



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1808

DATE SCANNED 12/31/08

SCANNER NO. 2

SCAN OPERATOR EEJ

28092621946



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 18, 2008

MEMORANDUM

SENSITIVE

TO: THE COMMISSION
THROUGH: JOSEPH F. STOLTZ *JF*
ACTING STAFF DIRECTOR
FROM: JOHN D. GIBSON *JG*
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/ *NIG* RHIANNON MAGRUDER/ *RM* CHRIS RITCHIE *CR*
COMPLIANCE BRANCH

SUBJECT: WITHDRAWAL AND RESUBMISSION OF REASON TO
BELIEVE RECOMMENDATION - 2008 APRIL QUARTERLY
REPORT FOR THE ADMINISTRATIVE FINE PROGRAM

2008 SEP 18 P 12:16
FEDERAL ELECTION COMMISSION
SECRETARIAT

We are withdrawing the document circulated to the Commission on June 23, 2008 in order to reflect updates disclosed in recent filings received by the Commission. Attached is the list of political committees and their treasurers who failed to file the 2008 April Quarterly Report in accordance with 2 U.S.C. 434(a). The April Quarterly Report was due on April 15, 2008.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days after the due date, or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

28092621947

Federal Election Commission
Reason to Believe Circulation Report
2008 APRIL QUARTERLY Not Election Sensitive 04/15/2008 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1793	C00392290	ACE CASH EXPRESS INC PAC		DAVID DODSON	\$177,279	0	4/22/2008	7	\$26,535	\$340
1794	C00396028	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	WILLIAM A. LAWSON	\$267,029	5	5/2/2008	17	\$36,076	\$1,215

1797	C00438416	CAPPARELLI FOR CONGRESS COMMITTEE	CAPPARELLI, JIM	JOHN O'BRIEN	\$125,099	0	4/22/2008	7	\$20,243	\$135
------	-----------	--------------------------------------	-----------------	--------------	-----------	---	-----------	---	----------	-------

1800	C00125534	COMPOSITION ROOFERS LOCAL UNION #30 POLITICAL ACTION & EDUCATION FUND		TOM PEDRICK	\$293,680	1	4/25/2008	10	\$56,735	\$1,312
1801	C00148783	CONTRAN CORPORATION POLITICAL ACTION COMMITTEE (CONPAC)		MR. JOHN ST. WRBA	\$285,086	0	4/21/2008	6	\$120,162	\$1,350

28092621949

9/18/2008 12:22 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1804	C00334193	FIRST CITIZENS BANCSHARES INC POLITICAL ACTION COMMITTEE (FIRST CITIZENS BANCSHARES PAC)		MR. JOHN H. GRAY	\$129,689	1	4/21/2008	6	\$34,000	\$400

1807	C00203497	HOUSTON FIRE FIGHTERS POLITICAL ACTION FUND, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS		JEFFERY CAYNON	\$104,012	0	5/9/2008	24	\$44,909 (est)	\$680
1808	C00115568	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4 SOCIAL ACTION COMMITTEE-FEDERAL		DAVID F. FANTINI	\$115,094	0	5/5/2008	20	\$18,000	\$200
1809	C00434654	JENNY OROPEZA FOR CONGRESS	OROPEZA, JENNY	WEISSMAN, SHARON	\$772,118	0	5/6/2008	21	\$1,105	\$130

1811	C00086611	KANSAS BANKERS ASSOCIATION BANKPAC		JULIE TAYLOR	\$177,068	0	5/5/2008	20	\$48,818	\$600
1812	C00439677	LEE FOR CONGRESS 2008	LEE, JIMMY D.	GERALD BAUMAN	\$277,402	0	4/30/2008	15	\$145,694	\$2,475

1814	C00143362	PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE		PHIL TRUCKS, JR.	\$126,745	2	5/13/2008	28	\$26,643	\$1,140
1815	C00433128	RICARDO MUNOZ FOR CONGRESS	MUNOZ, RICARDO	CARMEN FLORES-RANCE	\$690,313	0		Not Filed	\$172,578 (est)	\$5,500

28092621950

9/18/2008 12:22 PM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
1817	C00252395	STEAMFITTERS LOCAL 475 POLITICAL ACTION COMMITTEE		THOMAS MANNING	\$464,785	1	4/22/2008	7	\$80,064	\$1,375

1819	C00039164	TEAMSTERS LOCAL 959 ALASKA LABOR INDEPENDENT VOTER EDUCATION		KRIS LIRA	\$109,797	0	5/6/2008	21	\$6,290	\$155
1820	C00150045	UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE		GLENN MARSHALL	\$135,044	3	4/21/2008	6	\$14,285	\$227

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Withdrawal and Resubmission of Reason)
To Believe Recommendation - 2008 April)
Quarterly Report for the Administrative)
Fine Program:)
PLUMBERS LOCAL 519 POLITICAL) AF# 1814
ACTION COMMITTEE, and PHIL)
TRUCKS JR as treasurer;)
HOUSTON FIRE FIGHTERS POLITICAL) AF# 1807
ACTION FUND, INTERNATIONAL)
ASSOCIATION OF FIRE FIGHTERS, and)
JEFFERY CAYNON as treasurer;)
JENNY OROPEZA FOR CONGRESS, and) AF# 1809
WEISSMAN, SHARON as treasurer;)

TEAMSTERS LOCAL 959 ALASKA) AF# 1819
LABOR INDEPENDENT VOTER)
EDUCATION, and LIRA, KRIS as)
treasurer;)
INTERNATIONAL UNION OF) AF# 1808
OPERATING ENGINEERS LOCAL 4)
SOCIAL ACTION COMMITTEE-)
FEDERAL, and FANTINI, DAVID F. as)
treasurer;)
KANSAS BANKERS ASSOCIATION) AF# 1811
BANKPAC, and JULIE TAYLOR as)
treasurer;)
AL GREEN FOR CONGRESS, and) AF# 1794
WILLIAM A LAWSON as treasurer;)
LEE FOR CONGRESS 2008, and) AF# 1812
GERALD BAUMAN as treasurer;)
COMPOSITION ROOFERS LOCAL) AF# 1800
UNION #30 POLITICAL ACTION &)
EDUCATION FUND, and TOM PEDRICK)
as treasurer;)

28092621951

Federal Election Commission
Certification for Administrative Fines
September 19, 2008

28092621952

ACE CASH EXPRESS INC PAC, and	)	AF# 1793
DAVID DODSON as treasurer;)	
CAPPARELLI FOR CONGRESS	)	AF# 1797
COMMITTEE, and JOHN O'BRIEN as)	
treasurer;)	
STEAMFITTERS LOCAL 475	)	AF# 1817
POLITICAL ACTION COMMITTEE, and)	
THOMAS MANNING as treasurer;)	
CONTRAN CORPORATION POLITICAL	)	AF# 1801
ACTION COMMITTEE (CONPAC), and)	
ST. WRBA, JOHN MR as treasurer;)	
FIRST CITIZENS BANCSHARES INC	)	AF# 1804
POLITICAL ACTION COMMITTEE)	
(FIRST CITIZENS BANCSHARES PAC),)	
and GRAY^JOHN H.^MR.^ as treasurer;)	
UNITED BROTHERHOOD OF	)	AF# 1820
CARPENTERS/JOINERS OF AMER NEW)	
ENGLAND REG CARPENTERS LEGIS)	
EMP CMTE, and GLENN MARSHALL as)	
treasurer;)	

RICARDO MUNOZ FOR CONGRESS,	)	AF# 1815
and CARMEN FLORES-RANCE as)	
treasurer;)	

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on September 19, 2008 the Commission took the following actions on the Withdrawal and Resubmission of Reason To Believe Recommendation - 2008 April Quarterly Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated September 18, 2008, on the following committees:

AF#1814 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE, and PHIL TRUCKS JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1807 Decided by a vote of 6-0 to: (1) find reason to believe that HOUSTON FIRE FIGHTERS POLITICAL ACTION FUND, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, and JEFFERY CAYNON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1809 Decided by a vote of 6-0 to: (1) find reason to believe that JENNY OROPEZA FOR CONGRESS, and WEISSMAN, SHARON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

28092621953

AF#1819 Decided by a vote of 6-0 to: (1) find reason to believe that TEAMSTERS LOCAL 959 ALASKA LABOR INDEPENDENT VOTER EDUCATION, and LIRA, KRIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1808 Decided by a vote of 6-0 to: (1) find reason to believe that INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4 SOCIAL ACTION COMMITTEE-FEDERAL, and FANTINI, DAVID F. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1811 Decided by a vote of 6-0 to: (1) find reason to believe that KANSAS BANKERS ASSOCIATION BANKPAC, and JULIE TAYLOR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1794 Decided by a vote of 6-0 to: (1) find reason to believe that AL GREEN FOR CONGRESS, and WILLIAM A LAWSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1812 Decided by a vote of 6-0 to: (1) find reason to believe that LEE FOR CONGRESS 2008, and GERALD BAUMAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1800 Decided by a vote of 6-0 to: (1) find reason to believe that COMPOSITION ROOFERS LOCAL UNION #30 POLITICAL ACTION & EDUCATION FUND, and TOM PEDRICK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

28092621954

AF#1793 Decided by a vote of 6-0 to: (1) find reason to believe that ACE CASII EXPRESS INC PAC, and DAVID DODSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1797 Decided by a vote of 6-0 to: (1) find reason to believe that CAPPARELLI FOR CONGRESS COMMITTEE, and JOHN O'BRIEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1817 Decided by a vote of 6-0 to: (1) find reason to believe that STEAMFITTERS LOCAL 475 POLITICAL ACTION COMMITTEE, and THOMAS MANNING as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1801 Decided by a vote of 6-0 to: (1) find reason to believe that CONTRAN CORPORATION POLITICAL ACTION COMMITTEE (CONPAC), and ST. WRBA, JOHN MR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1804 Decided by a vote of 6-0 to: (1) find reason to believe that FIRST CITIZENS BANCSHARES INC POLITICAL ACTION COMMITTEE (FIRST CITIZENS BANCSHARES PAC), and GRAY^JOHN H.^MR.^ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1820 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE, and GLENN MARSHALL as treasurer violated 2

28092621955

U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

28092621956

28092621957

AF#1815 Decided by a vote of 6-0 to: (1) find reason to believe that RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 23, 2008
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 22, 2008

David F. Fantini
International Union of Operating Engineers
Local 4 Social Action Committee-Federal
16 Trotter Drive
Medway, MA 2053

C00115568
AF#: 1808

Dear David F. Fantini:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an April Quarterly Report of Receipts and Disbursements in a calendar year during which there is a regularly scheduled election. This report, covering the period through March 31st, 2008, shall be filed no later than April 15th, 2008. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on 5/5/2008, 20 days late.

The Act was further amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. 434(a). 2 U.S.C. 437g(a)(4). On 9/19/2008, the FEC found that there is reason to believe ("RTB") that International Union of Operating Engineers Local 4 Social Action Committee-Federal and you, as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before April 15th, 2008. Based on the FEC's schedules of civil money penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at the RTB stage is \$200. It is due by 10/29/2008 and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$18,000
Number of Days Late: 20
Number of Previous Civil Money Penalties Assessed: 0

To Pay the Calculated Civil Money Penalty

To pay the calculated civil money penalty, send the enclosed remittance and your payment to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

28092621958

To Challenge the RTB Finding and/or Calculated Civil Money Penalty

To challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received by 10/29/2008. Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty. The FEC will only consider challenges that are based on a factual error in the RTB finding; miscalculation of the calculated civil money penalty by the FEC; or your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, a failure of Commission computers or Commission-provided software despite you seeking technical assistance from Commission personnel and resources; a widespread disruption of information transmissions over the Internet that is not caused by the Commission's or your computer systems or Internet service provider; and severe weather or other disaster-related incident. **Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, negligence; delays caused by vendors or contractors; treasurer and staff illness, inexperience or unavailability; committee computer, software, or internet service provider failures; failure to know filing dates; and failure to use filing software properly.** Your response must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. 111.35.

Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of your right to present such argument in a petition to the district court under 2 U.S.C. 437g. 11 C.F.R. 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

If You Do Not Pay the Calculated Civil Money Penalty or Submit a Challenge

If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that International Union of Operating Engineers Local 4 Social Action Committee-Federal and you, as treasurer, violated 2 U.S.C. 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. 111.45.

28092021959

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

Additional information on the FEC's administrative fine program, including the final regulations, is located at the FEC's website at www.FEC.gov. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon Magruder in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

Sincerely,



Donald F. McGahn II
Chairman

28092621960

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. 111.43, the amount of your civil money penalty calculated at RTB is \$200 for the 2008 April Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by 10/29/2008. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: International Union of Operating Engineers Local 4 Social Action Committee-Federal

FEC ID#: C00115568

AF#: 1808

PAYMENT DUE DATE: 10/29/2008

PAYMENT AMOUNT DUE: \$200

19617926082



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 17 P 02

November 17, 2008

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: JOSEPH F. STOLTZ *JFS*
ACTING STAFF DIRECTOR

FROM: JOHN D. GIBSON *JDG*
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/^{*sub*}RHIANNON MAGRUDER *RM*
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM -
FINAL DETERMINATION RECOMMENDATION FOR THE
2008 APRIL QUARTERLY REPORT

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2008 April Quarterly Report. The first list represents the committees that have paid the civil money penalty and the second list represents those committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR 111.34 and 11 CFR 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, six (6) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, four (4) committees will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding, and two (2) committees will be assessed a civil money penalty of \$0 at FD. An overview of each of these cases has been provided below.

28092621962

28092621963

Ricardo Munoz for Congress (AF 1815) filed the 2008 April Quarterly Report after the RTB finding and disclosed a level of activity which would result in a lowered civil money penalty. The committee disclosed total receipts and disbursements of \$0 (previously estimated to be \$172,578), thus the fine would be lowered from \$5,500 to \$0.

RAD Recommendation

- (1) Make final determination that the political committees and their treasurers on the attached reports violated 2 U.S.C. 434(a) and assess the final civil money penalties so indicated.
- (2) Send the appropriate letters.

28092621954

Federal Election Commission
 FD Circulation Report Fine Paid
 2008 APRIL QUARTERLY Not Election Sensitive 04/15/2008 H_S_P_UNAULTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Data Paid	Amount Paid
1794	AL GREEN FOR CONGRESS	GREEN, ALEXANDER	C0039602B	WILLIAM A. LAWSON	05/02/2008	17	\$36,076	5	09/19/2008	\$1,215	\$1,215	10/31/2008	\$1,215
1800	COMPOSITION ROOFERS LOCAL UNION #30 POLITICAL ACTION & EDUCATION FUND		C00125534	TOM PEDRICK	04/25/2008	10	\$56,735	1	09/19/2008	\$1,312	\$1,312	10/06/2008	\$1,312
1801	CONTRAN CORPORATION POLITICAL ACTION COMMITTEE (COMPAC)		C0014878J	MR. JOHN ST. WRBA	04/21/2008	6	\$120,162	0	09/19/2008	\$1,350	\$1,350	10/06/2008	\$1,350
1804	FIRST CITIZENS BANCSHARES INC POLITICAL ACTION COMMITTEE (FIRST CITIZENS BANCSHARES PAC)		C0033419J	MR JOHN H. GRAY	04/21/2008	6	\$34,000	1	09/19/2008	\$400	\$400	10/20/2008	\$400
1807	HOUSTON FIRE FIGHTERS POLITICAL ACTION FUND, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS		C00203497	JEFFERY CAYNON	05/09/2008	24	\$44,909	0	09/19/2008	\$680	\$680	10/26/2008	\$680
1808	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4 SOCIAL ACTION COMMITTEE-FEDERAL		C00115568	DAVID F FANTINI	05/05/2008	20	\$18,000	0	09/19/2008	\$200	\$200	10/03/2008	\$200
1809	JENNY OROPEZA FOR CONGRESS	OROPEZA, JENNY	C00434654	SHARON WEISSMAN	05/06/2008	21	\$1,105	0	09/19/2008	\$130	\$130	10/03/2008	\$130
1811	KANSAS BANKERS ASSOCIATION BANKPAC		C00086611	JULIE TAYLOR	05/05/2008	20	\$48,818	0	09/19/2008	\$600	\$600	10/20/2008	\$600
1812	LEE FOR CONGRESS 2008	LEE, JIMMY D.	C00439877	GERALD BAUMAN	04/30/2008	15	\$145,694	0	09/19/2008	\$2,475	\$2,475	10/10/2008	\$2,475
1814	PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE		C00143362	PHIL TRUCKS, JR	05/13/2008	28	\$26,843	2	09/19/2008	\$1,140	\$1,140	10/03/2008	\$1,140
1817	STEAMFITTERS LOCAL 475 POLITICAL ACTION COMMITTEE		C00252395	THOMAS MANNING	04/22/2008	7	\$90,064	1	09/19/2008	\$1,375	\$1,375	10/29/2008	\$1,375

28092621965

11/17/2008 3:15 PM

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
1819	TEAMSTERS LOCAL 959 ALASKA LABOR INDEPENDENT VOTER EDUCATION		C00039164	KRIS LIRA	05/05/2008	21	\$5,290	0	09/19/2008	\$155	\$155	10/31/2008	\$155
1820	UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE		C00150045	GLENN MARSHALL	04/21/2008	6	\$14,285	3	09/19/2008	\$227	\$227	11/07/2008	\$227

28092621966

Federal Election Commission
 FD Circulation Report - Fine Not Paid
 2008 APRIL QUARTERLY Not Election Sensitive 04/15/2008 H_S_P_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
1793	ACE CASH EXPRESS INC PAC		C00392290	DAVID DODSON	04/22/2008	7	\$26,535	0	09/19/2008	\$340	59	\$340

1797	CAPPARELLI FOR CONGRESS COMMITTEE	CAPPARELLI, JIM	C00438416	JOHN O'BRIEN	04/22/2008	7	\$20,243	0	09/19/2008	\$135	59	\$135
------	-----------------------------------	-----------------	-----------	--------------	------------	---	----------	---	------------	-------	----	-------

1815	RICARDO MUNOZ FOR CONGRESS	MUNOZ, RICARDO	C00433128	CARMEN FLORES-RANCE	11/10/2008	Not Filed	\$0	0	09/19/2008	\$5,500	59	\$0
------	----------------------------	----------------	-----------	---------------------	------------	-----------	-----	---	------------	---------	----	-----

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination)
Recommendation for the 2008 April)
Quarterly Report:)
PLUMBERS LOCAL 519 POLITICAL) AF# 1814
ACTION COMMITTEE, and PHIL)
TRUCKS JR as treasurer;)
HOUSTON FIRE FIGHTERS POLITICAL) AF# 1807
ACTION FUND, INTERNATIONAL)
ASSOCIATION OF FIRE FIGHTERS, and)
JEFFERY CAYNON as treasurer;)
JENNY OROPEZA FOR CONGRESS, and) AF# 1809
WEISSMAN, SHARON as treasurer;)
TEAMSTERS LOCAL 959 ALASKA) AF# 1819
LABOR INDEPENDENT VOTER)
EDUCATION, and LIRA, KRIS as)
treasurer;)
INTERNATIONAL UNION OF) AF# 1808
OPERATING ENGINEERS LOCAL 4)
SOCIAL ACTION COMMITTEE-)
FEDERAL, and FANTINI, DAVID F. as)
treasurer;)
KANSAS BANKERS ASSOCIATION) AF# 1811
BANKPAC, and JULIE TAYLOR as)
treasurer;)
AL GREEN FOR CONGRESS, and) AF# 1794
WILLIAM A LAWSON as treasurer;)
LEE FOR CONGRESS 2008, and) AF# 1812
GERALD BAUMAN as treasurer;)
COMPOSITION ROOFERS LOCAL) AF# 1800
UNION #30 POLITICAL ACTION &)
EDUCATION FUND, and TOM PEDRICK)
as treasurer;)
ACE CASH EXPRESS INC PAC, and) AF# 1793
DAVID DODSON as treasurer;)

28092621967

Federal Election Commission
Certification for Administrative Fines
November 19, 2008

CAPPARELLI FOR CONGRESS	)	AF# 1797
COMMITTEE, and JOHN O'BRIEN as)	
treasurer;)	
STEAMFITTERS LOCAL 475	)	AF# 1817
POLITICAL ACTION COMMITTEE, and)	
THOMAS MANNING as treasurer;)	
CONTRAN CORPORATION POLITICAL	)	AF# 1801
ACTION COMMITTEE (CONPAC), and)	
ST. WRBA, JOHN MR as treasurer;)	
FIRST CITIZENS BANCSHARES INC	)	AF# 1804
POLITICAL ACTION COMMITTEE)	
(FIRST CITIZENS BANCSHARES PAC),)	
and GRAY, JOHN H. MR. as treasurer;)	
UNITED BROTHERHOOD OF	)	AF# 1820
CARPENTERS/JOINERS OF AMER NEW)	
ENGLAND REG CARPENTERS LEGIS)	
EMP CMTE, and GLENN MARSHALL as)	
treasurer;)	

RICARDO MUNOZ FOR CONGRESS,	)	AF# 1815
and CARMEN FLORES-RANCE as)	
treasurer;)	

28092621968

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on November 19, 2008 the Commission took the following actions on the Administrative Fines Final Determination Recommendation for the 2008 April Quarterly Report as recommended in the Reports Analysis Division's Memorandum dated November 17, 2008, on the following committees:

AF#1814 Decided by a vote of 6-0 to: (1) make a final determination that PLUMBERS LOCAL 519 POLITICAL ACTION COMMITTEE, and PHIL TRUCKS JR as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Banerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1807 Decided by a vote of 6-0 to: (1) make a final determination that HOUSTON FIRE FIGHTERS POLITICAL ACTION FUND, INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, and JEFFERY CAYNON as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1809 Decided by a vote of 6-0 to: (1) make a final determination that JENNY OROPEZA FOR CONGRESS, and WEISSMAN, SHARON as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1819 Decided by a vote of 6-0 to: (1) make a final determination that TEAMSTERS LOCAL 959 ALASKA LABOR INDEPENDENT VOTER EDUCATION, and LJRA, KRIS as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1808 Decided by a vote of 6-0 to: (1) make a final determination that INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 4 SOCIAL ACTION COMMITTEE-FEDERAL, and FANTINI, DAVID F. as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

28092621969

AF#1811 Decided by a vote of 6-0 to: (1) make a final determination that KANSAS BANKERS ASSOCIATION BANKPAC, and JULIE TAYLOR as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Pctersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1794 Decided by a vote of 6-0 to: (1) make a final determination that AL GREEN FOR CONGRESS, and WILLIAM A LAWSON as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Pctersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1812 Decided by a vote of 6-0 to: (1) make a final determination that LEE FOR CONGRESS 2008, and GERALD BAUMAN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1800 Decided by a vote of 6-0 to: (1) make a final determination that COMPOSITION ROOFERS LOCAL UNION #30 POLITICAL ACTION & EDUCATION FUND, and TOM PEDRICK as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1793 Decided by a vote of 6-0 to: (1) make a final determination that ACE CASH EXPRESS INC PAC, and DAVID DODSON as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1797 Decided by a vote of 6-0 to: (1) make a final determination that CAPPARELLI FOR CONGRESS COMMITTEE, and JOHN O'BRIEN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1817 Decided by a vote of 6-0 to: (1) make a final determination that STEAMFITTERS LOCAL 475 POLITICAL ACTION COMMITTEE, and THOMAS MANNING as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

28092621970

AF#1801 Decided by a vote of 6-0 to: (1) make a final determination that CONTRAN CORPORATION POLITICAL ACTION COMMITTEE (CONPAC), and ST. WRBA, JOHN MR as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1804 Decided by a vote of 6-0 to: (1) make a final determination that FIRST CITIZENS BANCSHARES INC POLITICAL ACTION COMMITTEE (FIRST CITIZENS BANCSHARES PAC), and GRAY, JOHN H. MR. as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Banerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#1820 Decided by a vote of 6-0 to: (1) make a final determination that UNITED BROTHERHOOD OF CARPENTERS/JOINERS OF AMER NEW ENGLAND REG CARPENTERS LEGIS EMP CMTE, and GLENN MARSHALL as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Banerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

17612926082

AF#1815 Decided by a vote of 6-0 to: (1) make a final determination that RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

November 20, 2008
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission

28092621972



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 21, 2008

David F. Fantini, Treasurer
International Union of Operating Engineers
Local 4 Social Action Committee-Federal
16 Trotter Drive
Medway, MA 02053

C00115568
AF#: 1808

Dear David F. Fantini,

On 9/19/2008, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that International Union of Operating Engineers Local 4 Social Action Committee-Federal and you, as treasurer, violated 2 U.S.C. 434(a) for filing late or failing to file the 2008 April Quarterly Report. By letter dated 9/22/2008, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at the RTB stage of **\$200** in accordance with the schedule of penalties at 11 C.F.R. 111.43.

On 10/3/2008, the FEC received payment of your civil money penalty calculated at the RTB stage. The FEC made a final determination on 11/19/2008 that you, as treasurer, and International Union of Operating Engineers Local 4 Social Action Committee-Federal violated 2 U.S.C. 434(a), assessed a civil money penalty in the amount of **\$200** in accordance with 11 C.F.R. 111.43, and voted to close the file.

The confidentiality provisions at 2 U.S.C. 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

Sincerely,

A handwritten signature in black ink, appearing to read "D. McGahn II".

Donald F. McGahn II
Chairman

28092621973

FOR: International Union of Operating Engineers Local 4 Social Action Committee-Federal

FEC ID#: C00115568

AF#: 1808

PAYMENT DUE DATE: 10/29/2008



PAYMENT AMOUNT DUE: \$200

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 002 \$ 000020000 BA# 1 10-02-08 20 4



2809262197A



		International Union of Operating Engineers LOCAL 4 AND ITS BRANCHES 16 TROTTER DRIVE MEDWAY, MA 02053	Bank of America 5-13/110	14666
PAY TO THE ORDER OF		Federal Election Commission	9/26/2008	
			\$ **200.00	
		Two Hundred and 00/100*****		DOLLARS
MEMO		Federal Election Commission PO Box 979058 St. Louis, MO 63197-9000	 AUTHORIZED SIGNATURE	
		2008 April Quarterly Report Penalty	FEC ID#C00115568	



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1808

DATE SCANNED 12/31/08

SCANNER NO. 2

SCAN OPERATOR ESS

28092621975