



City of Springfield

Special Meeting

~ Agenda ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Linda Fitzpatrick
413-787-6559

Monday, October 22, 2012

4:45 PM

Springfield City Hall -- Council Chambers

I. Call to Order

4:45 PM Meeting called to order on October 22, 2012 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

II. Orders

1. Order (ID # 1885)

Polling Places Presidential General Election - November 6, 2012

ATTACHMENTS:

- polling place city council Nov 2012-1 (DOC)

2. Order (ID # 1886)

Presidential State Warrant

ATTACHMENTS:

- Warrant Nov 2012 State Election (DOC)



City of Springfield

SCHEDULED

Meeting: 10/22/12 04:45 PM
Initiator: Wayman Lee
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1885 A

2.1

Polling Places Presidential General Election - November 6, 2012 (Mayor Sarno)

CITY OF SPRINGFIELD

In the City Council October 17, 2012

ORDERED, that the polling places for the **GENERAL ELECTION** to be held in the City of Springfield on **TUESDAY, NOVEMBER 6, 2012** be and they are hereby designated as follows:

WARD 1

A.	RIVERVIEW ADMINISTRATION BLDG.	82
	DIVISION STREET	
B.	RIVERVIEW ADMINISTRATION BLDG.	..82
	DIVISION STREET	
C.	NEW NORTH CITIZEN'S COUNCIL DROP IN CENTER.....	584 MAIN STREET
D.	BAY STATE PLACE	414
	CHESTNUT STREET	
E.	BAY STATE PLACE	414
	CHESTNUT STREET	
F.	HOBBY CLUB	..309
	CHESTNUT STREET	
G.	FIRE DEPT. HEADQUARTERS.....	.SPRING & WORTHINGTON STREETS
H.	THE GOOD LIFE CENTER.	1600 E. COLUMBUS AVE

WARD 2

A.	SPRINGFIELD BOYS AND GIRLS CLUB	...481 CAREW STREET
B.	SPRINGFIELD BOYS AND GIRLS CLUB	...481 CAREW STREET
C.	SPRINGFIELD BOYS AND GIRLS CLUB	481 CAREW STREET
D.	VAN SICKLE SCHOOL, GYM	1170 CAREW STREET
E.	VAN SICKLE SCHOOL, GYM.	1170 CAREW STREET
F.	SAFETY COMPLEX.	...1212 CAREW

STREET
 G. BOWLES SCHOOL24 BOWLES
 PARK
 H. VAN SICKLE SCHOOL, GYM1170 CAREW
 STREET

WARD 3

A. EMERSON HALL (Next to Mason Wright Retirement Community) 439 UNION
 STREET
 B. GENTILE APARTMENTS, COMMUNITY RM. 85 WILLIAM
 STREET
 C. GENTILE APARTMENTS, COMMUNITY RM. 85 WILLIAM
 STREET
 D. JC WILLIAMS COMMUNITY CTR 116
 FLORENCE STREET
 E. JC WILLIAMS COMMUNITY CTR 116
 FLORENCE STREET
 F. HOLY NAME CHURCH/SOCIAL CENTER. 323
 DICKINSON STREET
 G. HOLY NAME CHURCH/SOCIAL CENTER 323
 DICKINSON STREET
 H. SPRINGFIELD WESLEYAN CHURCH 98 WHITE
 STREET

WARD 4

A. REBECCA M. JOHNSON SCHOOL 55
 CATHERINE STREET
 B. REBECCA M. JOHNSON SCHOOL 55
 CATHERINE STREET
 C. MASON SQUARE LIBRARY.765 STATE
 STREET
 D. HIGHLAND HOUSE, INC.. 250 OAK
 GROVE AVENUE
 E. MASON SQUARE FIRE STATION 33 EASTERN
 AVENUE
 F. AIC GRISWOLD/SPRAGUE C.A. CENTER..... 1053 STATE ST
 (Corner of Homer)
 G. INDEPENDENCE HOUSE. 1475 ROOSEVELT
 AVENUE
 H. AIC GRISWOLD/SPRAGUE C.A. CENTER..... 1053 STATE ST
 (Corner of Homer)

WARD 5

A.	HIGH SCHOOL OF SCENCE & TECH.	1250 STATE & ALTON		
STREET				
B.	HIGH SCHOOL OF SCIENCE & TECH.	1250 STATE & ALTON		
STREET				
C.	MARY LYNCH SCHOOL	315 NORTH BRANCH		
PARKWAY				
D.	GREENLEAF COMMUNITY CENTER	1188	½	PARKER
STRET				
E.	PINE POINT LIBRARY	204 BOSTON ROAD		
F.	DUGGAN MIDDLE SCHOOL	1015		WILBRAHAM
ROAD				
G.	GREENLEAF COMMUNITY CENTER	1188	½	PARKER
STREET				
H.	CHURCH OF THE ACRES... ..	1383		WILBRAHAM
ROAD				

WARD 6

A.	FOREST PARK LIBRARY COMMUNITY ROOM.....	380 BELMONT AVE	(TEMP)
B.	FOREST PARK LIBRARY COMMUNITY ROOM.....	380 BELMONT AVE	(TEMP)
C.	FOREST PARK COMMUNITY ROOM	25 BARNEY LANE	
D.	ALICE BEAL SCHOOL	285 TIFFANY STREET	
E.	WESLEYAN CHURCH	98 WHITE STREET	
F.	ALICE BEAL SCHOOL	285 TIFFANY STREET	
G.	MLK CHARTER SCHOOL.. ..	285 DORSET STREET	
H.	MLK CHARTER SCHOOL.. ..	285 DORSET STREET	

WARD 7

A.	MARY DRYDEN SCHOOL.....	190 SURREY ROAD	
B.	FREDERICK HARRIS SCHOOL	58	HARTFORD
TERRACE			
C.	FREDERICK HARRIS SCHOOL	58	HARTFORD
TERRACE			
D.	TALMADGE SCHOOL.....	1395 ALLEN STREET	
E.	BRUNTON SCHOOL.....	1801 PARKER STREET	
F.	KILEY MIDDLE SCHOOL.. ..	80 COOLEY STREET	
G.	BRUNTON SCHOOL.....	1801 PARKER STREET	
H.	GLICKMAN SCHOOL.....	120	ASHLAND
AVENUE			

WARD 8

A.	MARY MOTHER OF HOPE (ST. MARY'S) CHURCH .	315	NORTH
	BRANCH PARKWAY		
C.	CENTRAL HIGH SCHOOL.	1840	ROOSEVELT
	AVENUE		
D.	JOHN F. KENNEDY MIDDLE SCHOOL.....	1385	BERKSHIRE
	AVENUE		
E.	INDIAN ORCHARD CITIZENS COUNCIL.....	17	MAIN STEET
	I.O		
F.	JOHN F. KENNEDY MIDDLE SCHOOL.....	1385	BERKSHIRE
	AVENUE		
G.	WARNER SCHOOL	493	PARKER
	STREET		
H.	PINE POINT COMMUNITY COUNCIL.	.335	BERKSHIRE
	AVE		

POLLING PLACES SHALL BE OPEN FROM 7:00 AM TO 8:00 PM

CITY OF SPRINGFIELD
In the City Council October XX, 2012

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| B. | RIVERVIEW ADMINISTRATION BLDG. | ..82 DIVISION STREET |
| C. | NEW NORTH CITIZEN’S COUNCIL DROP IN CENTER..... | 584 MAIN STREET |
| D. | BAY STATE PLACE | 414 CHESTNUT STREET |
| E. | BAY STATE PLACE | 414 CHESTNUT STREET |
| F. | HOBBY CLUB | ..309 CHESTNUT STREET |
| G. | FIRE DEPT. HEADQUARTERS..... | .SPRING & WORTHINGTON STREETS |
| H. | THE GOOD LIFE CENTER. | 1600 E. COLUMBUS AVE |

WARD 2

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| A. | SPRINGFIELD BOYS AND GIRLS CLUB | ..481 CAREW STREET |
| B. | SPRINGFIELD BOYS AND GIRLS CLUB | ..481 CAREW STREET |
| C. | SPRINGFIELD BOYS AND GIRLS CLUB | 481 CAREW STREET |
| D. | VAN SICKLE SCHOOL, GYM | 1170 CAREW STREET |
| E. | VAN SICKLE SCHOOL, GYM. | 1170 CAREW STREET |
| F. | SAFETY COMPLEX. | ...1212 CAREW STREET |
| G. | BOWLES SCHOOL | .24 BOWLES PARK |
| H. | VAN SICKLE SCHOOL, GYM | .1170 CAREW STREET |

WARD 3

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| A. | EMERSON HALL (Next to Mason Wright Retirement Community) | 439 UNION STREET |
| B. | GENTILE APARTMENTS, COMMUNITY RM. | 85 WILLIAM STREET |
| C. | GENTILE APARTMENTS, COMMUNITY RM. | 85 WILLIAM STREET |
| D. | JC WILLIAMS COMMUNITY CTR | 116 FLORENCE STREET |
| E. | JC WILLIAMS COMMUNITY CTR | 116 FLORENCE STREET |
| F. | HOLY NAME CHURCH/SOCIAL CENTER. | 323 DICKINSON STREET |
| G. | HOLY NAME CHURCH/SOCIAL CENTER | 323 DICKINSON STREET |
| H. | SPRINGFIELD WESLEYAN CHURCH | 98 WHITE STREET |

WARD 4

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| B. | REBECCA M. JOHNSON SCHOOL | 55 CATHERINE STREET |
| C. | MASON SQUARE LIBRARY. | .765 STATE STREET |
| D. | HIGHLAND HOUSE, INC.. | 250 OAK GROVE AVENUE |
| E. | MASON SQUARE FIRE STATION | 33 EASTERN AVENUE |
| F. | AIC GRISWOLD/SPRAGUE C.A. CENTER..... | 1053 STATE ST (Corner of Homer) |
| G. | INDEPENDENCE HOUSE. | 1475 ROOSEVELT AVENUE |
| H. | AIC GRISWOLD/SPRAGUE C.A. CENTER..... | 1053 STATE ST (Corner of Homer) |

Attachment: polling place city council Nov 2012-1 (1885 : Polling Places Presidential General Election)

WARD 5

- A. HIGH SCHOOL OF SCENCE & TECH. 1250 STATE & ALTON STREET
- B. HIGH SCHOOL OF SCIENCE & TECH.1250 STATE & ALTON STREET
- C. MARY LYNCH SCHOOL ... 315 NORTH BRANCH PARKWAY
- D. GREENLEAF COMMUNITY CENTER 1188 ½ PARKER STRET
- E. PINE POINT LIBRARY 204 BOSTON ROAD
- F. DUGGAN MIDDLE SCHOOL 1015 WILBRAHAM ROAD
- G. GREENLEAF COMMUNITY CENTER 1188 ½ PARKER STREET
- H. CHURCH OF THE ACRES... 1383 WILBRAHAM ROAD

WARD 6

- A. FOREST PARK LIBRARY COMMUNITY ROOM..... 380 BELMONT AVE (TEMP)
- B. FOREST PARK LIBRARY COMMUNITY ROOM..... 380 BELMONT AVE (TEMP)
- C. FOREST PARK COMMUNITY ROOM 25 BARNEY LANE
- D. ALICE BEAL SCHOOL 285 TIFFANY STREET
- E. WESLEYAN CHURCH 98 WHITE STREET
- F. ALICE BEAL SCHOOL 285 TIFFANY STREET
- G. MLK CHARTER SCHOOL.. 285 DORSET STREET
- H. MLK CHARTER SCHOOL.. 285 DORSET STREET

WARD 7

- A. MARY DRYDEN SCHOOL..... 190 SURREY ROAD
- B. FREDERICK HARRIS SCHOOL 58 HARTFORD TERRACE
- C. FREDERICK HARRIS SCHOOL 58 HARTFORD TERRACE
- D. TALMADGE SCHOOL..... 1395 ALLEN STREET
- E. BRUNTON SCHOOL..... 1801 PARKER STREET
- F. KILEY MIDDLE SCHOOL..80 COOLEY STREET
- G. BRUNTON SCHOOL..... 1801 PARKER STREET
- H. GLICKMAN SCHOOL..... 120 ASHLAND AVENUE

WARD 8

- A. MARY MOTHER OF HOPE (ST. MARY'S) CHURCH . 315 NORTH BRANCH PARKWAY
- C. CENTRAL HIGH SCHOOL. 1840 ROOSEVELT AVENUE
- D. JOHN F. KENNEDY MIDDLE SCHOOL 1385 BERKSHIRE AVENUE
- E. INDIAN ORCHARD CITIZENS COUNCIL..... 17 MAIN STEET I.O
- F. JOHN F. KENNEDY MIDDLE SCHOOL 1385 BERKSHIRE AVENUE
- G. WARNER SCHOOL 493 PARKER STREET
- H. PINE POINT COMMUNITY COUNCIL.335 BERKSHIRE AVE

POLLING PLACES SHALL BE OPEN FROM 7:00 AM TO 8:00 PM



City of Springfield

SCHEDULED

Meeting: 10/22/12 04:45 PM
Initiator: Wayman Lee
Sponsors: Mayor Domenic J. Sarno
DOC ID: 1886 C

2.2

Presidential State Warrant (Mayor Sarno)

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR STATE ELECTION

SS.

To the Constables of the City of Springfield

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in the State Election to vote at

SEE ATTACHED LIST

(insert ward/precinct numbers)

SEE ATTACHED LIST

(insert polling locations)

on **TUESDAY, THE SIXTH DAY OF NOVEMBER, 2012**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Election for the candidates for the following offices and questions:

ELECTORS OF PRESIDENT AND VICE PRESIDENT.FOR THIS
COMMONWEALTH
SENATOR IN CONGRESS FOR THIS
COMMONWEALTH
REPRESENTATIVE IN CONGRESS.....FIRST
DISTRICT
COUNCILLOR..... EIGHTH
DISTRICT
SENATOR IN GENERAL COURT..... FIRST HAMPDEN& HAMPSHIRE, HAMPDEN
DISTRICTS
REPRESENTATIVE IN GENERAL COURT.....6th, 7th, 9th, 10th, 11th, 12th
HAMPDEN DISTRICTS
REGISTRAR OF DEEDSHAMPDEN
COUNTY
CLERK OF COURTS.....HAMPDEN
COUNTY

QUESTION 1: 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 prohibit any motor vehicle manufacturer, starting 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 owner, or the owner's designated in-state independent repair facility (one not affiliated with a manufacturer or its authorized dealers), to obtain diagnostic and repair information electronically, on an hourly, daily, monthly, or yearly subscription basis, for no more than 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 2002 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 and manner, and to the same extent, as they do for dealers and authorized repair facilities. The information would be available for purchase on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

For vehicles manufactured from 2002 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, 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 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 reset a vehicle immobilizer, 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.

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 waives 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 manufacturers' Massachusetts dealers and authorized repair facilities.

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

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 medication, at a terminally ill patient's request, to end that patient's life. To qualify, a patient would have to be an adult resident who (1) is medically determined to be mentally capable of making and communicating health care decisions; (2) has been diagnosed by attending and consulting physicians as having an incurable, irreversible disease that will, within reasonable medical judgment, cause death within six months; and (3) voluntarily expresses a wish to die and has made an informed decision. The proposed law states that the patient would ingest the medicine in order to cause death in a humane and dignified manner.

The proposed law would require the patient, directly or through a person familiar with the patient's manner of communicating, to orally communicate to a physician on two occasions, 15 days apart, the patient's request for the medication. At the time of the second request, the physician would have to offer the patient an 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 ingesting the medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a consulting physician for a diagnosis and prognosis regarding the patient's disease, and confirmation in writing that the patient is capable, acting voluntarily, and making an informed decision; (4) refer the patient for psychiatric or psychological consultation if the physician believes the patient may have a disorder causing impaired judgment; (5) recommend that the patient notify next of kin of the patient's intention; (6) recommend that the patient have another person present when the patient ingests the medicine and to not take it in a public place; (7) inform the patient that he or she may rescind the request at any time; (8) write the prescription when the requirements of the law are met, including verifying that the patient is making an informed decision; and (9) arrange for the medicine to be dispensed directly to the patient, or the patient's agent, but not by mail or courier.

The proposed law would make it punishable by imprisonment and/or fines, for anyone to (1) coerce a patient to request medication, (2) forge a request, or (3) conceal a rescission of a request. 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.

Participation under the proposed law would be voluntary. An unwilling health care provider could prohibit or sanction another health care provider for participating while on the premises of, or while acting as an employee of or contractor for, the unwilling provider.

The proposed law states that no person would be civilly or criminally liable or 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.

A person's decision to make or rescind a request could not be restricted by will or contract made on or after January 1, 2013, and could not be considered in issuing, or setting the rates for, insurance policies or annuities. Also, the proposed law would require the attending physician to report each case in which life-ending medication is dispensed to the state 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 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.

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, such as cancer, glaucoma, HIV-positive status or AIDS, hepatitis C, Crohn's disease, Parkinson's disease, ALS, or multiple sclerosis. The patient would also have to obtain a written certification, from a physician with whom the patient has a bona fide physician-patient relationship, that the patient has a specific 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 what amount would be a 60-day supply. A patient could designate a personal caregiver, at least 21 years old, who could assist with the patient's medical use of marijuana but would be prohibited from consuming that marijuana. Patients and caregivers would have to register with DPH by submitting the physician's certification.

The proposed law would allow for non-profit medical marijuana treatment centers to grow, process and provide marijuana to patients or their caregivers. A treatment center would have to apply for a DPH registration by (1) paying a fee to offset DPH's administrative costs; (2) identifying its location and one additional location, if any, where marijuana would be grown; and (3) submitting operating procedures, consistent with rules to be issued by DPH, including cultivation and storage of marijuana only in enclosed, locked facilities.

A treatment center's personnel would have to register with DPH before working or volunteering at the center, be at least 21 years old, and have no felony drug convictions. In 2013, there could be no more than 35 treatment centers, with at least one but not more than five centers in each county. In later years, DPH could modify the number of centers.

The proposed law would require DPH to issue a cultivation registration to a qualifying patient whose access to a treatment center is limited by financial hardship, physical inability to access reasonable transportation, or distance. This would allow the patient or caregiver to grow only enough plants, in a closed, locked facility, for a 60-day supply of marijuana for the patient's own use.

DPH could revoke any registration for a willful violation of the proposed law. Fraudulent use of a DPH registration could be punished by up to six months in a house of correction or a fine of up to \$500, and fraudulent use of a registration for the sale, distribution, or trafficking of marijuana for non-medical use for profit could be punished by up to five years in state prison or by two and one-half years in a house of correction.

The proposed law would (1) not give immunity under federal law or obstruct federal enforcement of federal law; (2) not supersede Massachusetts laws prohibiting possession, cultivation, or sale of marijuana for nonmedical 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; (6) not require any accommodation of the medical use of marijuana in any workplace, school bus or grounds, youth center, or correctional facility; and (7) not require any accommodation of smoking marijuana in any public place.

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

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 new state-regulated centers or, in specific hardship cases, to grow marijuana for their own use.

A NO VOTE would make no change in existing laws.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under my hands this TH day of , 2012.

 City Council of the City of Springfield

By posted on the Official Bulletin Board of the Office of the City Clerk and on City's
 Website

 Wayman Lee, Esquire - City Clerk

A True Copy Attested

 Date

Warrant must be posted by **October 30, 2012**, (at least *seven days prior* to the **November 6, 2012**, State Election).

COMMONWEALTH OF MASSACHUSETTS

**WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH**

WARRANT FOR STATE ELECTION

SS.

To the Constables of the City of Springfield

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(insert polling locations)

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 SENATOR IN CONGRESS FOR THIS COMMONWEALTH
 REPRESENTATIVE IN CONGRESS.....FIRST DISTRICT
 COUNCILLOR..... EIGHTH DISTRICT
 SENATOR IN GENERAL COURT..... FIRST HAMPDEN& HAMPSHIRE, HAMPDEN DISTRICTS
 REPRESENTATIVE IN GENERAL COURT.....6th, 7th, 9th, 10th, 11th, 12th HAMPDEN DISTRICTS
 REGISTRAR OF DEEDSHAMPDEN COUNTY
 CLERK OF COURTS.....HAMPDEN COUNTY

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Attachment: Warrant Nov 2012 State Election (1886 : Presidential State Warrant)

would be available for purchase on an hourly, daily, monthly, or yearly subscription basis, for no more than fair market value and on terms that do not unfairly favor dealers and authorized repair facilities.

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

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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 medication, at a terminally ill patient's request, to end that patient's life. To qualify, a patient would have to be an adult resident who (1) is medically determined to be mentally capable of making and communicating health care decisions; (2) has been diagnosed by attending and consulting physicians as having an incurable, irreversible disease that will, within reasonable medical judgment, cause death within six months; and (3) voluntarily expresses a wish to die and has made an informed decision. The proposed law states that the patient would ingest the medicine in order to cause death in a humane and dignified manner.

The proposed law would require the patient, directly or through a person familiar with the patient's manner of communicating, to orally communicate to a physician on two occasions, 15 days apart, the patient's request for the medication. At the time of the second request, the physician would have to offer the patient an 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 ingesting the medication, and the feasible alternatives, including comfort care, hospice care and pain control; (3) refer the patient to a consulting physician for a diagnosis and prognosis regarding the patient's disease, and confirmation in writing that the patient is capable, acting voluntarily, and making an informed decision; (4) refer the patient for psychiatric or psychological consultation if the physician believes the patient may have a disorder causing impaired judgment; (5) recommend that the patient notify next of

kin of the patient's intention; (6) recommend that the patient have another person present when the patient ingests the medicine and to not take it in a public place; (7) inform the patient that he or she may rescind the request at any time; (8) write the prescription when the requirements of the law are met, including verifying that the patient is making an informed decision; and (9) arrange for the medicine to be dispensed directly to the patient, or the patient's agent, but not by mail or courier.

The proposed law would make it punishable by imprisonment and/or fines, for anyone to (1) coerce a patient to request medication, (2) forge a request, or (3) conceal a rescission of a request. 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.

Participation under the proposed law would be voluntary. An unwilling health care provider could prohibit or sanction another health care provider for participating while on the premises of, or while acting as an employee of or contractor for, the unwilling provider.

The proposed law states that no person would be civilly or criminally liable or 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.

A person's decision to make or rescind a request could not be restricted by will or contract made on or after January 1, 2013, and could not be considered in issuing, or setting the rates for, insurance policies or annuities. Also, the proposed law would require the attending physician to report each case in which life-ending medication is dispensed to the state 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 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.

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, such as cancer, glaucoma, HIV-positive status or AIDS, hepatitis C, Crohn's disease, Parkinson's disease, ALS, or multiple sclerosis. The patient would also have to obtain a written certification, from a physician with whom the patient has a bona fide physician-patient relationship, that the patient has a specific 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 what amount would be a 60-day supply. A patient could designate a personal caregiver, at least 21 years old, who could assist with the patient's medical use of marijuana but would be prohibited from consuming that marijuana. Patients and caregivers would have to register with DPH by submitting the physician's certification.

The proposed law would allow for non-profit medical marijuana treatment centers to grow, process and provide marijuana to patients or their caregivers. A treatment center would have to apply for a DPH registration by (1) paying a fee to offset DPH's administrative costs; (2) identifying its location and one additional location, if any, where marijuana would be grown; and (3) submitting operating procedures, consistent with rules to be issued by DPH, including cultivation and storage of marijuana only in enclosed, locked facilities.

A treatment center's personnel would have to register with DPH before working or volunteering at the center, be at least 21 years old, and have no felony drug convictions. In 2013, there could be no more than 35 treatment centers, with at least one but not more than five centers in each county. In later years, DPH could modify the number of centers.

The proposed law would require DPH to issue a cultivation registration to a qualifying patient whose access to a treatment center is limited by financial hardship, physical inability to access reasonable transportation, or distance. This would allow the patient or caregiver to grow only enough plants, in a closed, locked facility, for a 60-day supply of marijuana for the patient's own use.

DPH could revoke any registration for a willful violation of the proposed law. Fraudulent use of a DPH registration could be punished by up to six months in a house of correction or a fine of up to \$500, and fraudulent use of a registration for the sale, distribution, or trafficking of marijuana for non-medical use for profit could be punished by up to five years in state prison or by two and one-half years in a house of correction.

The proposed law would (1) not give immunity under federal law or obstruct federal enforcement of federal law; (2) not supersede Massachusetts laws prohibiting possession, cultivation, or sale of marijuana for nonmedical 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; (6) not require any accommodation of the medical use of marijuana in any workplace, school bus or grounds, youth center, or correctional facility; and (7) not require any accommodation of smoking marijuana in any public place.

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

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 new state-regulated centers or, in specific hardship cases, to grow marijuana for their own use.

A NO VOTE would make no change in existing laws.

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under my hands this TH day of , 2012.

City Council of the City of Springfield

By posted on the Official Bulletin Board of the Office of the City Clerk and on City's Website

Wayman Lee, Esquire - City Clerk

A True Copy Attested

Date

Warrant must be posted by **October 30, 2012**, (at least *seven days prior* to the **November 6, 2012**, State Election).

Attachment: Warrant Nov 2012 State Election (1886 : Presidential State Warrant)