

House Resolution No. 5565

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES (60).

6637H.011

D. ADAM CRUMBLISS, Chief Clerk

1 **WHEREAS**, on February 27, 2018, the Speaker of the House of Representatives
2 appointed the Special Investigative Committee on Oversight:

3

4 **NOW THEREFORE BE IT RESOLVED** that the Special Investigative Committee on
5 Oversight shall investigate allegations against Governor Eric R. Greitens and report back to the
6 House of Representatives. The Speaker shall designate a chair and vice-chair of such special
7 committee; and

8

9 **BE IT FURTHER RESOLVED** that the special committee shall conduct its
10 investigation and report back to the House of Representatives within forty days of such
11 committee being appointed, except that the committee may approve extensions of such time limit
12 for specified numbers of days; and

13

14 **BE IT FURTHER RESOLVED** that the House of Representatives, under the authority
15 given in Section 18, Article III of the Constitution of Missouri, may adopt rules of procedure for
16 the hearings and investigations of the special committee and that the Rules of the House of
17 Representatives, Ninety-ninth General Assembly, shall apply to the special committee as such
18 rules are appropriate and not in conflict with the rules adopted herein for such hearings and
19 investigations; and

20

21 **BE IT FURTHER RESOLVED** that the special committee shall meet at such times and
22 places as the chair deems necessary to conduct its duties expressed in this resolution; and

23

24 **BE IT FURTHER RESOLVED** that the members of the special committee shall be
25 reimbursed for their actual and necessary expenses connected with the investigation from the
26 contingent fund of the House of Representatives under section 21.230, RSMo. Witness fees for
27 any witness subpoenaed to appear, under section 21.400, RSMo, as a part of this investigation
28 shall be paid from the contingent fund of the House of Representatives. The Speaker of the
29 House of Representatives shall appoint messengers to serve necessary subpoenas, under section
30 21.400, RSMo, and any fees for the service of such subpoenas shall be paid from the contingent
31 fund of the House of Representatives at the rate prescribed by section 491.280, RSMo; and

32

33 **BE IT FURTHER RESOLVED** that staff shall be provided to support the special
34 committee. The special committee may, if it deems it necessary, hire independent investigators,
35 special counsel, court reporters, and such other personnel as it deems advisable to assist its
36 investigation, pursuant to Rule 20 of the House of Representatives, Ninety-ninth General
37 Assembly. The cost of such personnel shall be paid from the contingent fund of the House of
38 Representatives; and

39

40 **BE IT FURTHER RESOLVED** that all members of the House of Representatives shall
41 be reimbursed for their per diem expenses as provided by law; and

42

43 **BE IT FURTHER RESOLVED** that the expenses payable under this resolution shall
44 not be paid to any member who qualifies for any other type of reimbursement; and

45

46 **BE IT FURTHER RESOLVED** that, upon approval of the Speaker of the House of
47 Representatives, the expenses of the members of the House of Representatives be paid from the
48 contingent fund of the House of Representatives; and

49

50 **BE IT FURTHER RESOLVED** that we, the members of the Missouri House of
51 Representatives, Ninety-ninth General Assembly, Second Regular Session, hereby adopt the
52 following rules of procedure to govern the hearings and investigations held under the authority
53 of this resolution:

54

55

RULE 1

56

57 Any hearings upon such issue shall be commenced at such time and place as determined
58 by the chair. Recesses and adjournments shall be determined by the chair. The special
59 committee shall be allowed to meet or conduct hearings during the session of the House of
60 Representatives without requesting leave of the House of Representatives.

61

62

RULE 2

63

64 Any hearings shall be open to the public and press, except that the chair, in his or her
65 discretion, may close all or a portion of such hearings to hear the testimony of certain witnesses
66 or review evidence. At the conclusion of the investigation the committee shall prepare a
67 transcript of the hearings, except that the chair, in his or her discretion, may order that the
68 identity of certain witnesses, certain testimony, or certain evidence be redacted, blurred, or
69 obfuscated in a manner to protect the identity or privacy of any witness. The chair shall
70 determine whether cameras or other audio or visual recording devices and ancillary lighting and
71 electrical equipment shall be allowed at such hearings and to the extent and in the manner
72 determined by the chair.

73

74

RULE 3

75

76 Only appointed members of the special committee and the special counsel to the
77 committee may question witnesses.

78

79

RULE 4

80

81 Only persons called as witnesses by the special committee may testify as witnesses. Any
82 other person desiring to testify as a witness may petition the committee for permission to testify
83 by presenting a written statement of the substance of the proposed testimony to the chair within

84 twenty-four hours prior to the testimony. The chair shall have discretion of whether to allow
85 such person to testify as a witness, but all members of the special committee may examine the
86 written statement presented to the chair by the person desiring to testify as a witness.

87

88

RULE 5

89

90 All witnesses shall testify under the following oath, which shall be administered by the
91 chair:

92

93 “Do you solemnly swear (of affirm) that the testimony you shall give in the hearing now
94 pending before this committee shall be the truth, the whole truth, and nothing but the truth, so
95 help you God?”.

96

97

RULE 6

98

99 Formal rules of evidence shall not apply to the hearings. The committee may compel the
100 attendance of witnesses and the production of any paper or document, enforce obedience of its
101 orders, preserve order, and punish in a summary way contempt of and disobedience to its
102 authority. The sergeant-at-arms of the House of Representatives, under direction of the
103 committee, shall execute the lawful orders of the committee and may employ such aid and
104 assistance as may be necessary to carry out and enforce such orders.

105

106

RULE 7

107

108 Subpoenas for the appearance of witnesses and subpoenas duces tecum for the production
109 of any paper or document shall be issued by the Speaker of the House of Representatives, upon
110 request of the committee, in the manner prescribed by law. A subpoena or subpoena duces
111 tecum may be enforced by statutory or common law, or by applying to a judge of the circuit court

112 of Cole County for an order to show cause why the subpoena or subpoena duces tecum should
113 not be enforced.

114

115

RULE 8

116

117 The chair shall preside over the hearings, and shall rule on all questions regarding the
118 admission or rejection of testimony, decorum, and procedure in accordance with these rules. The
119 chair may request assistance from any law enforcement agency to maintain order at the hearings
120 and in the hallways and spaces adjoining the hearing area. The chair shall rule on any
121 appropriate matter not covered by these rules.

122

123

RULE 9

124

125 No person who is to testify as a witness before the special committee or his or her counsel
126 shall be admitted to the room in which the hearing is being conducted until such person is called
127 by the committee for such person's testimony.

128

129

RULE 10

130

131 No member or staff of the special committee shall discuss testimony taken or evidence
132 received by the committee with any individual, except as necessary with other members of the
133 special committee, the Speaker of the House of Representatives, Speaker Pro Tem of the House
134 of Representatives, Majority Floor Leader, Minority Floor Leader, or any individual designated
135 by the Speaker of the House of Representatives, until such time as the committee has concluded
136 its investigation.

✓