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By WV Ethics Commission at 10:42 am, May 15, 2023

West Virginia Ethics Commission

Lobbyist Activity Report Form

2023-01

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 James R. Fealy

Phone 304-342-1891

Address 300 Summers Street

Email jfealy@wvreal.com

Ste 980

City, State Zip Charleston, WV 25301

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

| Check | Report | Period | Due Date | | | | |
|-------|---------|----------------|----------|--|--|--|--|
| x | 2023-01 | 1/1/23-4/30/23 | 5/15/23 | | | | |
| | | | | | | | |
| | | | | | | | |

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

Use additional reporting forms if necessary.

- See Attached
- _____
- _____
- _____
- _____
- _____

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

See Attached

5. Expenditures

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 | \$ | \$ | \$ | \$ | \$ | \$ | \$3976.13 |
| B. Lodging | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| C. Advertising | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| D. Travel | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| E. Gifts | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| F. Other Expenses | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| G. Group Expenditures | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| H. Campaign Contributions | LIST AMOUNT IN "TOTAL EXPENDED" COLUMN. | | | | | | \$ |
| I. TOTAL of all expenditures | \$ | \$ | \$ | \$ | \$ | \$ | \$3976.13 |

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.

Continued on page 2

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 |
|---|-------------------|---------|--------|-------|-------|-------------------|
| Amy Summers 1.27.23 | 24.55 | | | | | 24.55 |
| Heather Tully 1.27.23 | 24.55 | | | | | 24.55 |
| Charlie Roskovensky 1.27.23 | 24.55 | | | | | 24.55 |
| Matha White 1.27.23 | 24.55 | | | | | 24.55 |
| Steve Semenik 1.27.23 | 24.55 | | | | | 24.55 |
| TOTAL Expenditures | 122.75 | | | | | 122.75 |

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) |
|----------------------|-----------------------------------|--------------------------------|-----------------------|
| | | | |
| | | | |

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 |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
| | | | | | | |
| | | | | | | |

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." Summers, Tully, Roskovensky, White and Semenik - Social Only

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 |
|---|-------------------|---------|--------|-------|-------|-------------------|
| Amy Summers 3.3.23 | 40.62 | | | | | 40.62 |
| Heather Tully 3.3.23 | 40.62 | | | | | 40.62 |
| Charlie Roskovensky 3.3.23 | 40.62 | | | | | 40.62 |
| Matha White 3.3.23 | 40.62 | | | | | 40.62 |
| Steve Semenik 3.3.23 | 40.62 | | | | | 40.62 |
| | | | | | | |
| TOTAL Expenditures | 203.10 | | | | | 203.10 |

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) |
|----------------------|-----------------------------------|--------------------------------|-----------------------|
| | | | |
| | | | |

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 |
|--------------------------|-------------------|---------|--------|-------|---------------------------------|-------------------|
| | | | | | | |
| | | | | | | |

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." Summers, Tully, Roskovensky, White and Semenik - Social Only

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: 1.24.23 Location: WV State Capitol
2. Type of event (reception, dinner, etc.): Lunch
3. Event sponsor: WV Beer Wholesalers Association (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.*

$$1. \frac{1727.62}{(total\ cost\ of\ event)} \div \frac{70}{(total\ attendance)} = \$24.68 \text{ (per capita cost)}$$

2. Number of governmental officials or employees in attendance:

$$\frac{70}{(governmental\ attendees)} \times \frac{24.68}{(per\ capita\ cost)} = \boxed{1727.62}$$

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? \$ 1727.62

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
- 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: 2/15/2023 Location: Lookout Bar & Grill, Charleston, WV
 - 2. Type of event (reception, dinner, etc.): Dinner for House Economic Development and Tourism Committee
 - 3. Event sponsor: Daniel Hall, John Bane, Mary Elizabeth Eckerson, et. al. (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.

1. $\frac{2,136.96}{36} = \$59.36$
 (total cost of event) ÷ (total attendance) (per capita cost)

2. Number of governmental officials or employees in attendance:
 $23 \times 59.23 = 1,365.28$
 (governmental attendees) x (per capita cost) 1,365.28

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? 7 List the names of all sponsors below:
Daniel Hall, John Bane, Mary Elizabeth Eckerson, Melanie Pagliaro, Sammy Gray, Chris Hall and Jim Fealy.
- 3. What is your share of Box 1 above? \$ 195.04

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

195.04

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.

- Date of event: 2.28.23 Location: WV State Capitol
 - Type of event (reception, dinner, etc.): Lunch
 - Event sponsor: WV Beer Wholesalers Association (If you shared the sponsorship and expenses with others, you must also complete Section C below.)
 - 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**
- 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. $\frac{1727.62}{60} = \$28.79$
 (total cost of event) ÷ (total attendance) (per capita cost)

2. Number of governmental officials or employees in attendance:
 $\frac{60}{1} \times 28.79 = 1727.62$
 (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

- Were any other lobbyists co-sponsors of this event? no (yes or no)
- 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? \$ 1727.62

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

| |
|-------|
| BOX 2 |
|-------|