



Rep. Rod Driver: There's more than one way to kill an amendment

Years ago, leaders in the Rhode Island House would block debate and kill unwanted floor amendments by “tabling” them. But eventually a rule change made this parliamentary maneuver less effective. Not to worry. There's another trick to dispose of an amendment. The speaker can declare it “not germane.” This kills the amendment without debate (unless the House overturns the ruling, which rarely happens).

During consideration of the budget, on June 24, I offered an amendment (requested by several towns) to relax the mandate that public-works projects must be performed by contractors who pay “prevailing wages,” i.e. union scales. (Try explaining to a person living on Social Security that she must pay higher real-estate taxes so that painters or roofers — perhaps from out of town — working on a town building can be paid \$44 per hour including benefits. Meanwhile, willing workers in town remain unemployed.) My amendment would have removed the prevailing-wage mandate only for small projects, under \$50,000, and only for the fiscal year July 2009 through June 2010.

But Rep. Steven Costantino suggested that it was “not germane.” The Speaker consulted the parliamentarian, and then announced that my amendment was indeed “not germane.”

That's a stretch! While the state is cutting funds for cities and towns, what could be more germane than relaxing a mandate on how the cities and towns must spend?

(Realize that the responsibility of the parliamentarian is to tell the presiding officer what he thinks the presiding officer wants to hear.) My only recourse was to “appeal the ruling” of the speaker, which I did. Twelve representatives — Ajello, Coderre, Driver, Ehrhardt, Handy, Loughlin, Naughton, Newberry, Pollard, Savage, Trillo and Watson — voted to overturn the ruling and allow discussion. The other 63 were OK with blocking debate.

The 12 who voted to allow debate were not necessarily supporting the amendment. They were simply voting to allow it to be considered.

Next, Rep. John Loughlin offered an amendment to relieve school committees of all spending mandates not related to safety. Curiously, no one suggested this was not germane. It was debated and defeated.

Thus the new state budget represents a double whammy for our cities and towns. It withholds general revenue-sharing funds that have traditionally gone to the municipalities, while continuing to dictate how the municipalities must spend.

According to our state representatives, trying to save money by relaxing a mandate on ‘prevailing wages’ for public works is not ‘germane’ to a budget discussion. That's just the latest version of the old ‘tabling’ arrangement to kill amendments.

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