

# Lobbyist Activity Report Form

2018-01

Received  
MAY 10 2018  
WV Ethics Commission

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

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 \_\_\_\_\_

**1. Name and contact information**

Name Benjamin R. Beakes Phone 304-9938917  
 Address P.O. Box 7058 Email ben@3pswv.com  
 \_\_\_\_\_  
 City, State Zip Charleston, WV 25356

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

Check	Report	Period	Due Date				
x	2018-1	1/1/18-4/30/18	5/15/2018				

**3. List all employers/organizations that you represent as a lobbyist** *Use additional reporting forms if necessary.*

1. see attached      4. \_\_\_\_\_  
 2. \_\_\_\_\_      5. \_\_\_\_\_  
 3. \_\_\_\_\_      6. \_\_\_\_\_

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

Meals, emails, direct conversation with lawmakers  
 \_\_\_\_\_  
 \_\_\_\_\_

**5. Expenditures**    see attachment for employer details

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.

Expenditure Categories	Employer 1	Employer 2	Employer 3	Employer 4	Employer 5	Employer 6	Total Expended
A. Meals and Beverages	\$	\$	\$	\$	\$	\$	\$ 305.55
B. Lodging	\$	\$	\$	\$	\$	\$	\$
C. Advertising	\$	\$	\$	\$	\$	\$	\$
D. Travel	\$	\$	\$	\$	\$	\$	\$
E. Gifts	\$	\$	\$	\$	\$	\$	\$
F. Other Expenses	\$	\$	\$	\$	\$	\$	\$
G. Group Expenditures	\$	\$	\$	\$	\$	\$	\$ 366.89
H. Campaign Contributions	<i>LIST AMOUNT IN "TOTAL EXPENDED" COLUMN.</i>						\$ 1000.00
I. TOTAL of all expenditures	\$	\$	\$	\$	\$	\$	\$ 1672.44

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.

**6. Lobbyist certification – Please read and sign below.**

To the best of my knowledge, the information contained hereon and on any attached materials is true, correct and complete. I understand that it is a violation of WV Code §6B-3-9 to willfully and knowingly file a false or incomplete report. I further understand that if convicted of such an act, I

## Lobbyist Activity Report Form

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

- 1 Alpha Natural Resources
- 2 TransCanada
- 3 AT&T
- 4 K12, Inc.
- 5 WV Regional Technology Park
- 6 WV Professional Educators
- 7 Humane Society of the U.S.
- 8 Aviat U.S., Inc.
- 9 Contura Energy
- 10 Three Point Strategies, LLC (3PS)
- 11 American Research & Policy Institute (ARPI)
- 12 WV Child Advocacy Network (WVCAN)
- 13 American Heart Association
- 14 IOGA WV

Lobbyist Activity Report Form

Part 1 - Expenditures from Schedule A and Schedule B

	Alpha Employer 1	TransCanada Employer 2	AT&T Employer 3	K12 Employer 4	WV/RTP Employer 5	WVPE Employer 6	HSUS Employer 7	Aviat Employer 8	Contura Employer 9	SPS Employer 10	ARPI Employer 11	WV/CAN Employer 12	AHA Employer 13	IOGA WV Employer 14	Total
A. Meals and Beverages	\$ 53.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 252.45	\$ -	\$ -	\$ -	\$ -	\$ 305.55
B. Lodging	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C. Advertising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
D. Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E. Gifts	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
F. Other Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G. Group Expenditures (From Schedule B)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 366.89	\$ -	\$ -	\$ -	\$ -	\$ 366.89
H. Campaign Contributions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
I. Total of all expenditures	\$ 53.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 619.34	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00
															<u>\$ 1,672.44</u>

**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						
<b>TOTAL Expenditures</b>						

**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

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Schedule A

1. Expenditure Details

Recipient name(s) and date of expenditure	Meals & Beverages	Lodging	Travel	Gifts	Other	Total \$ Expended	Employer
Patrick Martin 01/15/2018	\$ 20.80					\$ 20.80	1
Zack Maynard 01/15/2018	\$ 32.30					\$ 32.30	1
02/07/2018 Mitch Carmichael	\$ 22.95					\$ 22.95	10
02/07/2018 Ryan Ferns	\$ 22.95					\$ 22.95	10
02/07/2018 Stephanie Ojeda	\$ 22.95					\$ 22.95	10
02/07/2018 Veronica Lewis	\$ 22.95					\$ 22.95	10
02/07/2018 Jacque Bland	\$ 22.95					\$ 22.95	10
02/07/2018 Kay Hill	\$ 22.95					\$ 22.95	10
02/07/2018 Jake Nichols	\$ 22.95					\$ 22.95	10
02/07/2018 Jordan Nuzem	\$ 22.95					\$ 22.95	10
02/07/2018 Tom Kleeh	\$ 22.95					\$ 22.95	10
02/07/2018 Earlene Anglin	\$ 22.95					\$ 22.95	10
02/07/2018 Eric Tarr	\$ 22.95					\$ 22.95	10
Employer 1 Total (Alpha)	\$ 53.10					\$ 53.10	
Employer 2 Total (TransCanada)							
Employer 3 Total (AT&T)							
Employer 4 Total (K12)							
Employer 5 Total (WVRTP)							
Employer 6 Total (WVPE)							
Employer 7 Total (HSUS)							
Employer 8 Total (Aviat)							
Employer 9 Total (Contura)							
Employer 10 Total (3PS)	\$ 252.45					\$ 252.45	
Employer 11 Total (ARPI)							
Employer 12 Total (WVCAN)							
Employer 13 Total (AHA)							
Employer 14 Total (IOGA WV)							

**Schedule A**

**3. Subjects of Lobbying**

Expenditure Detail	Name	Topic
01/15/2018 Dinner	Patrick Martin and Zack Maynard	Updates to mining laws and regulations
2/7/2018 Lunch	Mich Carmichael, Ryan Ferns, Stephanie Ojeda, Veronica Lewis, Jacque Bland, Kay Hill, Jake Nichols, Jordan Nuzem, Tom Kleeh, Eric Tarr, Earlene Anglin	None

**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: February 6, 2018 Location: Womens Club of Charleston
2. Type of event (reception, dinner, etc.): Dinner
3. Event sponsor: see attached (originals at Office of Majority Leader, Capitol) (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 checked="" 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.*

$$1. \frac{4398.67}{(total\ cost\ of\ event)} \div \frac{43}{(total\ attendance)} = \$ \frac{102.30}{(per\ capita\ cost)}$$

2. Number of governmental officials or employees in attendance:

$$\frac{102.30}{(governmental\ attendees)} \times \frac{43}{(per\ capita\ cost)} = \boxed{4398.67}$$

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? y (yes or no)
2. If yes, with how many others are sharing the cost? 25 List the names of all sponsors below:

See attached

3. What is your share of Box 1 above? \$ 176.00

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

**116.89**<sup>2</sup>

- ✓ Chris Marr
- Carol Fulks CC
- Jason Wazelle CC
- Ben Beakes CC
- ✓ Danielle Waltz
- ✓ IOGA
- Cindy Wiseman CC
- Jane Cline CC
- Bill Raney CC
- ✓ Phil Reale
- ✓ Ruth Lemmon
- ✓ Jill Rice
- ✓ Lisa Dooley
- ✓ Sammy Gray
- ✓ Omega
- ✓ Gil White
- ✓ Alex Macia
- ✓ Jack Harrison
- ✓ Contractors Association
- ✓ Larry Swann
- ✓ Kurt Dettinger
- ✓ Richard Stevens
- ✓ John Cavacini
- ✓ Christina Cameron
- ✓ Hallie Mason
- ✓ Cosco



## 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: 1/30/2018 Location: Edgewood Country Club
2. Type of event (reception, dinner, etc.): Dinner
3. Event sponsor: See list (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.  $\frac{4528.86}{42} = \$107.83$   
 (total cost of event) ÷ (total attendance) (per capita cost)

2. Number of governmental officials or employees in attendance:  
 $34 \times 107.83 = \boxed{3,666.22}$   
 (governmental attendees) x (per capita cost)

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? Yes (yes or no)
2. If yes, with how many others are sharing the cost? 16 List the names of all sponsors below:  
Gil White, Phil Reale, Kurt Dettinger, Ben Beakes, Jane Cline, Jason Webb, Rebecca McPhail, Paul Hardesty, Larry Swann, Jill Rice, Cindy Wiseman, Sammy Gray, Daniel Hall, Carol Fulks, Sam Minardi, Brenda Nichols Harper, Chris Weikle

3. What is your share of Box 1 above? \$ 250.00

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

**250.00**<sup>2</sup>