

West Virginia Ethics Commission
Lobbyist Activity Report Form
2023-2

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: Richard Heath

Phone: (304) 347-1136

Address: 600 Quarrier Street

Email: rheath@bowlesrice.com

City, State Zip: Charleston, WV 25301

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

| Check | Report | Period | DueDate |
|-------|-----------|------------------|---------|
| X | 2023-2024 | 5/1/23 - 8/31/23 | 9/15/23 |

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

Use additional reporting forms if necessary.

1: Dakota Power Partners, LLC

2: American Petroleum Institute

3: The Alliance of Kentucky and West Virginia YMCAs, Inc.

4: Marshall University

5: Berkshire Hathaway Energy

6: GREY2K USA Worldwide

7: Parkersburg Bridge Partners

8: The Health Plan of WV, Inc.

9: Wood County Commission

10: West Virginia Association of Regional Councils

11: Health Care Association, Inc./WV

12: Hospitality & Travel/WV

13: Convention and Visitor Bureaus Assn./WV

14: West Virginia Society of CPAs

15: RAI Services Company

16: EPIC Pharmacies/Multistate Associates, LLC

17: People United for Privacy

18: SD, LLC

19: Energy Systems Group

20: U.S. Term Limits

21: MN8 Energy, LLC

22: Greenlight Corporation

23: MAG Industries, Ltd.

24: PJM Interconnection, LLC

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

All of the matters and issues listed on the employer authorization form with respect to each of these employers.

| Name | Contribution | Group Expenditures | Meals and Beverages | Total expended |
|--|-----------------|--------------------|---------------------|------------------|
| American Petroleum Institute | \$0.00 | \$0.00 | \$367.65 | \$367.65 |
| Contribution | \$800.00 | \$0.00 | \$0.00 | \$800.00 |
| Health Care Association, Inc./WV | \$0.00 | \$492.65 | \$0.00 | \$492.65 |
| Marshall University | \$0.00 | \$1722.40 | \$0.00 | \$1722.40 |
| RAI Services Company | \$0.00 | \$245.25 | \$0.00 | \$245.25 |
| West Virginia Association of Regional Councils | \$0.00 | \$0.00 | \$110.00 | \$110.00 |
| Total of all expenditures | \$800.00 | \$2460.30 | \$477.65 | \$3737.95 |

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.

Lobbyist Name: Richard Heath

| | |
|--|------------------|
| 6. Total of all expenditures from line 5-I. | \$3737.95 |
|--|------------------|

7. 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 may be fined, sentenced to jail or both.

Lobbyist Signature: _____ Date: _____

Name: Richard Heath

Date: 9/8/23

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.

| Recipients | Meals and Beverages | Total \$ expended |
|--|---------------------|-------------------|
| Delegate Clay Riley - 8/1/23 | \$55.00 | \$55.00 |
| Delegate Clay Riley & Spouse - 8/31/23 | \$367.65 | \$367.65 |
| Senator Craig Blair - 8/1/23 | \$55.00 | \$55.00 |

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 | 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."

| |
|---|
| Delegate Clay Riley - Economic Development & Infrastructure Issues |
| Delegate Clay Riley & Spouse - Issues relating to oil & natural gas |
| Senator Craig Blair - Economic Development & Infrastructure Issues |

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: **5/8/2023 12:00:00 AM** Location: **Marshall University**
- 2. Type of event (reception, dinner, etc.): **Lunch Sponsorship for Legislative Interims**
- 3. Event sponsor: **Bowles Rice LLP**
(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
 - b. either house of the Legislature
- 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. $\$2500.00 \div 140 = \17.86
(total cost of event) ÷ (total attendance) = (per capita cost)
- 2. Number of governmental officials or employees in attendance:
 $90 \times \$17.86 = \1607.40
(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).

-
- 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? 0 List the names of all sponsors below:

3. What is your share of Box 1 above? \$ **\$1607.40**
Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G. **\$1607.40**

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: **8/6/2023 12:00:00 AM** Location: **House Speaker's Office**

2. Type of event (reception, dinner, etc.): **Lunch for House Rules Committee**

3. Event sponsor: **Marshall University**
(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 | <input checked="" type="checkbox"/> - c. a standing or select committee of either house |
| - b. either house of the Legislature | - b. either house of the Legislature |

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. $\$115.08 \div 25 = \4.60
(total cost of event) \div (total attendance) = (per capita cost)

2. Number of governmental officials or employees in attendance:
 $25 \times \$4.60 = \115.00
(governmental attendees) \times (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).

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? 0 List the names of all sponsors below:

3. What is your share of Box 1 above? \$ **\$115.00**

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

\$115.00

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: **5/7/2023 12:00:00 AM** Location: **Huntington, West Virginia**

2. Type of event (reception, dinner, etc.): **Beverages for Senate Rules Committee**

3. Event sponsor: **RAI Services Company**
(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 **X** - c. a standing or select committee of either house
- b. either house of the Legislature - b. either house of the Legislature

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. **$\$245.21 \div 15 = \16.35**
(total cost of event) ÷ (total attendance) = (per capita cost)

2. Number of governmental officials or employees in attendance:
 $15 \times \$16.35 = \245.25
(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).

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? 0 List the names of all sponsors below:

3. What is your share of Box 1 above? \$ **\$245.25**
Record that amount in Box 2 and on the Lobbyist Activity Report in Section 5G. **\$245.25**

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: **7/10/2023 12:00:00 AM** Location: **Church & Union, 32B N. Market Street, Charleston, SC 29401**

2. Type of event (reception, dinner, etc.): **West Virginia Celebration Dinner at Southern Legislative Conference**

3. Event sponsor: **See list in shared expenses**

(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 checked="" 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 type="checkbox"/> - b. either house of the Legislature |

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. $\$29460.65 \div 130 = \226.62
(total cost of event) \div (total attendance) = (per capita cost)

2. Number of governmental officials or employees in attendance:
 $50 \times \$226.62 = \11331.00
(governmental attendees) \times (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).

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? **23** List the names of all sponsors below:

Mark Adkins, Randy Cheetham, Rachel Coffman, Scott Cosco, Mary Elisabeth Eckerson, Andy Feeney, Jeff Fritz, Carol Fulks, Frank Hartman, Daniel Hall, Conrad Lucas, Melanie Pagliaro, Jason Pizatella, Mark Polen, Philip Reale, Megan Roskovensky, Juliet Terry, Matt Walker, Danielle Waltz, Chris Wiekle, Jared Wyrick, and Chad Robinson

3. What is your share of Box 1 above? **\$ \$492.65**

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

\$492.65
