



## **Friendly Amendments and Withdrawing Motions: Who Owns Those Motions, Anyway?**

A fundamental but not terribly well-known principle of parliamentary procedure has to do with the ownership of motions. That principle holds that once the chair presents a motion to the body through such language as the common expression, “It has been moved and seconded that...,” the motion belongs to the body and the body alone has the prerogative to modify the motion or to grant permission to the motion’s maker to withdraw it. Failure to understand this principle is the basis of two fairly common misconceptions: the use of a procedure called “friendly amendment” and the unilateral withdrawal of a motion by the member who made the motion.

The “friendly amendment” process occurs when, after a motion has been presented to the body by the chair and is thus pending, a member who believes that a relatively minor change in the motion would improve it asks the member who made the motion if s/he would agree to the change. If the motion’s maker agrees and no other member points out the error in the procedure then the change is made. Whether this misapplication of the rules of procedure is of any consequence depends on the nature of the change but it does mean that only two members—the one suggesting the change and the maker of the motion—are speaking for the entire body when a majority of the body are entitled to determine whether or not to amend the motion.

The chair is the “gatekeeper” for the body. Prior to his/her presenting the motion to the body, it belongs to the maker and, in some cases, to the maker and the seconder. Suppose a motion is made spontaneously during the discussion of a particular issue. If, after once making the motion, the member who made it sees an improvement, s/he can make the change since it belongs to that member alone. If, before the motion is presented to the body by the chair, the motion is made and seconded and another member requests that a change be made, the maker of the motion may either agree to it or not. If the maker agrees to the change but the seconder does not, then another member, perhaps the one suggesting the change, could second the motion in its new form. Even if a motion is stated on the agenda presumably in the form it would be presented, the mover can change it before it is actually moved in the meeting. Should the motion so stated on the agenda come from a committee, the members of the committee may agree among themselves to a change in the motion.

When a member asks the maker of a motion if s/he will accept a change as a “friendly amendment” after the motion has become pending, the chair should intervene by advising that changing the motion is the prerogative of the body, not the member making the motion. The chair could then seek unanimous consent of the body to agree to the change. If unanimous consent is not obtained, the chair should advise the member seeking the change that the change is still possible but must be made through the formal motion to amend the pending motion.

The principle involving ownership of motions also applies to withdrawing a motion after it has been presented to the body by the chair. It is not uncommon for members to assume that the member making the motion has the authority to unilaterally withdraw his/her motion. However, since the motion at this

point in the process belongs to the body, the motion can only be withdrawn with the consent of the body. When the maker of the motion seeks to withdraw a pending motion, s/he requests permission to do so which is granted by unanimous consent or, if a vote is required, a majority of the members voting.

Prior to the motion's becoming pending, the manner in which it may be withdrawn is similar to the "friendly amendment." The member making the motion can unilaterally withdraw it whether it arises spontaneously or is on the agenda. If a motion is stated on the agenda, the member or committee intending to offer it can simply announce that they no longer wish to introduce it. In this case, however, assuming that the motion or issue is properly included on the public notice of the meeting, it could be moved by another member.

It should be noted that the League of Wisconsin Municipalities has a different understanding of withdrawing motions. In its recommended procedures, the League indicates that a motion may be withdrawn only with the consent of the mover and seconder. Thus, the League apparently does not acknowledge the ownership principle. Its provision also seems unusual in that the attempt to withdraw a motion is typically instigated by the mover or by another member asking the mover to request permission to withdraw the motion. Any local government body should decide for itself whether it prefers the League's approach or the ownership concept of traditional parliamentary procedure and make such approach specific in its own rules. Such decision should take into account that the League's approach seems to enable just one person—either the mover or the seconder—to prevent the motion's withdrawal in spite of the preferences of the rest of the body. That restriction may not be deemed desirable.

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