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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1939 Session of  
2017

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INTRODUCED BY KEEFER, ENGLISH, CHARLTON, COOK, BERNSTINE,  
PHILLIPS-HILL, LAWRENCE, GILLEN AND WHEELAND,  
NOVEMBER 27, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 27, 2017

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A JOINT RESOLUTION

1 Proposing integrated amendments to the Constitution of the  
2 Commonwealth of Pennsylvania, abolishing the office of  
3 Lieutenant Governor.

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

6 Section 1. The following integrated amendments to the  
7 Constitution of Pennsylvania are proposed in accordance with  
8 Article XI:

9 (1) That section 9 of Article II be amended to read:

10 § 9. Election of officers; judge of election and qualifications  
11 of members.

12 The Senate shall, at the beginning and close of each regular  
13 session and at such other times as may be necessary, elect one  
14 of its members President pro tempore[, who shall perform the  
15 duties of the Lieutenant Governor, in any case of absence or  
16 disability of that officer, and whenever the said office of  
17 Lieutenant Governor shall be vacant]. The House of

1 Representatives shall elect one of its members as Speaker. Each  
2 House shall choose its other officers, and shall judge of the  
3 election and qualifications of its members.

4 (2) That section 1 of Article IV be amended to read:

5 § 1. Executive Department.

6 The Executive Department of this Commonwealth shall consist  
7 of a Governor, [Lieutenant Governor,] Attorney General, Auditor  
8 General, State Treasurer, and Superintendent of Public  
9 Instruction and such other officers as the General Assembly may  
10 from time to time prescribe.

11 (3) That section 4 of Article IV be amended to read:

12 [§ 4. Lieutenant Governor.

13 A Lieutenant Governor shall be chosen jointly with the  
14 Governor by the casting by each voter of a single vote  
15 applicable to both offices, for the same term, and subject to  
16 the same provisions as the Governor; he shall be President of  
17 the Senate. As such, he may vote in case of a tie on any  
18 question except the final passage of a bill or joint resolution,  
19 the adoption of a conference report or the concurrence in  
20 amendments made by the House of Representatives.]

21 (4) That section 5 of Article IV be amended to read:

22 § 5. Qualifications of Governor[, Lieutenant Governor] and

23 Attorney General.

24 No person shall be eligible to the office of Governor[,  
25 Lieutenant Governor] or Attorney General except a citizen of the  
26 United States, who shall have attained the age of 30 years, and  
27 have been seven years next preceding his election an inhabitant  
28 of this Commonwealth, unless he shall have been absent on the  
29 public business of the United States or of this Commonwealth. No  
30 person shall be eligible to the office of Attorney General

1 except a member of the bar of the Supreme Court of Pennsylvania.

2 (5) That section 6 of Article IV be amended to read:

3 § 6. Disqualification for offices of Governor[, Lieutenant  
4 Governor] and Attorney General.

5 No member of Congress or person holding any office (except of  
6 attorney-at-law or in the National Guard or in a reserve  
7 component of the armed forces of the United States) under the  
8 United States or this Commonwealth shall exercise the office of  
9 Governor[, Lieutenant Governor] or Attorney General.

10 (6) That section 9 of Article IV be amended to read:

11 § 9. Pardoning power; Board of Pardons.

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

24 (b) The Board of Pardons shall consist of the [Lieutenant  
25 Governor] Attorney General who shall be chairman[, the Attorney  
26 General and three] and four members appointed by the Governor  
27 with the consent of a majority of the members elected to the  
28 Senate for terms of six years. The [three] members appointed by  
29 the Governor shall be residents of Pennsylvania. One shall be a  
30 crime victim, one a corrections expert [and the third], one a

1 doctor of medicine, psychiatrist or psychologist and one a law  
2 enforcement officer. The board shall keep records of its  
3 actions, which shall at all times be open for public inspection.

4 (7) That section 13 of Article IV be amended to read:

5 § 13. When [Lieutenant Governor] President pro tempore of the  
6 Senate to act as Governor.

7 (a) In the case of the death, conviction on impeachment,  
8 failure to qualify or resignation of the Governor, the  
9 [Lieutenant Governor] President pro tempore of the Senate shall  
10 become Governor for the remainder of the term [and in].

11 (b) In the case of the disability of the Governor, the  
12 powers, duties and emoluments of the office shall devolve upon  
13 the [Lieutenant Governor] President pro tempore of the Senate  
14 until the disability is removed.

15 (8) That section 17 of Article IV be amended to read:

16 § 17. Contested elections of Governor[, Lieutenant Governor]  
17 and Attorney General; when succeeded.

18 The Chief Justice of the Supreme Court shall preside upon the  
19 trial of any contested election of Governor[, Lieutenant  
20 Governor] or Attorney General and shall decide questions  
21 regarding the admissibility of evidence, and shall, upon request  
22 of the committee, pronounce his opinion upon other questions of  
23 law involved in the trial. The Governor[, Lieutenant Governor]  
24 and Attorney General shall exercise the duties of their  
25 respective offices until their successors shall be duly  
26 qualified.

27 (9) That section 7 of Article VI be amended to read:

28 § 7. Removal of civil officers.

29 All civil officers shall hold their offices on the condition  
30 that they behave themselves well while in office, and shall be

1 removed on conviction of misbehavior in office or of any  
2 infamous crime. Appointed civil officers, other than judges of  
3 the courts of record, may be removed at the pleasure of the  
4 power by which they shall have been appointed. All civil  
5 officers elected by the people, except the Governor, [the  
6 Lieutenant Governor,] members of the General Assembly and judges  
7 of the courts of record, shall be removed by the Governor for  
8 reasonable cause, after due notice and full hearing, on the  
9 address of two-thirds of the Senate.

10 Section 2. The Lieutenant Governor who holds office on the  
11 passage of these constitutional amendments shall be entitled to  
12 complete such term of office.

13 Section 3. (a) Upon the first passage by the General  
14 Assembly of these proposed integrated constitutional amendments,  
15 the Secretary of the Commonwealth shall proceed immediately to  
16 comply with the advertising requirements of section 1 of Article  
17 XI of the Constitution of Pennsylvania and shall transmit the  
18 required advertisements to two newspapers in every county in  
19 which such newspapers are published in sufficient time after  
20 passage of these proposed constitutional amendments.

21 (b) Upon the second passage by the General Assembly of these  
22 proposed integrated constitutional amendments, the Secretary of  
23 the Commonwealth shall proceed immediately to comply with the  
24 advertising requirements of section 1 of Article XI of the  
25 Constitution of Pennsylvania and shall transmit the required  
26 advertisements to two newspapers in every county in which such  
27 newspapers are published in sufficient time after passage of  
28 these proposed constitutional amendments. The Secretary of the  
29 Commonwealth shall submit these proposed constitutional  
30 amendments to the qualified electors of this Commonwealth at the

1 first primary, general or municipal election which meets the  
2 requirements of and is in conformance with section 1 of Article  
3 XI of the Constitution of Pennsylvania and which occurs at least  
4 three months after the proposed constitutional amendments are  
5 passed by the General Assembly.

6 (c) Upon approval of these proposed integrated  
7 constitutional amendments by the qualified electors of this  
8 Commonwealth, any act or part of an act of the General Assembly  
9 that is in effect upon such approval and that refers to the  
10 Lieutenant Governor shall not be deemed to include the  
11 Lieutenant Governor, and where such act or part of an act  
12 requires the Lieutenant Governor to have any power or to  
13 exercise any duty, such power or duty shall be abolished.