

(This Joint Resolution No. 2 was passed for the first time at the First Special Legislative Session of 1995-96 as Joint Resolution No. 2 and for the second time at the Legislative Session of 1997 and was approved by the electorate on November 4, 1997.)

No. 1997-2

A JOINT RESOLUTION

SB 156

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

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

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

That section 9 of Article IV be amended to read:

§ 9. Pardoning power; Board of Pardons.

(a) In all criminal cases except impeachment the Governor shall have power to remit fines and forfeitures, to grant reprieves, commutation of sentences and pardons; but no pardon shall be granted, nor sentence commuted, except on the recommendation in writing of a majority of the Board of Pardons, ***and, in the case of a sentence of death or life imprisonment, on the unanimous recommendation in writing of the Board of Pardons,*** after full hearing in open session, upon due public notice. The recommendation, with the reasons therefor at length, shall be delivered to the Governor and a copy thereof shall be kept on file in the office of the Lieutenant Governor in a docket kept for that purpose.

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

Section 2. Upon passage by the General Assembly of this proposed constitutional amendment, the Secretary of the Commonwealth shall proceed immediately to comply with the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania and shall transmit the required advertisements to two newspapers in every county in which such newspapers are published in sufficient time after passage of this proposed constitutional amendment. The Secretary of the Commonwealth shall submit this proposed

constitutional amendment to the qualified electors of this Commonwealth at the first general or municipal election occurring at least three months after the proposed constitutional amendment is passed by the General Assembly which meets the requirements of and is in conformance with section 1 of Article XI of the Constitution of Pennsylvania.