

# HOUSE . . . . . No. 4111

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The Commonwealth of Massachusetts

INITIATIVE PETITION OF ELIZABETH A. WARREN AND OTHERS.

OFFICE OF THE SECRETARY.

BOSTON, JANUARY 3, 2018.

Steven T. James  
*Clerk of the House of Representatives*  
State House  
Boston, Massachusetts 02133

Sir: - I herewith transmit to you, in accordance with the requirements of Article XLVIII of the Amendments to the Constitution, an Initiative Petition for a Law Raising The Minimum Wage, signed by ten qualified voters and filed with this department on or before December 6, 2017, together with additional signatures of qualified voters in the number of 86,440, being a sufficient number to comply with the Provisions of said Article.

Sincerely,

WILLIAM FRANCIS GALVIN,  
*Secretary of the Commonwealth.*

AN INITIATIVE PETITION.

Pursuant to Article XLVIII of the Amendments to the Constitution of the Commonwealth, as amended, the undersigned qualified voters of the Commonwealth, ten in number at least, hereby petition for the enactment into law of the following measure:

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The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninetieth General Court  
(2017-2018)  
\_\_\_\_\_

An Act raising the minimum wage.

*Be it enacted by the People, and by their authority, as follows:*

1           SECTION 1. Section 1 of chapter 151 of the General Laws is hereby amended by  
2 striking out the wage rate specified in the second sentence of the section and inserting in place  
3 thereof the following rate:- \$12.00

4           SECTION 2. Said section 1 of said chapter 151 is hereby further amended by striking  
5 out the wage rate specified in the second sentence of the section and inserting in place thereof the  
6 following rate:- \$13.00

7           SECTION 3. Said section 1 of said chapter 151 is hereby further amended by striking  
8 out the wage rate specified in the second sentence of the section and inserting in place thereof the  
9 following rate:- \$14.00

10          SECTION 4. Said section 1 of said chapter 151 is hereby further amended by striking  
11 out the wage rate specified in the second sentence of the section and inserting in place thereof the  
12 following rate:- \$15.00

13 SECTION 5. Section 1 of said chapter 151 is hereby further amended by inserting,  
14 before the last sentence thereof, the following sentences:-

15 Beginning in September 2022 and in September of each year thereafter, the  
16 commissioner shall adjust the current minimum wage then in effect and the current minimum  
17 cash wage then in effect that must be paid tipped employees under section 7 of this chapter based  
18 upon the increase, if any, in the cost of living. The increase in the cost of living shall be  
19 calculated to reflect the twelve-month percentage increase, if any, in the Consumer Price Index  
20 for all Urban Consumers, U.S. City Average, All Items (or a successor index, if any) as  
21 published by the Bureau of Labor Statistics of the United States Department of Labor, using the  
22 most recent twelve-month period for which data is available at the time that the calculation is  
23 made. The commissioner shall round the adjusted wage rates to the nearest five cents and  
24 announce them by October 1 of each year, and they shall become effective on January 1 of the  
25 following year.

26 SECTION 6. Chapter 151 is hereby further amended by inserting, after section 2B, the  
27 following section:-

28 Section 2C. Notwithstanding section 17 of chapter 15D or any general or special law to  
29 the contrary, the department of early education and care shall be deemed the employer of family  
30 child care providers, as defined by section 17(a) of chapter 15D, and family child care providers  
31 shall be deemed employed persons, for purposes of this chapter. Notwithstanding any general or  
32 special law to the contrary, the attorney general of the commonwealth shall determine the  
33 minimum rates to be paid by the department of early education and care to family child care  
34 providers and promulgate any regulations necessary for purposes of determining the minimum

35 rates in order that the rates are substantially equivalent to the minimum wage provisions set forth  
36 in section 1 of this chapter.

37 SECTION 7. Section 7 of said chapter 151 is hereby amended by striking out the cash  
38 wage specified in clause (1) of the third paragraph and inserting in place thereof the following  
39 figure:- \$5.05

40 SECTION 8. Said Section 7 of said chapter 151 is hereby further amended by striking  
41 out the cash wage specified in clause (1) of the third paragraph and inserting in place thereof the  
42 following figure:- 6.35

43 SECTION 9. Said Section 7 of said chapter 151 is hereby further amended by striking  
44 out the cash wage specified in clause (1) of the third paragraph and inserting in place thereof the  
45 following figure:- \$7.65

46 SECTION 10. Said Section 7 of said chapter 151 is hereby further amended by striking  
47 out the cash wage specified in clause (1) of the third paragraph and inserting in place thereof the  
48 following figure:- \$9.00

49 SECTION 11. Sections 1 and 7 shall take effect January 1, 2019.

50 SECTION 12. Sections 2 and 8 shall take effect January 1, 2020.

51 SECTION 13. Sections 3 and 9 shall take effect January 1, 2021.

52 SECTION 14. Sections 4, 5, and 10 shall take effect January 1, 2022.

53 SECTION 15. If any provision of this act or application thereof to any person or  
54 circumstance is judged invalid, the invalidity shall not affect other provisions or applications of

55 the act that can be given effect without the invalid provision or application, and to this end the  
56 provisions of this act are declared severable.

FIRST TEN SIGNERS

<u>NAME</u>	<u>RESIDENCE</u>	<u>CITY OR TOWN</u>
Elizabeth A. Warren	24 Linnaean Street	Cambridge
Tyrek D. Lee, Sr.	24 Blue Ledge Terrace	Boston
Heidy Abreu	39 Kamuda Street	Springfield
Martha Mikal Assefa	16 Alden Street	Worcester
Darius Cephas	786 Blue Hill Avenue, #201	Boston
Ashley Delva	19 Jones Avenue, Unit #1	Boston
Angele L. Errie	44 Laurie Avenue	Boston
Katrina J. Jazayeri	25 ½ Boston Street	Somerville
Maria L. Rodriguez	253 Fernbank Road, #6	Springfield
Margaret Sylvester	12 Granite Avenue	New Bedford

CERTIFICATE OF THE ATTORNEY GENERAL.

September 6, 2017.

Honorable William Francis Galvin  
*Secretary of the Commonwealth*  
One Ashburton Place, Room 1705  
Boston, Massachusetts 02108

RE: Initiative Petition No. 17-17: An Initiative Petition for a Law Raising  
The Minimum Wage.

Dear Secretary Galvin:

I accordance with the provisions of Article 48 of the Amendments to the Massachusetts Constitution, I have reviewed the above-referenced initiative petition, which was submitted to me on or before the first Wednesday of August of this year.

I hereby certify that this measure is in proper form for submission to the people; that the measure is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people at either of the two preceding biennial state elections; and that it contains only subjects that are related or are mutually dependent and which are not excluded from the initiative process pursuant to Article 48, the Initiative, Part 2, Section 2.

In accordance with Article 48, I enclose a fair, concise summary of the measure.

Sincerely,

MAURA HEALEY,  
*Attorney General.*

## Summary of 17-17.

This proposed law would raise the state's minimum wage, which was \$11.00 per hour as of January 1, 2017, to \$12.00 in 2019; \$13.00 in 2020; \$14.00 in 2021; and \$15.00 in 2022. The proposed law would also raise the minimum cash wage that must be paid to tipped employees, which was \$3.75 per hour as of January 1, 2017, to \$5.05 in 2019; \$6.35 in 2020; \$7.64 in 2021; and \$9.00 in 2022.

Beginning in 2023 and each year after that, the proposed law would require the Commissioner of the state Department of Labor Standards to adjust the minimum wage and the minimum cash wage for tipped employees based on the twelve-month percentage increase, if any, in the Consumer Price Index published by the United States Department of Labor.

The proposed law would deem the state Department of Early Education and Care the employer of family child-care providers for purposes of the minimum wage law. It would require the state Attorney General to determine rates to be paid to family child-care providers by the Department of Early Education and Care that are substantially equivalent to the minimum wage.

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