The Commonwealth of Massachusetts

STATE ELECTION

OFFICIAL ABSENTEE BALLOT

Tuesday, November 6, 2012

HAVERHILL
WDs. 1, 3, 6, WD. 2, Pots. 3, WD. 4, Pots. 1, 2, WD. 5, Pots. 1, 3

359/359

To vote for a candidate, fill in the oval to the right of the candidate's name. To vote for a person not on the ballot, write that person's name and residence in the blank space provided and fill in the oval.

ELECTIONS OF PRESIDENT AND VICE PRESIDENT

Note for ballot:

JOHN J. HANNAH .............................. Democratic

JOHN F. KENNEDY .............................. Republican

Clerk of Courts

Note for ballot:

THOMAS H. DRISCOLL, JR. .............................. Democratic

DO NOT VOTE IN THIS SPACE.

REGISTER OF DEEDS

Note for ballot:

JOHN L. O'BRIEN, JR. .............................. Democratic

DO NOT VOTE IN THIS SPACE.

SENATOR IN CONGRESS

Note for ballot:

SCOTT P. BROWN .............................. Democratic

ELIZABETH A. WARREN .............................. Republican

REPRESENTATIVE IN CONGRESS

Note for ballot:

NICOLA M. ROMNEY .............................. Democratic

ANDREW M. GOMAIS .............................. Republican

COUNCILLOR

Note for ballot:

MAURA M. CARRULLO .............................. Democratic

ELIZABETH M. TUFF .............................. Republican

SENATOR IN GENERAL COURT

Note for ballot:

KATHLEEN A. O'CONNOR YODER .............................. Democratic

SHARI P. YODEN .............................. Republican

REPRESENTATIVE IN GENERAL COURT

Note for ballot:

BRIAN S. CUNSPERT .............................. Democratic

DO NOT VOTE IN THIS SPACE.

CLERK OF COURTS

Note for ballot:

THOMAS H. DRISCOLL, JR. .............................. Democratic

DO NOT VOTE IN THIS SPACE.

REGISTER OF DEEDS

Note for ballot:

JOHN L. O'BRIEN, JR. .............................. Democratic

DO NOT VOTE IN THIS SPACE.

SENATOR IN CONGRESS

Note for ballot:

SCOTT P. BROWN .............................. Democratic

ELIZABETH A. WARREN .............................. Republican

REPRESENTATIVE IN CONGRESS

Note for ballot:

NICOLA M. ROMNEY .............................. Democratic

ANDREW M. GOMAIS .............................. Republican

COUNCILLOR

Note for ballot:

MAURA M. CARRULLO .............................. Democratic

ELIZABETH M. TUFF .............................. Republican

SENATOR IN GENERAL COURT

Note for ballot:

KATHLEEN A. O'CONNOR YODER .............................. Democratic

SHARI P. YODEN .............................. Republican

REPRESENTATIVE IN GENERAL COURT

Note for ballot:

BRIAN S. CUNSPERT .............................. Democratic

DO NOT VOTE IN THIS SPACE.

VOTE BOTH SIDES

TO APPROVE OF A LAW SUMMARIZED BELOW, VOTE "YES" OR "NO" IN THE SPACE PROVIDED. VOTE "YES" OR "NO" IN THE SPACE PROVIDED.

QUESTION 1

SUMMARY

This proposed law would prohibit any motor vehicle manufacturer dealing with model year 2015, from selling or leasing, either directly or through a dealer, a new motor vehicle without allowing the owner to have access to the same diagnostic and repair information made available to the manufacturer's dealers and in-state authorized repair facilities.

The manufacturer would have to allow the owners of such motor vehicles to acquire diagnostic and repair information electronically, on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and in terms that do not unfairly favor dealers and authorized repair facilities.

The manufacturer would have to provide access to the information through a non-proprietary vehicle interface, using a standard applied in federal emissions control regulations. Such information would have to include the same content, and be in the same form and manner, and to the same extent, as is provided to the manufacturer's dealers and authorized repair facilities.

For vehicles manufactured from 2000 through model year 2014, the proposed law would require a manufacturer of motor vehicles sold in Massachusetts to make available for purchase, by vehicle owners and in-state independent repair facilities, the same diagnostic and repair information that the manufacturer makes available through an electronic system to its dealers and in-state authorized repair facilities. Such information would have to be made available in the same form and manner, and to the same extent, as is provided to the manufacturer's dealers and authorized repair facilities.

For vehicles manufactured from 2000 through model year 2014, the proposed law would also require manufacturers to make available for purchase, by vehicle owners and in-state independent repair facilities, diagnostic and repair tools, incorporating the same diagnostic, repair and wireless capabilities as those available to dealers and authorized repair facilities. Such tools would have to be made available for no more than fair market value and in terms that do not unfairly favor dealers and authorized repair facilities.

For all years covered by the proposed law, the required diagnostic and repair information would not include the information necessary to repair a vehicle on the road, including the kind of material shown in a repair manual, repair facilities, and owners through a separate, secure data release system.

The proposed law would not require a manufacturer to reveal a trade secret and would not interfere with any agreement made by a manufacturer, dealer, or authorized repair facility that is in force on the effective date of the proposed law. Starting January 1, 2013, the proposed law would prohibit any agreement that owners or limits a manufacturer's compliance with the proposed law.

The proposed law would not prohibit a manufacturer from requiring that an owner not sell or use a vehicle imobilizer, an anti-theft device that prevents a vehicle from being started unless the correct key code is present. Such information would have to be made available to dealers, repair facilities, and owners through a separate, secure data release system.

A "YES" VOTE would enact the proposed law requiring motor vehicle manufacturers to allow vehicle owners and independent repair facilities in Massachusetts to have access to the same diagnostic and repair information made available to the manufacturer's dealers and authorized repair facilities.

A "NO" VOTE would make no change in existing laws.

VOTE BOTH SIDES

CONTINUED ON BACK

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This proposed law would allow a physician licensed in Massachusetts to prescribe medication, at a terminally ill patient’s request, to end that patient’s life. To qualify, a patient must have been diagnosed with a terminal disease as the cause of death. The proposed law would require the attending physician to: (1) determine if the patient is qualified; (2) inform the patient of his or her medical diagnosis and prognosis, the potential risks and probable result of ingesting the medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a consultation service for a diagnosis and prognosis regarding the patient’s disease, and continuation of writing that the patient is capable, acting voluntarily, and making an informed decision; (4) refer the patient to an oncologist or psychological consultation if the physician believes the patient may have a disorder causing impaired judgment; (5) reconfirm that the patient really is of the patient’s intentions; (6) recommend that the patient have another person present when the patient ingests the medication and not take it in a public place; (7) inform the patient that he or she may revoke the request at any time; (8) write the prescription while the requirements of the law are met; and (9) satisfy the patient that the physician is a legitimate medical practice. It also states that it should not be interpreted to lower the applicable standard of care for any health care provider.

The proposed law would not authorize ending a patient’s life by lethal injection, active euthanasia, or mercy killing. The death certificate would list the underlying terminal disease as the cause of death.

The proposed law would (1) not give immunity under federal law or obstruct federal enforcement of federal law; (2) not supersede Massachusetts law prohibiting possession, cultivation, or sale of marijuana for non-medical purposes; (3) not allow the operation of a motor vehicle, boat, or aircraft while under the influence of marijuana; (4) not require any health insurer or government entity to reimburse for the costs of the medical use of marijuana; (5) not require any health care professional to authorize the medical use of marijuana; and (6) not be construed as an accommodation of smoking marijuana in any public place.

The proposed law would take effect January 1, 2013, and states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES vote would enact the proposed law allowing a physician licensed in Massachusetts to prescribe medication, at the request of a terminally-ill patient meeting certain conditions, to end that person’s life.

A NO vote would make no change in existing laws.

YES

NO

QUESTION 2

LAW PROPOSED BY INITIATIVE PetITION

Do you approve of a law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 1, 2012?

This proposed law would allow a physician licensed in Massachusetts to prescribe medication, at a terminally ill patient’s request, to end that patient’s life. To qualify, a patient must have been diagnosed with a terminal disease as the cause of death. The proposed law would require the attending physician to: (1) determine if the patient is qualified; (2) inform the patient of his or her medical diagnosis and prognosis, the potential risks and probable result of ingesting the medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a consultation service for a diagnosis and prognosis regarding the patient’s disease, and continuation of writing that the patient is capable, acting voluntarily, and making an informed decision; (4) refer the patient to an oncologist or psychological consultation if the physician believes the patient may have a disorder causing impaired judgment; (5) reconfirm that the patient really is of the patient’s intentions; (6) recommend that the patient have another person present when the patient ingests the medication and not take it in a public place; (7) inform the patient that he or she may revoke the request at any time; (8) write the prescription while the requirements of the law are met; and (9) satisfy the patient that the physician is a legitimate medical practice. It also states that it should not be interpreted to lower the applicable standard of care for any health care provider.

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The proposed law would take effect January 1, 2013, and states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES vote would enact the proposed law allowing a physician licensed in Massachusetts to prescribe medication, at the request of a terminally-ill patient meeting certain conditions, to end that person’s life.

A NO vote would make no change in existing laws.

YES

NO