



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3058

DATE FILMED 10/12/90 CAMERA NO. 2

CAMERAMAN AS

93040301933

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: _____

ANALYST: Kelly Taylor

I. COMMITTEE: Gene Taylor for Congress
(C00220145)
Charles B. Benvenutti, Treasurer
P.O. Box 2639
Bay St. Louis, MS 39521

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(6)
11 CFR §104.5(f)

III. BACKGROUND:

Failure to File 48 Hour Notifications

The Gene Taylor for Congress committee ("the Committee") may have failed to file eleven (11) 48 Hour notifications ("48-Hour Notices") for contributions totalling \$19,500 received prior to the 1989 Special Runoff Election.

The candidate was involved in the Special Runoff Election held October 17, 1989. Prior notice was sent to the Committee on September 7, 1989. This Notice includes a section titled "Last Minute Contributions." This section states "Committees which receive a contribution of \$1,000 or more, between 20 and 2 days before the election, must report it within 48 hours of its receipt." (Attachment 2) The Committee was required to file 48-Hour Notices for contributions of \$1,000 or more received from September 28, 1989 through October 14, 1989. Contributions received prior to the 1989 Special Runoff Election and disclosed on Schedule A of the 1989 30 Day Special Post-Runoff Report indicates that the Committee may have failed to file the following 48-Hour Notices for contributions totalling \$19,500 (Attachment 3).

90040801984

GENE TAYLOR FOR CONGRESS
REPORTS ANALYSIS OGC REFERRAL
PAGE 2

<u>Name of Contributor</u> (as reported by the Committee)	<u>Amount</u>
1. Chevis C. Swetman	\$1,000
2. Andy Carpenter	\$1,000
3. John F. Hash	\$1,000
4. Dorothy LaCoste	\$1,000
5. Irving LaCoste	\$1,000
6. Dennis J. Moritz	\$1,000
7. Democratic National Committee	\$5,000
8. Democratic Congressional Campaign Committee	\$5,000
9. Associated Milk Producers PAC	\$1,500
10. Dingell for Congress	\$1,000
11. Montgomery for Congress	\$1,000

On January 9, 1990, a Request for Additional Information ("RFAI") was sent to the Committee regarding its 1989 30 Day Special Post-Runoff Report. The RFAI stated on an informational basis that the Committee may have failed to file one or more of the 48-Hour Notices required for "last minute contributions" of \$1,000 or more. The RFAI stated that although the Commission may take legal steps, any response the Committee may wish to make would be taken into consideration (Attachment 4).

On February 5, 1990, the Committee filed an amended 30 Day Special Post-Runoff Report. The amendment states that "The 48 hour notice regarding "last minute" contributions due for October 11, 1989, was not mailed until October 12, 1989. The post office in Bay St. Louis, Mississippi 39521, is closed on Wednesday afternoons. Thus, we were unable to mail the report due to be mailed Wednesday, October 11, 1989, until Thursday, October 12, 1989. It was standard office procedure that 48 hour notices be checked every 2 days and any necessary notices filed and sent by certified mail." (Attachment 5).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

FEDERAL ELECTION COMMISSION
1989-1990

DATE 13MAR90

CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E)

PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS		DISBURSEMENTS		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
			PRIMARY	GENERAL	PRIMARY	GENERAL			
TAYLOR, GARY EUGENE (GENE)	HOUSE 05 DEMOCRATIC PARTY				MISSISSIPPI		1989 ELECTION	ID# HBMS05047	
1. STATEMENT OF CANDIDATE									
1989 STATEMENT OF CANDIDATE							11SEP89		1 89HSE/384/3879
2. PRINCIPAL CAMPAIGN COMMITTEE									
GENE TAYLOR FOR CONGRESS								ID #C00220145	HOUSE
1989 STATEMENT OF ORGANIZATION - AMENDMENT							11SEP89		1 89HSE/384/3878
48 HOUR CONTRIBUTION NOTICE							21SEP89		2 89HSE/384/4953
48 HOUR CONTRIBUTION NOTICE							22SEP89		2 89HSE/385/0352
48 HOUR CONTRIBUTION NOTICE							27SEP89		2 89HSE/385/0873
48 HOUR CONTRIBUTION NOTICE							28SEP89		2 89HSE/385/0875
48 HOUR CONTRIBUTION NOTICE							4OCT89		2 89HSE/385/0871
48 HOUR CONTRIBUTION NOTICE							7OCT89		1 89HSE/385/1612
48 HOUR CONTRIBUTION NOTICE							12OCT89		4 89HSE/385/2223
48 HOUR CONTRIBUTION NOTICE							12OCT89		3 89HSE/385/2220
48 HOUR CONTRIBUTION NOTICE							13OCT89		3 89HSE/385/2426
STATEMENT OF ORGANIZATION - AMENDMENT							18OCT89		1 89HSE/385/3170
48 HOUR CONTRIBUTION NOTICE							18OCT89		2 89HSE/385/3199
48 HOUR CONTRIBUTION NOTICE							19OCT89		2 89HSE/385/3279
MID-YEAR REPORT				4,552		10,962	1JAN89 -30JUN89		7 89HSE/382/4188
MID-YEAR REPORT - AMENDMENT				-		-	1JAN89 -30JUN89		1 89HSE/385/4148
REQUEST FOR ADDITIONAL INFORMATION							1JAN89 -30JUN89		1 89FEC/610/2933
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JAN89 -30JUN89		2 89FEC/613/0551
PRE-SPECIAL				29,394		26,754	1JUL89 -13SEP89		11 89HSE/384/4942
PRE-SPECIAL - AMENDMENT				29,394		26,754	1JUL89 -13SEP89		11 89HSE/386/0562
REQUEST FOR ADDITIONAL INFORMATION							1JUL89 -13SEP89		1 89FEC/614/2805
PRE-RUN-OFF				57,425		55,889	14SEP89 -27SEP89		17 89HSE/385/1513
PRE-RUN-OFF - AMENDMENT				57,425		55,889	14SEP89 -27SEP89		17 89HSE/385/4778
PRE-RUN-OFF - AMENDMENT				57,425		55,889	14SEP89 -27SEP89		2 89HSE/386/0560
PRE-RUN-OFF - AMENDMENT				57,425		55,889	14SEP89 -27SEP89		6 90HSE/391/4976
NOTICE OF FAILURE TO FILE							14SEP89 -27SEP89		1 89FEC/611/0997
REQUEST FOR ADDITIONAL INFORMATION							14SEP89 -27SEP89		2 89FEC/614/1518
POST-RUN-OFF				245,489		240,600	28SEP89 - 6NOV89		53 89HSE/386/2335
POST-RUN-OFF - AMENDMENT				245,489		240,600	28SEP89 - 6NOV89		2 89HSE/386/0558
POST-RUN-OFF - AMENDMENT				245,489		240,600	28SEP89 - 6NOV89		4 90HSE/391/4972
REQUEST FOR ADDITIONAL INFORMATION							28SEP89 - 6NOV89		18 90FEC/619/2135
REQUEST FOR ADDITIONAL INFORMATION							28SEP89 - 6NOV89		18 90FEC/619/2153
REQUEST FOR ADDITIONAL INFORMATION 2ND							28SEP89 - 6NOV89		19 90FEC/626/5085
REQUEST FOR ADDITIONAL INFORMATION 2ND							28SEP89 - 6NOV89		1 90FEC/626/5104
YEAR-END				35,291		40,711	7NOV89 -31DEC89		17 90HSE/390/4807
TOTAL				57,425	314,726	55,889	319,027		238 TOTAL PAGES
3. AUTHORIZED COMMITTEES									
4. JOINT FUNDRAISING COMMITTEES AUTHORIZED BY THE CAMPAIGN									

All reports have been reviewed.

Cash on hand as of 12/31/89: \$3,453

Debts owed to the committee as of 12/31/89: \$24,237

Debts owed by the committee as of 12/31/89: \$0

REPORT NOTICE

FEDERAL ELECTION COMMISSION

Attachment # 2 Page 1 of 2

MISSISSIPPI SPECIAL

September 7, 1989

WHO MUST FILE

PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL "CANDIDATES" who seek election in the October 3, 1989, Mississippi Special Election.

WHAT MUST BE REPORTED

All financial activity that occurred during the reporting period (or before, if not previously reported).

REPORTING FORMS

Candidate committees use FORM 3 (enclosed). If the campaign has more than one authorized committee, the principal campaign committee must also file a consolidate FORM 32.

WHERE TO FILE

Consult the instructions on the back of the FORM 3 Summary Page. Note state filing requirements also. (See enclosed list of filing offices.)

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

LAST-MINUTE CONTRIBUTIONS

Committees which receive a contribution of \$1,000 or more, between 20 and 2 days before the election, must report it within 48 hours of its receipt. } KT

COMPLIANCE

TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

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

CALENDAR OF REPORTS FOR MISSISSIPPI SPECIAL ELECTION

Chart 1: If only one election is held; Special (10/3/89)

REPORT	PERIOD COVERED ^{1/}	REG./CERT. MAILING DATE ^{2/}	FILING DATE
Pre-Special	07/01/89 - 09/13/89	09/18/89	09/21/89
Post-Special	09/14/89 - 10/23/89	11/02/89	11/02/89
Year-End	10/24/89 - 12/31/89	01/31/90	01/31/90

Chart 2: If two elections are held, and the committee is involved in both; Special (10/3/89) and Runoff (10/17/89):

REPORT	PERIOD COVERED ^{1/}	REG./CERT. MAILING DATE ^{2/}	FILING DATE
Pre-Special	07/01/89 - 09/13/89	09/18/89	09/21/89
Pre-Runoff	09/14/89 - 09/27/89	10/05/89 ^{3/}	10/05/89
Post-Runoff	09/28/89 - 11/06/89	11/16/89	11/16/89
Year-End	11/07/89 - 12/31/89	01/31/90	01/31/90

Chart 3: If two elections are held, but a committee is involved in only the first; Special (10/3/89):

REPORT	PERIOD COVERED ^{1/}	REG./CERT. MAILING DATE ^{2/}	FILING DATE
Pre-Special	07/01/89 - 09/13/89	09/18/89	09/21/89
Year-End	09/14/89 - 12/31/89	01/31/90	01/31/90

NOTE: If no candidate achieves a majority of the vote in the Special Election, the two top vote-getters, regardless of party, go to a Runoff Election.

^{1/}The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

^{2/}Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

^{3/}Committees involved in the Runoff Election may use the October 5 filing date as the mailing date for the Pre-Runoff Report.

4001933

111(a)(i)

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

A. Full Name, Mailing Address and ZIP Code

Theresa H. Ramsey
c/o Bad Tech
Second St
Pawcatuck, CT 06250

Receipt For ☐ Primary ☐ General

☒ Other (specify): SPECIAL

Name of Employer

Self

Date (month, day, year)

10-11-89

Amount of Each Receipt for this Period

500.00

Occupation

Controller

Aggregate Year-to-Date \$ 500.00

B. Full Name, Mailing Address and ZIP Code

Steve M. Cornett
1011 Highway P-1
Culpeper, VA 22605

Receipt For ☐ Primary ☐ General

☒ Other (specify): SPECIAL

Name of Employer

Requested

Date (month, day, year)

10-21-89

Amount of Each Receipt for this Period

250.00

Occupation

Requested

Aggregate Year-to-Date \$ 250.00

C. Full Name, Mailing Address and ZIP Code

James F. Wood
60 Kay St
Waynesboro, VA 22607

Receipt For ☐ Primary ☐ General

☒ Other (specify): SPECIAL

Name of Employer

Self-improvement

Date (month, day, year)

10-21-89

Amount of Each Receipt for this Period

250.00

Occupation

Car lot

Aggregate Year-to-Date \$ 250.00

D. Full Name, Mailing Address and ZIP Code

Kirk JFW Post 6285
Hwy 603
Kula, HI 96556

Receipt For ☐ Primary ☐ General

☒ Other (specify): SPECIAL

Name of Employer

Fund Raiser Friends

Date (month, day, year)

10-21-89

Amount of Each Receipt for this Period

300.00

Occupation

Fund Raiser Friends

Aggregate Year-to-Date \$ 300.00

E. Full Name, Mailing Address and ZIP Code

Charles C. Sweetman
1110 E. 1st St
Kalamazoo, MI 49001

Receipt For ☐ Primary ☐ General

☒ Other (specify): SPECIAL

Name of Employer

People's Fund

Date (month, day, year)

10-31-89

Amount of Each Receipt for this Period

1000.00

Occupation

Executive

Aggregate Year-to-Date \$ 2000.00

F. Full Name, Mailing Address and ZIP Code

Paul Wiersenburg
PO Box 210
Fairfax, VA 22031

Receipt For ☐ Primary ☐ General

☒ Other (specify): SPECIAL

Name of Employer

Self

Date (month, day, year)

10-31-89

Amount of Each Receipt for this Period

1000.00

Occupation

Attorney

Aggregate Year-to-Date \$ 2000.00

G. Full Name, Mailing Address and ZIP Code

R.O. Jones
600 E. 400
Baltimore, MD 21207

Receipt For ☐ Primary ☐ General

☒ Other (specify): SPECIAL

Name of Employer

Requested

Date (month, day, year)

11-2-89

Amount of Each Receipt for this Period

500.00

Occupation

Requested

Aggregate Year-to-Date \$ 500.00

SUBTOTAL of Receipts This Page (optional)

3900.00

TOTAL This Period (for page this line number only)

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

NAME OF COMMITTEE In Full

Gore Taylor for U.S. Congress 124401

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
George Gloss PO Box 23156 Memphis, MS	Rental Co. Owner	10-12-89	75.00
Receipt For ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 500.00		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
W.C. Shackelford Jr. 4421 Wood Park Dr. Jackson, MS 39211	Blue Cross + Blue Shield Executive V.P.	10-12-89	500.00
Receipt For ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 300.00		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Leonard Blackwell 418 ... Winnona, MS 38967	Blackwell & White Attorney	10-13-89	700.00
Receipt For ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 1500.00		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Andy Carpenter 1812 Bay's Dr. Ocean Springs, MS 37561	Prof. A. Park Executive	10-13-89	100.00
Receipt For ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 1000.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Betty Grant Hines Box 39 Kearville, MS 38702	Retiree Retiree	10-13-89	500.00
Receipt For ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 500.00		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Arnold Ingram 357 W. Pined St. Hatterburg, MS 39401	Mrs. Ingram, Mrs. Ingram Strand & Lenoir Attorney	10-13-89	200.00
Receipt For ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 250.00		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
James Kennedy 717 Kennedy Dr. Biloxi, MS	Jimmy's Seafood Co. Secretary	10-13-89	500.00
Receipt For ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 500.00		

SUBTOTAL of Receipts This Page (optional)

3550.00

TOTAL This Period (for page this line number only)

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 candidate to solicit contributions from such contributors

NAME OF CONTRIBUTOR (in Full)

Gene Taylor for U.S. 11 124401

A. Full Name, Mailing Address and ZIP Code Max E. Dyer P.O. Box 204 Hattiesburg, MS 39401 Receipt For ☐ Primary ☐ General ☒ Other (specify) <u>Special</u>	Name of Employer E. of America, Inc. Occupation Manager Aggregate Year-to-Date > \$ <u>750</u>	Date (month, day, year) 10/12/89 Amount of Each Receipt This Period \$100 -
B. Full Name, Mailing Address and ZIP Code John F. Hash 11 Mockingbird Gulfport, MS 39501 Receipt For ☐ Primary ☐ General ☒ Other (specify) <u>Special</u>	Name of Employer WLOX Occupation President Aggregate Year-to-Date > \$ <u>1000</u>	Date (month, day, year) 10/16/89 Amount of Each Receipt This Period \$100 -
C. Full Name, Mailing Address and ZIP Code Dorothy Lacoste Rt 3 Box 714 Bay St Louis, MS 39520 Receipt For ☐ Primary ☐ General ☒ Other (specify) <u>Special</u>	Name of Employer Thruway Occupation Aggregate Year-to-Date > \$ <u>1000</u>	Date (month, day, year) 10/16/89 Amount of Each Receipt This Period \$100 -
D. Full Name, Mailing Address and ZIP Code Irving Lacoste Rt 3 Box 714 Bay St Louis, MS 39520 Receipt For ☐ Primary ☐ General ☒ Other (specify) <u>Special</u>	Name of Employer Waffles Inc. Occupation Owner-Manager Aggregate Year-to-Date > \$ <u>1500</u>	Date (month, day, year) 10/16/89 Amount of Each Receipt This Period \$100 -
E. Full Name, Mailing Address and ZIP Code Dennis J. Moritz 4710 West Beach Blvd. Gulfport, MS 39501 Receipt For ☐ Primary ☐ General ☒ Other (specify) <u>Special</u>	Name of Employer F. J. Moritz, Jr. Occupation President Aggregate Year-to-Date > \$ <u>7500</u>	Date (month, day, year) 10/16/89 Amount of Each Receipt This Period \$500 -
F. Full Name, Mailing Address and ZIP Code Dorothy Phillips 222 W. Beach Blvd. Bay St Louis, MS 39520 Receipt For ☐ Primary ☐ General ☒ Other (specify) <u>Special</u>	Name of Employer Occupation Owner-Manager Aggregate Year-to-Date > \$ <u>500</u>	Date (month, day, year) 10/16/89 Amount of Each Receipt This Period \$100 -
G. Full Name, Mailing Address and ZIP Code Thomas D. Reynolds 1111 N. 1st St. Hattiesburg, MS 39401 Receipt For ☐ Primary ☐ General ☒ Other (specify) <u>Special</u>	Name of Employer Self Occupation Attorney Aggregate Year-to-Date > \$ <u>500</u>	Date (month, day, year) 10/16/89 Amount of Each Receipt This Period \$100 -

SUBTOTAL of Receipts This Page (optional)

5500 -

TOTAL This Period (last page this box number only)

POLITICAL PARTY COMMITTEES

FOR LINE NUMBER

11(6)

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 similar purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

Gene Taylor for U.S. Congress 124401

A. Full Name, Mailing Address and ZIP Code: Conservative National Committee 430 Capital Ct. S.E. Washington, D.C. 20003 Receipt For: ☒ Other (specify): <u>Special</u> ☐ Primary ☐ General	Name of Employer Occupation Aggregate Year-to-Date > \$5000.00	Date (month, day, year) 10/6/89	Amount of Each Receipt this Period 5000.00
B. Full Name, Mailing Address and ZIP Code: Democratic Congressional Campaign Committee Washington, D.C. Receipt For: ☒ Other (specify): <u>Special</u> ☐ Primary ☐ General	Name of Employer Occupation Aggregate Year-to-Date > \$5000.00	Date (month, day, year) 10/10/89	Amount of Each Receipt this Period 5000.00
C. Full Name, Mailing Address and ZIP Code: Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
D. Full Name, Mailing Address and ZIP Code: Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code: Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code: Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code: Receipt For: ☐ Other (specify): ☐ Primary ☐ General	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

10000.00

TOTAL This Period (for page this line number only)

10000.00

any information contained herein shall remain confidential and shall not be used by any person for the purpose of making contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such persons

NAME OF COMMITTEE IN FULL

Sen. Taylor for U.S. Congress 124401

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
First Magnolia Federal PAC PO Box 4858 Holtzsburg, MS 39401		10/31/89	2000. -
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Occupation		
	Aggregate Year-to-Date > \$ 2000. -		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Robert Roe Campaign Committee Wayne, NJ 07470		10/31/89	500. -
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Occupation		
	Aggregate Year-to-Date > \$ 500. -		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
U.S. League - SAPEC 1709 New York Ave, Suite 801 Washington D.C. 20006		10/31/89	500. -
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Occupation		
	Aggregate Year-to-Date > \$ 500. -		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
National Assoc. of Life Underwriters 1922 F. Street, N.W. Washington, D.C. 20006		11/2/89	500. -
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Occupation		
	Aggregate Year-to-Date > \$ 5000. -		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Associated Milk Producers PAC P.O. Box 790287 San Antonio, TX 78279		10/2/89	1500. -
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Occupation		
	Aggregate Year-to-Date > \$ 1500. -		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Stone - PAC 150 N. Michigan Ave. Chicago, IL 60601		10/2/89	500. -
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Occupation		
	Aggregate Year-to-Date > \$ 500. -		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Tidewater, Inc. PAC 1400 Canal St. New Orleans, LA 70112		10/2/89	500. -
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Occupation	10/10/89	1000. -
	Aggregate Year-to-Date > \$ 1500. -		

SUBTOTAL of Receipts This Page (optional)

11500. -

TOTAL This Period (fill page with line number only)

Donor information and amounts may not be 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 On File

Sara Taylor for U.S. Congress 16440

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Receipt For: ☐ Primary ☐ General ☒ Other (specify):	Occupation		
Aggregate Year-to-Date			
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Dingell for Congress 1110 Vermont Ave., NW Suite 12 Washington, DC 20005	Occupation	10/6/89	1000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
National Ed Rader PAC 1201 - 4th St NW Washington, DC 20004	Occupation	10/6/89	5000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
American Optometric Assoc. PAC 1555 Prince St., Suite 300 Alexandria, VA 22314	Occupation	10/6/89	2000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
McDermott Baker Smith Firm PAC 5000 River Road Jefferson, LA 70121	Occupation	10/3/89	1000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Committee to Re-Elect Jack Banks 1762 Church St. N.W. Washington, DC 20036	Occupation	10/3/89	1000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
Conservative Democratic PAC 2000 K Street NW, 5th Floor Washington, DC 20006	Occupation	10/3/89	2000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date		

SUBTOTAL of Receipts This Page (optional)

17000.-

TOTAL This Period (last page this line number only)

Any information reported on this report and attachments 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)

Sara Taylor for U.S. Congress 124401

A. Full Name, Mailing Address and ZIP Code Democratic Congressional Fund 3000 K Street, NW, Suite 300 Washington, DC 20007	Name of Employer Occupation	Date (month, day, year) 10/2/89	Amount of Each Receipt this Period 1000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 1000 -		
B. Full Name, Mailing Address and ZIP Code Effective Gov't Committee 555 New Jersey Ave NW Washington, DC 20001	Name of Employer Occupation	Date (month, day, year) 10/6/89	Amount of Each Receipt this Period 5000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 5000 -		
C. Full Name, Mailing Address and ZIP Code Harris for Congress House of Representatives Washington, DC 20515	Name of Employer Occupation	Date (month, day, year) 10/2/89	Amount of Each Receipt this Period 500.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 500 -		
D. Full Name, Mailing Address and ZIP Code Helmer for Congress P.O. Box 3016 Concord, CN 22025	Name of Employer Occupation	Date (month, day, year) 10/2/89	Amount of Each Receipt this Period 500.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 500 -		
E. Full Name, Mailing Address and ZIP Code Hoyer for Congress 6108 Old Shiver Rd. District Heights, MD 20747	Name of Employer Occupation	Date (month, day, year) 10/2/89	Amount of Each Receipt this Period 1000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 1000 -		
F. Full Name, Mailing Address and ZIP Code Mississippi ACRE Committee P.O. Box 9837 Jackson, MS 39206	Name of Employer Occupation	Date (month, day, year) 10/2/89	Amount of Each Receipt this Period 2000.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 3000 -		
G. Full Name, Mailing Address and ZIP Code Montanary for Congress P.O. Box 5252 Meridian, MS 39301	Name of Employer Occupation	Date (month, day, year) 10/9/89	Amount of Each Receipt this Period 100.-
Receipt For: ☐ Primary ☐ General ☒ Other (specify): Special	Aggregate Year-to-Date > \$ 1000 -		

SUBTOTAL of Receipts This Page (rounded)

11000 -

TOTAL This Period (sum page this line number only)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

RQ-2

JAN 9 1990

Charles D. Benvenuto, Treasurer
Gene Taylor for Congress
P.O. Box 2639
Bay St. Louis, MS 39520

Identification Number: C00220145

Reference: 30 Day Post-Runoff Report (9/28/89-11/6/89) and
Amended 30 Day Post-Runoff Report, dated 11/22/89

Dear Mr. Benvenuto:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule A of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeds the limits, you should either refund to the donor the amount in excess of \$1,000 or get the donor to redesignate and/or reattribute the contribution in writing. All refunds, redesignations, and reattributions must be made within sixty days of the treasurer's receipt of the contribution. Copies of refund checks and copies of letters reattributing or redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule

A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

Although the Commission may take further legal steps, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be taken into consideration.

-Schedule A of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limit set forth in the Act. No political committee other than a qualified multicandidate committee may make contributions to a candidate for federal office in excess of \$1,000 per election. The Mississippi Chiropractors PAC did not meet the requirements for qualified multicandidate status as of the date the contribution(s) was made to your committee. The term "contribution" includes any gift, subscription, loan, advance or deposit of money and anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. If the contribution(s) you received exceeds the limit, you should either refund to the donor(s) the amount in excess of \$1,000 or get the donor(s) to redesignate the contribution(s) in writing. All refunds and redesignations must be made within sixty days of the treasurer's receipt of the contribution. Copies of refund checks and copies of letters redesignating the contributions in question may be used to respond to this letter. Refunds are reported on Line 20 of the Detailed Summary Page and on Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of this report covering the period in which the authorization for the redesignation is received. (11 CFR §104.8(d)(2) and (4))

Although the Commission may take further legal steps, prompt action by you to refund or seek redesignation of the excessive amount will be taken into consideration.

-Line 11(a)(i), Column A, of the Detailed Summary Page discloses \$63,687.50 in receipts. The total on the last page of Schedule A supporting this line is \$63,687.50; however, the sum of all entries itemized equals \$64,687.50. These figures should be the same. Please amend your report to explain the difference.

-A review of your itemized receipts indicates a possible discrepancy in your aggregate year-to-date totals. The reported aggregate totals on your report should include only contributions from an individual or committee for the current calendar year (January 1, 1989 - Present). Please review your procedures for compliance with this requirement and amend any report(s) as necessary.

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-Runoff Report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. Although the Commission may take legal action, any response you wish to make concerning this matter will be taken into consideration. (11 CFR §104.5(f))

-Schedule D of your report itemizes a debt to Stone Container Corporation with an outstanding beginning balance; however, this debt was not included on your previous report. Please refer to Section 104.11(b) of the FEC Regulations and amend your report(s).

-Your report includes a loan owed to Hancock Bank with a due date of October 5, 1989. Please clarify the current status of this loan and disclose the current terms and conditions if the loan was renegotiated. Note that an overdue bank loan may be considered a prohibited contribution by the bank or lending institution unless the current terms and conditions are disclosed with a repayment schedule. (11 CFR §100.7(b)(11))

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the

Charles D. Ducommun

CERTIFIED PUBLIC ACCOUNTANT

P.O. BOX 2822

DAY ST LOUIS MO 63121-2822

TELEPHONE (314) 427-1422

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

12-4401

February 3, 1990

Clerk of the House of Representatives
Attn: Karen White
1036 Longworth House Office Building
Washington, DC 20515

Dear Ms. White:

Attached please find a copy of your correspondence of 1/9/89 along with a schedule showing the contributions in question. The attached schedule shows the date of contributions received from the individuals and PACs in question along with the election for which the funds were contributed. If this does not clarify the contribution designation please do not hesitate to contact us.

Per the attached schedule of contributions, the Mississippi Chiropractors PAC contributed \$500 for the Primary and \$1,000 for the Run-off. No refund is required as per the attached schedule of designation.

Line 11(a)(i), Column A, of the Detailed Summary page should disclose \$64,687.50 in receipts and Line 11(a)(ii) should disclose \$62,182.50 in receipts. Contributions requiring itemization were added to Schedule A; however, the detailed summary page was not corrected. An amended detailed summary page and summary page are attached.

The 48 hour notice regarding "last minute" contributions due for October 11, 1989, was not mailed until October 12, 1989. The post office in Bay St. Louis, Mississippi, 39521, is closed on Wednesday afternoons. Thus, we were unable to mail the report due to be mailed Wednesday, October 11, 1989, until Thursday, October 12, 1989. It was standard office procedure that 48 hour notices be checked every 2 days and any necessary notices filed and sent by certified mail.

You will find attached an amended pre-runoff report Schedule D along with amended summary pages to correctly report the amount owed to Stone Container Corporation for auto use.

The loan owed to Hancock Bank was renewed on October 5, 1989, with a new due date of 2/2/90 and an interest rate of 12% APR.

Please do not hesitate to contact us if the above, along with the attached schedule and amendment do not clarify all items in question.

Sincerely,

Angela L. Pannell

Angela L. Pannell
Assistant Treasurer

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SENSITIVE

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

FIRST GENERAL COUNSEL'S REPORT

RAD Referral 90L-13
STAFF MEMBER: Xavier K. McDonnell

SOURCE OF MUR: Internally Generated
RESPONDENTS: Gene Taylor for Congress Committee,
and Charles B. Benvenuti, as treasurer
RELEVANT STATUTE: 2 U.S.C. § 434(a)(6)(A)
11 C.F.R. § 104.5(f)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the Gene Taylor for Congress Committee (the "Committee"), and Charles B. Benvenuti, as treasurer, ("Respondents") to the Office of General Counsel for failing to report within 48 hours the receipt of eleven contributions for \$1,000 or more, totaling \$19,500, which were received after the 20th day, but more than 48 hours before an election. 2 U.S.C. § 434(a)(6)(A).

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, (the "Act") provides that the principal campaign committee of a candidate shall, within 48 hours of receipt, notify the Clerk, the Secretary, or the Commission, and the Secretary of State, as

appropriate, in writing, of any contribution of \$1,000 or more received by an authorized committee of such candidate after the 20th day, but more than 48 hours before, any election. 2 U.S.C. § 434(a)(6)(A). This notification requirement is in addition to all other reporting requirements under the Act. 2 U.S.C. § 434(a)(6)(B).

Gene Taylor ran in the Special Runoff Election for the Fifth Congressional District in Mississippi, held on October 17, 1989. In order to comply with the Act's reporting requirements for that election, the candidate's committee was required to report, within 48 hours of receipt, each contribution of \$1,000 or more received from September 28, 1989 through October 14, 1989.¹

When reviewing the Committee's 30 Day Special Post Runoff Report, RAD determined that between October 2 and October 13, 1989, the Committee received eleven contributions of \$1,000 or more, totaling \$19,500, which had not been reported within 48 hours of receipt. On January 9, 1990, RAD informed the Committee of its apparent failure to file these reports. The Committee subsequently explained that the post office in Bay St. Louis, Mississippi is closed on Wednesday afternoons, and therefore they were "unable to mail the report due to be mailed Wednesday

1. In fact, the Commission sent a "Report Notice", dated September 7, 1989, which informed the Committee of the requirement that it file reports for "last-minute" contributions within 48 hours of receipt. Attachment 1, page 5.

October 11, 1989, until Thursday, October 12, 1989."

The Committee's explanation does not vitiate the apparent violation of Section 434(a)(6)(A). To begin with, the Committee's statement implies that notice of the receipt of the contributions due to be filed on October 11, 1988 was filed a day later, when in fact there is no record that a 48 hour report was filed for contributions received within that period.² Furthermore, the Act requires notice of the receipt of contributions for \$1,000 or more be filed with the Clerk or the Commission within 48 hours, not merely that it be sent within that time period. 2 U.S.C.

§ 434(a)(6)(A). See A.O. 1988-32. As there is no record that notices for any of these eleven contributions, totaling \$19,500, were ever filed within 48 hours of receipt, it appears that the Committee did not comply with this requirement. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that the Gene Taylor for Congress Committee, and Charles B. Benvenuti, as treasurer, violated 2 U.S.C.

§ 434(a)(6)(A).

III. Discussion of Conciliation Agreement and Proposed Civil Penalty

2. In any event, only three of the eleven contributions of \$1,000 or more were received on October 9 and 10, 1989, within 48 hours of October 11, 1989.

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Gene Taylor for Congress Committee, and Charles B. Benvenutti, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into pre-probable cause conciliation with the Respondents.
3. Approve the attached letter, Factual and Legal Analysis, and proposed conciliation agreement.

Lawrence M. Noble
General Counsel

Date

4/27/90

BY:


Lois G. Lerner
Associate General Counsel

Attachments

1. Referral materials
2. Letter
3. Factual and Legal Analysis (1)
4. Proposed Conciliation Agreement (1)

93040802004

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Gene Taylor for Congress Committee,)
and Charles B. Benvenuti, as)
treasurer)

RAD Referral 90L-13

(MUR 3058)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 3, 1990, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 90L-13:

1. Open a MUR.
2. Find reason to believe that the Gene Taylor for Congress Committee, and Charles B. Benvenuti, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), and enter into pre-probable cause conciliation with the Respondents.
3. Approve the letter, Factual and Legal Analysis, and proposed conciliation agreement, as recommended in the General Counsel's report dated April 27, 1990.

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

Attest:

5-3-90
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of Commission

Received in the Secretariat: Mon., April 30, 1990 11:41 a.m.
Circulated to the Commission: Mon., April 30, 1990 4:00 p.m.
Deadline for vote: Wed., May 2, 1990 4:00 p.m.
At the time of deadline, 4 affirmative votes had not been received.
Final vote received: Thursday, May 3, 1990 at 7:32 a.m.

dh



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 4, 1990

Charles B. Benvenuti, Treasurer
Gene Taylor for Congress Committee
P.O. Box 2639
Bay St. Louis, MS 39521

RE: MUR 3058
Gene Taylor for Congress Committee and
Charles B. Benvenuti, as treasurer

Dear Mr. Benvenuti:

On May 3, 1990, the Federal Election Commission found that there is reason to believe the Gene Taylor for Congress Committee, (the "Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(6)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The 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 the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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

In order to expedite the resolution of this matter, the Commission has also decided to offer 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.

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Charles B. Benvenuti, Treasurer
Page 2

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, 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.

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 the General Counsel ordinarily will not 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 authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain 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 Xavier K. McDonnell, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures

1. Factual and Legal Analysis
2. Procedures
3. Designation of Counsel Form
4. Conciliation Agreement

93040802007

**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

MUR: 3058

RESPONDENTS: Gene Taylor for Congress Committee,
and Charles B. Benvenuti, as treasurer

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the Gene Taylor for Congress Committee (the "Committee"), and Charles B. Benvenuti, as treasurer, ("Respondents") to the Office of General Counsel for failing to report within 48 hours the receipt of eleven contributions for \$1,000 or more, totaling \$19,500, which were received after the 20th day, but more than 48 hours before an election. 2 U.S.C. § 434(a)(6)(A).

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, (the "Act") provides that the principal campaign committee of a candidate shall, within 48 hours of receipt, notify the Clerk, the Secretary, or the Commission, and the Secretary of State, as appropriate, in writing, of any contribution of \$1,000 or more received by an authorized committee of such candidate after the 20th day, but more than 48 hours before, any election. 2 U.S.C. § 434(a)(6)(A). This notification requirement is in addition to all other reporting requirements under the Act. 2 U.S.C. § 434(a)(6)(B).

Gene Taylor ran in the Special Runoff Election for the Fifth Congressional District in Mississippi, held on October 17, 1989.

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In order to comply with the Act's reporting requirements for that election, the candidate's committee was required to report, within 48 hours of receipt, each contribution of \$1,000 or more received from September 28, 1989 through October 14, 1989.

When reviewing the Committee's 30 Day Special Post Runoff Report, RAD determined that between October 2 and October 13, 1989, the Committee received eleven contributions of \$1,000 or more, totaling \$19,500, which had not been reported within 48 hours of receipt. On January 9, 1990, RAD informed the Committee of its apparent failure to file these reports. The Committee subsequently explained that the post office in Bay St. Louis, Mississippi is closed on Wednesday afternoons, and therefore they were "unable to mail the report due to be mailed Wednesday October 11, 1989, until Thursday, October 12, 1989."

The Committee's explanation does not vitiate the apparent violation of Section 434(a)(6)(A). To begin with, the Committee's statement implies that notice of the receipt of the contributions due to be filed on October 11, 1988 was filed a day later, when in fact there is no record that a 48 hour report was filed for contributions received within that period.¹ Furthermore, the Act requires notice of the receipt of contributions for \$1,000 or more be filed with the Clerk or the Commission within 48 hours, not merely that it be sent within that time period. 2 U.S.C. § 434(a)(6)(A). See A.O. 1988-32. As there is no record that

1. In any event, only three of the eleven contributions of \$1,000 or more were received on October 9 and 10, 1989, within 48 hours of October 11, 1989.

notices for any of these eleven contributions, totaling \$19,500, were ever filed within 48 hours of receipt, it appears that the Committee did not comply with this requirement. Accordingly, there is reason to believe that the Gene Taylor for Congress Committee, and Charles B. Benvenuto, as treasurer, violated 2 U.S.C. § 434(a)(6)(A).

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

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A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATION
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

May 18, 1990

Mr. Xavier K. McDonnell
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR 3058 - Gene Taylor for Congress and Charles B. Benvenutti, as Treasurer

Dear Mr. McDonnell:

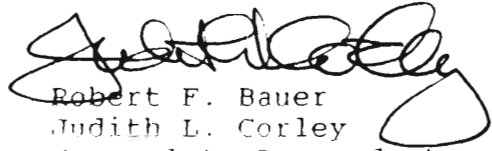
Enclosed is a designation of counsel for the above-referenced matter under review.

Respondents did not receive the Commission's reason to believe finding letter until May 14. They retained our law firm yesterday to assist in the preparation of their response. We request an extension of time of two weeks to allow adequate time to review the facts and prepare a response.

With the extension, Respondents' response will be due by June 12, 1990.

If you have any questions, or need additional information, please let me know.

Very truly yours,


Robert F. Bauer
Judith L. Corley
Counsel to Respondents

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 1990

Robert F. Bauer
Judith L. Corley
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 3058
Gene Taylor for Congress Committee, and
Charles B. Benvenutti, as treasurer

Dear Mr. Bauer and Ms. Corley:

This is in response to your letter dated May 18, 1990 requesting an extension of 20 days to respond to MUR 3058. After considering the circumstances presented in your letter, I have granted a 20 day extension. Accordingly, your response is due by the close of business on June 12, 1990.

If you have any questions, please contact Xavier K. McDonnell, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lisa E. Klein
Assistant General Counsel

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PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

June 12, 1990

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attention: Xavier K. McDonnell

Re: MUR 3058 - Gene Taylor for Congress Committee, and
Charles B. Benvenuti, as Treasurer

Dear Mr. Noble:

This letter constitutes the response of the Taylor for Congress Committee (the "Committee") and Charles B. Benvenuti, as Treasurer ("Respondents") to the Commission's finding of reason to believe a violation of the Federal Election Campaign Act of 1971, as amended ("FECA"), had occurred.

The Commission has identified 11 contributions to the Committee which were received between the 20th day, but more than 48 hours, before the special general election and which the Commission found did not appear on 48-hour reports filed by the Committee.

This response will discuss the factual circumstances underlying these contributions so that the Commission will have a complete understanding of the events surrounding the Mississippi special election. These facts demonstrate that the Committee was in substantial compliance with the FECA and the Commission's regulations.

BACKGROUND

Congressman Larkin Smith died in the middle of August, 1989. A special election to fill his congressional seat was announced approximately 10 days later. The special election was scheduled in two parts: an open primary election on October 3, barely one month after the announcement of the special election, and a runoff, scheduled two weeks after the open primary.

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OFFICE OF GENERAL COUNSEL
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Gene Taylor ran against Congressman Smith in the 1988 general election. He had decided, however, not to challenge the Congressman during the 1990 election. His campaign committee had virtually terminated, with only a few debts remaining to be retired. All campaign staff from the 1988 election had long since departed.

The new campaign began immediately after Labor Day, with all new staff. For example, in the 1988 election, Congressman Taylor's wife served as his campaign manager. In the 1989 special, Charles Benvenutti took over as campaign manager and treasurer. Mr. Benvenutti had never run a federal campaign and had no prior experience with the requirements of federal election campaign law. Other campaign staff of the new campaign were equally new to federal election laws. With barely a month between the decision to run and the election, the campaign had to open a campaign office, prepare a campaign plan, oversee and implement the day-to-day activities, as well as master the campaign finance laws.

The extremely short period of time between the announcement of the special elections, the decision to run, the gearing up of a campaign, and the actual elections added a tremendous burden to the already substantial administrative requirements imposed on any campaign by the federal election campaign laws. Nonetheless, the Committee established a systematic procedure for tracking 48-hour report requirements. Each day, all contributions received by the Committee were entered into the campaign's computer. At the end of each day, a printout of all contributions of \$1,000 or more was made, on which the 48-hour reports were based. All of the contributions identified by the Commission occurred during the intense two-week period after the open primary and before the general election. Winning the primary resulted in a dramatic expansion of the campaign during the last two weeks, further taxing the already overburdened campaign staff.

In spite of these burdens, the Committee made every effort to be complete and timely in complying with the reporting requirements under the FECA. The Commission must recognize the unique circumstances that arise in connection with special elections with their condensed timetable. Each of the contributions identified by the Commission is discussed in turn below.

SPECIFIC CONTRIBUTIONS

1. October 2, 1989

The \$1,500 contribution from the Associated Milk Producers reported as received on October 2, 1989, was, in

fact, received on November 2, 1989. Enclosed is a copy of the check dated October 23, 1989, and a copy of the November 2, 1989 deposit slip for this check. The contribution was not, thus, received during the 48-hour reporting period and need not have been reported under these provisions of the FECA.

2. October 6, 1989

The six contributions (Democratic National Committee, \$5,000; Dingell for Congress, \$1,000; John Hash, \$1,000; Dorothy LaCoste, \$1,000; Irving LaCoste, \$1,000; and Dennis Moritz, \$1,000) reported as received on October 6, 1989, were inadvertently omitted from the 48-hour reports. These contributions were received by the campaign on a Friday. The normal computer printout that would have been run late that day or the next day was apparently not done. When the next computer printout was run on Monday, obviously the Friday contributions were not included.

3. October 9, 1989

The \$1,000 contribution from Montgomery for Congress and the \$1,000 contribution from Chevis Swetman reported as received on October 9, 1989, were inadvertently not entered into the computer before they were deposited and, therefore, did not appear on the printout used to produce the 48-hour report for that day. The Committee did disclose 12 other contributions of \$1,000 or more received that same day, October 9.

4. October 10, 1989

The \$5,000 contribution from the Democratic Congressional Campaign Committee ("DCCC") reported as received on October 10, 1989, was received by wire transfer on that date. The Taylor Committee had been promised a contribution in early October, and gave the DCCC its account number for use when the contribution was actually made. The Taylor Committee, however, received no specific notice from the DCCC when the contribution was actually made and was unaware that the funds were received until its bank records were reconciled on November 7, 1989. The Committee's bank was unable to identify the contributor for the Committee until November 9, 1989.

As the Committee had no notice that a contribution had been made, it would have been impossible for the Committee to comply with the 48-hour reporting requirement. The Committee did report the contribution on its next report, once it had discovered the receipt.

5. October 13, 1989

The \$1,000 from Andy Carpenter reported as received on October 13, 1989, was inadvertently omitted from the 48-hour report for that day. The Committee did report five other contributions received that same day, October 13, 1989.

In all cases, the contributions in question were disclosed promptly and completely by the Committee on its next report.

It is clear that in two of the cases identified by the Commission, the contributions could not have been reported on the 48-hour reports and, therefore, the Committee should not be found in violation of these provisions. The remaining nine contributions, a minimal number given the total dollar value of the campaign, were inadvertent bookkeeping errors made by an inexperienced campaign staff operating under an extremely condensed timetable of the special elections and consequent administrative burden on the campaign staff.

The Committee believes that it was in substantial compliance with the requirements of the FECA and that it made a significant effort to ensure that the public record accurately reflected the nature and extent of its campaign support.

Nonetheless, Respondents wish to resolve this matter as quickly as possible and, therefore, request pre-probable cause conciliation in this matter.

If you have any questions or need additional information, please do not hesitate to contact one of the undersigned.

Very truly yours,



Robert F. Bauer
Judith L. Corley
Counsel to Respondents

90040302017

DATE OTHER SIDE

GENE YAVON VON
CONGRESS COMMITTEE

**Peoples Federal
Savings Bank**
P.O. Box 170
Bay St. Louis, MS 39020

DATE <u>11-2-89</u>		DOLLARS	CENTS
CURRENCY			
COIN			
CHECKS LIST EACH SEPARATELY			
1		5000	00
2	(Milk Producers)	1500	00
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
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16			
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23			
24			
25			
26			
27			
TOTAL FROM OTHER SIDE OR ATTACHED LIST			
TOTAL		6500	00

2655708671: 015401031304

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

RIGHT
←
6500

8

PLEASE
RE-ENTER
TOTAL HERE

TOTAL

6500 00

Checks and other items are received for deposit
subject to the provisions of the Uniform Commercial
Code or any applicable collection agreement

**ASSOCIATED
MILK PRODUCERS, INC.**

SAM STONE
Assistant to the General Manager
Government Affairs

P.O. Box 790287
San Antonio, Texas 78279

Direct Line (512) 340-9125
Switchboard (512) 340-9100

COMMITTEE
FOR
THOROUGH AGRICULTURAL POLITICAL EDUCATION
OF
ASSOCIATED MILK PRODUCERS, INC.

No 1863

Oct 23 1989

PAYOne thousand five hundred dollars and no/100-DOLLARS \$**1,500.00**** ✓

TO THE ORDER OF

•Gene Taylor for Congress
831 Highway 90
Bay St. Louis, MS 39521

J. A. Stone
[Signature]

GROOS BANK
SAN ANTONIO, TEXAS ⑈001863⑈ ⑆114000080⑆

32 5026596⑈

OGC 7590

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

August 24, 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 AUG 24 PM 3:16

Xavier McDonnell, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 3058 - Gene Taylor for Congress Committee,
and Charles B. Benvenuti, as Treasurer

Dear Mr. McDonnell:

Please find enclosed the signed Conciliation Agreement
executed on behalf of the above-referenced Respondents.

If you have any questions, please do not hesitate to
contact me.

Very truly yours,


Judith L. Corley
Counsel to Respondents

JLC:smb

Enclosure

0046m

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
) MUR 3058
Gene Taylor for Congress Committee, and)
Charles B. Benvenutti, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On

the same day the Commission found reason to believe the Respondents violated 2 U.S.C. § 434(b)(3)(B), and approved a counterproposal in settlement of this matter. The Respondents have signed and submitted the conciliation agreement which was previously approved by the Commission. A check for the civil penalty has not been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Gene Taylor for Congress Committee, and Charles B. Benvenutti, as treasurer.
2. Approve the appropriate letter.
3. Close the file.

Lawrence M. Noble
General Counsel

8/29/90
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachment

Respondents' letter and signed conciliation agreement.

Staff Assigned: Xavier K. McDonnell

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Gene Taylor for Congress Committee) MUR 3058
and Charles B. Benvenutti, as)
treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 19, 1990, the Commission decided by a vote of 6-0 to take the following actions in MUR 3058:

1. Accept the conciliation agreement with the Gene Taylor for Congress Committee, and Charles B. Benvenutti, as treasurer, as recommended in the General Counsel's Report dated August 29, 1990.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated August 29, 1990.
3. Close the file.

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

Attest:

9-19-90
Date

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

Received in the Secretariat:	Tuesday,	Sept. 4, 1990	9:54
Circulated to the Commission:	Tuesday,	Sept. 4, 1990	4:00
Deadline for vote:	Thursday,	Sept. 20, 1990	4:00

ha



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 27, 1990

Robert F. Bauer
Judith L. Corley
Perkins Coie
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 3058
Gene Taylor for Congress and
Charles B. Benvenuti, as treasurer

Dear Mr. Bauer and Ms. Corley:

On September 19, 1990, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of violations of 2 U.S.C. §§ 434(a)(6)(A) and 434(b)(3)(B), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

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 Xavier K. McDonnell, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Gene Taylor for Congress Committee, and) MUR 3058
Charles B. Benvenutti, as treasurer)

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 Gene Taylor for Congress Committee (the "Committee"), and Charles B. Benvenutti, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(6)(A) and 2 U.S.C. § 434(b)(3)(B).

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.

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

1. The Gene Taylor for Congress Committee is the principal campaign committee of Gary Eugene "Gene" Taylor (the

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3

"Candidate"), and is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Charles B. Benvenutti is the treasurer of the Gene Taylor for Congress Committee.

3. Pursuant to 2 U.S.C. § 434(a)(1), each treasurer of a political committee shall file reports of receipts and disbursements in accordance with the provisions of 2 U.S.C. § 434. Pursuant to 2 U.S.C. § 434(a)(6)(A), the candidate's principal campaign committee must notify the Clerk, the Secretary, or the Commission of any contributions of \$1,000 or more received after the 20th day, but more than 48 hours before an election. This notification must be made within 48 hours of receipt, and the contributions must also be itemized in the committee's next scheduled report. 2 U.S.C. 434(a)(6)(B).

4. Pursuant to 2 U.S.C. § 434(b)(3)(B) each report must disclose the identity of each political committee which makes a contribution to the reporting committee, together with the date and amount of any such contribution.

5. The Candidate was involved in the Special Runoff Election for the Fifth Congressional District in Mississippi, held on October 17, 1989.

6. In order to comply with 2 U.S.C. § 434(a)(6)(A), the Respondents were required to file notices for all contributions of \$1,000 or more received from September 28, through October 14, 1989.

7. Respondents received ten contributions of \$1,000 or more, totaling \$18,000, between October 6, 1989 and October 13, 1989.

8. On November 2, 1989, the Respondents received a \$1,500 contribution from the Committee For Thorough Agricultural Political Education of Associated Milk Producers, Inc. ("Associated Milk Produces, Inc.") The Committee's 30 Day Special Post Runoff Report indicated that the contribution was received on October 2, 1989.

V. Respondents failed to file notices, within 48 hours of receipt, for the \$18,000 in contributions of \$1,000 or more, received after the 20th day but more than 48 hours before this Special Runoff Election, and thereby violated 2 U.S.C. § 434(a)(6)(A).

VI. By failing to accurately disclose the receipt of the \$1,500 contribution from the Associated Milk Producers, Inc., the Respondents violated 2 U.S.C. § 434(b)(3)(B).

VII. Respondents will pay a civil penalty to the Federal Election Commission in the amount of \$1,500 (fifteen hundred dollars), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. 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.

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

1040802025

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

Lawrence M. Noble
General counsel

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

Date September 26, 1990

FOR THE RESPONDENTS:

Name: Judith L. Corley
Position: Counsel to Respondents

Date _____

8/24/90



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3058

DATE FILMED 10/12/90 CAMERA NO. 2

CAMERAMAN AS

20040802027



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3058.

91040813514

OGC 8495

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1110 VERMONT AVENUE, N.W. • WASHINGTON, D.C. 20005 • (202) 887-9030

October 30, 1990

CLOSED

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 OCT 31 PM 2:59

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
90 NOV -1 PM 1:01

Xavier McDonnell
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 3058 - Gene Taylor for Congress Committee
and Charles B. Benvenuti, as Treasurer

Dear Mr. McDonnell:

Please find enclosed a check for \$1,500 from the Gene Taylor for Congress Committee in payment of the civil penalty assessed in the above-referenced matter under review.

If you have any questions, please let me know.

Very truly yours,


Judith L. Corley
Counsel to Respondents

0001m/62

910040315



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Oct 31, 1990

TWO WAY MEMORANDUM

TO: Fabrae Brunson
OGC, Docket

FROM: Philomena Brooks *RP*
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Perkins Cole, check number 7030, dated Oct. 30, 1990, and in the amount of \$ 1500.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Philomena Brooks
Accounting Technician

FROM: Fabrae Brunson *FB*
OGC, Docket

In reference to the above check in the amount of \$ 1,500, the MUR number is 3058 and in the name of Steve Taylor for Congress Cont.. The account into which it should be deposited is indicated below:

- ☐ Budget Clearing Account (OGC), 95F3875.16
- ☒ Civil Penalties Account, 95-1099.160
- ☐ Other: _____

Fabrae Brunson
Signature

Nov. 1, 1990
Date

91340813516

PERKINS COIE
WORKING FUND

1110 VERMONT AVENUE, N.W., SUITE 1200
WASHINGTON, D.C. 20005

FIRST AMERICAN BANK, N.A.
WASHINGTON, D.C.

Nº

7020

$\frac{15-4}{540} 5$

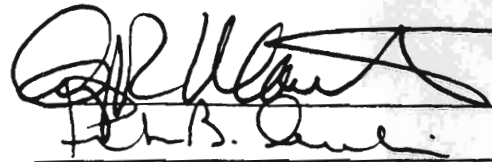
October 30

19⁹⁰

PAY One Thousand Five Hundred ----- DOLLARS \$1,500.00

TO THE
ORDER OF

Federal Election Commission



John B. Taylor

MUR 3058 - Taylor for Congress Committee

2 SIGNATURES REQUIRED OVER \$500.00

⑈00007020⑈ ⑆054000043⑆ 3 207 188⑈

9104081351