The Commonwealth of Massachusetts

STATE ELECTION
OFFICIAL SPECIMEN BALLOT
Tuesday, November 4, 2014

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

SENATOR IN CONGRESS
Vote for ONE
EDWARD J. MARKEY ........................................... Democratic
BRIAN E. HEBB ............................................... Republican

COUNCILLOR
Vote for ONE
ROBERT L. JURRIEN ........................................ Republican

GOVERNOR AND LIEUTENANT GOVERNOR
Vote for ONE
BAKER and POLITO ........................................ Republican

SECRETARY OF STATE
Vote for ONE
WILLIAM FRANKS BALCH ................. Democratic

TREASURER
Vote for ONE
BERNHARD H. GOLDERS ..................... Democratic

AUDITOR
Vote for ONE
SUZANNE R. BUMP ................................. Democratic

OFFICIAL SPECIMEN BALLOT
Tuesday, November 4, 2014

REPRESENTATIVE IN CONGRESS
Vote for ONE
JOSEPH P. KENNEDY, III ............. Democratic

COUNCILLOR
Vote for ONE
ROBERT L. JURRIEN ......................... Republican

SENATOR IN GENERAL COURT
Vote for ONE
RICHARD J. ROSS ......................... Republican

DISTRICT ATTORNEY
Vote for ONE
MICHAEL W. MORRISSEY ..................... Democratic

REGISTER OF PROBATE
Vote for ONE
PETER J. MCGRATH ..................... Democratic

COUNTY TREASURER
Vote for ONE
JOSEPH A. CONOLLY ..................... Democratic

COUNTY COMMISSIONER
Vote for ONE
PETER H. COLLINS ...................... Democratic

QUESTION 1
LAW PROPOSED BY INITIATIVE PETITION
Do you approve of a law summarized below, on which you voted was taken by the Senate or the House of Representatives on or before May 5, 2014?

SUMMARY
This proposed law would eliminate the requirement that the state's package tax, which currently costs $24 per gallon as of September 2013, be adjusted every year by the percentage change in the Consumer Price Index. It would be revised in 2013, but would not be adjusted before 2013 after that increase in the Consumer Price Index. A YES VOTE would continue to make the state's package tax be adjusted annually based on the Consumer Price Index.

QUESTION 2
LAW PROPOSED BY INITIATIVE PETITION
Do you approve of a law summarized below, on which you voted was taken by the Senate or the House of Representatives on or before May 5, 2014?

SUMMARY
This proposed law would expand the existing beverage container deposit law, also known as the Bottle Bill, to require deposits on containers for all non-alcoholic drinks served in restaurants for human consumption, except beverages primarily derived from dairy products, infant formula, and FDA-approved medicines. The proposed law would not cover containers made of paper-based or biodegradable material and certain multi-material packages such as juice boxes or pouches. The proposed law would require the state School of Energy and Environmental Affairs (EAA) to adjust the container deposit amount every five years to reflect the market price of changes in the consumer price index, but the value could not fall below five cents. The proposed law would increase the minimum handling fee that beverage distributors must pay retailers for each properly returned empty beverage container, which was 25 cents as of September 2012, to 50 cents. It would also increase the minimum handling fee that bottlers must pay distributors and dealers for each properly returned empty beverage container, which was 1 cent as of September 2013, to 50 cents. The Secretary of EEA would review the fees annually every five years and make appropriate adjustments to reflect changes in the consumer price index as well as changes in the costs incurred by redemption dealers. The proposed law defines a redemption center as any business whose primary purpose is the redemption of beverage containers and that is not auxiliary to any other business.
The proposed law would direct the Secretary of the Executive Office of Environmental Affairs to issue regulations allowing small dealers to seek exemptions from accepting deposit coupons. The proposed law would define small dealer as any person or business, including the operator of a vending machine, who sells beverages in beverage containers to consumers, with a contiguous retail space of 1,000 square feet or less, excluding office and stock room space, and fewer than four locations under the same ownership in the Commonwealth. The proposed law would require that the regulations consider at least the health, safety, and convenience of the public, including the distribution of dealers and redemption centers by population or by distance or both.

The proposed law would also allow the State Clean Environment Fund to receive certain undisturbed container deposits. The Fund would be used, subject to appropriation by the state legislature, to support programs such as the proper management of solid waste, water resource protection, parkland, wildlife, air quality, and climate protection.

The proposed law would take effect on April 22, 2015.

**A YES VOTE** would expand the state's beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions, increase the associated handling fees, and make other changes to the law.

**A NO VOTE** would make no change in the laws regarding beverage container deposits.

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**QUESTION 3**

**LAW PROPOSED BY INITIATIVE PETITION**

**SUMMARY**

Do you approve or disapprove of the law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

The proposed law would (1) prohibit the Massachusetts Gaming Commission from issuing any license for a casino or other gaming establishment with table games and slot machines, or any license for a gaming establishment with slot machines; (2) prohibit any such casino or slots-gaming under any such license; (3) prohibit wagering on the simulcasting of live horse races, as well as table games and slot machines at Commission-licensed casinos, and slot machines at other Commission-licensed gaming establishments.

The proposed law would change the definition of "illegal gambling" under Massachusetts law to include wagering on the simulcasting of live horse races, as well as table games and slot machines at Commission-licensed casinos, and slot machines at other Commission-licensed gaming establishments. It would make those types of gambling subject to existing state laws providing criminal penalties for, or otherwise regulating or prohibiting, activities described above.

The proposed law states that if all of its parts were declared invalid, the other parts would stay in effect.

**A YES VOTE** would prohibit casinos, any gaming establishment with slot machines, and wagering on simulcast horse races.

**A NO VOTE** would make no change in the current laws regarding gambling.

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**QUESTION 4**

**LAW PROPOSED BY INITIATIVE PETITION**

**SUMMARY**

Do you approve or disapprove of the law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

This proposed law would entitled employees in Massachusetts to earn and use sick time according to certain conditions. Employees who work for employers having eleven or more employees could earn and use up to 40 hours of paid sick time per calendar year, while employees working for smaller employers could earn and use up to 40 hours of unpaid sick time per calendar year.

An employee could use earned sick time if required to miss work to: (1) care for a physical or mental illness, injury or medical condition affecting the employee or the employee's child, spouse, parent, or parent of a spouse; (2) attend routine medical appointments of the employee or the employee's child, spouse, parent, or parent of a spouse; or (3) to address the effects of domestic violence on the employee or the employee's dependent child. Employees would earn one hour of sick time for every 50 hours worked, and would begin accruing those hours on the date of hire or on July 1, 2015, whichever is later. Employees could begin to use earned sick time on the 90th day after hire.

The proposed law would cover both private and public employers, except that employees of a particular city or town would be covered only if, as required by the state constitution, the proposed law was made applicable by local or state legislative vote or by appropriation of sufficient funds to pay for the benefit. Earning paid sick time would be compensated at the same rate paid to the employee when the sick time is used.

Employees could carry over up to 40 hours of unused sick time to the next calendar year. Employees would not have to use sick time at the end of their employment. If an employee resigns due to a reason of illness for earned sick time, but agreed with the employer to work the same number of hours or shifts in the same or next pay period, the employee would not have to use earned sick time for the missed time, and the employer would not have to pay for that missed time. Employers would be prohibited from requiring an employee to work additional hours to make up for missed time, or to fire a replacement employee.

Employees could require certification of the need for sick time if an employee used sick time for more than 24 consecutively scheduled work hours. Employees could not delay the taking of or payment for earned sick time because they have not received the certification. Employees could have to make a good faith effort to notify the employer in advance if the need for earned sick time is foreseeable.

Employees could not be prohibited from interfering with or retaliating against an employee's exercise of earned sick time rights, and from retaliating against an employee's support of or another employer's exercise of such rights.

The proposed law would not affect employer's obligations under any contract or benefit plan with more generous provisions than those in the proposed law. Employers that have their own policies providing as much paid time off, usable for the same purposes and under the same conditions, as the proposed law would not be required to provide additional paid sick time.

The Attorney General would enforce the proposed law, using the same enforcement procedures applicable to other state wage laws, and employees could file suits in court to enforce their earned sick time rights. The Attorney General would have to prepare a multi-lingual notice regarding the law's requirements and provide a model to employers. The state Executive Office of Health and Human Services, in consultation with the Attorney General, would develop a multi-lingual outreach program to inform the public of the availability of earned sick time.

The proposed law would take effect on July 1, 2015, and states that if any of its parts were declared invalid, the other parts would stay in effect.

**A YES VOTE** would entitled employees in Massachusetts to earn and use sick time according to certain conditions.

**A NO VOTE** would make no change in the laws regarding earned sick time.
The Commonwealth of Massachusetts

STATE ELECTION

OFFICIAL SPECIMEN BALLOT

Tuesday, November 4, 2014

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 the person's name and residence in the blank space provided and fill in the oval.

SENATOR IN CONGRESS

EDWARD J. MARKEY
Democrat
MASS HOME OFFICE, CIRCUIT 10
Vote for ONE

BRIAN J. HERR
Republican

GOVERNOR AND LIEUTENANT GOVERNOR

BAKER and POLITO
Democrat
Vote for ONE

COAKLEY and KERRIGAN
Democratic

FALCHUK and JENNINGS
Independent

LIVLY and SAUNDERS
Independent

McCORRICK and POSL
Independent

ATTORNEY GENERAL

SHAUNA HEALEY
Democratic
Vote for ONE

JOHN R. MILLER
Republican

SECRETARY OF STATE

WILLIAM FRANCIS GALVIN
Democratic
Vote for ONE

DANIEL P. MARGANIELLO
Republican

DANIEL L. FACTOR
Green-Rainforest

TREASURER

ROBERT D. GOLDBERG
Democratic
Vote for ONE

MICHAEL JAMES HEFFERNAN
Republican

LOY J. JACKSON
Independent

AUDITOR

SUZANNE M. SUNDP
Democratic
Vote for ONE

PATRICIA S. SANTORO
Population

JR MERRILLC
Conservative

JOHN F. SULLIVAN
Conservative

STANDING COMMITTEES

REPRESENTATIVE IN CONGRESS

JOSEPH P. KENNEDY, III
Democrat
Vote for ONE

COUNCILLOR

ROBERT L. JURINICK
Democrat
Vote for ONE

SENATOR IN GENERAL COURT

MARTHA A. LOUISI
Democratic
Vote for ONE

MICHAELE F. RUSI
Democrat

DISTRICT ATTORNEY

NATHANIEL B. RAPID
Democratic
Vote for ONE

REGISTRAR OF PROBATE

PATRICK W. MCCORDON
Democratic
Vote for ONE

COUNTY TREASURER

JOSEPH A. CONNOLLY
Democratic
Vote for ONE

COUNTY COMMISSIONER

PAUL R. GIBBONS
Republican
Vote for ONE

PETER H. COLLINS
Republican

MICHAEL J. SOTER
Republican

NEEDHAM

Pats-D-H

1463/1457

VOTE BOTH SIDES

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 6, 2017?

This proposed law would change the requirement that the state's gasoline tax, which was 24 cents per gallon as of September 2013, (1) be adjusted every year by the percentage change in the Consumer Price Index over the preceding year, but (2) not be adjusted below 21.5 cents per gallon. A YES VOTE would eliminate the requirement that the state's gas tax be adjusted annually based on the Consumer Price Index. A NO VOTE would make no change in the laws regarding the gas tax.

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 6, 2017?

This proposed law would expand the state's beverage container deposit law, also known as the Bottle Bill, to require deposits on containers for all non-alcoholic non-carbonated drinks in liquid form intended for human consumption, except beverages primarily derived from dairy products, wine, formula, and FDA-approved medicines. The proposed law would not cover containers made of paper-based biodegradable material and plastic multi-material packages such as juice boxes or pouches.

The proposed law would require the state Secretary of Energy and Environmental Affairs (EEA) to adjust the container deposit amount every five years in relation to the annual rate of change in the consumer price index but the value would not fall below five cents. The proposed law would increase the minimum handling fee that beverage distributors must pay dealers for each properly returned empty beverage container, which was 21.5 cents as of September 2013, to 35 cents. It would also increase the minimum handling fee that bottlers must pay distributors and dealers for each properly returned empty beverage container, which was 1 cent as of September 2013, to 3 cents. The Secretary of EEA would review the fees every five years and make appropriate adjustments to reflect changes in the consumer price index as well as changes in the costs incurred by redemption centers. The proposed law defines a redemption center as any business whose primary purpose is the redemption of beverage containers and that is not auxiliary to any other business.

CONTINUE ON BACK
The proposed law would amend the City of E. to issue regulations allowing small dealers to seek exceptions from accepting empty deposit containers. The proposed law would define small dealer as any person or business, including the operator of a vending machine, who sells beverages in beverage containers to consumers, with a contiguous retail space of 3,000 square feet or less, excluding office and stock room space, and have flat six favorable locations under the same ownership in the Commonwealth. The proposed law would require that the regulations consider at least the health, safety, and convenience of the public, including the distribution of deposits and redemption centers by population or by distance or both.

The proposed law would limit the use of the existing redemption laws by the sale of certain unsalable container deposits. The Fund would be paid, subject to appropriation by the state Legislature, to support programs such as proper management of solid waste, water resource protection, parkland, urban forests, and quality and stream protection.

The proposed law would allow a dealer, distributor, redemption center or broker to refuse to accept any beverage container that is not marked as being reusable in Massachusetts.

The proposed law would take effect on April 22, 2015.

A YES VOTE would extend the existing beverage container deposit law to require deposits on containers for all non-alcoholic, non-carbonated drinks with certain exceptions. Increase the associated handling fees, and make other changes to the law.

A NO VOTE would make no change to the laws regarding beverage container deposits.

**QUESTION 3**

**LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of the law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

**SUMMARY**

This proposed law would (1) prohibit the Massachusetts Gaming Commission from issuing any license to a casino or other gambling establishment with table games and slot machines, or any license for a gambling establishment with slot machines; (2) prohibit any such casinos or slot gambling under any such license that the Commission might have issued before the proposed law took effect; and (3) prohibit wagering on the simulcasting of live greyhound races.

The proposed law would also change the definition of "illegal gaming" under Massachusetts law to include wagering on the simulcasting of live greyhound races, as well as table games and slot machines at Commission-licensed casinos, and slot machines at other Commission-licensed gambling establishments. This would make those types of gaming subject to existing state laws providing criminal penalties for, or otherwise regulating or prohibiting, activities relating to illegal gaming.

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

A YES VOTE would prohibit casinos, any gambling establishment with slot machines, and wagering on simulcast greyhound races.

A NO VOTE would make no change to the current laws regarding gaming.

**QUESTION 4**

**LAW PROPOSED BY INITIATIVE PETITION**

Do you approve of the law summarized below, on which no vote was taken by the Senate or the House of Representatives on or before May 6, 2014?

**SUMMARY**

This proposed law would require employers in Massachusetts to award and use sick time according to certain conditions.

Employees’ work for employers having eleven or more employees could earn and use up to 40 hours of paid sick time per calendar year, while employees working for smaller employers could earn and use up to 40 hours of unpaid sick time per calendar year.

An employee could earn earned sick time if required to miss work for a physical or mental illness, injury or medical condition affecting the employee or the employee’s child, spouse, parent, or parent of a spouse; (2) to attend routine medical appointments of the employee or the employee’s dependents; (3) to address the effects of domestic violence on the employee or the employee’s dependent child; (4) to earn one hour of sick time for every 30 hours worked, and would begin accruing those hours on the date of hire or July 1, 2015, whichever is later. Employees could begin to use earned sick time on the 90th day after hire.

The proposed law would cover both private and public employers, except that employers of a particular city or town would be covered only if, as required by the state constitution, the proposed law were made applicable by local or state legislative vote or by appropriations of sufficient funds to pay for the benefit.

Earned sick time would be compensated at the same hourly rate paid to the employee when the sick time is used.

Employees could carry over up to 40 hours of unused sick time to the next calendar year, but could not carry more than 40 hours in a calendar year.

Employees would not have to pay employers for unused sick time at the end of their employment. If an employer reduced work for a reason eligible for earned sick time, but agreed with the employer to work the same number of hours or shifts in the same or a new pay period, the employee would not have to use earned sick time for the missed time, and the employer would not have to pay for that missed time. Employees would be prohibited from requiring such an employee to work additional hours to make up for missed time, or to find a replacement employer.

Employees could require certification of the need for sick time if an employee used sick time for more than 24 consecutive scheduled work hours. Employees could not delay the taking or payment for earned sick time because they have not received the certification. Employees would have to make a good-faith effort to notify the employer in advance of the need for earned sick time if foreseeable.

Employees would be prohibited from interfering with or retaliating against an employee exercise of earned sick time rights, and from retaliating against an employer that exercises the rights of such sick time.

The proposed law would not override employers’ obligations under any contract or benefit plan with more generous provisions than those in the proposed law. Employers that have their own policies providing as much paid time off, usable for the same purposes and under the same conditions, as the proposed law would not be required to provide additional paid sick time.

The Attorney General would enforce the proposed law, using the same enforcement procedures applicable to other state wage laws, and employees could file suits in court to enforce their earned sick time rights. The Attorney General would have to propose a multimodal notice regarding the right to earned sick time, and employees would be required to post notice in a conspicuous location and to provide a copy to employees. The state Executive Office of Health and Human Services, in consultation with the Attorney General, would develop a multiguideline outreach program to inform and educate the availability of earned sick time.

The proposed law would take effect on July 1, 2015, and states that if any of its parts were declared invalid, the other parts would stay in effect.

A YES VOTE would extend the right of employees in Massachusetts to earn and use sick time according to certain conditions.

A NO VOTE would make no change to the laws regarding earned sick time.