

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 4**Special Session No. 1 of
1995

INTRODUCED BY FISHER, GREENLEAF, SHAFFER, BRIGHTBILL, MELLOW,
ANDREZESKI, WAGNER, WENGER, CORMAN, TILGHMAN, PETERSON,
BODACK, STEWART, STOUT, HOLL, ROBBINS, PUNT, RHOADES,
ARMSTRONG, BELAN, PORTERFIELD, BELL, HART, SHUMAKER,
HELFRICK, MADIGAN, MOWERY, MUSTO, LAVALLE, ULIANA, TOMLINSON,
GERLACH, DELP, SCHWARTZ AND KASUNIC, JANUARY 24, 1995

REFERRED TO JUDICIARY, JANUARY 24, 1995

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, further providing for the powers of the
3 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-thirds
9 or a majority of the members elected to the Senate as is
10 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 shall be
13 a [member of the bar] crime victim, one a [penologist]
14 corrections expert, and the third a [doctor of medicine,]
15 psychiatrist or psychologist with expertise in the prediction of
16 violent behavior. The board shall keep records of its actions,
17 which shall at all times be open for public inspection.