

Received

MAY 15 2020

WV Ethics Commission

West Virginia Ethics Commission

Lobbyist Activity Report Form

2020-01

West Virginia Ethics Commission
Attn: Lobbyist Registrar
210 Brooks St., Ste. 300
Charleston, WV 25301
304-558-0664 No faxed copies

For office use only:
Postmark Rec'd
Days late Fine

Late reporting fine - \$10 per business day past the due date (\$250 maximum)

1. Name and contact information

Name Benjamin R. Beakes Phone 304-993-8917
Business Address P.O. Box 7058 Business Email ben@3pswv.com
City, State Zip Charleston, WV 25356

2. Reporting period for which this activity report is being filed

Table with columns: Check, Report, Period, Due Date. Row 1: x, 2020-1, 1/1/20 - 4/30/20, 5/15/2020

3. List all employers/organizations that you represent as a lobbyist

Use additional reporting forms if necessary.

- 1. see attached
2.
3. Benjamin R. Beakes
4.
5.
6.

4. Lobbying activity summary - If there was no activity or expenditures, indicate "none."

Personal conversations, phone calls, emails, dinners, luncheons.

5. Expenditures see attached

If no expenditures, including campaign contributions, mark here: []

If you spent money on any public official, employee or member of his or her immediate family, list the amounts spent in each of the following categories per each employer you represent. Complete and attach Schedule A to this report.

Table with columns: Expenditure Categories, Employer 1, Employer 2, Employer 3, Employer 4, Employer 5, Employer 6, Total Expended. Rows A-I including categories like Meals and Beverages, Lodging, Advertising, Travel, Gifts, Other Expenses, Group Expenditures, Campaign Contributions, and TOTAL of all expenditures.

If you sponsored or contributed to any group event or shared expenses, list the total expended in category 5G immediately above. Complete and attach a Schedule B for each event.

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3. List all employers/organizations that you represent as a lobbyist

- 1 Contura Energy
- 2 TransCanada
- 3 AT&T
- 4 K12, Inc.
- 5 WV Regional Technology Park
- 6 Republic Services
- 7 Yes, Every Kid, Inc.
- 8 WV Association of Health Plans
- 9 WV Independent Colleges & Universities
- 10 Three Point Strategies, LLC (3PS)
- 11 Alliance for Patient Access
- 12 WV Child Advocacy Network (WVCAN)

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5. Total of All Expenditures from Schedule A and Schedule B

	Contura Employer 1	TransCanada Employer 2	AT&T Employer 3	K12 Employer 4	WVRTP Employer 5	Republic Employer 6	Yes, EK, Inc. Employer 7	WVAHP Employer 8	WVICU Employer 9	3PS Employer 10	All. Pat. Accs. Employer 11	WVCAN Employer 12	Total
A. Meals and Beverages	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 102.62	\$ 441.66	\$ 256.20	\$ -	\$ -	\$ -	\$ 800.48
B. Lodging	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C. Advertising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
D. Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E. Gifts	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
F. Other Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G. Group Expenditures (From Schedule B)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 693.40	\$ 335.34	\$ -	\$ -	\$ -	\$ -	\$ 1,028.74
H. Campaign Contributions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 102.62	\$ 1,135.06	\$ 591.54	\$ -	\$ -	\$ -	\$ -	\$ -
I. Total of all expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,028.74	\$ 1,829.22	\$ -	\$ -	\$ -	\$ -	\$ 1,829.22

Schedule A: WV Lobbyist Expenditure Details

(Attach this completed sheet to the Lobbyist Activity Report)

Complete this form if you have made or shared any expenditure **other** than group entertainment on a public official or employee during this reporting period. If you have made expenditures in these categories - (1) *Meals & Beverages*, (2) *Lodging*, (3) *Travel*, (4) *Gifts*, (5) *Other Expenditures* - list below, you must report it in sections 1 or 2 on this form.

If you shared any of these expenditures with another lobbyist, note who shared the expenditures in the area below the recipient's name. You are not required to report on Schedule A detailed expenditures on Advertising, Contributions [including political contributions] and Group Entertainment. Expenditures in those categories must be reported on the Lobbyist Activity Report and/or Schedule B.

1. Expenditure Details - (include shared expenditures not reported on Schedule B)

Report all expenditures in any of the categories listed below on a particular person or member of their immediate family EXCEPT those reported in Section 1a or 2 (below) or any portion of a "Group Entertainment" OR "Shared Expense" event which are to be reported on Schedule B. Transfer the totals to section 5 on the Lobbyist Activity Report. If you shared expenditures with another lobbyist, identify who shared the cost in the area below each recipient's name.

Recipient name(s) and date of expenditure	Meals & beverages	Lodging	Travel	Gifts	Other	Total \$ expended
See attached						
TOTAL Expenditures						

1a Gifts (Group)

Ordinarily gifts to individual legislators must not exceed \$25. Gifts such as key chains, mugs, and calendars given to ALL members of the House or Senate, the entire Legislature or to standing or joint committees must be listed here. Describe the item, to which group it was given and the total cost. You need not list each legislator who received the gift, only the name of the group. Transfer the total cost to the Lobbyist Activity Report, section 5E.

Describe the gift(s)	Which employer provided the gift?	Which group received the gift?	Total cost of gift(s)
none			

2. Participation in a Panel or Speaking Engagement

Report expenditures on a particular person in the categories listed below when such expenditure was for the individual's participation in a panel or speaking engagement. Transfer the totals to section 5 on the Lobbyist Activity Report.

Recipient name and event	Meals & beverages	Lodging	Travel	Gifts	Scheduled entertainment & other	Total \$ expended
none						

3. Subjects of Lobbying

For each recipient identified in 1, 1a & 2 above, explain briefly the subjects of lobbying. List the individual or group recipient and then the subject matter of the lobbying. Example: "Del. Joe Jones – Health Care" or "House Finance Committee - Environment."
see attached

Schedule A

1. Expenditure Details

Recipient name(s) and date of expenditure	Meals & Beverages	Lodging	Travel	Gifts	Other	Total \$ Expended	Employer
Delegate Joe Ellington 01/14/2020	\$ 64.05					\$ 64.05	9
Delegate Joshua Higginbotham 01/14/2020	\$ 64.05					\$ 64.05	9
Senator Patricia Rucker 01/14/2020	\$ 64.05					\$ 64.05	9
Delegate Caleb Hannah 1/14/2020	\$ 64.05					\$ 64.05	9
Delegate Jordan Hill 01/22/2020	\$ 70.08					\$ 70.08	8
Delegate Jeff Pack 01/22/2020	\$ 70.08					\$ 70.08	8
Delegate Verman Criss 01/22/2020	\$ 70.08					\$ 70.08	8
Virginia Criss 01/22/2020	\$ 70.08					\$ 70.08	8
Delegate Eric Householder 01/22/2020	\$ 70.08					\$ 70.08	8
Delegate Jordan Hill 02/06/2020	\$ 15.21					\$ 15.21	8
Delegate Jeff Pack 02/06/2020	\$ 15.21					\$ 15.21	8
Charlie Roskovensky 02/06/2020	\$ 15.21					\$ 15.21	8
Jess Russo 02/06/2020	\$ 15.21					\$ 15.21	8
Martha White 02/06/2020	\$ 15.21					\$ 15.21	8
Bryan Phillips 02/06/2020	\$ 15.21					\$ 15.21	8
Delegate Joshua Higginbotham 02/17/2020	\$ 51.31					\$ 51.31	7
Delegate Caleb Hannah 02/17/2020	\$ 51.31					\$ 51.31	7
Employer 1 Total (Contura)						\$ -	
Employer 2 Total (TransCanada)						\$ -	
Employer 3 Total (AT&T)						\$ -	
Employer 4 Total (K12)						\$ -	
Employer 5 Total (WVRTP)						\$ -	
Employer 6 Total (Republic)						\$ -	
Employer 7 Total (Yes)	\$ 102.62					\$ 102.62	
Employer 8 Total (WVAHP)	\$ 441.66					\$ 441.66	
Employer 9 Total (WVICU)	\$ 256.20					\$ 256.20	
Employer 10 Total (3PS)						\$ -	
Employer 11 Total (APA)						\$ -	
Employer 12 Total (WVCAN)						\$ -	

Schedule A**3. Subjects of Lobbying**

Expenditure Detail	Name	Topic
01/14/2020 Dinner	Delegates Ellington, Higginbotham, Hannah; Senator Rucker	Higher Education policy
01/22/2020 Dinner	Delegates Hill, Pack, Criss (and spouse), Householder	Medicaid policies relating to managed care
02/06/2020 Lunch	Delegates Hill, Pack, House Health staff: Roskovensky, Russo, White, Phillips.	Prenatal screening data access
02/17/2020 Dinner	Delegates Higginbotham, Hannah	Extended learning opportunities policy

Schedule B: Group Entertainment & Shared Expenses

(Attach to the Lobbyist Activity Report)

Instructions: *Group Entertainment* functions include only the functions that fall within the following groups. Report expenditures for a dinner party, reception or other similar function if you invited ALL members of any of these four specific groups. Individual names of attendees do not need to be listed for these four specific groups.

1. the Legislature
2. a standing or select committee of either house
3. either house of the Legislature
4. a joint committee of both houses

Use the worksheet below to figure the amount spent on legislators and other governmental officials and employees for each "event." Enter this amount on the Lobbyist Activity Report.

List each group event separately. **Make additional copies of this page if necessary.** Record total expenditures for each group event in **Section B**. You must then calculate and post on the Lobbyist Activity Report only the amount actually spent on public officials. If you share expenses with another reporting lobbyist, report only your portion of the expenses and list the names of other co-sponsors in **Section C** below.

Section A: Event Information

Lobbying expenses for entertainment of "OTHER" group events are reported in the "Meals & Beverages" category on the Lobbyist Activity Report Form. List the names of attendees on this form or attach additional information pages. If using this form, list the names in item 5 below, as well as other event information requested in items 1 through 4 and complete the Section B calculations.

1. Date of event: 02/20/2020 Location: Senate Education Committee Room/Offices
 2. Type of event (reception, dinner, etc.): Dinner for Senate Health/Education Committees
 3. Event sponsor: WV Association of Health Plans (If you shared the sponsorship and expenses with others, you must also complete Section C below.)
 4. Which of the following governmental groups were invited? All members of:

<input type="checkbox"/> a. the Legislature	<input checked="" type="checkbox"/> c. a standing or select committee of either house
<input type="checkbox"/> b. either house of the Legislature	<input type="checkbox"/> d. a joint committee of both houses
- OR**
5. OTHER: If the event was not in one of the four specific groups listed above, you must list the names of all public employees or public officials in attendance here or on an attachment to this form. List attendees here:

Section B: Calculate Reportable Expenses*Some calculations must be performed manually.*

$$1. \frac{866.70}{(total\ cost\ of\ event)} \div \frac{25}{(total\ attendance)} = \$ \frac{34.67}{(per\ capita\ cost)}$$

2. Number of governmental officials or employees in attendance:

$$\frac{20}{(governmental\ attendees)} \times \frac{34.67}{(per\ capita\ cost)} = \boxed{693.40} \times 1$$

If this was a true Group Entertainment event and you were the sponsor, report the amount above as Group Entertainment on the Lobbyist Activity Report in Section 5G. If you shared expenses with others, complete section C below, and report only your portion of the cost. Note: If you classified the expenditure described in section A as "OTHER," it is reported on the Lobbyist Activity Report Form as a Meals & Beverages expense (5A), not as a "Group Expenditure" (5G).

Section C: Shared Sponsorship Expenses

1. Were any other lobbyists co-sponsors of this event? no (yes or no)
2. If yes, with how many others are sharing the cost? _____ List the names of all sponsors below:

3. What is your share of Box 1 above? \$ _____

Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G.

BOX 2

Schedule B: Group Entertainment & Shared Expenses

(Attach to the Lobbyist Activity Report)

Instructions: *Group Entertainment* functions include only the functions that fall within the following groups. Report expenditures for a dinner party, reception or other similar function if you invited ALL members of any of these four specific groups. Individual names of attendees do not need to be listed for these four specific groups.

- | | |
|---|-------------------------------------|
| 1. the Legislature | 3. either house of the Legislature |
| 2. a standing or select committee of either house | 4. a joint committee of both houses |

Use the worksheet below to figure the amount spent on legislators and other governmental officials and employees for each "event." Enter this amount on the Lobbyist Activity Report.

List each group event separately. **Make additional copies of this page if necessary.** Record total expenditures for each group event in **Section B**. You must then calculate and post on the Lobbyist Activity Report only the amount actually spent on public officials. If you share expenses with another reporting lobbyist, report only your portion of the expenses and list the names of other co-sponsors in **Section C** below.

Section A: Event Information

Lobbying expenses for entertainment of "OTHER" group events are reported in the "Meals & Beverages" category on the Lobbyist Activity Report Form. List the names of attendees on this form or attach additional information pages. If using this form, list the names in item 5 below, as well as other event information requested in items 1 through 4 and complete the Section B calculations.

1. Date of event: 01/14/2020 Location: State Capitol: Governor's Cabinet Conference Room (located in SOS Office)
2. Type of event (reception, dinner, etc.): Lunch with WVICU Board Members and Joint Education Committees
3. Event sponsor: WV Independent Colleges & Universities (If you shared the sponsorship and expenses with others, you must also complete Section C below.)
4. Which of the following governmental groups were invited? All members of:
- | | | | |
|--------------------------|------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> | a. the Legislature | <input type="checkbox"/> | c. a standing or select committee of either house |
| <input type="checkbox"/> | b. either house of the Legislature | <input checked="" type="checkbox"/> | d. a joint committee of both houses |

OR

5. OTHER: If the event was not in one of the four specific groups listed above, you must list the names of all public employees or public officials in attendance here or on an attachment to this form. List attendees here:

Section B: Calculate Reportable Expenses*Some calculations must be performed manually.*

$$1. \frac{465.77}{(total\ cost\ of\ event)} \div \frac{25}{(total\ attendance)} = \$ \frac{18.63}{(per\ capita\ cost)}$$

2. Number of governmental officials or employees in attendance:

$$\frac{18}{(governmental\ attendees)} \times \frac{18.63}{(per\ capita\ cost)} = \boxed{335.34} \times 1$$

If this was a true Group Entertainment event and you were the sponsor, report the amount above as Group Entertainment on the Lobbyist Activity Report in Section 5G. If you shared expenses with others, complete section C below, and report only your portion of the cost. Note: If you classified the expenditure described in section A as "OTHER," it is reported on the Lobbyist Activity Report Form as a Meals & Beverages expense (5A), not as a "Group Expenditure" (5G).

Section C: Shared Sponsorship Expenses

1. Were any other lobbyists co-sponsors of this event? no (yes or no)
2. If yes, with how many others are sharing the cost? _____ List the names of all sponsors below:

3. What is your share of Box 1 above? \$ _____

Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G.

BOX 2