The Commonwealth of Massachusetts

STATE ELECTION

OFFICIAL ABSENTEE BALLOT

AMHERST 810/810

Tuesday, November 6, 2012

To vote for a candidate, fill in the oval for 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.

ELECTORS OF PRESIDENT AND VICE PRESIDENT

Note for Blank: +

JOHNSON and GRAY

Note for Blank: +

OBAMA and BIDEN

Note for Blank: +

ROONEY and RYAN

Note for Blank: +

STEELE and HIGNALL

Note for Blank: +

BIDEN and HIGNALL

Note for Blank: +

ROONEY and BIDEN

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: All Checks Must Be Made Out to the proper State Treasurer on or before November 2nd, 2012.

SENATOR IN CONGRESS

Note for Blank: +

SCOTT P. BROWN

Note for Blank: +

ELIZABETH A. WARNER

Note for Blank: +

DAVID J. BIEDEN

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: Blank lines are provided for write-in candidates.

REPRESENTATIVE IN CONGRESS

Note for Blank: +

JAMES P. MCGOVERN

Note for Blank: +

MICHAEL J. CARNEY

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: Each line is provided for write-in candidates.

COUNCILLOR

Note for Blank: +

MICHAEL C. ALABO

Note for Blank: +

MICHAEL FRANCO

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: Each line is provided for write-in candidates.

SENATOR IN GENERAL COURT

Note for Blank: +

STANLEY C. ROHDEMS

Note for Blank: +

ELLEN O. STORY

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: Each line is provided for write-in candidates.

REPRESENTATIVE IN GENERAL COURT

Note for Blank: +

LOUISE K. RAVEN

Note for Blank: +

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NOTE: Each line is provided for write-in candidates.

CLERK OF COURTS

Note for Blank: +

HARRY J. JENKINS

Note for Blank: +

MARY K. CLEARY

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: Each line is provided for write-in candidates.

REGISTER OF DEEDS

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JOSEPH A. O'CONNOR

Note for Blank: +

GEORGE E. JINKS

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: Each line is provided for write-in candidates.

REGISTER OF PROBATE

Note for Blank: +

JAMES M. CARNEY

Note for Blank: +

DO NOT VOTE IN THIS SPACE. USE BLANK LINE BELOW FOR WRITE-IN.

NOTE: Each line is provided for write-in candidates.

Q U E S T I O N 1

LAW PROPOSED BY INITIATIVE PETITION

Do you approve of a law summarized below, or will you vote otherwise, to enact the proposed law?

Yes ☐ No ☐

SUMMARY

This proposed law would prohibit any motor vehicle manufacturer, dealing with model year 2010, 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 owner, upon request, to obtain diagnostic and repair information electronically, on an hourly, daily, monthly, or yearly subscription basis, for no more than the fair market value and on 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 accessible in the same manner, 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. Manufacturers would have to make such information available in the same form, manner, and to the same extent, as they do for dealers and authorized repair facilities.

The information would be available to purchase on an hourly, daily, monthly, or yearly subscription basis, for no more than the fair market value and on terms that do not unfairly favor 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, all diagnostic repair tools, including the same diagnostic, repair and service capabilities as those available to dealers and authorized repair facilities. Such tools would have to be made available for no more than the fair market value and on 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 in-house, an on-the-road 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.

The proposed law would not require a manufacturer to reveal a trade secret and would 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.

Any violation of the proposed law would be treated as a violation of existing state consumer protection and unfair trade-practices laws.

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 vehicle 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.

CONTINUED ON BACK

VOTE BOTH SIDES
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?

SUMMARY

This proposed law would allow a physician licensed in Massachusetts to prescribe medicinal marijuana, at a terminally ill patient’s request, to end that patient’s life. To qualify, a patient would have to be (1) actually mentally determined to be terminally ill; (2) verbally committed to making and communicating health-care decisions; (3) diagnosed by a attending physician and consulting physicians as having an incurable, irresistible disease that will, within reasonable medical judgment, cause death within six months; and (4) voluntarily expresses a wish to die and has made an informed decision. The proposed law states that the patient would sign the medical judgment in order to cause death in a human and digni- fied manner.

The proposed law would require the physician, directly or through a person familiar with the patient’s manner of communicating, to really communicate to the patient on two occa- sions, 15 days apart, the patient’s request to end their life. At the time of the second request, the physician would have to offer the patient the opportunity to rescind the request. The patient would also have to sign a standard form, in the presence of two witnesses, one of whom is not a relative, a beneficiary of the patient’s estate, or an owner, operator, or employee of a health care facility where the patient receives treatment; or lives.

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 foregoing life medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a con- sultation with a pharmacist regarding the prescription of non-end-of-life medication; (4) inform the patient that life-ending medication is not authorized; (5) obtain and review the patient’s medical record to confirm the patient’s capability, acting voluntarily, and making an informed decision; (6) refer the patient to a psychiatric or psychological consultation in the physician believes the patient may have a disorder causing impaired judgment; (7) recommend that the patient notify next of kin of the patient’s intention; (8) arrange for the medication to be dispensed directly to the patient, or the patient’s agent, but not by mail or courier; (9) prescribe the medication; (10) require the attending physician to report each case in which life-ending medication is dispensed to the Department of Public Health. The Department would provide public access to statistical data compiled from the reports.

The proposed law states that if any of its parts was held invalid, the other parts would stand 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 patient’s life.

A NO VOTE would make no change in existing laws.

QUESTION 3

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?

SUMMARY

This proposed law would eliminate state criminal and civil penalties for the medical use of marijuana by qualifying patients. To qualify, a patient must have been diagnosed with a debilitating medical condition and would likely obtain a net benefit from medical use of marijuana.

The proposed law would allow patients to possess up to a 60-day supply of marijuana for their personal medical use. The state Department of Public Health (DPH) would decide the weight of marijuana that would constitute a 60-day supply.

A yes vote would require that a patient notify next of kin of the patient’s intention; (5) recommend that the patient have another person present when the patient ingests the medicine and to not take it in public places; (7) require the patient to obtain a medical marijuana registration card; (8) require the patient to designate a personal caregiver; (9) require the patient to keep records of the marijuana prescribed or dispensed; and (10) require the patient to keep records of the marijuana prescribed or dispensed.

The proposed law states that no person would be civilly or criminally liable to subject to professional discipline for actions that comply with the law, including actions taken in good faith that substantially comply. 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 state that: (1) corporations are not entitled to the constitutional rights of human beings, and (2) both Congress and the states may place limits on political contributions and political spending.

A YES VOTE would enact the proposed law eliminating state criminal and civil penalties related to the medical use of marijuana, allowing patients meeting certain conditions to obtain marijuana produced and distributed by state-regulated centers, or in special hardship cases, to grow marijuana for their own use.

A NO VOTE would make no change in existing laws.

YOU HAVE NOW COMPLETED VOTING