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# Vote, graduation conflict

WVU students walk on same day as primary

**BY DAVID BEARD**

The Dominion Post

The final version of the gubernatorial election bill sailed through the House in a couple of minutes Thursday.

Members then spent more than 30 minutes slugging it out on an



## State Capitol

under-the-radar athletics bill containing an amendment permitting mixed martial arts.

It could take some state voters more time to figure out when and how to cast their ballots, as the new proposed primary date conflicts with WVU's spring commencement weekend — May 13-15.

The House unanimously accepted the Senate amendment to its election bill, 96-0, with Speaker

Rick Thompson excused from voting because he's running for governor. Members also made the bill effective from passage.

HB 2853 sets a May 14 special primary and Oct. 4 special general to elect a new governor, who will serve until January 2013. The primary date was chosen by the House; the Senate had originally preferred June 20.

Delegate Barbara Evans Fleischauer, D-Monongalia, said legislators were concerned about the election occurring during graduation, but had to weigh various factors, including: Saturday

elections are cheaper than Tuesdays because they don't involve an \$8.5 million paid holiday; the need to fit the date into the secretary of state's timeline for ballot printing, early voting and so on; and the previous weekend is Mother's Day, which didn't seem like a good choice.

Fleischauer said there was no perfect day, but the House picked May 14. People who plan to be in Morgantown for the day have the option to vote early or by absentee ballot.

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## VOTE

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WVU Board of Governors chairwoman Carolyn Long could not be reached for comment in time for this report.

The bill goes to acting Gov. Earl Ray Tomblin for his signature. He did not respond to a question about when he will sign it.

Thompson and acting Senate President Jeff Kessler had remarkably similar comments on getting the bill passed.

The legislative process is a system of compromise, Thompson said.

"I felt like it was a good compromise ... I'm glad the issue is past and behind us and we'll move on to the important issues addressing our state," such as creating jobs and economic development.

Kessler said it shows all three branches of government are working: The Supreme Court ordered the election, the acting governor proclaimed it and the Legislature enacted it.

"It was something that we needed to do," he said. "Now that's that behind us, we can start focusing our attention on policy legislation."

### Mixed martial arts bill

HB 2544 was originally

written to update the authority and structure of the state Athletic Commission and to move it under the jurisdiction of the Lottery Commission to assist in its administrative functions. The two commissions are now separate entities under the Department of Revenue.

The Athletic Commission oversees boxing, kickboxing, semi-pro boxing and amateur tough-man contests.

But the Government Organization Committee changed the bill to also permit and regulate mixed martial arts (MMA). The Finance Committee agreed to waive review of the bill, a move previously approved on the House floor.

The bill came up for its second reading Thursday morning, and Delegate Danny Wells, D-Kanawha, introduced a floor amendment to restore the bill to its original form.

That's when the figurative fists started flying.

Amendment co-sponsor Barbara Hatfield, D-Kanawha, complained that a committee substitute sneaked MMA into the statute without public debate.

Co-sponsor Virginia Mahan, D-Summers, added, "This is backdoor stuff. I don't want to be a part of it."

Freshman Delegate Larry Kump, R-Berkeley, called

MMA a "blood sport" and said bringing it into West Virginia would be a "moral travesty."

Amendment opponents joined the sparring, observing that MMA is well regulated.

Daniel Hall, D-Wyoming, pointed out the revenue potential and said West Virginia is one of the remaining two or three states that doesn't permit MMA. "Once again, we're last."

Judiciary Vice-Chair Mark Hunt, D-Kanawha, said due process was followed, everything was done out in the open and everybody knew what was going on. He said the boxing industry opposes MMA because its attendance and revenues are declining, and it doesn't want more competition.

Delegate Margaret Stagers, D-Fayette, an emergency room physician, said cheerleading produces more deaths and injuries, and — with tongue somewhat in cheek — said she would be happy to see a bill banning it.

The amendment failed 38-60. Local Delegates Barbara Evans Fleischauer, Charlene Marshall and Amanda Pasdon voted for it. All others voted against it. The bill comes up for third reading today.

In other House business, the Rules Committee voted to approve the Senate's proposed joint rules — which allow the two bodies to work together — with an amendment addressing the Senate leadership debates. Following the phrase "presiding offi-

cers of each house," it inserts "as determined in accordance with the Constitution and laws of the state."

Beyond that, Thompson said, he's leaving the Senate's issues in the Senate. "The House is not engaging in that debate."

Joint rules are typically adopted the first day. The chambers have been operating without them, using instead Jeffersonian rules used by Congress, for 24 days including today.

In other Senate news, Senator Clark Barnes, R-Randolf, of Beverly, announced Thursday he is running for governor, bringing the total number of candidates to eight.