

2017-18 monoblogue Accountability Project Delaware Edition

A voting summary for the Delaware General Assembly

Introduction

I began the monoblogue Accountability Project in 2008 to grade all 188 members of the Maryland General Assembly on whether they voted in what the author considered a conservative manner or not. But I decided in 2017 to add a Delaware edition which would grade the First State's 62 legislators in a similar manner to how I rate the Maryland General Assembly because I was working in the state at the time. Now that we are contemplating a move to the First State, I felt it was important to carry on that work.

Over the last couple years in Maryland I departed from a tradition I had of using a few committee votes to compile each legislator's record, but for Delaware this didn't work anyway because legislative committees have radically uneven numbers and members belong to multiple committees. So like my previous Delaware edition, I will do floor votes on 25 separate bills of interest that had both House and Senate votes.

As I have done in recent years with the Maryland General Assembly tallies, the legislators are listed in alphabetical order, which makes it easy to compile votes because the tally sheets are somewhat (as I'll explain later) alphabetical in Delaware.

Thus far there has not been turnover in the Delaware General Assembly. There are a handful of members (three in the Senate, one in the House) who replaced members that died or did not seek re-election. Unlike Maryland's practice, however, Delaware's filing deadline comes shortly after the end of their session so some members may not make their intentions known until the last minute.

The method to my madness

The next portion of the monoblogue Accountability Project explains why votes are tabulated as they are.

The first few pages will cover the bills I used for this year's monoblogue Accountability Project and the rationale for my determining whether a vote is "right" or "wrong." 25 floor votes are tallied, and there is a perfect possible score of 100 for getting all 25 votes correct: a correct vote is worth four points and an incorrect vote is worth none.

As in Maryland, I also have a policy for Delaware where I deduct points for being absent or ducking a vote. Since absences can't always be helped, the absentee is only docked one point for each. Those who are present and don't vote, however, have two points deducted. I also give half-credit for changing votes the "right" way but deduct at 1.5 times the score for changing the wrong way. Delaware is a little different in this regard because bills can be resurrected even after being voted down under certain circumstances. (This happened a few times in both chambers this term.)

I consider myself a conservative with libertarian leanings so it's no surprise that Republicans in the General Assembly score higher than Democrats – at least on an average basis. (This is another point I'll discuss in the conclusion.)

In this upcoming portion I will go through each of the votes I used. One key difference between Delaware and Maryland is that Delaware doesn't have crossfiled bills between chambers. This makes it easier in the respect that I used the exact same bills for each body. I also follow up on the current status of each measure, whether it made it through the General Assembly and if it was signed or vetoed by Governor Carney.

One other key change from Maryland: bills in Delaware do not get fancy names, so I will follow the bill number with a brief synopsis. I will add in the key sponsors as well as the number of additional and co-sponsors, listed by party.

Now that you know the ins and outs, let's get started. I'm doing this list with House bills first and Senate bills last.

Floor votes used for the monologue Accountability Project – Delaware Edition

HB3: Paid family leave for state and school district employees. (Representative Heffernan/24 additional and co-sponsors, 21D, 3R)

Why I'd vote no: This is the camel's nose inside the tent. First we cover state employees, simply because the state can obviously afford to pay people not to work at a cost of \$5 million annually, given some of the dubious assumptions in the Fiscal Note. I'll give credit to Senator Simpson for trying to make this a little more manageable by attempting to add a sunset date and cut the paid time to six weeks; alas, those efforts at a compromise bill failed. And just wait: in the next year or two, the cry is going to come up that it's NOT FAIR that only state employees benefit, so it has to be every employer complying.

Disposition: It took almost the full two sessions to accomplish and a lot of amending, but HB3 passed the House 27-13 and the Senate 16-4. Governor Carney signed this on June 30, 2018.

HB16: A bill to sunset the Delaware estate tax, effective December 31, 2017. (Representative Ramone/14 additional and co-sponsors, all R)

Why I'd vote yes: I've been dead-set (pun intended) against the death tax for years, so Delaware took an important step toward liberation with this one. The small amount of revenue the state doesn't receive (\$5 million a year) is balanced out somewhat by the additional factor of attracting retirees from high-tax states. Of course, as you'll see in a moment, no good deed goes unpunished and no one escapes the extraction of their pound of flesh.

Disposition: HB16 passed the House 26-14 and the Senate 13-7. In a great spirit of bipartisanship, Governor Carney signed this before the session ended on July 2, 2017. At least a little good news to start this edition, right? Alas, don't get used to it.

HB99: Revises the eligibility for homestead exemption for senior citizens from 3 years' residency to 10 years. (Representative Williams/16 additional and co-sponsors, 12 D, 4 R)

Why I'd vote no: This potentially affects my wife and I as prospective Delaware residents – under the old rule, we would be eligible right away at the age of 65 but with the law change we would have to wait a couple years. That's an extra few hundred dollars each year. Seriously, Delaware is considered a retiree-friendly state because of its tax structure but if they want to start driving affluent seniors elsewhere, this is one way to do it. It's balancing a budget on the backs of hard-working people who just want to enjoy life.

Disposition: HB99 passed the House 37-2 and the Senate 17-3. It was signed by Governor Carney July 17, 2017.

HB135: Eliminates the “10-day hold” on voter registration and changes responsibility for removing voters who move out of state from rolls. (Representative Viola/2 additional and co-sponsors, both D)

Why I'd vote no: I may have been able to live with the technical part about removing the voters, but this bill eliminated a good way to check whether voters are legitimate – particularly since the State Election Commissioner had the right to waive this in the 60 days prior to an election anyway.

Disposition: HB135 passed the House 23-15 and, in the wee hours after the session was supposed to be over on June 30, the Senate passed it 12-3. Governor Carney waited to sign this until August 2, 2017.

HB165: With restrictions, allows direct shipment of wine to Delaware consumers. (Representative Baumbach/13 additional and co-sponsors, 10 R, 3 D)

Why I'd vote yes: Although there seems to be an untenable number of strings attached – and an amendment removed beer as a covered item – I would support this bill as a first step, with the idea of incrementally increasing the range of product while decreasing the costs to these small businesses.

Disposition: This bill passed the House initially by a 25-13 vote, which was more than the 3/5 required. But in the Senate, the amendment that removed beer and the additional fees was passed so the bill could advance on a simple majority rather than by 3/5, which was probably unattainable as it only passed the Senate by a bare 11-10 margin. So the bill had to go back to the House and it failed by a 19-21 count. Thus, those who switched their vote from “yes” to “no” will be docked. Hopefully next year a clean bill will be brought back up and include beer.

HB241: Increased tax rates on beer, wine, and distilled spirits. (Representative Schwartzkopf/7 additional and co-sponsors, all D)

Why I'd vote no: Another tax increase: this one affects poor and middle-class Delaware residents more than most.

Disposition: A late-session measure which legislators put together to address a budget issue, HB241 was passed in the House 26-13 and the Senate 13-7, exceeding the 3/5 majority required. Governor Carney signed this tax increase into law on July 3, 2017. Mere moments later, the House and Senate dealt with...

HB242: Increased tax rates on cigarettes and placed e-cigarettes (vaping) in the same category as tobacco, requiring those retailers to be licensed. (Representative Schwartzkopf/7 additional and co-sponsors, all D)

Why I'd vote no: Purely a money grab by the state, one that was probably inspired by Maryland doing the same thing earlier that spring. The majority couldn't pass up the opportunity to rape those who decided to quit smoking (perhaps they quit because of the constantly increasing taxes) by taxing the next best alternative. It's interesting to note that the House Democrats sold these tax increases by having the [audacity](#) to say they were still lower than those in neighboring states. In FY2018 this tax was projected to bring in \$11 million.

Disposition: Yes, literally just moments after the beer tax of HB241 cleared each chamber, HB242 was passed in the House 26-12 and the Senate 15-5, exceeding the 3/5 majority required. Just like the beer tax, Governor Carney quickly signed this tax increase into law on July 3, 2017. It should also be noted that both taxes took effect September 1, 2017 while the estate tax repeal wasn't until the end of the year.

HB249: Established that fantasy sports are “games of skill” as opposed to gambling, set regulations, and established a fee schedule for operators. (Representative Potter/7 additional and co-sponsors, 6 D, 1 R)

Why I'd vote no: Here's the state trying to horn in on more action. I'm one of those sports fans who does not participate in fantasy sports online, so I don't have a vested interest in these games. What piqued my interest was the fact that only a handful of operators (two, as a matter of fact according to the fiscal note) were projected to have enough of a profit margin to operate in the state. So the little guys aren't going to go legitimate, and the big guys are going to corner all the business in yet another round of rent-seeking. It was a solution in search of a problem.

Disposition: This one took a convoluted path. HB249 was amended three times before it even passed the House on a 36-4 vote. Then the Senate defeated the bill 10-11 – however, that vote was reconsidered and in its second try passed 13-7. (So there will be a few Senators docked for selling out.) Yet since it was different than the House version they had to vote again and it passed there 28-6 – in this case, I will likely have a few who get half a credit for being right the second time. All this, by the way, happened in the span of three days as the 2017 session was winding down. Governor Carney finally signed this July 26, 2017.

HB275: FY2018 state budget, Governor Carney's version. (Representative Smith/9 additional and co-sponsors, 7 D, 2 R)

Why I'd vote no: While the good news is that the budget was essentially level-funded from the FY2017 version (Governor Markell's final adopted budget, although he also had a proposed FY2018 budget he turned in before leaving office), the bad news is that the budget was balanced on the back of hard-working residents and prospective residents of Delaware through a combination of business and individual tax increases, including a jump in the real estate transfer tax. No one can convince me they've cut to the bone.

Disposition: The making of this budget took so long that the session, which was supposed to end June 30, edged into July and didn't end until the Senate passed this by a 16-4 vote at five minutes after midnight July 3. This was after the House passed it 38-3 an hour and nine minutes earlier. Governor Carney made it official in a rare wee hours bill signing at 1:16 a.m. July 3, 2017.

HB279: An increase in the real estate transfer tax. (Representative Schwartzkopf/9 additional and co-sponsors, 5 D, 4 R)

Why I'd vote no: While it seems like a relatively harmless way to raise revenue, it's my opinion that the state of Delaware doesn't have a revenue problem as much as it has a spending problem. And this is not cheap: to buy a \$200,000 house in Delaware now costs \$2,000 more thanks to this extra tax. That's money that could have been spent on something inside the home the owners could use instead of disappearing into the maw of the state's general fund. It was introduced on the last day of session to address a temporary state shortfall, but of course there's no sunset date attached to this tax increase.

Disposition: Needing a 3/5 majority in each chamber, HB279 passed the House 31-9 and, fourteen minutes later at 11:44 p.m. on the last day of the extended 2017 session, cleared the Senate by a bare 13-7 margin. Governor Carney signed this in the wee hours of July 3, 2017.

HB300: A ban on so-called “bump stocks.” (Representative Longhurst/20 additional and co-sponsors, 17 D, 3 R)

Why I'd vote no: Just like in Maryland (which also passed this kneejerk, feelgood piece of legislation during their 2018 session) I don't want to make criminals out of otherwise law-abiding gun owners who may have these devices for the fun of it. Originally a class E felony, the bill has been watered

down to make the offense of possession a class A misdemeanor, at least for a first offense – but I'm still opposing it on principle. Note that the three Republican sponsors were about my squishiest ones from last time – so I don't think that's an anomaly.

Disposition: This is a definite trap bill for the DGA because, as the bill has been repeatedly amended, the opposition has been whittled down. Originally HB300 passed the House 25-3 on March 8, then the first wave of amendments came and the Senate passed it 18-1 a week later. On its return to the House it passed 37-4 May 1 and with its latest amendment passed the Senate 21-0 on June 5. Lastly, the House passed it 36-2 and Governor Carney must have been standing there with the pen to sign it, as he did June 14, 2018.

HB314: Revisions to law regarding union dues and service fees. (Representative Mulrooney/17 additional and co-sponsors, all D)

Why I'd vote no: This took what was previously an opt-in provision: “Upon the written authorization of any public employee within a bargaining unit...” and made it an opt-out provision only enforceable at certain times. I'm totally sure the “bargaining unit” will send their employees reminders of when that time comes. “Oh, shoot...it must have been lost in the mail. Maybe you can do it on the next leap day.”

Disposition: I was sort of disappointed but not surprised at the margins – the bill passed 35-3 in the House and 13-8 in the Senate. Governor Carney practically fell all over himself rushing to sign the bill May 9, 2018 – less than a day after Senate passage.

HB360: Defining sexual harassment in the workplace and mandating paperwork and training for large employers. (Representative Keeley/13 additional and co-sponsors, all D)

Why I'd vote no: This bill would not have made the cut if it weren't for the mandated training. It's another make-work job for some state “consultant” who will train people on how to use what should be common sense. Actually, a good employer would already make it their business to provide a harassment-free workplace, but this to me is trouble waiting to happen.

Disposition: Of course this passed in the age of #MeToo – did you expect otherwise? And to think they extended session a few hours to pass this law: in the wee hours of July 1 it passed 24-14 in the House and less than an hour later eased by 11-6 in the Senate. However, the bill was not signed within the 30-day period after session's end, the pocket veto perhaps due to legitimate concerns about its effect on businesses.

HB377: Permits counties to collect a 3% lodging tax from places of lodging in their unincorporated areas. (Representative Mitchell/7 additional and co-sponsors, all D)

Why I'd vote no: Not only is this a new tax, the bill was tailored to only affect counties with a population greater than 500,000 – which means only New Castle County. Even better was the amendment to exempt a state agency from paying the tax. Talk about special interests having an influence.

Disposition: This passed 29-8 in the House and 16-2 in the Senate, with Governor Carney signing it into law June 14, 2018.

HB399: An Equal Rights Amendment to the Delaware Constitution. (Representative Longhurst/36 additional and co-sponsors, 32 D, 4 R)

Why I'd vote no: I don't think it's a necessary addition. What I would rather see is a Constitutional amendment that states, “The state shall make no

law that codifies discrimination for or against any person based on their race, religion, gender, or sexual orientation. This Amendment shall also be construed to include a prohibition on the legislature enacting additional criminal code or punishment solely based on these factors.”

Disposition: This is actually part one of a two-step process, the second part being passage by a minimum 2/3 majority again next session. (Unlike Maryland, Delaware voters do not have the opportunity to participate in the process via referendum.) In this instance, the measure passed the House 34-5 but ran into trouble in the Senate, where it initially failed 11-9 (not a 2/3 majority.) However, the vote was reconsidered after a change was proposed and the second time passed 17-4. It then passed the House again 35-6, so I have changes in both chambers to consider.

HB409: A provision to require Delaware employers to notify the state in the event of a planned plant closing or mass layoff. (Representative Mulrooney/4 additional and co-sponsors, all D)

Why I'd vote no: For such an unnecessary law (there are already federal provisions in place for this) it is a very weakly written one as well because it leaves a TON of discretion to the state Secretary of Labor. He or she can waive the penalties due if so desired, which makes this some sort of feelgood legislation.

Disposition: This passed 34-3 in the House and 15-3 in the Senate, and was signed by Governor Carney July 11, 2018.

HB483: Establishes a “training minimum wage” and “youth wage” that is 50 cents less than the standard minimum wage. (Representative Ramone/4 additional and co-sponsors, 2 R, 2 D)

Why I'd vote no: While this is not a bad idea, the fact that it simply maintains the minimum wage currently in effect (in Delaware, the minimum wage increases by 50 cents January 1, the effective date of this law) negates its benefits. Only a person under the age of 18 or within the first 90 days of employment is eligible. This doesn't change the fact that the true minimum wage is zero or that these wages will also increase each time the minimum goes up.

Disposition: This passed 32-7 in the House and 15-5 in the Senate as the second-to-last votes taken at 8 in the morning July 1, 8 hours after the session was supposed to conclude. (The last bill, by the way, was the capital bond bill – the state had to use its credit card some more. And boy, did they ever, to the tune of over \$800 million – not that anyone objected.) Anyway, Governor Carney wasted no time signing this on July 1, 2018.

SB5: Codified the Supreme Court's decision that “abortion is a Constitutional right and that states may not prohibit abortion prior to viability.” (Senator Townsend/18 additional and co-sponsors, 16 D, 2 R)

Why I'd vote no: To me, *Roe v. Wade* as a SCOTUS decision is in the category of the *Dred Scott* decision or *Plessy v. Ferguson*. Their interpretation of a “right to privacy” allowing a pregnancy to be terminated for simple convenience was completely wrong when faced with the truth that life is an inalienable right, endowed by our Creator. I pray a future Court will see the error of its ways and rescind this decision as *Plessy v. Ferguson* was later rescinded (but never actually overturned) by subsequent cases. (*Dred Scott* was rescinded by a war and the 14th Amendment.) Delaware's law that was on the books prohibited abortion except in the cases of rape, incest, or the life of the mother being at stake and required those who sought the procedure to have an interest in the state as a resident or worker within it. It was a solid law, and should have been maintained.

Disposition: The Senate barely passed this by an 11-7 margin, with the House following suit 22-16. To his everlasting shame, Governor Carney signed this June 8, 2017.

SB65: A ban on “conversion therapy.” (Senator McDowell/14 additional and co-sponsors, 13 D, 1 R)

Why I'd vote no: Aside from the legal language that differs between the states, this is a copy of the legislation that passed in Maryland this session. Like I said there, this is one of those slippery slope questions, and I think there is a lot more research to be done on this chicken or egg question before we eliminate this practice (save for any physical abuse that may occur with it.) After all, with the evidence that the suicide rate among transgenders is significantly higher than that of the general population, yet at the same time we have the most tolerant society in our history where homosexuality is more and more considered “normal,” something seems to be amiss. Why remove a tool from the tool box needlessly? Maybe it's because most of what is categorized as conversion therapy is faith-based? At worst it's intentionally leading youth down a path to a lifetime of misery.

Disposition: SB65 passed the Senate 12-3 before passing the House on a 24-14 vote. Of course, to placate the “rainbow mafia” Governor Carney eventually signed this, although he took a month and a half to do it on July 23, 2018.

SB144: Lowered the state's take on casino gaming while increasing purses for horse racing. (Senator Bushweller/21 additional and co-sponsors, 11 D, 10 R)

Why I'd vote yes: This is a case where the idea of lowering taxes trumps my opposition to this tax on the poor. The Fiscal Note predicts this bill will be a money-loser for the state, to the tune of nearly \$40 million over the next three years; however, the stick given to the carrot of waiving the licensing fee is that of requiring investment in the facilities, which would create some jobs. Better facilities and a lower tax may indeed spur this investment. Delaware isn't the only game in town anymore, and this bill was in response to the competition. (This state does it right by not enshrining its gambling in the Delaware Constitution, making it cumbersome to change like Maryland's is.) It's definitely not a bill that deserves my full-throated support but on balance I think it's a good thing – and given the vote it was almost a free four points.

Disposition: SB144 passed the Senate 17-3 before being amended and passing the House on a 35-4 vote. So back to the Senate it went, where it again passed by a 17-3 count. This was signed by Governor Carney on June 30, 2018.

SB151: Mandated contraceptive coverage for health insurance. (Senator Henry/15 additional and co-sponsors, 14 D, 1 R)

Why I'd vote no: I don't disagree or dispute that millions of women take birth control pills for treatment of maladies not related to preventing contraception. While the inclusion of the morning-after pill is also bothersome, my real objection lies in the fact it should be up to the insurer what to cover, and the consumer to be informed. It's a needless way to have insurance rates increased, even if only slightly.

Disposition: SB151 passed the Senate 17-4 and the House 39-1. Governor Carney's signature came on July 11, 2018 – another black mark for him.

SB165: Allows an employer or labor organization to “execute and apply an agreement requiring membership in a labor organization as a condition of employment, to the full extent allowed by federal law.” (Senator Walsh/14 additional and co-sponsors, 13 D, 1 R)

Why I'd vote no: This is nothing but a bald-faced response to the valid proposal to make Sussex County a right-to-work county.

Disposition: SB165 passed the Senate 12-8 and the House 25-13; of course Governor Carney signed it on June 30, 2018. To Sussex County I say keep fighting the good fight, in court if necessary.

SB170: Increases the minimum wage in Delaware to \$10.25 per hour by 2021 in 50-cent annual increments. (Senator Henry/8 additional and co-sponsors, all D)

Why I'd vote no: The true minimum wage is zero. We're basically giving a free 5% or larger raise to people who may not be increasing their value to the employer by 5%. The job that's not created might have been yours, or for someone you care about – and small business suffers, too.

Disposition: SB170 passed the Senate 11-10 and the House 21-18; needless to say Governor Carney signed it on July 1, 2018. It was a nearly immediate raise since employers have just three months to get ready.

SB200: Prohibits drilling for oil or natural gas in Delaware coastal zones and territorial waters. (Senator Lopez/15 additional and co-sponsors, 11 D, 4 R)

Why I'd vote no: Before we even see if there's any sort of marketable deposits of oil or natural gas, the state is foolishly taking this possible job creator off the table. The market should dictate whether oil is recoverable, not unfounded fears and scare tactics about a very safety-conscious industry.

Disposition: SB200 passed the Senate 16-1 and the House 38-1. Cooler heads apparently prevailed in Governor Carney's office, though, because he didn't sign this piece of trash within 30 days of session's end. Good on him for the pocket veto.

SB235: FY2019 state budget. (Senator McDowell/11 additional and co-sponsors, 7 D, 4 R)

Why I'd vote no: After struggling to concoct a budget in the 2017 session, Delaware must be fat and happy because they enacted a budget that was 4% larger than last year's. It's about 1% larger than TABOR rules (increases are limited to the sum of the percentage of population growth + year-over-year inflation) would dictate.

Disposition: Unlike the agony of the 2017 session, this one sailed through the House on a 40-0 vote and the Senate 19-1. Governor Carney signed it two days ahead of time, on June 28, 2018.

Legislative Accolades and Admonishments

At the conclusion of each two-year session I give out a series of awards and admonishments to deserving members of the Delaware General Assembly based on their voting records. As time goes on I will maintain the list of winners, with active winners in **bold**.

Unlike Maryland's version, though, these awards aren't yet named for deserving legislators. I'm sure in time they will be, although the process will be much slower in Delaware since this compilation is only done for even-numbered years.

RINO Huntee Award

You know, one would think a Republican would get more than 21% of the votes correct. But GOP principles don't seem to matter much to this veteran legislator from New Castle County who doesn't have to face voters until 2020. Combined with her frequent absences, she managed to put up one of the few single-digit scores a Republican has “achieved.” Maybe she'll be better as re-election approaches (should she decide to seek it, as she's been there for two decades and will be 70 years of age before the 2020 election) but I don't hold my breath that Senator **Catherine Cloutier** won't again win the Delaware RINO Huntee Award. If she wins it one more time, I might name it after her when she retires – she does have to retire, right?

Previous “winner” - **Catherine Cloutier** (2015-16)

Top (Blue) Dog Award

This award is given to the Democrat who ranks the highest in my ratings, showing signs that there is a small but rarely-seen centrist element to the Delaware Democratic Party. It's the way the aisle should be crossed. Unfortunately, this representative won't be back next time because **Bryon Short** opted not to seek re-election after 12 years in the House. The only good thing is that there may only be one Short in the chamber so perhaps they will finally place Daniel's name in the proper spot.

Previous winner: **William Carson** (2015-16).

Legislative All-Stars

Each year I give this award to those legislators who either rank atop their legislative body and/or score above 90 on the ratings. There was only one problem in Delaware: I had NO qualifiers, except for the person who finished first in each chamber, and that was by default. But I had a tie for first in the Senate, which had to be resolved by the better lifetime score because no one there had the requisite 90 points to automatically qualify.

So my one Legislative All-Star was the one with the best record in the Senate and higher lifetime score: Senator **Bryant Richardson**.

Previous All-Stars (still active): Senator **Colin Bonini** (LOY 2015-16), Representative **Richard Collins** (2015-16).

And finally...the Legislator of the Year

And I thought this was no contest last time. It was the VERY LAST bill that did my winner in, as he voted with everyone else present in the House for the FY2019 budget. Yet the winner's margin of victory evoked the [1973 Belmont Stakes](#) – the race where Secretariat clinched the Triple Crown by

winning by 31 lengths. My winner won by **30 points!** To put this in perspective, my overall average score wasn't even 30 points and over 2/3 of the Delaware General Assembly had a score less than his margin of victory.

Had he not voted for the budget, Representative **Richard Collins** would have made history as the first perfect score in the Delaware version's four year run. As it is, he set a record with 96 points and was an exceptionally deserving winner of the Legislator of the Year.

Previous winner: Senator **Colin Bonini** (2015-16).

Conclusion

First of all, my previous complaint still stands: on their vote charts Delaware needs to write the names last name first, so that “Johnson, J.” and “Johnson, Q.” will appear in their proper alphabetical place. The way they do it now is ridiculous. (That may automatically change since one each of the Johnsons and Shorts is leaving office. Then again, a Williams left some years back and the lone remaining Williams is still denoted with her initial.) Yet what also remains more ridiculous is the diminished state of the conservative opposition in Delaware, save for my Legislator of the Year. If this is the “Delaware Way,” it is sorely in need of change.

Having done this so long in Maryland, I found that this Delaware session was rather predictable: the state marches to the left, albeit with some needed reforms and tax cuts. The highlight of the term was eliminating the death tax, although it was negated by sticking transplant retirees while they were still alive by extending the timeline for transplants to qualify for a homestead exemption and increasing their real estate transfer tax.

But the staggered election cycle in Delaware creates an opportunity for something I should have adopted in Maryland. I have added three new columns to the tables to indicate the status of the member's re-election – opposed in primary, opposed in general, an open seat created by the member's retirement or seeking higher office, and (in the Senate) the office not being on the ballot in 2018. If the seat is open, I add the party designation of those who have filed.

So I can tell you that, barring a late successful write-in campaign in November, the Democrats already have themselves spotted a 13-6 advantage in the House of Representatives – they need to win just 8 of 22 contested elections to maintain their hold. Meanwhile, the Senate begins with Democrats holding 6 of the 11 seats not on the 2018 ballot – add in the four seats where the incumbent is unopposed or his/her party is unopposed for an open seat and the Democrats remain with an 8-7 advantage. They just need to split the six contested elections (3 for each party) to stay in control.

Obviously this election is important as it will lead into Governor Carney's 2020 re-election campaign. But it's also a chance for the GOP, as milquetoast as it seems to be in Delaware, to call some of the shots and have a voice. Obviously this plays to the “party over everything” crowd but I suspect this will move Carney more to the center and curb his leftist excesses at a time when “progressives” are ascendent in the Democrat Party.

Accountability charts begin on the next page.

Michael Swartz
August, 2018

	District	Yrs. Served	HB3	HB16	HB99	HB135	HB165	HB241	HB242	HB249	HB275	HB279	HB300	HB314	HB360	HB377	HB399	HB409	HB483	SB5	SB65	SB144	SB151	SB165	SB170	SB200	SB235	2017-18 Rating	Life Rating	Opposed in primary	Opposed in general	Seeking open seat	
Delegates																																	
Paul Baumbach	23	6	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	8	10	N	N		
Andria Bennett	32	6	Y	N	Y	Y	N	N	N	Y	Y	N	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	14	13	N	Y		
David Bentz	18	4	Y	N	Y	A	N	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	N	Y	Y	Y	Y	-3	-3	N	N			
Stephanie Bolden	2	8	Y	N	Y	Y	N	NV	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	0	4	Y	N		
Gerald Brady	4	12	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	A	NV	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	13	15	N	N		
Ruth Briggs King	37	9	N	Y	Y	N	Y	N	Y	Y	Y	N	Y	N	N	N	Y	N	N	N	N	Y	Y	N	N	NV	Y	62	61	N	N		
William Carson	28	11	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	10	21	N	Y		
Richard Collins	41	4	N	Y	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	Y	96	86	N	Y		
Timothy Dukes	40	6	N	Y	Y	N	Y	N	N	N	Y	Y	Y	Y	N	N	N	Y	N	N	N	Y	Y	N	N	Y	Y	64	56	N	N		
Ronald Gray	38	6	N	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y	N	N	Y	Y	N	N	N	Y	Y	N	N	Y	A	51	54	N	Y		
Debra Heffernan	6	8	Y	N	Y	Y	N	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	N	Y	Y	Y	Y	Y	-2	3	N	Y		
Kevin Hensley	9	4	Y	Y	N	N	N	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	N	N	Y	Y	N	N	Y	Y	34	33	N	Y		
Deborah Hudson	12	24	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	N	A	Y	Y	Y	A	NV	Y	Y	N	N	Y	Y	28	30	N	Y		
Earl Jaques, Jr.	27	10	Y	N	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	NV	NV	Y	Y	Y	Y	Y	4	9	N	N		
James Johnson	16	14	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	3	8	O	O	3 D, 1 R	
Quinton Johnson	8	10	Y	Y	Y	Y	N	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	10	13	N	Y		
Helene Keeley	3	22	Y	A	Y	A	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	A	Y	Y	Y	Y	Y	-6	3	O	O	3 D	
Harvey Kenton	36	8	N	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	Y	Y	48	46	O	O	1 D, 1 R	
John Kowalko	25	12	Y	N	Y	Y	N	N	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	14	18	N	N		
Valerie Longhurst	15	14	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	7	12	N	N		
Sean Lynn	31	4	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	7	Y	Y		

Italics – did not file for re-election

Bold – running for higher office

O – open seat.

	District	Yrs. Served	HB3	HB16	HB99	HB135	HB165	HB241	HB242	HB249	HB275	HB279	HB300	HB314	HB360	HB377	HB399	HB409	HB483	SB5	SB65	SB144	SB151	SB165	SB170	SB200	SB235	2017-18 Rating	Life Rating	Opposed in primary	Opposed in general	Seeking open seat	
Delegates																																	
Sean Matthews	10	4	Y	N	Y	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	10	11	N	Y		
Joseph Miro	22	20	Y	Y	A	N	Y	Y	Y	Y	Y	Y	Y	Y	N	NV	Y	Y	Y	N	NV	Y	A	A	N	Y	Y	21	28	O	O	2 D, 2 R	
John Mitchell	13	12	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-2	8	N	N			
Michael Mulrooney	17	20	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	12	13	O	O	3 D		
Edward Osienski	24	8	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	12	N	Y			
William Outten	30	14	N	Y	Y	N	Y	Y	N	N	Y	Y	Y	Y	N	N	Y	Y	Y	N	N	Y	Y	N	N	Y	52	50	O	O	1 D, 1 R		
Charles Paradee III	29	6	A	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	7	14	O	O	1 D, 1 R		
Charles Postles, Jr.	33	2	N	Y	Y	N	Y	N	N	N	Y	N	NV	N	N	N	N	Y	Y	N	N	Y	Y	N	N	Y	66	66	N	N			
Charles Potter, Jr.	1	6	Y	N	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	2	7	Y	N			
Michael Ramone	21	10	N	Y	Y	N	N	NV	NV	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	N	Y	Y	Y	A	N	Y	11	14	N	Y			
Peter Schwartzkopf	14	16	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	11	16	N	Y			
Bryon Short	7	12	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	18	15	O	O	5 D, 1 R, 1 L		
Daniel Short	39	12	N	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N	Y	Y	N	N	Y	35	45	N	N			
Melanie George Smith	5	16	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	N	Y	14	13	O	O	3 D		
Steve Smyk	20	6	N	Y	Y	N	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	NV	N	Y	28	40	N	Y			
Jeff Spiegelman	11	6	Y	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N	Y	Y	N	N	Y	30	37	N	N			
John Viola	26	20	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	A	Y	Y	Y	Y	A	Y	9	8	N	Y			
Kimberly Williams	19	6	Y	N	Y	Y	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	16	16	N	N			
David Wilson	35	10	N	Y	Y	N	N	Y	Y	Y	N	N	Y	A	N	N	N	Y	N	A	N	Y	Y	N	N	Y	38	43	O	O	2 R		
Lyndon Yearick	34	4	N	Y	A	N	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	Y	Y	N	N	Y	59	63	N	Y			

Italics – did not file for re-election
Bold – running for higher office

O – open seat.

Senators	District	Yrs. Served	HB3	HB16	HB99	HB135	HB165	HB241	HB242	HB249	HB275	HB279	HB300	HB314	HB360	HB377	HB399	HB409	HB483	SB5	SB65	SB144	SB151	SB165	SB170	SB200	SB235	2017-18 Rating	Life Rating	Opposed in primary	Opposed in general	Seeking open seat
Colin Bonini	16	24	Y	Y	N	A	Y	N	N	Y	N	N	Y	N	A	Y	Y	N	Y	A	A	Y	Y	N	N	N	N	40	63	N	N	
Brian Bushweller	17	10	Y	A	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	11	10	O	O	1 D, 2 R (1)
Catherine Cloutier	5	20*	A	Y	Y	A	N	A	A	Y	A	A	Y	Y	A	Y	Y	A	A	Y	Y	Y	Y	Y	N	A	A	1	4			
Anthony Delcollo	7	2	Y	Y	Y	NV	Y	N	Y	NV	Y	N	Y	Y	NV	Y	Y	Y	Y	N	Y	Y	Y	N	N	Y	Y	20	20			
Bruce Ennis	14	36*	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	6	14			
Stephanie Hansen	10	2	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	8	8	N	Y	
Margaret Rose Henry	2	24	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	6	7	O	O	4 D
Gerald Hocker	20	16*	N	Y	N	NV	Y	Y	Y	N	N	N	Y	N	N	Y	N	NV	Y	N	N	Y	N	N	N	Y	Y	60	57			
Gregory Lavelle	4	18*	Y	Y	Y	NV	Y	Y	Y	N	Y	Y	Y	N	A	Y	Y	Y	Y	NV	A	N	Y	N	N	Y	Y	12	9	N	Y	
Dave Lawson	15	8	N	Y	Y	N	Y	N	N	N	N	Y	Y	Y	N	N	A	N	N	N	N	Y	N	A	N	A	Y	64	46			
Ernesto Lopez	6	6	Y	Y	Y	N	Y	N	Y	N	Y	N	Y	N	N	N	Y	A	N	N	Y	N	Y	N	N	Y	Y	51	37	N	Y	
Robert Marshall	3	40	Y	N	Y	Y	N	N	N	Y	N	N	Y	Y	Y	Y	Y	Y	Y	N	NV	NV	N	Y	Y	Y	Y	10	13	O	O	2 D
David McBride	13	40*	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	7			
Harris McDowell	1	42	Y	N	NV	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	0	3			
Brian Pettyjohn	19	6	N	Y	N	NV	Y	Y	N	Y	Y	N	Y	N	N	Y	Y	N	Y	N	NV	Y	N	N	N	A	Y	44	42			
Nicole Poore	12	6	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	3	10			
Bryant Richardson	21	4	Y	Y	Y	N	Y	N	N	N	Y	N	Y	N	N	Y	N	Y	Y	N	N	Y	N	N	N	Y	Y	64	63	N	Y	
Gary Simpson	18	20	N	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	N	N	Y	N	Y	Y	N	NV	NV	Y	N	N	A	Y	35	29	O	O	1 R (2)
David Sokola	8	28	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	8	10			
Bryan Townsend	11	6	Y	N	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	16	13	N	Y	
John Walsh	9	2	Y	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	4	4			

*includes time in House.

O – open seat.

Italics – did not file for re-election

Shaded – Senate seat not on ballot in 2018.

(1) Seat Charles Paradee III is seeking.

(2) Seat David Wilson is seeking.