

Lobbyist Activity Report Form

2017-01

Received

MAY 10 2017

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
 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	2017-1	1/1/17-4/30/17	5/15/2017				

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

Use additional reporting forms if necessary.

1. please see attached
2. _____
3. _____
4. _____
5. _____
6. _____

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

Dinners, lunches, emails, phone calls, in person visits.

5. Expenditures Please see attached form

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	\$	\$	\$	\$	\$	\$	\$ 2200.52
B. Lodging	\$	\$	\$	\$	\$	\$	\$
C. Advertising	\$	\$	\$	\$	\$	\$	\$
D. Travel	\$	\$	\$	\$	\$	\$	\$
E. Gifts	\$	\$	\$	\$	\$	\$	\$
F. Other Expenses	\$	\$	\$	\$	\$	\$	\$
G. Group Expenditures	\$	\$	\$	\$	\$	\$	\$ 400
H. Campaign Contributions	<i>LIST AMOUNT IN "TOTAL EXPENDED" COLUMN.</i>						\$
I. TOTAL of all expenditures	\$	\$	\$	\$	\$	\$	\$ 2600.52

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

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 Coalition for Sound Unclaimed Property Law
- 9 Contura Energy
- 10 Three Point Strategies, LLC (3PS)
- 11 American Research & Policy Institute (ARPI)
- 12 WV Child Advocacy Network (WVCAN)

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

	Alpha Employer 1	TransCanada Employer 2	AT&T Employer 3	K12 Employer 4	WVRTP Employer 5	WVPE Employer 6	HSUS Employer 7	Coalition Employer 8	Contura Employer 9	3PS Employer 10	ARPI Employer 11	WVCAN Employer 12	Total
A. Meals and Beverages	\$ 1,706.63	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 493.89	\$ -	\$ -	\$ 2,200.52
B. Lodging	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
C. Advertising	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
D. Travel	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
E. Gifts	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
F. Other Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
G. Group Expenditures (From Schedule B)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 400.00	\$ -	\$ -	\$ 400.00
H. Campaign Contributions	\$ 1,706.63	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 893.89	\$ -	\$ -	\$ 2,600.52
I. Total of all expenditures	\$ 1,706.63	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 893.89	\$ -	\$ -	\$ 2,600.52

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 form						
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."

Please see attached form

Schedule A

1. Expenditure Details

Recipient name(s) and date of expenditure Meals & Beverages Lodging Travel Gifts Other Total \$ Expended Employer

19 Total Elected Officials 2/16/17: Delegates

Rodney Miller, Tom Fast, Jeff Eldridge, Justin Marcum, John Kelly, Rupie Phillips, Mark Zatezalo, Kayla Kessinger, Zack Maynard, Tony Paynter, Terri Sypolt; Senators Mitch Carmichael, Chandler Swope, Ron Stollings, Randy Smith, Ron Miller, Sue Cline, Mark Maynard, and Dave Sypolt \$ 1,706.63 1

11 Total Elected Officials/Staff Members

2/22/2017: Senators Mitch Carmichael, Ryan Ferns; Richie Heath, Jackie Bland, Veronica Lewis, Kay Hill, Katie Cook, Tal East, Jake Nichols, Jordan Nuzem, Donnie Atkins \$ 215.15 10

23 Total Elected Officials 3/2/2017:

Delegates Moore Capito, Danny Hamrick, Richard Jaquinta, Jason Barrett, Ben Queen, Zack Maynard, Jordan Hill, Patrick Martin, Ken Hicks, Stephen Baldwin, Andrew Robinson, Shawn Fluharty, Phil Isner, Vernon Criss, Terri Sypolt, Tom Fast, Marty Gearhart, Kelly Sobonya, Linda Longstreth, Cindy Frich, Mark Dean, William Hartman, Scott Brewer \$ 278.74 10

Employer 1 Total (Alpha) \$ 1,706.63
 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 (Coalition)
 Employer 9 Total (Contura)
 Employer 10 Total (3PS)
 Employer 11 Total (ARPI) \$ 493.89
 Employer 11 Total (WVCAN)

Schedule A

3. Subjects of Lobbying

Expenditure Detail	Name	Topic
Dinner on 2/16/17 with Alpha Natural Resources.	<p><u>19 Total Elected Officials</u> 2/16/17: Delegates Rodney Miller, Tom Fast, Jeff Eldridge, Justin Marcum, John Kelly, Rupie Phillips, Mark Zatezalo, Kayla Kessinger, Zack Maynard, Tony Paynter, Terri Sypolt; Senators Mitch Carmichael, Chandler Swope, Ron Stollings, Randy Smith, Ron Miller, Sue Cline, Mark Maynard, and Dave Sypolt</p>	Coal Mining
Lunch on 2/22/2017 for Senate President's Office on behalf of Three Point Strategies, LLC (3PS)	<p><u>11 Total Elected Officials/Staff Members</u> 2/22/2017: Senators Mitch Carmichael, Ryan Ferns; Richie Heath, Jackie Bland, Veronica Lewis, Kay Hill, Katie Cook, Tal East, Jake Nichols, Jordan Nuzem, Donnie Atkins</p>	Tax Issues
Lunch on 3/2/2017 on behalf of Three Point Strategies, LLC (3PS)	<p><u>23 Total Elected Officials</u> 3/2/2017: Delegates Moore Capito, Danny Hamrick, Richard Iaquina, Jason Barrett, Ben Queen, Zack Maynard, Jordan Hill, Patrick Martin, Ken Hicks, Stephen Baldwin, Andrew Robinson, Shawn Fluharty, Phil Isner, Vernon Criss, Terri Sypolt, Tom Fast, Marty Gearhart, Kelly Sobonya, Linda Longstreth, Cindy Frich, Mark Dean, William Hartman, Scott Brewer</p>	Business Climate

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: 3/7/17 Location: 1600 Edgewood Drive, Charleston, WV 25302
 - 2. Type of event (reception, dinner, etc.): Dinner
 - 3. Event sponsor: Shared Expense (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:
 - a. the Legislature
 - b. either house of the Legislature
 - c. a standing or select committee of either house
 - 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.

$$\frac{\$4796.25}{(total\ cost\ of\ event)} \div \frac{34}{(total\ attendance)} = \frac{\$141.066}{(per\ capita\ cost)}$$

2. Number of governmental officials or employees in attendance:

$$\frac{34}{(governmental\ attendees)} \times \frac{141.066}{(per\ capita\ cost)} = \boxed{4796.25}$$

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? 17 List the names of all sponsors below:
Paul Hardesty, Bill Raney, Ruth Lemon, Larry Swann, Gil White, Phil Reale, Kurt Dettinger, Bowles Rice, Ben Beakes, Sam Minardi, Jane Cline, Kanawha Manufacturing, Chns Weikle, Karen Price, Edward George, WV Insurance Federation, Cindy Wiseman, Jason Webb
- 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

Delegates in attendance at the House Committee on Finance Dinner
March 7, 2017:

Chairman Nelson, Vice Chair Householder, Ambler, Anderson, Barrett, Bates, Butler, Espinosa, Evans, Fritch, Hamilton, Hartman, Longstreth, Miller, Moye, Rowe, Sponaugle, Storch, and Westfall.

Staff: Mark McOwen, Alice Chakmakian, Hampton Rose, Fred Lewis, Matt Pauley, Grant White, Jacki Van Dyke, Carolyn Davis, Linda West, Alli Cole.

Also: House Clerk Steve Harrison, Former Chairman Harry Keith White, Analyst James Fuerhoff

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: 3-14-17 Location: Triana Energy Building
 2. Type of event (reception, dinner, etc.): Dinner
 3. Event sponsor: See attached 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 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. $\frac{4167.82}{50} = \$83.36$
 (total cost of event) ÷ (total attendance) (per capita cost)

2. Number of governmental officials or employees in attendance:
 $50 \times 83.36 = 4167.82$
 (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? 26 See attached List the names of all sponsors below:

3. What is your share of Box 1 above? \$ 150. Original receipt 12020 Kanawha Blvd.

150. BOX 2

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

Name	Association	Email Address
Phil Reale		p.reale@wvreale.com
Bill Raney	Coal Assn./ WV	braney@wvcoal.com
Steven Stewart	Appalachian power	sgstewart@aep.com
Mike Clowser	Contractors Assn./WV	mclowser@caww.org
Jack Harrison	Alliance of Auto, ETC.	ieh@goodwingoodwin.com
Ruth Lemmon	Auto & Truck Dealers/WV	Rlemmon@WVCAR.com
Richard Stevens	WV Dental Association	WVRDS@aol.com
Pat McCune	Waste Management/Consol	mccunecoal@aol.org
Larry Swann	AstraZeneca,Pharmaceutical	larryswann@aol.com
Jan Vineyard	Indepents/WV Oil Marketers	Jan@omegawv.com
Gill White	Steptoe & Johnson	jordgilbert@earthlink.net
Karen PriceEdward Ge	Affordable Housing/WV	karenprice@suddenlink.net
Charlie Burd	Indep. Oil & Gas Assn./WV	cburd@iogawv.com
Jane L. Cline	Aetna/American Council.Ins	JCline@spilmanlaw.com
Jill Bentz	Dinsmore	jill.bentz@dinsmore.com
Christina Cameron	Bussiness/Gambling/Casinos	cycameron@suddenlink.net
Randy Cheetham	CSX Transportation	Cheetham@CSX.com
Sammy Gray	First Energy	Sgray2@firstenergycorp.com
Jason Wazelle	Norfolk Southern Corp.	jason.wazelle@nscorp.com
Carol Fulks	ACLU of WV/ Breeders, ETC	Carol@Wvhta.com
Ben Beakes	See Ethics list	ben@3pswv.com
John Cavacini	Racing Commission	cycameron@suddenlink.net
Lisa Doooley	WV Municipal League	wvml@wvml.org
Alex Macia	See Ethics list	amacia@spilmanlaw.com
Larry Pack	Healthcare	
Chris Hamilton	BIC	chamilton@wvcoal.com

2017 President's RSVP/guest list

Head Doorkeeper Jeffrey Branaham & guest
Clerk Clark Barnes & guest
Sargent-at-Arms Andrew Palmer
Senate President Mitch Carmichael & guest
Senator Chandler Swope
Senator Ron Stollings & guest
Senator Charles Trump
Senator Mike Woelfel & guest
Senator Craig Blair
Senator Ed Gaunch
Senator Sue Cline
Senator Ryan Ferns & guest
Senator Patricia Rucker
Senator Dave Sypolt & guest
Senator Mark Maynard & guest
Senator Robert Karnes
Senator Greg Boso
Senator Jeff Mullins & guest
Senator Ryan Weld
Senator Charles Clements & guest
Senator Donna Boley
Senator Mike Hall
Senator Tom Takubo & guest
Senator Kenny Mann
Senator Robert Plymale & guest
Senator Corey Palumbo
Senator Mike Azinger
Senator John Unger
Senator Mike Romano
Senator Mike Maroney
Senator Mike Romano
Senator Doug Facemire
Senator Roman Prezioso & guest
Senator Glenn Jeffries
Senator Ron Miller
Photographer Will Price
Staff – Veronica Lewis