# The Commonwealth of Massachusetts

# STATE ELECTION

## OFFICIAL SPECIMEN BALLOT

## Tuesday, November 4, 2014

Penalty for willfully defacing, tearing down, removing or destroying a List of Candidates or Specimen Ballot - fine not exceeding One Hundred Dollars.

SECRETARY OF THE COMMONWEALTH OF MASSACHUSETTS

**NEWTON**
**WD. 1, Pcts. 2, 3,**
**WDs. 2-4,**
**WD. 7, Pct. 2**
**946/946**

**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
Vote for ONE

**EDWARD J. MARKEY** ++++++++++ Democratic
7 Townsend St., Malden — Candidate for Re-election

**BRIAN J. HERR** ++++++++++++++++ Republican
31 Elizabeth Rd., Hopkinton

DO NOT VOTE IN THIS SPACE.
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WRITE-IN SPACE ONLY

### GOVERNOR AND LIEUTENANT GOVERNOR
Vote for ONE

**BAKER and POLITO** ++++++++++++ Republican

**COAKLEY and KERRIGAN** +++++++ Democratic

**FALCHUK and JENNINGS** +United Independent Party

**LIVELY and SAUNDERS** ++++++++Independent

**McCORMICK and POST** ++++++++Independent

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### ATTORNEY GENERAL
Vote for ONE

**MAURA HEALEY** ++++++++++++++++ Democratic
40 Winthrop St., Boston

**JOHN B. MILLER** ++++++++++++++ Republican
40 Westland Ave., Winchester

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### SECRETARY OF STATE
Vote for ONE

**WILLIAM FRANCIS GALVIN** +++++ Democratic
46 Lake St., Boston — Candidate for Re-election

**DAVID D'ARCANGELO** +++++++++ Republican
183 Bainbridge St., Malden

**DANIEL L. FACTOR** ++++++++++Green-Rainbow
11 Davis Rd., Acton

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### TREASURER
Vote for ONE

**DEBORAH B. GOLDBERG** +++++++ Democratic
37 Hyslop Rd., Brookline

**MICHAEL JAMES HEFFERNAN** ++ Republican
244 Grove St., Wellesley

**IAN T. JACKSON** ++++++++++++Green-Rainbow
232 Highland Ave., Arlington

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### AUDITOR
Vote for ONE

**SUZANNE M. BUMP** ++++++++++++ Democratic
409 North Plain Rd., Great Barrington — Candidate for Re-election

**PATRICIA S. SAINT AUBIN** ++++++ Republican
6 Shady Way, Norfolk

**MK MERELICE** ++++++++++++++Green-Rainbow
22 White Pl., Brookline

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### REPRESENTATIVE IN CONGRESS
FOURTH DISTRICT — Vote for ONE

**JOSEPH P. KENNEDY, III** ++++++++ Democratic
12 Gibbs St., Brookline — Candidate for Re-election

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### COUNCILLOR
THIRD DISTRICT — Vote for ONE

**MARILYN M. PETITTO DEVANEY** + Democratic
98 Westminster Ave., Watertown — Candidate for Re-election

**THOMAS SHEFF** ++++++++++++++ Independent
454 Dudley Rd., Newton

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### SENATOR IN GENERAL COURT
FIRST MIDDLESEX & NORFOLK DISTRICT — Vote for ONE

**CYNTHIA STONE CREEM** ++++++++ Democratic
110 Huntington Rd., Newton — Candidate for Re-election

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### REPRESENTATIVE IN GENERAL COURT
ELEVENTH MIDDLESEX DISTRICT — Vote for ONE

**KAY S. KHAN** +++++++++++++++++ Democratic
18 St. Mary's St., Newton — Candidate for Re-election

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### DISTRICT ATTORNEY
NORTHERN DISTRICT — Vote for ONE

**MARIAN T. RYAN** ++++++++++++++ Democratic
8 Bradford Rd., Belmont

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WRITE-IN SPACE ONLY

### REGISTER OF PROBATE
MIDDLESEX COUNTY — Vote for ONE

**TARA E. DeCRISTOFARO** +++++++ Democratic
36 Terrace Rd., Medford — Candidate for Re-election

**JOHN W. LAMBERT, SR.** +++++++ Republican
5 Beverly Rd., Natick

DO NOT VOTE IN THIS SPACE.
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### 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, 2014?

**SUMMARY**

This proposed law would eliminate 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, 2014?

**SUMMARY**

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, infant formula, and FDA approved medicines. The proposed law would not cover containers made of paper-based biodegradable material and aseptic 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 to reflect (to the nearest whole cent) changes in the consumer price index, but the value could not be set 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 2¼ cents as of September 2013, to 3½ cents. It would also increase the minimum handling fee that bottlers must pay distributors and dealers for each properly returned empty reusable beverage container, which was 1 cent as of September 2013, to 3½ cents. The Secretary of EEA would review the fee amounts 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 ancillary to any other business.

**CONTINUE ON BACK**

**VOTE BOTH SIDES**

The proposed law would direct the Secretary of EEA to issue regulations allowing small dealers to seek exemptions 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 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 set up a state Clean Environment Fund to receive certain unclaimed 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, urban forestry, air quality and climate protection.

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

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. **YES** ○

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

## 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 6, 2014?

### SUMMARY

This 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 licenses 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 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 gaming establishments. This would make those types of gaming subject to existing state laws providing criminal penalties for, or otherwise regulating or prohibiting, activities involving 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 gaming establishment with slot machines, and wagering on simulcast greyhound races. **YES** ○

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

## QUESTION 4
## 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, 2014?

### SUMMARY

This proposed law would entitle 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 in order (1) to 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) to 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 30 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 were made applicable by local or state legislative vote or by appropriation of sufficient funds to pay for the benefit. Earned paid 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 use more than 40 hours in a calendar year. Employers would not have to pay employees for unused sick time at the end of their employment. If an employee missed 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 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 such an employee to work additional hours to make up for missed time, or to find a replacement employee.

Employers could require certification of the need for sick time if an employee used sick time for more than 24 consecutively scheduled work hours. Employers could not delay the taking of 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 if the need for earned sick time is foreseeable.

Employers would be prohibited from interfering with or retaliating based on an employee's exercise of earned sick time rights, and from retaliating based on an employee's support of another employee's exercise of such rights.

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 prepare a multilingual notice regarding the right to earned sick time, and employers would be required to post the 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 multilingual 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 entitle employees in Massachusetts to earn and use sick time according to certain conditions. **YES** ○

***A NO VOTE*** would make no change in the laws regarding earned sick time. **NO** ○

## QUESTION 5
## THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to vote for legislation to require that a majority of the voters in a municipality approve the sale of any municipally owned real estate containing more than 7,500 square feet of land?

**YES** ○

**NO** ○

## QUESTION 6
## THIS QUESTION IS NOT BINDING

Shall the state representative from this district be instructed to vote for legislation that would allow local elected officials, in communities that have taken steps to promote affordable housing at a local level, to have binding input regarding density, required parking, and other project characteristics to the extent that those changes would help to protect existing neighborhoods and businesses from negative impacts on infrastructure and public services, when a local zoning board of appeals is deciding whether to approve an application for a comprehensive permit to build affordable housing in that locality under Chapter 40B of the General Laws?

**YES** ○

**NO** ○



# YOU HAVE NOW COMPLETED VOTING