

# **Complaint Against State Representative Michael Ramone 21<sup>st</sup> District**

*This complaint is presented in three sections below. Part I summarizes the key facts documenting Michael Ramone's conflict of interest as Primary Sponsor of the "Youth and Training Wage" bill in June 2018.*

*Part II presents the violations of Delaware law demonstrated by Representative Ramone's actions. Part III is copied from an online article titled "Mike Ramone's Public Confession". This article presents a more detailed report of Mike Ramone's advocacy for the Youth and Training Wage bill and includes multiple links including the audio of the House debate.*

## **I. Complaint Summary**

My name is Jack Guerin and Michael Ramone is my State Representative. When advocating for the "Youth and Training Wage" on the House floor at the end of the 2018 session, Representative Ramone cited his pool management company as a "great example" confessing to a conflict of interest which has probably saved tens of thousands for his six companies.

Mike shared with me in an email that his payroll exceeds \$2 million. The "Youth and Training Wage" remains in effect although a bill has been introduced this year to eliminate it.

Mike Ramone's 2018 advocacy for the "Youth and Training Wage" bill was intense. He was the Primary Sponsor and used the power of the minority caucus to stop passage of both the Bond Bill and Grant in Aid until the General Assembly passed the Youth and Training Wage bill at 8:15 on the morning of July 1<sup>st</sup>.

In both emails and face to face, Mike has claimed that he pays all his employees more than the minimum wage. However, his own statement on the House Floor contradicts that. Even if true, the minimum wage is a critical factor in the labor market and, as a major employer, Mike Ramone should not be sponsoring or voting on minimum wage legislation.

DCRPT should undertake an investigation including an audit of the Ramone companies to determine the financial benefit received from the Youth and Training Wage during the past three years.

## II. Violations of Delaware Law:

The first citation below is from Title 11 of the Delaware Criminal Code, Chapter 5. Specific Offenses, Subchapter VI. Offenses Against Public Administration. Portions of the statute have been bolded for emphasis.

In this case, the “public servant” referred to in this complaint is State Representative Michael Ramone. The bolded definitions section explicitly states that legislators are “Public Servants”.

The complaint is that Representative Ramone was “guilty of official misconduct” and “intending to obtain a personal benefit” when he sponsored the Youth and Training Wage bill. Point (3) under § 1211 states that the Public Servant is guilty when he “functions in a way intended to benefit the public servant’s own property or financial interests...”. In this case “property or financial interests” refers to the six businesses owned by Mike Ramone and his wife Lisa.

Representative Mike Ramone’s actions also violated Article II, Section 20 of the Delaware Constitution which is also copied below.

### Part B

#### Abuse of Office

##### § 1211. Official misconduct; class A misdemeanor.

A public servant is guilty of official misconduct when, intending to obtain a personal benefit or to cause harm to another person:

(3) **The public servant performs official functions in a way intended to benefit the public servant’s own property or financial interests** under circumstances in which the public servant’s actions would not have been reasonably justified in consideration of the factors which ought to have been taken into account in performing official functions; or

##### § 1213. Definitions relating to abuse of office.

In §§ 1211 and 1212 of this title, **the definitions given in § 1209 of this title apply.**

##### § 1209. Definitions relating to bribery and improper influence.

As used in §§ 1201-1208 of this title:

(4) **“Public servant” means any officer or employee of the State or any political subdivision thereof, including legislators** and judges, and any person participating as juror, advisor or consultant in performing a governmental function but the term does not include witnesses. This definition includes persons who are candidates for office or who have been elected to office but who have not yet assumed office.

## Article II, Section 20 of the Delaware Constitution states:

**“Any member of the General Assembly who has a personal or private interest in any measure or bill pending in the General Assembly shall disclose the fact to the House of which he or she is a member and shall not vote thereon.”**

### III. Mike Ramone’s Public Confession

In the debate over the Youth and Training Wage Mike Ramone publicly confessed to a major conflict of interest. June 30, 2018 was the last day of the 149<sup>th</sup> General Assembly and it was an unusually long day in Dover. The controversy began when House Democrats passed HB 170 which provided a \$1.00 increase in the minimum wage.

The Republicans were angry, and Mike Ramone went into action. As the Primary Sponsor, he introduced the [“Youth and Training Wage” bill](#) allowing employers to pay workers under 18 and new employees \$.50 less than the minimum wage.

Mike Ramone led the minority caucus to withhold their votes from both an infrastructure bond bill and grant in aid funding. These combined measures, representing almost \$1 billion in critical state funding, were held hostage to Representative Ramone’s two-level minimum wage [which passed at 8:15 in the morning](#).

During the House floor debate at 3:30 AM when he was advocating to add the Youth and Training Wage as an amendment to HB 170, Mike Ramone pleaded his case based on the benefit to his own company. Here’s a link to an audio recording of the floor debate including [Mike Ramone’s statement below 9:42—10:20](#).

“A second portion to this amendment would be what’s called a youth wage. A youth wage would be a great example for like our pool management company. We have a lot of children, a lot of young people 15, 16, 17 being lifeguards, kind of learning how to do it...”

To be clear, the “great example” which Mike Ramone is citing is his company’s leeway to pay all these young people \$.50 less than the minimum wage. Mike Ramone’s bio on the General Assembly website states that he and his wife, Lisa, [“currently own six successful businesses and employ over 200 individuals throughout the year.”](#) The Ramone businesses include multiple swim and fitness centers which primarily employ young people.

The national standard for full-time work is 2,087 hours, so a \$.50 reduction in hourly wages would be worth more than \$1,000 per employee representing a substantial cost savings for the Ramone businesses.