



## Subsidiary Motions Continued

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### Subsidiary Motions<sup>1</sup>

This month, we wrap up our discussion of subsidiary motions. Last month we addressed Table, Postpone, and Postpone Indefinitely. This month we address the remaining subsidiary motions: Amend (refine and improve the main motion); Previous Question (vote on the main motion or amendment); Limit or Extend Limits of Debate (determine the amount of discussion time), and Refer (seek additional information from a committee).

To review, subsidiary motions relate to the main motion that brings business before the governing body (“body”). A member can use them to help the body determine and decide the main motion. A subsidiary motion is in order from the moment the chair restates the main motion until the chair begins to take a vote on that main motion. Also, the order of precedence determines which motion outranks the other. One can introduce a subsidiary motion if its precedence number (§17-§11) is higher than the pending motion. Each subsidiary motion, except as noted below, requires a simple majority vote to pass.

The motion to Amend (§12) is the most common subsidiary motion and is lower in precedence than the other subsidiary motions, except a motion to Postpone Indefinitely. The amendment must be

germane to the main motion and is used only to modify it. A member may say, “I move to amend the motion to buy a snowplow by adding with at least a free two-year warranty.”

The motion to Refer (or Commit) (§13) is ahead of the motion to Amend in order of precedence. This motion sends the main motion and any pending subsidiary motions to a committee, or other identified group, for discussion and consideration. Typically, it includes a defined time to report back to the body. For example, “Given the complexity of this motion, I move to refer the main motion and the motion to amend to the Public Works Committee, to examine the warranty issue and report their recommendations at our next meeting.” Once passed, the main motion and any pending amendments are now “referred” to the named committee or entity.

Some motions, especially controversial ones, require considerable discussion, while other motions require little discussion. Limit or Extend Limits of Discussion (§15) assists in both situations. Here a member can request that the body modify its approved meeting discussion rules to increase or decrease how long a member may speak or how often. A member might say, “I move to amend the body’s rules to allow a member to speak only one time and for no longer than three

minutes.” A two-thirds affirmative vote is required to pass the motion.

Other than a motion to Lay on the Table (§17), the motion to move the Previous Question (§16), (also known as Calling the Question), is the highest priority subsidiary motion. It seeks to close the discussion, end further subsidiary motions, and proceed to a vote. The Previous Question motion requires that no one else has the floor, is not debatable once seconded, and requires a two-thirds affirmative vote to pass.

To take effect, a subsidiary motion must have a second, and a vote. A common misunderstanding is that to say the words “Call the question,” by itself, automatically stops discussion. It does not.

When a member says, “call the question,” the chair may ask the member, “Is it your intent to stop the discussion, if yes, would you like to make a motion?” Another approach is for the chair to seek the body’s unanimous consent. Here the chair asks the body, “Councilmember/Trustee A is ready to vote; is it the unanimous view of the body to close discussion and move to a vote on the main motion?” If no one objects, the chair can close the discussion.

Finally, except for Lay on the Table, Previous Question, and Postpone Indefinitely, subsidiary motions can

apply to themselves. For example, a motion to Amend may also be amended. When applying a subsidiary motion to another subsidiary motion, it takes that motion's order of precedence. Thus, an amendment to a motion to Lay on the Table, also takes its precedence number (§17).

To review, a subsidiary motion has these five characteristics: 1) it does something to a pending motion; 2) it can be applied to any main motion; 3) it fits into the order of precedence; 4) it is in order, so long as no member has the floor; and 5) it is in order the entire time that the underlying motion is pending.

<sup>1</sup> RONR 11th Ed. Pages 62-66

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**TUESDAY, OCTOBER 13,  
10:00 A.M.**

#### Ask the Attorneys

Claire Silverman, *Legal Counsel* and Maria Davis, *Assistant Legal Counsel, League of Wisconsin Municipalities*

Do you have a question, or several, you've been pondering? The League attorneys will be available to answer "virtually" all of your questions. Claire and Maria will not make a formal presentation during this session, but will be available to try to answer general questions that you have pertaining to subjects of municipal concern (e.g., open meetings law, public records, conflict of interests and ethics, alcohol licensing, zoning, police and fire commissions, special assessments, parliamentary procedure, appointments and vacancies, ordinances and resolutions, etc.). It's important to remember, though, that the League attorneys do not represent your municipality. Meeting your community's legal needs is the responsibility and prerogative of your municipal attorney. So, while we can usually provide helpful information, we cannot answer questions pertaining to fact-specific situations in your municipality.

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