

**People's Election Reform Coalition**  
**Report on Coal and the 2003 Legislature**  
**How the coal industry influences legislation in West Virginia**

**Key to Information**

**Roll call votes on increasing coal truck weight limits**

PERC looked at three votes on increasing coal truck weight limits in the West Virginia Legislature during the past year. These votes took place in the House of Delegates during a special session in July 2002, in the Senate on February 28, 2003 and in the House Judiciary Committee on March 5, 2003.

**Campaign contributions to House and Senate members**

The data on campaign contributions contained in this report were compiled from reports candidates file with the Secretary of State's office. In its analysis of coal contributions, PERC counted contributions from coal companies, coal hauling companies and land companies. This includes contributions from their owners, employees and spouses, as well as contributions from their political action committees (PACs). PERC has compiled databases on the every election cycle since 1996, and this report compares campaign contributions from the 2000 and 2002 election cycles.

**Findings**

PERC found that legislators who received contributions from coal were more likely to support a weight increase. While coal truck weight limits isn't the only issue where coal's campaign giving influences public policy, in 2002 and 2003 it was perhaps coal's highest legislative priority.

In July 2002, the House of Delegates emerged as the biggest challenge to passage of a weight limit increase when it voted down a proposal offered by Governor Bob Wise that would have increased the weight limits for coal trucks to 126,000 pounds. A report released by PERC immediately after that vote found that 39 of the 47 delegates who voted to increase weight limits received a total of \$100,243 in coal contributions during the 2000 election cycle. The average contribution to these delegates was \$2,570. Delegates who voted against the weight increase received \$14,695, with an average contribution of \$612.

In 2002, the coal industry gave a total of \$89,235 to returning House members who had voted for increasing coal truck weight limits in July. Many of these delegates received substantially more from coal than in 2000 and coal gave to several candidates that it had not contributed to in the past. Coal gave \$11,820 to returning delegates who voted against the proposal, and \$22,400 to newly elected delegates. More than one-third of the \$128,555 coal gave to delegates was concentrated in the House Judiciary Committee. PERC's analysis found that coal increased its contributions to Judiciary Committee members by over 100%, from \$22,365 in 2000 to \$48,495 in 2002. Contributions to

House Judiciary Chairman Jon Amores increased nearly ten fold. On March 5, his committee approved SB 583, an industry-backed proposal to increase weight limits for coal trucks to 126,000 pounds.

The Senate passed SB 583 on February 28. PERC found that the 21 members of the Senate who voted for the weight increase measure received a total of \$88,581 from the coal industry in the last two election cycles. The 11 senators who opposed the legislation received \$27,400. The thirteen sponsors of the bill received \$73,831 in coal contributions.

Overall, PERC's analysis found that coal contributions to legislative candidates increased 41% since the 2000 election. Twelve contributors gave over \$5,000 to legislative candidates. The West Virginia Coal Association gave a total of \$38,800 to 91 candidates. Other major contributors to legislative candidates were: Progress Energy PAC \$19,750, James "Buck" Harless \$18,450, West Virginia Consolidated Coal PAC \$12,400, Arch Coal PAC \$11,250, AT Massey Coal PAC \$7,700 and RAG American PAC \$6,500.

In addition to legislative candidates, PERC found that Governor Bob Wise has already taken thousands of dollars from coal to help finance his re-election bid next year. Many contributions came while the legislature was debating increasing the weight limits for coal trucks. A fundraiser for Governor Wise at the Charleston Marriott on March 18, 2002 raised \$73,500. Most of the contributions came from coal companies, coal haulers, and land companies. Wise received \$20,500 from employees and spouses of Riverton Coal and its parent company, RAG Coal International. This is the largest single-day giving PERC has seen from any corporation since it began monitoring campaign financing in 1996. Wise received a total of \$62,250 from coal in 2002, all in the month of March. In the 2000 election, Wise received \$115,600 from coal, and coal donated \$120,340 to help fund his inaugural celebration.

### **Update:**

On March 3, 2003, the House of Delegates passed SB 583 on a 56 to 43 vote. PERC did an analysis of campaign contributions based on the final vote in the House and again found that legislators who received contributions from coal were more likely to support a weight increase. Delegates who voted for the weight increase received a total of \$104,660 from coal in 2002. Delegates who opposed the weight increase received a total of \$23,545.

### **About The WV People's Election Reform Coalition**

The People's Election Reform Coalition (PERC-WV) is a joint project of the Ohio Valley Environmental Coalition (OVEC) and West Virginia Citizen Research Group (WV-CRG). PERC-WV's primary mission is to focus on how special interest money is impacting our democratic institutions in West Virginia. By maintaining a database of special interest contributions to political campaigns, tracking significant bills in the legislature, and issuing reports on our research, PERC-WV educates the public on the significant influence that special-interest money plays in West Virginia politics.

### Coal Industry Contributions to Legislative Candidates

	2000 Election Cycle	2002 Election Cycle	% Increase
<b>House</b>	\$148,883	\$173,532	
<b>Senate</b>	\$95,610	\$170,355	
<b>Total</b>	\$244,493	\$343,887	41%

#### House Candidates Receiving the Most Contributions from Coal in 2002

KOMINAR, K STEVEN	\$15,400
FOSTER, DAN	\$8,775
MULLINS, JIM	\$8,750
KISS, ROBERT S	\$8,700
CALLAGHAN, DAVE	\$7,650
HUNTER, STEVE	\$6,250
WARNER, BARBARA BOBBIE	\$4,750
PALUMBO, COREY L	\$3,750
CRAIG, KEVIN J	\$3,500
BROWNING, RICHARD	\$3,450

#### Senate Candidates Receiving the Most Contributions From Coal in 2000-2002

WALDRON, DOUG	\$30,000
CRAIGO, OSHEL B	\$20,000
SPROUSE, VIC	\$14,500
TOMBLIN, EARL RAY	\$11,925
MCCABE JR, BROOKS	\$11,400
ANDERSON, LEONARD W	\$9,700
WOOTON, WILLIAM R (BILL)	\$9,500
DAWSON, JAMES G	\$8,650
OLIVERIO, MIKE	\$8,550
SCOTT, THOMAS F	\$8,524

**Coal Industry Contributions to Members of the House of Delegates**

	2000 ELECTION CYCLE	2002 ELECTION CYCLE
Delegates Who <b>Voted Against An Increase</b> in Coal Truck Weight Limits - <b>7/17/02</b>		
ARMSTEAD, TIM	\$850	\$1,100
ASHLEY, BOB	\$1,500	\$850
BOGGS, BRENT	\$200	\$0
BORDER, LARRY	\$0	\$400
BROWN, BONNIE	\$0	\$50
BUTCHER, GREG	\$650	\$300
CANTERBURY, RAY	\$50	\$0
CAPUTO, MIKE	\$0	\$20
CARMICHAEL, MITCH B	\$450	\$700
COLEMAN, TOM	\$1,050	\$350
ELLEM, JOHN	\$0	\$100
EVANS, ALLEN V	\$100	\$100
FLEISCHAUER, BARBARA	\$0	\$50
FRAGALE, RON	\$0	\$0
HATFIELD, BOBBIE	\$0	\$0
KUHN, EARNIE	\$950	\$200
LEGGETT, OTIS A	\$100	\$100
LOUISOS, TOM	\$0	\$0
MAHAN, VIRGINIA	\$115	\$500
MANCHIN, A JAMES	\$900	\$500
MANUEL, DALE	\$0	\$0
MARTIN, DALE	\$0	\$0
PAXTON, BRADY	\$0	\$100
POLING, MARY	\$0	\$0
SPENCER, SHARON	\$2,800	\$2,900
STALNAKER, DOUG	\$200	\$450
SUSMAN, SALLY	\$0	\$0
THOMPSON, RICHARD	\$0	\$0
TUCKER, KENNETH D	\$5	\$0
WEBB, RUSTY	\$2,450	\$1,200
WEBSTER, CARRIE	\$725	\$1,850
YEAGER, EMILY W	\$300	\$0
Total	\$13,395	\$11,820

**Coal Industry Contributions to Members of the House of Delegates (continued)**

	2000 ELECTION CYCLE	2002 ELECTION CYCLE
Delegates Who <b>Voted For An Increase</b> in Coal Truck Weight Limits - <b>7/17/02</b>		
AMORES, JON	\$350	\$3,400
ANDERSON, JR., EW "BILL"	\$100	\$100
AZINGER, TOM	\$1,100	\$800
BEACH, ROBERT D "BOB"	\$275	\$800
BEANE, JD	\$800	\$1,300
BROWNING, RICHARD	\$2,500	\$3,450
CAMPBELL, THOMAS W	\$1,700	\$1,400
CANN, SAMUEL J	\$800	\$3,250
CRAIG, KEVIN J	\$2,450	\$3,500
DOYLE, JOHN	\$1,000	\$1,000
FAIRCLOTH, LARRY V	\$700	\$850
FERRELL, JOE C	\$0	\$400
FREDERICK, EUSTACE	\$3,400	\$3,150
HALL, MIKE	\$200	\$1,650
HRUTKAY, LIDELLA WILSON	\$0	\$0
KISS, ROBERT S	\$13,300	\$8,700
KOMINAR, K STEVEN	\$11,975	\$15,400
LEACH, MARGARET R	\$450	\$1,000
MICHAEL, HAROLD	\$2,000	\$3,250
MORGAN, JAMES H	\$0	\$600
OVERINGTON, JOHN	\$100	\$0
PERRY, DAVID G	\$200	\$2,650
PETHTEL, DAVID	\$0	\$550
PINO, JOHN	\$100	\$1,550
PROUDFOOT, BILL	\$600	\$1,000
ROMINE, WILLIAM ROGER	\$0	\$100
SCHADLER, ROBERT A	\$100	\$900
SHAVER, STAN	\$0	\$0
SHELTON, JOHN W	\$1,000	\$2,200
SMIRL, JODY G	\$1,300	\$2,200
STATON, W RICHARD (RICK)	\$1,600	\$2,325
STEMPLE, WILLIAM F (BILL)	\$1,150	\$1,300
SWARTZMILLER, RANDY	\$0	\$750
THOMPSON, RON	\$2,200	\$3,000
TRUMP IV, CHARLES S	\$1,000	\$2,500
VARNER, SCOTT G	\$1,900	\$3,000
WARNER, BARBARA "BOBBIE"	\$5,450	\$4,750
WHITE, HARRY KEITH	\$1,400	\$3,300
WHITE, L GIL	\$1,800	\$2,050
WILLIAMS, LARRY	\$550	\$1,110
Total	\$63,550	\$89,235

**Coal Industry Contributions to Members of the House of Delegates (continued)**

	2000 ELECTION CYCLE	2002 ELECTION CYCLE
	<b>Delegates Who Did Not Vote - 7/17/02</b>	
DELONG, JOE	\$0	\$350
ENNIS, TIM	\$450	\$650
MEZZATESTA, JERRY L	\$1,000	\$1,950
PERDUE, DON	\$0	\$0
WALTERS, RON	\$2,800	\$2,150
Total	\$4,250	\$5,100

New Delegates Elected to the House in 2002

BLAIR, CRAIG P		\$0
CALVERT, ANN		\$500
CARUTH, DONALD T		\$2,850
CROSIER, GERALD L		\$450
DUKE, WALTER E		\$0
FOSTER, DAN		\$8,775
FRICH, CINDY		\$0
HAMILTON, BILL		\$0
HARTMAN, WILLIAM G		\$250
HOUSTON, NANCY J		\$600
HOWARD, GREG		\$250
IAQUINTA, RICHARD J		\$1,500
LONG, MARSHALL C		\$100
PALUMBO, COREY L		\$3,750
RENNER, DONNA REID		\$0
SCHOEN, PATTI EAGLOSKI		\$500
SOBONYA, KELLI		\$700
SUMNER, LINDA		\$0
TABB, ROBERT C (BOB)		\$0
TALBOTT, JOE		\$100
WAKIM, CHRISTOPHER		\$0
WRIGHT, BILL		\$2,075
YOST, JACK		\$0
Total		\$22,400

## Coal Contributions to Members of the House Judiciary Committee

2000 ELECTION CYCLE    2002 ELECTION CYCLE

Delegates Who **Voted Against An Increase** in Coal Truck Weight Limits - **3/5/03**

ARMSTEAD, TIM	\$850	\$1,100
BROWN, BONNIE	\$0	\$50
CAPUTO, MIKE	\$0	\$20
DELONG, JOE	\$0	\$350
ELLEM, JOHN	\$0	\$100
FLEISCHAUER, BARBARA	\$0	\$50
FOSTER, DAN*	\$0	\$8,775
MAHAN, VIRGINIA	\$115	\$500
THOMPSON, RICHARD	\$0	\$0
WEBSTER, CARRIE	\$725	\$1,850
Total	\$1,690	\$12,795

2000 ELECTION CYCLE    2002 ELECTION CYCLE

Delegates Who **Voted For An Increase** in Coal Truck Weight Limits - **3/5/03**

AMORES, JON	\$350	\$3,400
CALVERT, ANN*	\$0	\$500
CRAIG, KEVIN J	\$2,450	\$3,500
FAIRCLOTH, LARRY V	\$700	\$850
HRUTKAY, LIDELLA WILSON	\$0	\$0
KOMINAR, K STEVEN	\$11,975	\$15,400
MORGAN, JAMES H	\$0	\$600
OVERINGTON, JOHN	\$100	\$0
PALUMBO, COREY L*	\$0	\$3,750
PETHTEL, DAVID	\$0	\$550
PINO, JOHN	\$100	\$1,550
SCHADLER, ROBERT A	\$100	\$900
SMIRL, JODY G	\$1,300	\$2,200
STEMPLE, WILLIAM F (BILL)	\$1,150	\$1,300
WEBB, RUSTY	\$2,450	\$1,200
Total	\$20,675	\$35,700

\*Indicates delegates elected in 2002.

## Coal Industry Contributions to Members of the Senate

2000 ELECTION CYCLE    2002 ELECTION CYCLE

Senators Who **Voted Against An Increase** in Coal Truck Weight Limits - **2/28/03**

DEMPSEY, TRACY*	\$0	\$3,000
HARRISON, STEVE*	\$0	\$2,350
HUNTER, JON BLAIR	\$350	\$0
JENKINS, EVAN H	\$0	\$3,975
MCKENZIE, ANDY	\$3,250	\$0
OLIVERIO, MIKE	\$0	\$8,550
PREZIOSO JR, ROMAN W	\$2,700	\$0
ROWE, LARRY L	\$225	\$0
SMITH, LISA D*	\$0	\$1,000
UNGER, JOHN	\$0	\$500
WHITE, C RANDY*	\$0	\$1,500
<b>Total</b>	<b>\$6,525</b>	<b>\$20,875</b>

Senators Who **Voted For An Increase** in Coal Truck Weight Limits - **2/28/03**

<b>BAILEY JR, BILLY WAYNE</b>	<b>\$800</b>	<b>\$0</b>
BOLEY, DONNA J	\$1,450	\$0
BOWMAN, EDWIN J	\$0	\$1,700
<b>CHAFIN, H TRUMAN</b>	<b>\$0</b>	<b>\$6,756</b>
DEEM, J FRANK	\$0	\$3,100
<b>EDGELL, LARRY J</b>	<b>\$0</b>	<b>\$1,900</b>
FACEMYER, KAREN	\$2,200	\$0
<b>FANNING, JOHN PAT</b>	<b>\$550</b>	<b>\$0</b>
<b>GUILLS JR, JESSE O*</b>	<b>\$0</b>	<b>\$8,450</b>
<b>HELMICK, WALT</b>	<b>\$0</b>	<b>\$5,600</b>
KESSLER, JEFFREY V	\$2,350	\$0
<b>LOVE, MR SHIRLEY</b>	<b>\$7,350</b>	<b>\$0</b>
MINARD, JOE	\$0	\$2,900
<b>MINEAR, SARAH M</b>	<b>\$0</b>	<b>\$6,700</b>
PLYMALE, ROBERT H (BOB)	\$500	\$0
<b>ROSS, MIKE</b>	<b>\$5,050</b>	<b>\$0</b>
<b>SHARPE, BILL</b>	<b>\$3,950</b>	<b>\$0</b>
SNYDER, HERB	\$550	\$0
<b>SPROUSE, VIC</b>	<b>\$14,500</b>	<b>\$0</b>
<b>TOMBLIN, EARL RAY</b>	<b>\$11,925</b>	<b>\$0</b>
<b>WEEKS JR, RUSSELL*</b>	<b>\$0</b>	<b>\$300</b>
<b>Total</b>	<b>\$51,175</b>	<b>\$37,406</b>

Senators Who Did Not Vote - **2/28/03**

CALDWELL, ANITA SKEENS	\$50	\$0
MCCABE JR, BROOKS	\$0	\$11,400
<b>Total</b>	<b>\$50</b>	<b>\$11,400</b>

**BOLD** indicates sponsors of SB 583

\* Indicates senators elected in 2002.



## Coal Industry Contributions to Members of the House of Delegates

2000 ELECTION CYCLE 2002 ELECTION CYCLE

Delegates Who **Voted Against An Increase** in Coal Truck Weight Limits - **3/7/03**

ARMSTEAD, TIM	\$850	\$1,100
ASHLEY, BOB	\$1,500	\$850
BLAIR, CRAIG P	\$0	\$0
BOGGS, BRENT	\$200	\$0
BORDER, LARRY	\$0	\$400
BROWN, BONNIE	\$0	\$50
BUTCHER, GREG	\$650	\$300
CANTERBURY, RAY	\$50	\$0
CAPUTO, MIKE	\$0	\$20
CARMICHAEL, MITCH B	\$450	\$700
DELONG, JOE	\$0	\$350
DUKE, WALTER E*	\$0	\$0
ELLEM, JOHN	\$0	\$100
EVANS, ALLEN V	\$100	\$100
FLEISCHAUER, BARBARA	\$0	\$50
FOSTER, DAN*	\$0	\$8,775
FRAGALE, RON	\$0	\$0
FRICH, CINDY*	\$0	\$0
HAMILTON, BILL*	\$0	\$0
HATFIELD, BOBBIE	\$0	\$0
IAQUINTA, RICHARD J*	\$0	\$1,500
KUHN, EARNIE	\$950	\$200
LEGGETT, OTIS A	\$100	\$100
LOUISOS, TOM	\$0	\$0
MAHAN, VIRGINIA	\$115	\$500
MANCHIN, A JAMES	\$900	\$500
MANUEL, DALE	\$0	\$0
MARTIN, DALE	\$0	\$0
PAXTON, BRADY	\$0	\$100
PERDUE, DON	\$0	\$0
POLING, MARY	\$0	\$0
RENNER, DONNA REID*	\$0	\$0
SCHOEN, PATTI EAGLOSKI*	\$0	\$500
SHAVER, STAN	\$0	\$0
SPENCER, SHARON	\$2,800	\$2,900
SUSMAN, SALLY	\$0	\$0
TALBOTT, JOE*	\$0	\$100
THOMPSON, RICHARD	\$0	\$0
TRUMP IV, CHARLES S	\$1,000	\$2,500
TUCKER, KENNETH D	\$5	\$0
WEBSTER, CARRIE	\$725	\$1,850
YEAGER, EMILY W	\$300	\$0
YOST, JACK*	\$0	\$0
<b>Total</b>	<b>\$10,695</b>	<b>\$23,545</b>

\*Indicates delegates elected in 2002.

**Coal Industry Contributions to Members of the House of Delegates (continued)\***

	2000 ELECTION CYCLE	2002 ELECTION CYCLE
	<b>Delegates Who Did Not Vote - 3/7/03</b>	
COLEMAN, TOM	\$1,050	\$350
Total	\$1,050	\$350
	<b>Delegates Who Voted For An Increase in Coal Truck Weight Limits - 3/7/03</b>	
AMORES, JON	\$350	\$3,400
ANDERSON, JR., EW "BILL"	\$100	\$100
AZINGER, TOM	\$1,100	\$800
BEACH, ROBERT D "BOB"	\$275	\$800
BEANE, JD	\$800	\$1,300
BROWNING, RICHARD	\$2,500	\$3,450
CALVERT, ANN**	\$0	\$500
CAMPBELL, THOMAS W	\$1,700	\$1,400
CANN, SAMUEL J	\$800	\$3,250
CARUTH, DONALD T*	\$0	\$2,850
CRAIG, KEVIN J	\$2,450	\$3,500
CROSIER, GERALD L*	\$0	\$450
DOYLE, JOHN	\$1,000	\$1,000
ENNIS, TIM	\$450	\$650
FAIRCLOTH, LARRY V	\$700	\$850
FERRELL, JOE C	\$0	\$400
FREDERICK, EUSTACE	\$3,400	\$3,150
HALL, MIKE	\$200	\$1,650
HARTMAN, WILLIAM G*	\$0	\$250
HOUSTON, NANCY J*	\$0	\$600
HOWARD, GREG*	\$0	\$250
HRUTKAY, LIDELLA WILSON	\$0	\$0
KISS, ROBERT S	\$13,300	\$8,700
KOMINAR, K STEVEN	\$11,975	\$15,400
LEACH, MARGARET R	\$450	\$1,000
LONG, MARSHALL C*	\$0	\$100
MEZZATESTA, JERRY L	\$1,000	\$1,950
MICHAEL, HAROLD	\$2,000	\$3,250
MORGAN, JAMES H	\$0	\$600
OVERINGTON, JOHN	\$100	\$0
PALUMBO, COREY L*	\$0	\$3,750
PERRY, DAVID G	\$200	\$2,650
PETHTEL, DAVID	\$0	\$550
PINO, JOHN	\$100	\$1,550
PROUDFOOT, BILL	\$600	\$1,000
ROMINE, WILLIAM ROGER	\$0	\$100

\*Indicates delegates elected in 2002.

**Coal Industry Contributions to Members of the House of Delegates (continued)\***

	2000 ELECTION CYCLE	2002 ELECTION CYCLE
Delegates Who <b>Voted For An Increase</b> in Coal Truck Weight Limits - <b>3/7/03</b>		
SCHADLER, ROBERT A	\$100	\$900
SHELTON, JOHN W	\$1,000	\$2,200
SMIRL, JODY G	\$1,300	\$2,200
SOBONYA, KELLI**	\$0	\$700
STALNAKER, DOUG	\$200	\$450
STATON, W RICHARD (RICK)	\$1,600	\$2,325
STEMPLE, WILLIAM F (BILL)	\$1,150	\$1,300
SUMNER, LINDA**	\$0	\$0
SWARTZMILLER, RANDY	\$0	\$750
TABB, ROBERT C (BOB)**	\$0	\$0
THOMPSON, RON	\$2,200	\$3,000
VARNER, SCOTT G	\$1,900	\$3,000
WAKIM, CHRISTOPHER**	\$0	\$0
WALTERS, RON	\$2,800	\$2,150
WARNER, BARBARA "BOBBIE"	\$5,450	\$4,750
WEBB, RUSTY	\$2,450	\$1,200
WHITE, HARRY KEITH	\$1,400	\$3,300
WHITE, L GIL	\$1,800	\$2,050
WILLIAMS, LARRY	\$550	\$1,110
WRIGHT, BILL**	\$0	\$2,075
<b>Total</b>	<b>\$69,450</b>	<b>\$104,660</b>

\*\*Indicates delegates elected in 2002.

**NOTE:** On February 6, 2003 Delegate Mike Caputo offered an amendment on the floor that would have increased enforcement and maintained existing weight limits on West Virginia roads. Delegate Tom Coleman was present for the vote on the Caputo amendment and voted for it. Delegates Bill Anderson and Margarett Leach voted also voted for the Caputo amendment, but voted for SB 583 on final passage. Five delegates voted against the Caputo amendment, but voted against SB 583 on final passage. Those delegates were Craig Blair, Otis Leggett, Stan Shaver, Sharon Spencer and Charles Trump.