

# MICHAUD

FOR GOVERNOR

PO Box 1590  
Portland, ME 04104  
(207) 504-5494  
www.michaud2014.com

October 9<sup>th</sup>, 2014

Jonathan Wayne  
Maine Commission on Governmental Ethics & Election Practices  
135 State House Station  
Augusta, Maine 04333

Dear Jonathan,

On behalf of the Michaud for Maine campaign, I am writing in response to your request for a preliminary response in relation to the complaint filed by the Maine Republican Party (MRP) on October 7<sup>th</sup>, 2014.

Simply put, MRPs allegations are baseless, inaccurate and completely without merit.

Your request for preliminary response focused on two issues, which I will address in turn:

- 1) *Please explain the purpose of the November 14, 2013 payment of \$500 to the Maine AFL-CIO. Was this payment made for the purpose of influencing Rep. Michaud's nomination or election to the Office of Governor in the 2014 elections?*

No, the \$500 payment by Michaud for Congress to the AFL-CIO was in no way made for the purpose of influencing Rep. Michaud's nomination or election to the Office of Governor.

The \$500 was used to purchase a sponsorship of the 29<sup>th</sup> Maine AFL-CIO Biennial Convention. Sponsorship included an ad in the event program book congratulating 2013 award winner, Barbara Niccoli-Hiltz, a longtime AFL-CIO Senior Field Rep who'd worked with Congressman Michaud over the years and was retiring from the organization. A copy of the ad is included with this letter.

Congressman Michaud has attended the AFL-CIO convention almost every year he's been in Congress and has always been invited to speak at the events, as he did that year. Neither his attendance, nor his invitation to speak to the crowd was in any way contingent on the \$500 expenditure and had in fact been confirmed by phone by his scheduler months earlier after the original event invitation (attached) was sent to his office in July.

A rate sheet for the ad sponsorship, which was sent to the Congressional office long after they'd accepted the invitation to speak at the event, is also attached.

The \$500 payment by Michaud for Congress was sent to the AFL-CIO's general fund, a 501(c)(5) organization that does not make endorsements or engage in electoral activity on behalf of candidates.

MRP's complaint goes on to list several other disbursements made by the Michaud for Congress campaign account, none of which were used for the purpose of influencing the gubernatorial election.

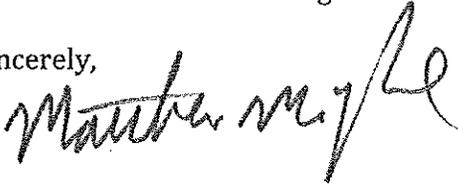
- *“\$7,900 to EqualityMaine, an activist organization that endorses candidates and endorsed Rep. Michaud”*
  - The \$7,900 in question was actually three separate disbursements—all of which were charitable contributions to the EqualityMaine FOUNDATION, a 501(c)(3) organization that does not endorse candidates or engage in political activity.
  - The EqualityMaine Foundation's mission is to educate the public about issues facing the LGBT community in Maine. Since winning marriage equality in 2012, the group's primary focus has been around anti-bullying for LGBT youth, an issue Congressman Michaud has always strongly supported.
  - Congressman Michaud has a long history of donating to the Foundation through his Congressional account going back to 2006.
  - There were actually three separate disbursements totaling \$7,900, namely for a sponsorship and ad celebrating EQME Foundation's 30<sup>th</sup> Annual Awards Banquet and tickets to the dinner.
  
- *“Food and beverages for campaign-style events, including the National Democratic Club”*
  - The Congressman has for 12 years used the Democratic Club for fundraisers for his Congressional campaigns. Once the Congressman announced for governor, the Congressman decided to keep his membership at the Democratic Club for incidental political meetings and lunches at a place near the Capitol when the House is in session. Payments to the National Democratic Club included \$480 in mandatory annual dues, \$210.88 for an outstanding bill for his last Congressional campaign fund-raiser which was held on July 31, 2013 (two weeks prior to his official announcement as a candidate for Governor), \$125.44 in late fees and \$201.88 in food and drink at four lunch and/or coffee meetings.
  - Additionally, food and beverage payments for so-called campaign style events included food and drink for Member Only Blue Dog Caucus meetings featuring local Maine food, official send-off lunches for departing Congressional staff and interns, and an outstanding bill that was received for a Congressional campaign event in 2012 at the Sea Dog in Bangor.

- *"A personal computer for Michaud himself, in the amount of \$1,989.10"*
  - Rather than use taxpayer money from the Member's Representational Allowance (MRA) to purchase a replacement computer for the Congressman to use, the Congressional office decided to use excess congressional campaign funds to provide him with a computer that he could use for congressional business. Additionally, given the strict prohibitions placed on the use of federal government computers, a computer bought with congressional campaign funds avoided any conflict or blurring of lines between personal or political email correspondence and official government email.
  
- *"Cellular and landline phone bills paid to Fairpoint and Verizon"*
  - It is customary for Members of Congress to maintain two cell phones: one for official government business and one for unofficial and/or political business. This is particularly important when Congress is in session and the Member must be in Washington, as it is unethical for political calls to be returned from government phones. Throughout his twelve years in Congress, the Michaud for Congress campaign has paid for a separate non-government phone for the Congressman. All payments to Verizon Wireless were for this purpose.
  - Landline payments to Fairpoint Communications were for final bills incurred at the Congressman's former Congressional campaign office located at 213 Lisbon Street.
  
- *"A \$1,150 hotel stay in Chicago, IL"*
  - This point in the MRP's claim further underscores the inaccurate and meritless nature of their complaint. The disbursement in question was used to pay for lodging for a Congressional staffer, House Veterans Affairs Committee Staff Director, Nancy Dolan, who attended a Democratic Caucus retreat in Cambridge, Maryland in February 2014.
  - It is standard and permissible practice for House and Senate offices to use Congressional campaign funds to send staff to Caucus meetings because using taxpayer funds through the Member's Representational Allowance is prohibited.
  - Congressman Michaud did not even attend the caucus event in question.
  - The only reason the Maryland-based event shows up as a Chicago, IL expense is because the Hyatt Hotel chain is headquartered in Chicago.

- *"Payments for consultants, contributions to liberal activist groups, phone bills, and more were made well into May 2014, nearly a year after Michaud terminated his candidacy for Congress"*
  - The consultant in question is Olson Consulting, Inc., which was paid approximately \$1,000 per month to maintain the Michaud for Congress database, collect and forward mail, cut checks when needed, pay final bills to the campaign, balance the check book, file reports with the Federal Election Commission, and organize the campaign's documents and physical inventory for filing. At no time was any consultant ever paid for any activity to influence or support Rep. Michaud's gubernatorial campaign.
  - The charge of "contributions to liberal activist groups" must refer to additional disbursements made through the Congressional account to support charitable organizations such as the Maine Women's Lobby (which does not endorse candidates); the Summit Project a 501(c)(3) organization that raises money to honor soldiers killed in action since September 11, 2001; Martin-Klein Post #133 to help build a veterans community center in Fort Kent; VFW Post 6187 to help build the Fort Fairfield Veterans Memorial; and Food & Medicine's Annual Harvest Fest, which provides Thanksgiving meals to laid off workers in the Bangor/Brewer area. None of those organizations provide any form of political advocacy in the gubernatorial election or in any other election in the state of Maine.

I look forward to discussing these issues with the Commission on Friday, October 10<sup>th</sup>.

Sincerely,



Matt McTighe  
Campaign Manager, Michaud for Maine

**Congratulations Barbara Niccoli-Hiltz!**  
**Thank you for your years of dedication and hard work!**



*I punched a time clock for 29 years at the Great Northern Paper Mill. I understand the challenges facing working and middle class families today, and I am committed to making sure our economy works for them. Our workers are our greatest resource, and I will do everything I can to ensure that they get the respect, recognition and protection they deserve." - **Mike Michaud***

PAID FOR BY MICHAUD FOR CONGRESS

**From:** Sarah Bigney [mailto:[sarah@maineafcio.org](mailto:sarah@maineafcio.org)]  
**Sent:** Friday, July 12, 2013 11:16 AM  
**To:** Smith, Diane  
**Subject:** Fall dates to mention

Hi Diane-

We have two invitations for Congressman Michaud to attend a couple of our fall events that I wanted to get on your radar.

First, we are again this year holding a Worker Candidate Training for union members and other workers who want to run for elected office. Last year Congressman Michaud spoke and it was a fantastic experience for our participants.

This year's class will be held on **September 28<sup>th</sup> and 29<sup>th</sup>** here at the Plumbers and Fitters hall in Augusta. I don't have specific times yet for either day, and can be flexible to accommodate his schedule as needed.

While I am at it, the other dates to flag is our State Fed Biennial Convention to be held **October 24 and 25<sup>th</sup> in Bangor**. Again, no specific agenda set in stone yet, but I wanted to get the dates on your calendar. We will be honoring Barbara Niccoli-Hiltz at our banquet awards dinner on Wednesday evening in celebration of her retirement from the National AFL-CIO.

Thanks! Hope you are well,

Sarah

Sarah Bigney  
Maine AFL-CIO  
622-9675 (w)  
356-7322 (c)

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*President*

**Don Berry**

maineafcio@yahoo.com

# **MAINE AFL-CIO**

**A Union of Unions Fighting for Maine Workers**

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Visit our website: [www.maineafcio.org](http://www.maineafcio.org)

 [facebook.com/maineafcio](https://facebook.com/maineafcio)



*Vice President*

**Pat Carleton**

cpcarleton@yahoo.com



*Secretary Treasurer*

**Alan Shepard**

ashepard@ibew567.com

September 20, 2013

Dear Friend,

We want to extend you an invitation to join us in honoring and celebrating Maine's workers and union members at the Maine AFL-CIO 29th Biennial Convention during the Thursday evening dinner and celebration on October 24th, 2013 from 6:00pm-8:00pm.

As delegates from local unions across the state converge to chart the course of the Maine AFL-CIO, we take the evening to recognize the contributions of workers, activists, and leaders.

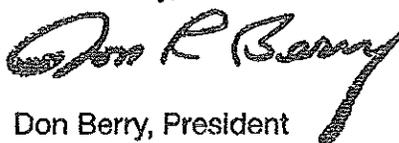
This year, among others, we will be honoring AFL-CIO Senior Field Representative Barbara Niccoli-Hiltz with the Maine AFL-CIO President's Award. Barbara has recently retired after logging decades of hard work and countless miles in the fight for workers' rights. We are thrilled to celebrate her unmatched dedication.

In addition to Barbara Niccoli-Hiltz, the newly-organized International Association of Machinists- Maine Lobsterman Union Local 207 will be awarded the Solidarity Award, and Representative Adam Goode of Bangor will be awarded with Edie Beaulieu Legislative Award for his fierce leadership in advocating for working families and fighting growing inequality.

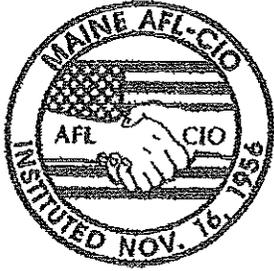
We hope you will be able to join us as we honor Maine's workers.

Information on tickets to the dinner is enclosed. You will also find information enclosed on how you can place an ad in our program book, which is distributed to all union delegates and guests, and on how you can join the Welcoming Committee for the Dinner & Celebration.

In Solidarity,



Don Berry, President  
Maine AFL-CIO



# Maine AFL-CIO 2013 Biennial Convention Program Book October 24 - 25, 2013



As part of the 2013 Biennial Convention we will be putting together a program book for the Convention. We would greatly appreciate your support with the purchase of an ad in the program book.

This year, we will be honoring AFL-CIO Senior Field Representative, Barbara Niccoli-Hiltz, who has retired this year. You are welcome to show your appreciation for her dedication and hard work to the labor movement in your ad if you would like.

If you would like to run an ad and need help designing it, please contact Stacy, [stacy@maineaflcio.org](mailto:stacy@maineaflcio.org); 622-9675. Ad rates and information needed are below.

## Program Book

### Advertising Rates

*Back Cover outside & host committee listing	\$2,750
*Front Inside cover & host committee listing	\$2,500
*Back Inside cover & host committee listing	\$2,000
*Front Page & host committee listing	\$1,000
*Full Page & host committee listing	\$500
Full Page	\$300
Half Page	\$200
¼ Page	\$100
1/8 Page	\$85

Ad Deadline: Friday, October 4<sup>th</sup>

\* Includes host listing on the Barbara Niccoli-Hiltz Retirement Dinner Welcoming Committee.

Program Book will be 8.5X11  
Send checks to Maine AFL-CIO  
21 Gabriel Drive, Augusta, ME 04330

Ad Specs - Ads should be black and white in PSD, TIFF, PDF, JPEG, or BMP image file formats with resolution set to maximum quality or 300 dpi. We can also accept camera ready artwork that is actual size for scanning. Email ads to [stacy@maineaflcio.org](mailto:stacy@maineaflcio.org) with "Biennial Convention ad" in the subject line. Please call the Maine AFL-CIO at 207-622-9675 with any questions.