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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 156**      Session of  
1997

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INTRODUCED BY PICCOLA, SALVATORE, TOMLINSON, MOWERY, DELP,  
COSTA, HELFRICK, WENGER, WOZNIAK, STOUT, ROBBINS, MELLOW,  
ULIANA, BRIGHTBILL, MADIGAN, THOMPSON, PUNT, RHOADES,  
GERLACH, HART, HOLL, MUSTO, KASUNIC, ARMSTRONG, SLOCUM AND  
LEMMOND, JANUARY 28, 1997

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REFERRED TO JUDICIARY, JANUARY 28, 1997

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, further providing for the composition and  
3 powers of the Board of Pardons.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby resolves as follows:

6 Section 1. The following amendment to the Constitution of  
7 Pennsylvania is proposed in accordance with Article XI:

8 That section 9 of Article IV be amended to read:

9 § 9. Pardoning power; Board of Pardons.

10 (a) In all criminal cases except impeachment the Governor  
11 shall have power to remit fines and forfeitures, to grant  
12 reprieves, commutation of sentences and pardons; but no pardon  
13 shall be granted, nor sentence commuted, except on the  
14 recommendation in writing of a majority of the Board of Pardons,  
15 and in the case of a sentence of death or life imprisonment, on  
16 the unanimous recommendation in writing of the Board of Pardons,

1 after full hearing in open session, upon due public notice. The  
2 recommendation, with the reasons therefor at length, shall be  
3 delivered to the Governor and a copy thereof shall be kept on  
4 file in the office of the Lieutenant Governor in a docket kept  
5 for that purpose.

6 (b) The Board of Pardons shall consist of the Lieutenant  
7 Governor who shall be chairman, the Attorney General and three  
8 members appointed by the Governor with the consent of [two-  
9 thirds or] a majority of the members elected to the Senate [as  
10 is specified by law] for terms of six years. The three members  
11 appointed by the Governor shall be residents of Pennsylvania  
12 [and shall be recognized leaders in their fields; one]. One  
13 shall be a [member of the bar,] crime victim; one a  
14 [penologist,] corrections expert; and the third a doctor of  
15 medicine, psychiatrist or psychologist. The board shall keep  
16 records of its actions, which shall at all times be open for  
17 public inspection.

18 Section 2. Upon passage by the General Assembly of this  
19 proposed constitutional amendment, the Secretary of the  
20 Commonwealth shall proceed immediately to comply with the  
21 advertising requirements of section 1 of Article XI of the  
22 Constitution of Pennsylvania and shall transmit the required  
23 advertisements to two newspapers in every county in which such  
24 newspapers are published in sufficient time after passage of  
25 this proposed constitutional amendment. The Secretary of the  
26 Commonwealth shall submit this proposed constitutional amendment  
27 to the qualified electors of this Commonwealth at the first  
28 general or municipal election occurring at least three months  
29 after the proposed constitutional amendment is passed by the  
30 General Assembly which meets the requirements of and is in

1 conformance with section 1 of Article XI of the Constitution of  
2 Pennsylvania.