

# SENATE . . . . No. 685

---

---

## The Commonwealth of Massachusetts

---

SENATE, May 13, 1941.

The committee on Constitutional Law, to whom was referred so much of the intermediate report of the special commission established (under Chapter 12 and continued under Chapter 37 of the Resolves of 1939) to make an investigation and study of the pardon and parole systems in the Commonwealth and of the facts and circumstances surrounding the granting of certain pardons and paroles (House, No. 2) as relates to a legislative amendment of the Constitution limiting the pardoning power of the Governor and Council in cases of persons convicted of felonies, reports, in accordance with a provision of Joint Rule No. 23, a Proposal for a legislative amendment of the Constitution to provide that the General Court may prescribe the terms and conditions under which pardons of offences which are felonies may be granted (Senate, No. 685).

For the committee,

RICHARD S. BOWERS.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT OF THE CONSTITUTION TO PROVIDE THAT THE GENERAL COURT MAY PRESCRIBE THE TERMS AND CONDITIONS UNDER WHICH PARDONS OF OFFENCES WHICH ARE FELONIES MAY BE GRANTED.

1 A joint session of the Senate and House of Repre-  
2 sentatives hereby declares it to be expedient to alter  
3 the Constitution by the adoption of the following  
4 Article of Amendment, to the end that it may be-  
5 come a part of the Constitution, if similarly agreed  
6 to in a joint session of the next General Court and  
7 approved by the people at the state election next  
8 following:

### 9 ARTICLE OF AMENDMENT.

10 Article VIII of section I of chapter II of Part the  
11 Second of the Constitution of the Commonwealth is  
12 hereby amended by inserting after the word "council"  
13 in the third line the following:— ; provided, that  
14 if the offence is a felony the general court shall have  
15 power to prescribe the terms and conditions upon  
16 which a pardon may be granted.