

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 620 Session of
2021

INTRODUCED BY KEEFER, SMITH, JAMES, KNOWLES, STAMBAUGH,
KAUFFMAN, RYAN, METCALFE, ZIMMERMAN, HERSHEY, JONES, WHEELAND
AND MALONEY, FEBRUARY 24, 2021

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 24, 2021

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 passage by the General Assembly of
14 these proposed constitutional amendments, the Secretary of the
15 Commonwealth shall proceed immediately to comply with the
16 advertising requirements of section 1 of Article XI of the
17 Constitution of Pennsylvania and shall transmit the required
18 advertisements to two newspapers in every county in which such
19 newspapers are published in sufficient time after passage of
20 these proposed constitutional amendments to permit publication
21 at least three months before the next general election.

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

1 Secretary of the Commonwealth shall submit these proposed
2 constitutional amendments to the qualified electors of this
3 Commonwealth at the first primary, general or municipal election
4 occurring at least three months after the proposed
5 constitutional amendments are passed by the General Assembly and
6 conforming to section 1 of Article XI of the Constitution of
7 Pennsylvania.