for amendment.
- (d) A vote is taken on the motion to strike out and insert.

The effect of this double form of amendment permits the assembly to make both parts of the motion to strike out and insert as perfect as possible prior to voting.

Special Notes:

- (a) When the motion to Strike Out and Insert Words is used as a secondary amendment, it cannot be amended. This is in accord with the rule that secondary amendments can't be amended.
- (b) A motion proposing to move words or one or more paragraphs from one location to another has special rules and the words or paragraph(s) cannot be materially amended (RONR 12:8n4, 12:58-59).
- (c) A motion proposing to strike out words from one place and insert different words in another place such that it presents independent questions is not in order unless the maker receives unanimous consent (RONR 12:59).

Adopted:

- (a) The words are struck out and cannot be inserted again unless the place or the wording is so changed as to make a new proposition.
- (b) The words are inserted or added into the motion. They are not subject to amendment unless the motion is reconsidered or another amendment is made presenting a different question.

Lost: It is still in order to do any one of the following:

- (a) to make either of the separate motions to strike out or to insert/add, the same words that would have been struck out or inserted by the combined motion that was lost.
- (b) to make another motion to Strike Out and Insert provided that the change in either the wording to be struck out or inserted is sufficient to present a question materially different from the one voted down.

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4. Add/Insert a Paragraph

The paragraph that is proposed to be added (if at the end) or inserted is open to **Perfection Before Voting** by any of the methods applicable to words, described in items 1-3. The use of *Amend* to perfect the paragraph is known as amendment by secondary amendment.

Adopted: The paragraph is inserted in the proposed motion. The paragraph **cannot be further amended** unless words are added at the end which do not modify the basic content.

Lost: The same motion can still be made as long as it presents a different question. For example, the paragraph can be shortened or reworded so that its effect is changed.

5. Strike Out a Paragraph

The paragraph that is proposed to be struck out is open to **Perfection Before Voting** by any of the methods applicable to words, described in items 1-3. The use of *Amend* to perfect the paragraph is known as amendment by secondary amendment. Any of the forms available for words may be used. (i.e. insert/add, strike out, strike out and insert.)

While the motion to Strike Out a paragraph is pending, the proponents of the paragraph should amend the paragraph to perfect it because if it is struck out, it is more difficult to add the same paragraph back into the motion.

Adopted: The paragraph is struck out of the target motion. (Remember: The target motion must still be handled.) Further, **the paragraph cannot be inserted again** unless the wording or possibly, the place, is changed to present a substantially new question.

Lost: Any amendment presenting a materially new question involving the same paragraph, or any part of it, is still in order. **All adopted secondary amendments remain in the paragraph** that was part of the target motion.

6. Substitute

This is an indivisible combination of the motion to Strike Out a Paragraph and Insert a Paragraph. It may be applied to a paragraph, section, or article, collectively called “paragraph” below. The motion to substitute may only be made as a primary amendment or an amendment to the primary amendment to substitute. In the latter case, it is known as a “substitute for a substitute.” (RONR 12:69).

If a motion to substitute is used to strike out one or more paragraphs and insert them into another place, it is not considered a motion to substitute. It is handled similar to the motion to Strike out and Insert Words and the paragraph or paragraphs cannot be materially amended but are open to amendment if adopted (RONR 12:8n4 and 12:58-59).

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The amendment process of the primary amendment to substitute is handled as follows:

- (a) The paragraph that is **proposed to be struck out** is open to secondary amendment.
- (b) The paragraph that is **proposed to be inserted** is opened to secondary amendment.
- (c) A vote is taken on the actual motion to Substitute. (Reminder: The target motion must still be handled.)

While the motion to substitute is pending, the chair usually asks for amendments:

- (a) to the paragraph that is proposed to be struck out;
- (b) to the paragraph that is proposed to be inserted; then
- (c) to either paragraphs.

Theoretically this places both paragraphs in the most suitable form before a vote is taken on the motion to substitute.

The secondary amendment process is another example of **Perfection Before Voting** of the paragraph to be struck out as well as the one to be inserted. If the motion to substitute is adopted, the paragraph that was struck out may not be inserted again unless the wording or possibly, the place, is changed to present a substantially new question. The paragraph that was inserted may not be further amended unless words are added at the end which do not modify the basic content.

Special case: A secondary amendment, known as a “substitute for a substitute” may be proposed as an amendment to the primary amendment to substitute. While amendments may continue to be proposed to perfect the primary amendment to substitute, the secondary amendment to substitute may not be amended (RONR 13:69).

Adopted: This is a combination of the rules for Striking Out a Paragraph and Inserting a Paragraph. The paragraph is struck out and the new paragraph is inserted with any amendments.

Lost: The assembly has only decided that, (a) the paragraph proposed as a substitute shall not replace the paragraph specified; and (b) any adopted secondary amendments to the paragraph proposed to be struck out **remain in the paragraph**.

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