



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2358

DATE FILMED 7/29/87 CAMERA NO. 2

CAMERAMAN AS

870405518899

PUBLIC RECORDS INDEX - 2358

1. Memo, 12 Feb 87, John D. Gibson (Reports Analysis Division) to Charles N. Steele, Subject: Reports Analysis Division Referral, Laborers' Local 91 Political Action Fund.
2. First General Counsel's Report, 2 Mar 87.
3. Memo, 2 Mar 87, Office of General Counsel (OGC) to Office of the Commission Secretary (OCS), Subject: First General Counmsel's Report.
4. Certification of Commission action, dtd 5 Mar 87.
5. Ltr, dtd 9 Mar 87, Scott E. Thomas (Chairman, FEC) to Louis A. Mari (Treas, Laborers' Local 91 (PAF)).
6. Ltr, dtd 16 Mar 87, Stuart M. Pohl to FEC, w/encl (Designation of Counsel, S.M. Pohl for L.A. Mari & Local 91).
7. Ltr, dtd 16 Mar 87, S.M. Pohl, Esq. to FEC.
8. General Counsel's Report, 30 Mar 87.
9. Memo, 30 Mar 87, OGC to OCS, Subject: General Counsel's Report.
10. Certification of Commission Action, 2 Apr 87.
11. Ltr, 6 Apr 87, L.M. Noble to S.M. Pohl.
12. Ltr, 17 Jun 87, S.M. Pohl to FEC.
13. General Counsel's Report, 9 July 87.
14. Memo, 9 July 87, OGC to OSC, Subject: General Counsel's Report, signed 9 July 87.
15. Certification of Commission Action, dtd 13 July 87.
16. Closing ltr, dtd 15 July 87, L.M. Noble to S.M. Pohl, w/encl (Executed Conciliation Agreement).

-END-

NOTE: In preparing its file for the public record, O.G.C. routinely removes those documents in which it perceives little or no public interest, and those documents, or portions thereof, which are exempt from disclosure under the Freedom of Information Act.

8704051890



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 12, 1987

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF THE LABORER'S LOCAL 91 POLITICAL
ACTION FUND

This is a Combination Non-Filer/Chronic Late Filer referral of the Laborer's Local 91 Political Action Fund ("Local 91"). Local 91 failed to file three (3) reports in a timely manner during the 1985-1986 election cycle. In addition, Local 91 failed to file the 1986 12 Day Pre-General Election Report by Election Day, November 4, 1986. According to the 1985-1986 RAD Review and Referral Procedures for Unauthorized Committees (Standards 3 and 4), further examination is required by your office.

If you have any questions concerning this matter, please contact Tamara K. Rollins at 376-2480.

Attachment

87040551891

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: February 12, 1987ANALYST: Tamara K. Rollins

I. COMMITTEE:

Laborer's Local 91 Political Action Fund
C00155069
Louis A. Mari, Treasurer
2556 Seneca Avenue
Niagara Falls, NY 14305

II. RELEVANT STATUTE:

2 U.S.C. §434(a)(4)(A)(i), (ii) and (iv)
11 CFR 104.5(c)(1)(i) and (ii)
11 CFR 104.5(c)(2)(i)(B)

III. BACKGROUND:

Chronic Late Filing of Reports and Failure to File the 12 Day Pre-General Election Report by Election Day

The Laborer's Local 91 Political Action Fund ("Local 91") failed to file three (3) Reports of Receipts and Disbursements in a timely manner for the 1985-1986 election cycle (see Chart). The reports were filed between twenty-five (25) and thirty-eight (38) calendar days late.

On May 23, 1986, a Chronic Late Filing Notice was sent to Local 91 for failing to file the 1985 Year End and 1986 April Quarterly Reports in a timely manner (Attachment 8). The Notice advised Local 91 that any additional late filing of reports may result in legal enforcement action.

On September 29, 1986, Local 91 was notified that all committees making contributions or expenditures in connection with the general election during the period ending October 15, 1986 must file a pre-election report by October 23, 1986 if such activity has not previously been disclosed (Attachment 9).

Subsequent to the sending of the Chronic Late Filing Notice, Local 91 filed the 1986 12 Day Pre-General Election Report late (Attachment 10). The report disclosed a \$500

8704051892

LABORER'S LOCAL 91 POLITICAL
ACTION FUND
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

contribution to one (1) federal candidate on October 10, 1986 indicating that a 12 Day Pre-General Report should have been filed by October 23, 1986.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

8704051893

8 7 0 4 0 5 1 8 9 4

LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1985 Year End <u>1/</u> (10/1/85-12/31/85)	12/20/85 (Attachment 2)	1/31/86	2/25/86 (Attachment 3)	3/10/86 (Attachment 4)
1986 April Quarterly (1/1/86-3/31/86)	3/21/86 (Attachment 5)	4/15/86	5/7/86 (Attachment 6)	5/12/86 (Attachment 7)
1986 12 Day Pre-General (10/1/86-10/15/86) <u>2/</u>	9/29/86 (Attachment 9)	10/23/86	N/A	11/17/86 (Attachment 10)

1/ Quarterly reports were filed for 1985. Local 91 filed a 30 Day Post-Primary Report covering 6/30/85-9/10/85 on October 18, 1985. The October Quarterly Report covered 9/11/85-9/30/85 and was filed on November 18, 1985.

2/ This report actually covered from 10/1/86 to 11/4/86.

LABORER'S LOCAL 91 POLITICAL
ACTION FUND
REPORTS ANALYSIS OGC REFERRAL
PAGE 3

8 7 0 4 0 5 1 3 9 5
FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (85-86)

DATE 11FEB87
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
LABORER'S LOCAL 91 POLITICAL ACTION FUND CONNECTED ORGANIZATION: LABORERS' INT'L UNION OF NORTH AMERICA				NON-PARTY QUALIFIED	ID #C00155069	
1985	APRIL QUARTERLY	5,375	4,248	1JAN85 -31MAR85	6	85FEC/372/3301
	APRIL QUARTERLY - AMENDMENT	5,375	4,248	1JAN85 -31MAR85	8	85FEC/390/5003
	REQUEST FOR ADDITIONAL INFORMATION			1JAN85 -31MAR85	1	85FEC/390/1893
	JULY QUARTERLY	5,951	3,907	1APR85 -30JUN85	6	85FEC/383/3196
	POST-PRIMARY	5,154	12,089	30JUN85 -10SEP85	6	85FEC/389/3848
	OCTOBER QUARTERLY	1,220	5,600	11SEP85 -30SEP85	4	85FEC/391/0819
	YEAR-END	5,938	10,100	1OCT85 -31DEC85	6	86FEC/404/3248
	NOTICE OF FAILURE TO FILE			31DEC85	1	86FEC/403/3654
1986	MISCELLANEOUS NOTICE FROM FEC			23MAY86	1	86FEC/415/2754
	APRIL QUARTERLY	4,554	4,705	1JAN86 -31MAR86	5	86FEC/413/3699
	NOTICE OF FAILURE TO FILE			1JAN86 -31MAR86	1	86FEC/413/2984
	JULY QUARTERLY	3,861	3,965	1APR86 -30JUN86	5	86FEC/423/2300
	PRE-PRIMARY	5,964	1,422	15JUL86 - 8SEP86	5	86FEC/433/4171
	OCTOBER QUARTERLY	4,791	2,836	9SEP86 -30SEP86	5	86FEC/437/0287
	PRE-GENERAL	4,771	1,995	1OCT86 - 4NOV86	5	86FEC/444/1752
	POST-GENERAL	6,572	410	5NOV86 - 4DEC86	4	86FEC/451/1629
	YEAR-END	4,717	944	4DEC86 -31DEC86	5	87FEC/459/4651
	TOTAL	58,868	0	52,221	0	74 TOTAL PAGES

All reports except the 1986 Year End Report have been reviewed.
Ending cash-on-hand as of 12/31/86: \$56,634
Outstanding debts owed by the committee as of 12/31/86: \$0

YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

December 20, 1985

WHO MUST FILE

ALL PARTY COMMITTEES, NON-CONNECTED COMMITTEES, AND SEPARATE SEGREGATED FUNDS must file a year-end report by January 31, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for the last report through December 31, 1985. Political committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration* through December 31, 1985. For more detailed instructions, consult your campaign guide.

FILING DATE

Reports sent by registered or certified mail must be postmarked no later than midnight January 31, 1986. Reports hand delivered or mailed first class must be received no later than close of business January 31, 1986.

WHERE TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

COMPLIANCE

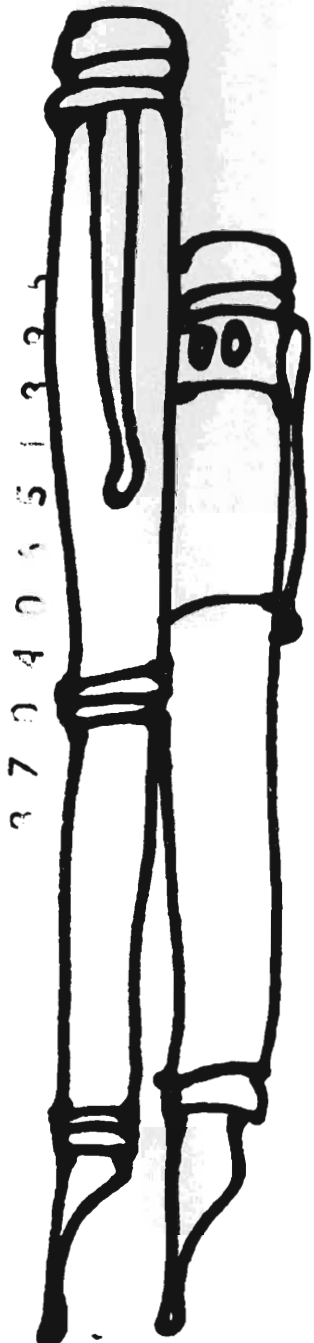
Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

1986 FILING REQUIREMENTS

See the January 1986 issue of the FEC Record for filing requirements during 1986. A committee that wishes to change its reporting schedule (e.g. from semiannually in 1985 to monthly—rather than quarterly in 1986) must notify the Commission by submitting a letter with the next report due under its current reporting schedule.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

FOR INFORMATION CALL: Information Services Division
202/523-4068 or 800/424-9530



**FEDERAL ELECTION COMMISSION**

WASHINGTON DC 20463

NY-7

February 25, 1986

Louis A. Mari, Treasurer
Laborer's Local 91 Political
Action Fund
2556 Seneca Avenue
Niagara Falls, NY 14304

Identification Number: C00155069

Reference: Year-End Report

Dear Mr. Mari:

It has come to the attention of the Federal Election Commission that you may have failed to file the above-referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date and coverage dates of the report.

The Commission notes that your committee has filed a partial report. It is necessary to submit a report covering the entire reporting period for your filing to be considered complete.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent state officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Doris Gardner on our toll-free number (800) 424-9530. Our local number is (202) 424-2480.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

36 MAR 10 P 1:26

(Summary Page)

<p>1. Name of Committee (in Full) LABORERS' LOCAL NO. 91 POLITICAL ACTION FUND</p> <p>Address (Number and Street) 2556 Seneca Ave.</p> <p>City, State and ZIP Code Niagara Falls, NY 14305</p> <p><input type="checkbox"/> Check if address is different than previously reported.</p> <p>2. FEC Identification Number CC 0155069</p> <p>3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____ (date)</p>	<p>4. TYPE OF REPORT (check appropriate boxes)</p> <p>(a) <input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input checked="" type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Non-election Year Only) <input type="checkbox"/> Monthly Report for _____ <input type="checkbox"/> Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____ <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report</p> <p>(b) Is this Report an Amendment? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

SUMMARY		Column A This Period	Column B Calendar Year-to-Date
5. Covering Period	10/1/85 Through 12/31/85		
6. (a) Cash on Hand January 1, 1985			\$ 49,985.03
(b) Cash on Hand at Beginning of Reporting Period		\$ 41,841.71	
(c) Total Receipts (from Line 10)		\$ 5,938.86	\$ 23,640.16
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 47,780.57	\$ 73,625.19
7. Total Disbursements (from Line 20)		\$ 10,100.53	\$ 35,945.15
8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))		\$ 37,680.04	\$ 37,680.04
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		\$ -	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$ -	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800-424-9530
Local 202-423-4888

Louis A. Maci
Type or Print Name of Treasurer

Louis A. Maci
SIGNATURE OF TREASURER

3/2/86
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437c

All previous versions of FEC FORM 3 and FEC FORM 2s are obsolete and should no longer be used.

--	--	--	--	--	--	--	--	--	--

FEC FORM 31 (3/80)

87040635213308

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS**March 21, 1986****WHO MUST FILE**

ALL Party Committees, Non-connected Committees and Separate Segregated Funds, except those filing monthly (see below), must file a quarterly report by April 15, 1986.

WHAT MUST BE REPORTED

The report must disclose all financial activity that occurred from the close of books for last report filed through March 31, 1986. Political committees that have not previously filed a financial disclosure report should report all financial activity through March 31, 1986.* For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Reports sent by registered or certified mail must be postmarked no later than midnight April 15, 1986. Reports hand delivered or mailed first class must be received no later than close of business April 15, 1986.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS

Committees that file on a monthly schedule must file their next report by April 20, 1986, and disclose all financial activity of their committee from March 1 through March 31, 1986. (See the schedule of monthly reports on the reverse side.)

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).

-over-



REMINDERS**QUARTERLY FILES**

Committees that make contributions or expenditures (including independent expenditures) in connection with an election, must file a pre-election report if this activity has not been previously disclosed. See the January 1986 issue of the Federal Election Commission Record for primary election filing requirements.

MONTHLY FILES

Committees that file monthly must follow the schedule below. Pre-general election reports sent by registered or certified mail must be postmarked no later than midnight October 20, 1986. All other reports sent by registered or certified mail must be postmarked no later than midnight on the filing date in order to be timely. Reports hand delivered or mailed first class must be received by close of business on the filing date.

REPORT	PERIOD COVERED			FILING DATE
February	01/01	-	01/31	02/20/86
March	02/01	-	02/28	03/20/86
April	03/01	-	03/31	04/20/86
May	04/01	-	04/30	05/20/86
June	05/01	-	05/31	06/20/86
July	06/01	-	06/30	07/20/86
August	07/01	-	07/31	08/20/86
September	08/01	-	08/31	09/20/86
October	09/01	-	09/30	10/20/86
Pre-election	10/01	-	10/15	10/23/86
Post-election	10/16	-	11/24	12/04/86
Year-End	11/25	-	12/31	01/31/87

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c)(2) and (3) for information concerning where to file.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

87040551900



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20541

HQ-7

May 7, 1986

Louis A. Mari, Treasurer
Laborer's Local 91 Political
Action Fund
2556 Seneca Avenue
Niagara Falls, NY 14304

Identification Number: C90155069

Reference: April Quarterly Report (1/1/86-3/31/86)

Dear Mr. Mari:

It has come to the attention of the Federal Election Commission ("the Commission") that you may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were notified previously of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or the relevant portions should also be filed with the Secretary of State or equivalent state officer. See 2 U.S.C. §439.

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Tammy Rollins on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script, reading "John D. Gibson".

John D. Gibson
Assistant Staff Director
Reports Analysis Division

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

FEC

(Summary Page)

6 MAY 1986

ALIGN AREA

1 Name of Committee (in Full)

LABORERS' LOCAL NO. 91
POLITICAL ACTION FUND

Address (Number and Street)

2556 Seneca Ave.

City, State and ZIP Code

Niagara Falls, NY 14305

☐ Check here if address is different than previously reported.

2 FEC Identification Number

CC 0155069

3 ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☒ April 15 Quarterly Report ☐ October 15 Quarterly Report☐ July 15 Quarterly Report ☐ January 31 Year End Report☐ July 31 Mid Year Report (Non-Election Year Only)☐ Monthly Report for _____☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☐ Termination Report

(b) Is this Report an Amendment?

☐ YES☐ NO

SUMMARY

5 Covering Period 1/1/86 through 3/31/866 (a) Cash on hand January 1, 19 86

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and
Lines 6(a) and 6(c) for Column B)

(e) Total Disbursements (from Line 28)

(f) Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

(g) Liabilities Owed TO The Committee
(from Schedule C or Schedule D)(h) Liabilities Owed BY the Committee
(from Schedule C or Schedule D)COLUMN A
This PeriodCOLUMN B
Calendar Year to Date

\$ 37,680.04

\$ 37,680.04

\$ 4,554.96

\$ 42,235.00

\$ 4,705.00

\$ 37,530.00

\$ -

\$ -

I, _____, have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type of Print Name of Treasurer: James A. MoriSignature of Treasurer: James A. MoriDate: 5/1/86

NOTE: Submit this report to the Federal Election Commission or the State Election Commission.

AP: earlier versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used

FEC FORM 3-1985



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20461

MS-L

MAY 23 1986

Louis A. Mari, Treasurer
 Laborer's Local 91 Political
 Action Fund
 2556 Seneca Avenue
 Niagara Falls, NY 14304

Identification Number: C00155069

Reference: 1985-1986 Election Cycle Reports

Dear Mr. Mari:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may have violated 2 U.S.C. §434(a), by failing to timely file Reports of Receipts and Disbursements. The following is a list of the reports in question.

<u>Report Type</u>	<u>Due Date</u>	<u>Date Filed</u>
Year End Report (10/1/85-12/31/85)	1/31/86	3/10/86
April Quarterly Report (1/1/86-3/31/86)	4/15/86	5/12/86

Timely filing is a specific requirement of the Federal Election Campaign Act ("the Act") and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views the untimely filing of reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending before the Commission, any additional report which is not submitted in a timely manner by your committee may result in the Commission initiating legal enforcement or audit action.

You may submit a letter of explanation in response to this notification. If, however, you have any questions, please feel free to contact Tammy Rollins on our toll-free number, (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

Lisa J. Stolaruk
 Chief, Party/Non-Party Branch
 Reports Analysis Division

0034152754

GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

September 29, 1986

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT

ALL COMMITTEES that file monthly reports must file the pre-general election report due October 23, 1986.

All COMMITTEES that file quarterly that have made contributions or expenditures (including independent expenditures and coordinated party expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

WHAT MUST BE REPORTED

Quarterly filers must disclose all financial activity from the close of books of the last report, or from the date of registration* (whichever is later), through October 15, 1986. (Monthly filers must disclose all financial activity from October 1 or from the date of registration* (whichever is later), through October 15, 1986.) For more detailed instructions, consult your campaign guide.

WHEN TO FILE

Pre-general election reports sent registered or certified mail must be postmarked no later than midnight October 20, 1986. Reports hand delivered or mailed first class must be received no later than close of business October 23, 1986.

WHO MUST FILE THE POST-GENERAL ELECTION REPORT

ALL COMMITTEES must file the post-general election report due December 4, 1986, regardless of election activity.

WHAT MUST BE REPORTED

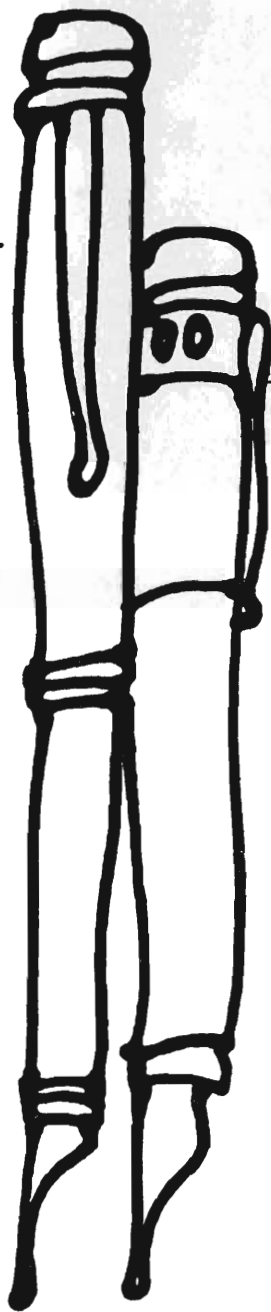
The report must disclose all financial activity from the close of books of the last report, or the date of registration* (whichever is later), through November 24, 1986.

WHEN TO FILE

Post-general election reports sent by registered or certified mail must be postmarked no later than midnight December 4, 1986. Reports hand delivered or mailed first class must be received no later than close of business December 4, 1986.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received or disbursed during the current reporting period. See 11 CFR 104.3(a) and (b).

8704051004



QUARTERLY FILERS

<u>Name of Report</u>	<u>Period Covered</u>	<u>Reg./Cert. Mailing Date</u>	<u>Filing Date</u>
Oct. Quarterly	07/01 1 - 09/30	10/15/86	10/15/86
Pre-General	10/01 - 10/15	10/20/86	10/23/86
Post-General ^{2/}	10/16 - 11/24	12/04/86*	12/04/86*
Year-End	11/25 - 12/31	01/31/87	01/31/87

MONTHLY FILERS

<u>Name of Report</u>	<u>Period Covered</u>	<u>Reg./Cert. Mailing Date</u>	<u>Filing Date</u>
Oct. Monthly	09/01 1 - 09/30	10/20/86	10/20/86
Pre-General	10/01 - 10/15	10/20/86	10/23/86
Post-General	10/16 - 11/24	12/04/86*	12/04/86*
Year-End	11/25 - 12/31	01/31/87	01/31/87

*Follow these dates for mailing and filing the post-general report. Disregard dates shown on the October Quarterly Report Notice dated September 19, 1986.

INDEPENDENT EXPENDITURES

Any independent expenditure aggregating \$1,000 or more and made between 2 and 20 days before an election must be reported within 24 hours after the expenditure is made. See 11 CFR 104.4(c) (2) and (3) for information concerning where to file.

WHERE AND HOW TO FILE

Committees should consult the instructions on the enclosed FEC Form 3X, for details.

COMPLIANCE

Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is also a serious violation. Offending committees are subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted, and committees filing such documents will be required to refile.

^{1/}Or from date of registration, or the close of books of the last report filed, whichever is later.

^{2/}Reports filed by committees that did not file the pre-general election report should cover all financial activity from the closing date of the last report or from the date of registration (whichever is later), through November 24, 1986. See the footnote on the reverse side.

FOR INFORMATION CALL: Information Services Division
800/424-9530 or 202/376-3120

8704051905

REPORT OF RECEIPTS AND DISBURSEMENTS For a Political Committee Other Than an Authorized Committee

(Summary Page)

86 NOV 17 10:16

1. Name of Committee (in Full) LABORERS' LOCAL NO. 91 POLITICAL ACTION FUND		4. TYPE OF REPORT (Check appropriate box)	
Address (Number and Street) 2556 Seneca Ave.		<input type="checkbox"/> April 15 Quarterly Report <input type="checkbox"/> October 15 Quarterly Report <input type="checkbox"/> July 15 Quarterly Report <input type="checkbox"/> January 31 Year End Report <input type="checkbox"/> July 31 Mid Year Report (Election Year Only) <input type="checkbox"/> Monthly Report for _____ <input checked="" type="checkbox"/> Twelfth day report preceding <u>General</u> <small>(Type of Election)</small> election on <u>Nov. 4</u> in the State of <u>NY</u> <input type="checkbox"/> Thirtieth day report following the General Election on _____ in the State of _____ <input type="checkbox"/> Termination Report	
City, State and ZIP Code Niagara Falls, NY 14305		<input type="checkbox"/> Check here if address is different than previously reported	
2. FEC Identification Number CC 0155 069		(b) Is this Report an Amendment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
3. <input type="checkbox"/> This committee qualified as a multicandidate committee during this Reporting Period on _____			

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>10/1/86</u> through <u>11/4/86</u>			
6. (a) Cash on hand January 1, 19 <u>86</u>			\$ 37,680.04
(b) Cash on Hand at Beginning of Reporting Period		\$ 43,923.32	
(c) Total Receipts (from Line 18)		\$ 4,771.11	\$ 23,943.34
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 48,694.43	\$ 61,623.38
7. Total Disbursements (from Line 28)		\$ 1,995.00	\$ 14,923.95
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 46,699.43	\$ 46,699.43
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)		\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		\$	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Louis A. Mari
Type or Print Name of Treasurer

Louis A. Mari
SIGNATURE OF TREASURER

William
Date

For further information contact:
Federal Election Commission
550 E Street, N.W.
Washington, D.C. 20543
Tel. (202) 456-9520
Telex 255 376-3125

NOTE: Submission of false, erroneous or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of PFC FORM 3 and PFC FORM 3a are obsolete and should no longer be used.

--	--	--	--	--	--	--	--	--	--

FEC FORM 3X (3/80)

**DETAILED SUMMARY PAGE
of Receipts and Disbursements
Page 2, FEC FORM 280**

(Page 2 of 3)

LABORERS' LOCAL NO. 91 POLITICAL ACTION FUND		Report Making To Term From: <u>10/1/86</u> To: <u>11/4/86</u>	
		COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
I. RECEIPTS			
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees	4,771.11	23,943.34	11(a)
(b) Political Party Committees			11(b)
(c) Other Political Committees			11(c)
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))	4,771.11	23,943.34	11(d)
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			12
13. ALL LOANS RECEIVED			13
14. LOAN REPAYMENTS RECEIVED			14
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			15
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			16
17. OTHER RECEIPTS (Donations, Interest, etc.)			17
18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)	4,771.11	23,943.34	
II. DISBURSEMENTS			
19. OPERATING EXPENDITURES	370.00	6,003.95	19
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES			20
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			21
22. INDEPENDENT EXPENDITURES (see Schedule E)			22
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. § 441 (d)) (Use Schedule F)			23
24. LOAN REPAYMENTS MADE			24
25. LOANS MADE			25
26. REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees			26(a)
(b) Political Party Committees			26(b)
(c) Other Political Committees			26(c)
(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))			
27. OTHER DISBURSEMENTS	1,625.00	8,920.00	27
28. TOTAL DISBURSEMENTS (Add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	1,995.00	14,923.95	28
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)	4,771.11	23,943.34	29
30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)	-	-	30
31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)	4,771.11	23,943.34	31
32. TOTAL OPERATING EXPENDITURES from Line 19	370.00	6,003.95	32
33. OFFSETS TO OPERATING EXPENDITURES from Line 15	-	-	33
34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)	370.00	6,003.95	34

8703281517307

[Handwritten signature]

SCHEDULE B

ITEMIZED DISBURSEMENTS

Use separate sheets for each category of the Detailed Summary Page

PAGE 3

FOR LINE NUMBER 27

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

LABORERS' LOCAL NO. 91 POLITICAL ACTION FUND

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Friends of Henry Nowak 108 Vern Lane Cheektowaga, NY 14227	Donation Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/10/86	500.00
B. Full Name, Mailing Address and ZIP Code Niagara Falls Democratic Women's Club 610-75th St. Niagara Falls, NY 14304	10 Tickets Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/23/86	100.00
C. Full Name, Mailing Address and ZIP Code Committee to Elect Judge Koshin P.O. Box 2132 Niagara Falls, NY 14302	15 Tickets Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/27/86	525.00
D. Full Name, Mailing Address and ZIP Code Friends of Mary Lou Rath 46 Stanton Williamsville, NY 14221	Donation Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	11/3/86	500.00
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

1,625.00

TOTAL This Period (last page this line number only)

1,625.00

87040513

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:

RAD REFERRAL # 87NF-44
STAFF MEMBER:
L. Tobey

SOURCE OF MUR: **I N T E R N A L L Y G E N E R A T E D**

RESPONDENTS' NAMES: Laborers' Local 91 Political Action Fund,
and Louis A. Mari, as treasurer

RELEVANT STATUTE: 2 U.S.C. §§ 434(a)(4)(A)(i), and (ii)
and (iv)

INTERNAL REPORTS
CHECKED: 1986 Committee Reports

FEDERAL AGENCIES
CHECKED: None

87 MAR 2 P 4:22

GENERATION OF MATTER

This matter arose as a referral from the Reports Analysis
Division, (hereinafter, "RAD").

SUMMARY OF ALLEGATIONS

The Laborers' Local 91 Political Action Fund, and Louis A.
Mari, as treasurer (hereinafter, "Local 91 PAF" or "Respondents")
violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv) by failing to
file three reports in a timely manner for the 1985-86 election
cycle.

FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign of 1971, as amended
(hereinafter, "the Act") requires that in years in which there is
a regularly scheduled federal election, political committees
(other than the authorized political committees of candidates)
which elect to file quarterly reports shall file their reports no

8704051909

later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i). Thus, the 1986 April Quarterly Report was due no later than April 15, 1986.

The Act further provides that if a committee makes a contribution to or an expenditure on behalf of a candidate in any election, that committee shall file a pre-election report, which shall be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) such election, and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii). Thus, the 1986 12-Day Pre-General Election Report was due no later than October 23, 1986.

The Act further provides that in calendar years in which there is no regularly scheduled federal election, committees shall file a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(iv). Thus, the 1985 Year End Report was due no later than January 31, 1986.

The Laborers' Local 91 Political Action Fund is a political committee registered with the Commission. RAD reported that Local 91 PAF failed to file three reports in a timely manner during the 1985-86 election cycle as follows:

<u>REPORT</u>	<u>DATE DUE</u>	<u>DATE FILED</u>	<u>DAYS LATE</u>
1985 Year End	January 31, 1986	March 10, 1986	38
1986 April Quarterly	April 15, 1986	May 12, 1986	27
1986 12 Day Pre-General Election	October 23, 1986	November 17, 1986	25

Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv).

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv).
3. Approve and send the attached Factual and Legal Analysis.
4. Approve and send the attached letter.

Charles N. Steele
General Counsel

Date

3/2/87

BY:

Lawrence M. Noble
Deputy General Counsel

Attachments:

- I. RAD Referral
- II. Proposed Factual and Legal Analysis
- III. Proposed letter to Respondents (1)

87040651912

Attachment(s) 1, 2, 3
to First General Counsel's Report
have been removed from this
position in Public Record File.
See Index Item(s) 1, 5



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *rd*
DATE: March 2, 1987
SUBJECT: RAD Ref. 87NF-44 - First General Counsel's Rpt.

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [X]
Sensitive [X]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [xx]

Audit Matters []

Litigation []

Closed MUR Letters []

Status Sheets []

Advisory Opinions []

Other (see distribution below) []

87040551913

8704051914

RAD Ref. 87NF-44 (muf 2350)

RAD Ref. 87NF-4

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 5, 1987, the Commission decided by a vote of 5-0 to take the following actions in RAD Ref. 87NF-44:

1. Open a MUR.
2. Find reason to believe that the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv).
3. Approve and send the Factual and Legal Analysis, as recommended in the First General Counsel's Report signed March 2, 1987.
4. Approve and send the letter, as recommended in the First General Counsel's Report signed March 2, 1987.

Commissioners Aikens, Elliott, McDonald, McGarry,
and Thomas voted affirmatively for the decision;
Commissioner Josefiak did not cast a vote.

Attest:

3-5-87

Date _____

Majorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 9, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Louis A. Mari, Treasurer
Laborers' Local 91 Political Action Fund
2556 Seneca Avenue
Niagara Falls, NY 14305

RE: MUR 2358

Dear Mr. Mari:

On March 5, 1987, the Federal Election Commission determined that there is reason to believe that the Laborers' Local 91 Political Action Fund, and you, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

8704051915

Laborers' Local 91 Political Action Fund
Page Two

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Laurence E. Tobey, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

Enclosures

General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

87040651916

**FEDERAL ELECTION COMMISSION
GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS**

MUR NO.

STAFF MEMBER & TELEPHONE:

Laurence E. Tobey (202)376-8200

RESPONDENT: **Laborers' Local 91 Political
Action Fund, and Louis A. Mari,
as treasurer**

SUMMARY OF ALLEGATIONS

The Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv) by failing to file three reports in a timely manner during the 1985-86 election cycle.

FACTUAL BASIS AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended (hereinafter, "the Act") requires that in years in which there is a regularly scheduled federal election, political committees (other than the authorized political committees of candidates) which elect to file quarterly reports shall file their reports no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i). Thus, the 1986 April Quarterly Report was due no later than April 15, 1986.

The Act further provides that if a committee makes a contribution to or an expenditure on behalf of a candidate in any election, that committee shall file a pre-election report, which shall be filed no later than the 12th day before (or posted by

registered or certified mail no later than the 15th day before) such election, and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii). Thus, the 1986 12-Day Pre-General Election Report was due no later than October 23, 1986.

The Act further provides that in calendar years in which there is no regularly scheduled federal election, committees shall file a report covering the period beginning July 1 and ending December 31, which shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(iv). Thus, the 1985 Year End Report was due no later than January 31, 1986.

The Laborers' Local 91 Political Action Fund is a political committee registered with the Commission. RAD reported that Local 91 PAF failed to file three reports in a timely manner during the 1985-86 election cycle as follows:

<u>REPORT</u>	<u>DATE DUE</u>	<u>DATE FILED</u>	<u>DAYS LATE</u>
1985 Year End	January 31, 1986	March 10, 1986	38
1986 April Quarterly	April 15, 1986	May 12, 1986	27
1986 12 Day Pre-General Election	October 23, 1986	November 17, 1986	25

Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv).

LIPSITZ, GREEN, FAHRINGER, ROLL, SCHULLER & JAMES

ATTORNEYS AT LAW

ONE NIAGARA SQUARE

BUFFALO, NEW YORK 14202

(716) 849-1333

TELECOPIER (716) 855-1580

HERBERT L. GREENMAN
EVAN E. JAMES
COUNSELCARMIN R. PUTRINO
1986 - 1985

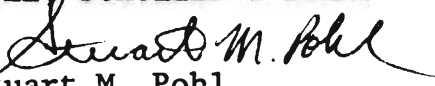
March 16, 1987

SEYMOUR L. SCHULLER
RAYMOND F. ROLL, JR.
HERALD PRICE FAHRINGER
CARL A. GREEN
RICHARD LIPSITZ
EUGENE W. SALISBURY*
PAUL J. CAMBRIA, JR.
JAMES T. SCIME**
FRANK J. PARLATO
GERARD R. FORNES
JAMES W. KIRKPATRICK
FREDERICK R. GUGINO
STUART M. POHL
WILLIAM M. FEIGENBAUM
JOSEPH J. GUMKOWSKISTANLEY J. SLJWA
PATRICK C. O'REILLY
JOHN R. LO GALBO
MARY GOOD
MICHAEL SCHIAVONE
LAWRENCE C. BROWN
LARAINE KELLEY
SHARON M. HEM
RICHARD P. WESBECK, JR.
CHERIE L. PETERSON
DIARMUID WHITE
BRUCE R. FENWICK***
JOHN C. MURRETT, JR.
MICHAEL A. PONTERIO
JOHN N. LIPSITZ* ALSO ADMITTED IN DISTRICT OF COLUMBIA
** ALSO ADMITTED IN OHIO
*** ALSO ADMITTED IN FLORIDAMr. Scott E. Thomas, Chairman
Federal Election Commission
Washington, D.C. 20463Re: Laborers' Local 91 Political Action Fund
MUR 2358
Our File: 8349-AQ

Dear Mr. Thomas:

Enclosed please find my client's Statement of
Designation of Counsel form in the above referenced matter.

Very truly yours,

LIPSITZ, GREEN, FAHRINGER,
ROLL, SCHULLER & JAMES
Stuart M. PohlSMP/cpb
enclosure

87040551919

RECEIVED
FEDERAL ELECTION COMMISSION
MAR 20 1987

MAR 20 11:13

MAR 16 1987
8:51:18

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2358
NAME OF COUNSEL: Lipsitz, Green, Fahringer,
Roll, Schuller & James
ADDRESS: Stuart M. Pohl, Esq., of counsel
One Niagara Square
Buffalo, New York 14202

TELEPHONE: (716) 849-1333

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

3-13-87
Date

Levis A. Mari
Signature

RESPONDENT'S NAME: Levis A. Mari
ADDRESS: 2556 Seneca Ave
Niagara Falls, New York 14305

HOME PHONE: _____
BUSINESS PHONE: 716-2976441

8704051920

LIPSITZ, GREEN, FAHRINGER, ROLL, SCHULLER & JAMES

ATTORNEYS AT LAW

ONE NIAGARA SQUARE
BUFFALO, NEW YORK 14202

(716) 849-1333

TELECOPIER (716) 855-1580

March 16, 1987

HERBERT L. GREENMAN
EVAN E. JAMES
COUNSEL

CARMIN R. PUTRINO
1986 - 1985

SEYMOUR L. SCHULLER
RAYMOND F. ROLL, JR.
HERALD PRICE FAHRINGER
CARL A. GREEN
RICHARD LIPSITZ
EUGENE W. SALISBURY
PAUL J. CAMBRIA, JR.
JAMES T. SCIME
FRANK J. PARLATO
GERARD R. FORMES
JAMES W. KIRKPATRICK
FREDERICK R. GUGINO
STUART M. POHL
WILLIAM M. FEIGENBAUM
JOSEPH J. GUMKOWSKI

STANLEY J. SUWA
PATRICK C. O'REILLY
JOHN R. LO GALBO
MARY GOOD
MICHAEL SCHIAVONE
LAWRENCE C. BROWN
LARAINE KELLEY
SHARON M. HEIM
RICHARD P. WESBECK, JR.
CHERIE L. PETERSON
DIARMUID WHITE
BRUCE R. FENNICK***
JOHN C. MURRETT, JR.
MICHAEL A. PONTERIO
JOHN N. LIPSITZ

* ALSO ADMITTED IN DISTRICT OF COLUMBIA
** ALSO ADMITTED IN OHIO
*** ALSO ADMITTED IN FLORIDA

General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: Laborers' Local 91 Political Action Fund
MUR No. 2358
Our File: 8349-AQ

Dear General Counsel:

Pursuant to 11 C.F.R. §111.18(d), this is to advise of my client's interest in pursuing pre-probable cause conciliation. I would appreciate your advising, at your convenience, as to action taken regarding this request.

Very truly yours,

LIPSITZ, GREEN, FAHRINGER,
ROLL, SCHULLER & JAMES

Stuart M. Pohl
Stuart M. Pohl

SMP/cpb

37 MAR 1987
P 3:18

RECEIVED
GENERAL COUNSEL

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Laborers' Local 91 Political
Action Fund, and Louis A. Mari,
as treasurer

MUR 2358

GENERAL COUNSEL'S REPORT

7:43:30 PM 14:57

CONFIDENTIAL

I. BACKGROUND

On March 5, 1987, the Commission found reason to believe that the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii), and (iv) by failing to file their 1985 Year End, 1986 April Quarterly, and 1986 12-Day Pre-General Election Reports in a timely manner. By letter dated March 16, 1987, respondents requested to settle this matter prior to a finding of probable cause to believe (Attachment I).

87040651922

87040551923

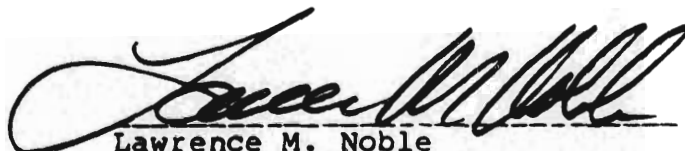
87040551924

III. RECOMMENDATIONS

1. Enter into conciliation with the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached proposed conciliation agreement and letter.

Date

3/30/87



Lawrence M. Noble
Acting General Counsel

Attachments

1. Request for conciliation
2. Proposed agreement and letter

87040551925

Attachment(s) 1, 2
to General Counsel's Report
have been removed from this
position in Public Record File.

See Index Item(s) 7,

See also 24565437g (a)(4)(B)(i).



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Cof*
DATE: March 30, 1987
SUBJECT: MUR 2358 - General Counsel's Report

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote ☒
Sensitive ☒
Non-Sensitive ☐

24 Hour No Objection ☐
Sensitive ☐
Non-Sensitive ☐

Information ☐
Sensitive ☐
Non-Sensitive ☐

Other ☐

DISTRIBUTION

Compliance ☒
Audit Matters ☐

Litigation ☐
Closed MUR Letters ☐

Status Sheets ☐
Advisory Opinions ☐

Other (see distribution
below) ☐

87040351926

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Laborers' Local 91 Political) MUR 2358
Action Fund, and Louis A. Mari,)
as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 2, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2358:

1. Enter into conciliation with the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer, prior to a finding of probable cause to believe.
2. Approve the proposed conciliation agreement and letter, as recommended in the General Counsel's Report signed March 30, 1987.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

4-2-87

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Mon., 3-30-87, 4:57
Circulated on 48 hour tally basis: Tues., 3-31-87, 11:00
Deadline for vote: Thurs., 4-02-87, 11:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 6, 1987

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Stuart M. Pohl, Esquire
Lipsitz, Green, Fahringer,
Roll, Schuller & James
1 Niagara SQ
Buffalo, NY 14202

RE: MUR 2358
Laborers' Local 91
Political Action Fund
and Louis A. Mari, as
treasurer

Dear Mr. Pohl:

On March 5, 1987, the Federal Election Commission found reason to believe that the Laborers' Local 91 Political Action Fund and Louis A. Mari, as treasurer violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv). At your request, on April 2, 1987, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Laurence E. Tobey, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

LIPSITZ, GREEN, FAHRINGER, ROLL, SCHULLER & JAMES

ATTORNEYS AT LAW

ONE NIAGARA SQUARE
BUFFALO, NEW YORK 14202

(716) 849-1333

TELECOPIER (716) 855-1590

June 17, 1987

FRANK J. PARLATO
GERARD R. FORNES
SPECIAL COUNSEL
EVAN E. JAMES
COUNSEL
CARMIN R. PUTRINO
1986 - 1985

SEYMOUR L. SCHULLER
RAYMOND F. ROLL, JR.
HERALD PRICE FAHRINGER
CARL A. GREEN
RICHARD LIPSITZ
EUGENE W. SALISBURY
PAUL J. CAMBRIA, JR.
JAMES T. SCIME **
HERBERT L. GREENMAN
PATRICK C. O'REILLY
MICHAEL SCHIAVONE
JAMES W. KIRKPATRICK
FREDERICK R. GUGINO
STUART M. POHL
WILLIAM M. FEIGENBAUM
JOSEPH J. GUMKOWSKI
JOHN R. LO GALBO

MARY GOOD
LAWRENCE C. BROWN
LARRINE KELLEY
SHARON M. HEIM
RICHARD P. WEISBECK, JR.
CHERIE L. PETERSON
DIARMUID WHITE
BRUCE R. FENWICK
MICHAEL A. PONTERIO
JOHN N. LIPSITZ
WILLIAM W. BALL
SUSAN P. WHEATLEY
MARK J. SCHLANT
MARK L. STULMAKER
SUSAN R. HUTCHISON
MARK D. HOSKEN **

* ALSO ADMITTED IN DISTRICT OF COLUMBIA
** ALSO ADMITTED IN OHIO
* ALSO ADMITTED IN FLORIDA
** ALSO ADMITTED IN MASSACHUSETTS

Lawrence M. Noble,
Acting General Counsel
Federal Election Commission
Washington, D.C. 20463

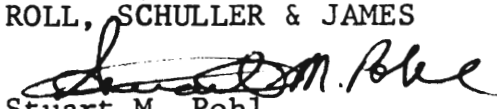
Re: MUR 2358
Laborers' Local 91 Political Action Fund,
and Louis A. Mari, as Treasurer
Our File: 8349-AQ

Dear Mr. Noble:

Thank you for your letter of June 3, 1987 with enclosure.
I enclose herewith the executed Conciliation Agreement together
with my client's check number 01312 in the sum of \$800.00,
payable to the Federal Election Commission. I would appreciate
your forwarding an executed Conciliation Agreement to me, at
your earliest convenience.

Very truly yours,

LIPSITZ, GREEN, FAHRINGER,
ROLL, SCHULLER & JAMES


Stuart M. Pohl

SMP/cpb
enclosures

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

87 JUN 24 P 3:28

87040351930

Attachment 27
to 6-17-87 letter
~~have been~~ removed from this
position in Public Record File.
See Index Item(s) 16

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Laborer's Local 91 Political
Action Fund, and Louis A. Mari,
as Treasurer

)
)
) MUR 2358
)
)
)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Stuart M. Pohl, the attorney for the Laborer's Local 91 Political Action Fund, and Louis A. Mari, as Treasurer (Attachment I).

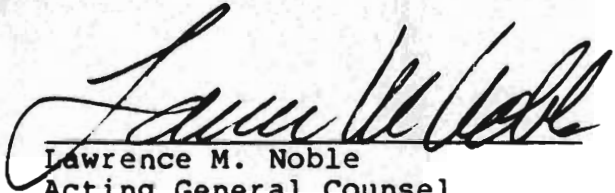
Also attached is a copy of a check for \$800.00 representing payment of the civil penalty.

II. RECOMMENDATION

The Office of General Counsel recommends that the Commission accept the agreement in settlement of this matter and close the file.

87040651931
Date

7/7/57


Lawrence M. Noble
Acting General Counsel

Attachments:

- 1) Conciliation agreement
- 2) Proposed letter

87040651932

Attachment(s) 1+2
to General Counsel's Report
have been removed from this
position in Public Record File.
See Index Item(s) 16



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary
FROM: Office of General Counsel *Rd*
DATE: July 9, 1987
SUBJECT: MUR 2358 - General Counsel's Rpt.

The attached is submitted as an Agenda document
for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

48 Hour Tally Vote [x]
Sensitive [x]
Non-Sensitive []

24 Hour No Objection []
Sensitive []
Non-Sensitive []

Information []
Sensitive []
Non-Sensitive []

Other []

DISTRIBUTION

Compliance [x]
Audit Matters []

Litigation []
Closed MUR Letters []

Status Sheets []
Advisory Opinions []

Other (see distribution below) []

9704051933

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Laborer's Local 91 Political
Action Fund, and Louis A. Mari,
as Treasurer

MUR 2358

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 13, 1987, the Commission decided by a vote of 6-0 to accept the agreement in settlement of this matter and close the file, as recommended in the General Counsel's Report signed July 9, 1987.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

7-13-87

Date

Mary W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary: Thurs., 7-9-87, 11:14
Circulated on 48 hour tally basis: Thurs., 7-9-87, 4:00
Deadline for vote: Mon., 7-13-87, 4:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 15, 1987

Stuart M. Pohl, Esquire
Lipsitz, Green, Fahringer,
Roll, Schuller & James
One Niagara Square
Buffalo, New York 14202

RE: MUR 2358
Laborer's Local Political Action
Fund, and Louis A. Mari, as
Treasurer

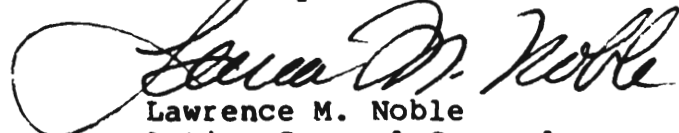
Dear Mr. Pohl:

On July 13, 1987 the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. §§ 434(a)(4)(A)(i), (ii), and (iv), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Laborer's Local 91 Political Action Fund, and Louis A. Mari, as treasurer. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Phillip L. Wise, the attorney assigned to this matter at (202) 376-8200.

Sincerely,


Lawrence M. Noble
Acting General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Laborers' Local 91 Political
Action Fund, and Louis A. Mari,
as treasurer

)
)
)
)
)
)
MUR 2358

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Laborers' Local 91 Political Action Fund, and Louis A. Mari, as treasurer ("Respondents") violated 2 U.S.C. §§ 434(a)(4)(A)(i), (ii) and (iv).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

87040551936

IV. The pertinent facts in this matter are as follows:

1. Respondent, Laborers' Local 91 Political Action Fund, is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent, Louis A. Mari, is the treasurer of Laborers' Local 91 Political Action Fund.

3. Respondents were required to file their 1985 Year End Report by January 31, 1986. This report was filed on March 10, 1986, 38 days late.

4. Respondents were required to file their 1986 April Quarterly Report by April 15, 1986. This report was filed on May 12, 1986, 27 days late.

5. Respondents were required to file their 1986 12-Day Pre-General Election Report by October 23, 1986. This report was filed on November 17, 1986, 25 days late.

V.1. Respondents failed to file their 1985 Year End Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(A)(iv).

2. Respondents failed to file their 1986 April Quarterly Report in a timely manner in violation of 2 U.S.C. § 434(a)(4)(A)(i).

3. Respondents failed to file their 1986 12-Day Pre-General Election Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(A)(ii). Respondents contend that these were not knowing and willful violations.

8704051937

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Eight Hundred dollars (\$800), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

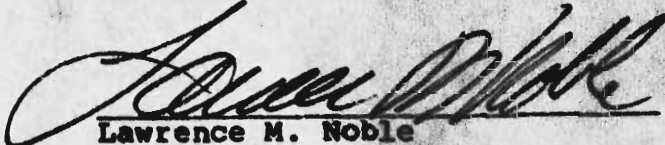
IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

87040551938

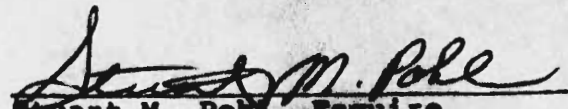
oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:


Lawrence M. Noble
Acting General Counsel

7/14/87
Date

FOR THE RESPONDENTS:


Stuart M. Poll, Esquire
Attorney for Respondents

6-16-87
Date

87040651939



FEDERAL ELECTION COMMISSION
WASHINGTON D C 20463

THIS IS THE BEGINNING OF MUR # 2358
DATE FILMED 7/29/87 CAMERA NO. 2
CAMERAMAN AS

87040651940