

# Executive Document

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## Governor, Administration: Issuing a Writ of Election, Utah Executive Order/Proclamation No. 2017-3

Issued: May 19, 2017

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### EXECUTIVE ORDER/PROCLAMATION

#### ISSUING A WRIT OF ELECTION

WHEREAS, Congressman Jason Chaffetz has officially announced his intention to vacate his congressional office in the Third Congressional District of Utah on June 30, 2017; and

WHEREAS, Article I Section 2 of the United States Constitution states that "when vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies;" and

WHEREAS, consistent with the United States Constitution, the Utah Legislature has directed the Governor through Utah Code 20A-1-502 that "[w]hen a vacancy occurs for any reason in the office of a representative in Congress, the governor shall issue a proclamation calling an election to fill the vacancy;" and

WHEREAS, Utah Code 20A-1-203 states that the Governor may call a statewide special election for any purpose authorized by law; and

WHEREAS, Utah Code 67-1a-2(2)(a) designates the Lieutenant Governor as the Chief Election Officer of the State and authorizes him to "exercise general supervisory authority over all elections," and to "exercise direct authority over the conduct of elections for federal, state, and multicounty officers;" and

WHEREAS, Utah Code 20A-1-402 declares that "[t]he election officer shall render all interpretations and make all initial decisions about controversies or other matters" arising from the election code; and

WHEREAS, it is in the best interest of the public good to hold an election, and any necessary primary, consistent with the currently scheduled and planned for municipal general elections on November 7, 2017, and to hold those elections in a manner consistent with general election procedures adopted by the legislature, and in a manner inclusive of the entire electorate.

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, by the authority vested in me by the Constitution and laws of the State and the Constitution of the United States, do hereby issue this Writ of Election (consistent with the United States Constitution Article I Section 2), Proclamation (consistent with Utah Code 20A-1-502), and Executive Order (consistent with Utah Code 20A-1-203) to the Chief Election Officer of the

State of Utah to conduct a Special Election on Tuesday, November 7, 2017 to fill the imminent vacancy in the United States House of Representatives for the Third Congressional District of Utah.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done at the Utah State Capitol in Salt Lake City, Utah, on this, the 19th day of May 2017.

(State Seal)

Gary R. Herbert  
Governor

Attest:

Spencer J. Cox  
Lieutenant Governor

2017/003/EO

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