

First Extraordinary Session, 2008

HOUSE RESOLUTION NO. 11

BY REPRESENTATIVES RICHMOND, BALDONE, AND LABRUZZO

A RESOLUTION

To amend and readopt House Rules 14.32(B) and 14.51 of the Rules of Order of the House of Representatives, to require a person testifying before a committee to submit a sworn written statement affirming the truth of his testimony.

BE IT RESOLVED by the House of Representatives of the Legislature of Louisiana that House Rules 14.32(B) and 14.51 of the Rules of Order of the House of Representatives are hereby amended and readopted to read as follows:

Rule 14.32. Hearings; Persons to be Heard; Sworn Statement

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B.(1) Persons desiring to appear before a committee shall notify the committee chairman or the committee secretary no later than the beginning of the meeting. To be certain that an opportunity is afforded all persons who desire to be heard, the chairman shall inquire at the beginning of the hearing on each matter if there are additional persons who wish to be heard other than those who have previously notified the committee. The chairman shall allot the time available for the hearing in an equitable manner among those persons who are to be heard.

(2) Each person appearing before a committee shall be required to identify himself and the group, organization, or company he represents, if any. Before being allowed to testify before the committee, he shall also be required to file with the committee chairman or the committee staff a sworn written statement in the form of a signed witness card affirming that his testimony is true and correct. He shall then be considered to be under oath while providing such testimony before the committee.

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Rule 14.51. Standing committees; subpoena power, punishment for contempt; ~~oaths~~

~~A.~~ Each standing committee established by House Rule 6.1, each joint committee established pursuant to the authority granted in House Rule 14.16, and any subcommittee of such standing or joint committee is hereby specifically and expressly granted the power and authority to hold hearings, subpoena witnesses, administer oaths, require the production of books and records, and to do all other things necessary to accomplish the purposes of the study or investigation assigned to it by the House or by the legislature or by a majority of the members of the committee. However, a subpoena or a subpoena duces tecum shall be issued only upon the approval of the Speaker upon the request of the chairman of the committee or upon the request of a majority of the members of the standing committee. The chairman of the committee or a majority of the members of the committee, as the case may be, shall submit sufficient information to the Speaker to justify the issuance of the subpoena or subpoena duces tecum which shall include a description in general terms of the proceeding for which the issuance of the subpoena is sought; in the case of process to secure the attendance and testimony of a witness, the reasons for believing that the testimony of the witness is relevant to the proceeding; in the case of process to secure the production of books or records, the reasons for believing such materials are relevant to the proceeding; in either such instance a subpoena is sought, the reasons why a subpoena is necessary to obtain such attendance, testimony, or materials; and any other information the ~~speaker~~ Speaker deems necessary. In the event a subpoena or subpoena duces tecum is not honored, such committees shall have the power to punish for contempt. In addition, such committees shall have the power to provide for the prosecution of any individual for refusal to testify, false swearing, or perjury before the committee in accordance with the laws of this state.

~~B. In each instance deemed necessary by the chairman of a committee or by a majority of the members of a committee, a witness shall be required to declare that he will testify truthfully by oath or affirmation administered in a form calculated to~~

~~awaken his conscience and impress his mind with his duty to do so. Such oath or affirmation shall be the following:~~

~~"I, ...[name of witness], do solemnly swear (or affirm) that I will speak the truth and nothing but the truth, so help me God."~~

SPEAKER OF THE HOUSE OF REPRESENTATIVES