

REPORTS

A conference committee must report the results of its deliberations to the House and Senate (Joint Rule 30-30(2)). The report must be labeled as either a conference or free conference committee report.

If the Senate or House rejects a conference committee report, the committee continues to exist until dissolved by the President or Speaker, respectively, or by motion of the Committee of the Whole. The committee may file a subsequent report (Senate Rule 50-130(3), House Rule 40-230(4)).

If a conference committee has been appointed to consider governor's amendments and both chambers adopt the committee report, the bill and the report must be returned to the governor for consideration. If the conference committee doesn't reach agreement or its report is not adopted, the governor's amendments are considered rejected. The bill must be returned to the governor for reconsideration without his or her amendments (Joint Rule 40-230(4)(d)).

To get more in-depth information about the legislative process, check out these other brochures produced for legislators by the Legislative Services Division:

- **Administrative Rules**
- **From Idea to Introduction**
- **Legislative Leadership**

Copies are available free from the Legislative Communications Office
(406) 444-4800 or (406) 444-3067
leginfo@mt.gov



A publication of the
Montana Legislative Services Division
P.O. Box 201706, Helena, MT 59620-1706
(406) 444-3064

A Legislator's Guide to Reconciling Bill Differences Between Chambers

March 2017

CONFERENCE
COMMITTEES

WHAT THEY ARE

There are 2 kinds of committees whose purpose is to try to reach a compromise when the House and Senate pass different versions of the same bill and one chamber will not accept the other's amendments. These are **conference committees** and **free conference committees**.

After the second chamber has considered and amended a bill and returned it to the chamber in which it was originally introduced, the first chamber may refer the amended bill to a standing committee for a second hearing or place it on second reading. The second reading vote is limited to consideration of the amendments made by the second chamber.

If the amendments are rejected on second reading, the first chamber may ask the other chamber to "recede from," or withdraw, its amendments. Or the first chamber may ask a conference committee to resolve the differences between the versions passed by the House and Senate. The conference committee may only accept, reject, or amend the disputed amendments (Senate Rule 50-230, House Rule 40-220).

If the conference committee can't come to an agreement, either chamber may request a **free conference committee**. A free conference committee can propose amendments to a bill in its entirety and is not confined to debating a particular amendment. However, the committee may only consider amendments that are within the scope of the title of the introduced bill (Joint Rule 30-30(3)).

A free conference committee may also be used to consider governor's amendments if one chamber does not approve them (Joint Rule 40-230(4)(d)).



HOW THEY WORK

A conference committee may consider only disputed amendment(s) (Joint Rule 30-30(2)). The committee may recommend:

- Acceptance or rejection of each disputed amendment in its entirety; or
- Further amendment of the disputed amendment(s).

For a House bill, the disputed amendments are those made by a Senate standing committee or the Senate Committee of the Whole. For a Senate bill, the disputed amendments are those made by a House standing committee or the House Committee of the Whole.

Copies of the engrossed bill and the disputed amendments are provided to the conference committee members and staff.

MEMBERSHIP

A conference committee is a joint committee traditionally made up of a three-member committee from each chamber. In the past, each chamber's committee was made up of 2 members from the majority party and 1 from the minority party.

The President of the Senate appoints the Senate members, with the advice of the Senate majority and minority leaders (Senate Rule 30-10(3)). The Speaker appoints the House members from their respective parties with advice of the House majority and minority leaders.

The House and Senate committees of the full joint conference committee each have their own presiding officer. The presiding officer of the full conference committee is the person presiding over the Senate committee (Joint Rule 30-10).

MEETINGS

The Senate sets up all conference committee meetings and provides secretarial support. Upon request of the Senate, the Legislative Services Division assigns a staffer. The staffer is the person who staffed the last committee that heard the bill in dispute. Committee staff are notified by e-mail that they have been assigned to a conference committee and should also receive the standard committee notice.

The presiding officers of the House and Senate conference committees must agree on the time and place of all joint conference committee meetings. This information must be announced from the rostrum at any time during the orders of business. Failure to make the announcement does not affect the validity of the legislation being considered.

A conference committee meeting is a public open meeting but not a hearing. The committee must keep minutes and must allow the public to attend, but it does not accept public comment (Joint Rule 30-30(1), Senate Rule 30-60(4)).

VOTING

Because conference committees are joint meetings of two committees, the members from each chamber vote separately. A majority of each chamber's committee must agree before any action may be taken, unless otherwise specified by the rules of the chamber (Joint Rule (30-20(2))).

