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By Office of the Commission Secretary at 2:17 pm, Jun 28, 2018

1172 W 700 N, Suite 300  
Lindon, UT 84042

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Federal Election Commission  
Office of General Counsel  
1050 First Street, NE  
Washington, DC 20463

Via email: [chemsley@fec.gov](mailto:chemsley@fec.gov)  
[abell@fec.gov](mailto:abell@fec.gov)

RE: Advisory Opinion Request Regarding Qualification as a State Party Committee

Dear Commissioners:

I am the Treasurer of and represent the United Utah Party (“UUP”). Pursuant to 52 USC § 30108, the UUP seeks an advisory opinion recognizing it as a State Party.

The UUP attests that the following is true:

1. The UUP is a Qualified Political Party in Utah pursuant to a letter from the State of Utah Office of the Lieutenant Governor dated August 1, 2017 (Attachment 1) and as shown on the Utah Lieutenant Governor Elections webpage: <https://elections.utah.gov/election-resources/registered-political-parties> (Attachment 2).
2. The UUP is a state party unaffiliated with any other party outside of Utah.
3. The UUP achieved ballot access for the 2017 Third Congressional District Special Election in Utah for the federal office of U.S. Congress Third Congressional District (C00656116) with the campaign of Jim Bennett for that seat (Attachment 3). That certification carries through the 2018 election. Additionally, we have endorsed candidates for the 2018 General Election for the First Congressional District (Eric Eliason), Second Congressional District (Jan Garbett) and Third Congressional District (Melanie McCoard), as well as sixteen candidates running for state and county offices: <https://www.unitedutah.org/candidates> (Attachment 4).
4. The UUP possesses an “Official Party Structure” as evidenced by our Party Constitution and Bylaws: [https://www.unitedutah.org/uup\\_constitution](https://www.unitedutah.org/uup_constitution), <https://www.unitedutah.org/bylaws> (Attachments 5 and 6).
5. The UUP conducts activities commensurate with the “day-to-day operation” of the party on the state level including fundraising for operations, assisting candidates, nominating candidates and

holding state conventions. The UUP has raised in excess of \$5,000 as detailed in filings made under Committee #C00656264 with the FEC (FEC-1227083, FEC-1227084, FEC-1220030).

In summary, it is our contention that we have historically, and continue to, meet the three requirements set forth in order to qualify as an FEC-recognized state party. Namely, we have had and have “at least one candidate for Federal Office whose name appears on the ballot” as our candidate; we “possess an official party structure,” and we conduct the “day-to-day operation of the party on a state level.” We also seek to conduct reportable Federal Election Activity and request State Party recognition to be most effective.

I can be contacted at the address above, or by email at [dbateman002@gmail.com](mailto:dbateman002@gmail.com), or by phone at (801) 557-6599. I thank the Commission and the Counsel’s office for their time and consideration of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Bateman". The signature is fluid and cursive, with the first name "David" and last name "Bateman" clearly distinguishable.

David Bateman, Treasurer  
United Utah Party

# ATTACHMENT 1

STATE OF UTAH  
OFFICE OF THE LIEUTENANT GOVERNOR



SPENCER J. COX  
LIEUTENANT GOVERNOR

August 1, 2017

Richard Davis  
Party Chairman  
United Utah Party  
rdavis@unitedutah.org

Chairman Davis,

Today you sent my office an email indicating the United Utah Party would adopt the following language to comply with the requirements to be a Qualified Political Party in Utah:

Section 3. ALTERNATE DELEGATES. A delegate who is unable to attend the state convention in person may designate any registered Utah voter to participate in the convention as an alternate delegate. The designation must be in writing, dated, and filed with the Secretary in a form approved by the administrative committee before the convention is called to order.

I find this language meets the statutory requirement of Utah Code § 20A-9-101(12)(a) and therefore certify the United Utah Party as a Qualified Political Party.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

Spencer J. Cox  
Lieutenant Governor

# ATTACHMENT 2

Services

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[Elections](#) » Registered Political Parties

## Registered Political Parties

### Utah's Political Party Classifications

Prior to the passage of SB54 (2014), each political party was classified as a registered political party. Under SB54, each political party is still considered a registered political party, but each political party also has the option to become a qualified political party.

Therefore, there are two classifications of political parties:

- 1) Registered political party (RPP)
- 2) Qualified political party (QPP)

Under SB54 (2014), these two political party classifications have different legal requirements and processes to nominate candidates for the primary election. Please refer to [page 3 of our FAQs](#) to view a flowchart that depicts these new processes.

### Current Political Parties in Utah

- [Utah Constitution Party](#) -- (QPP) Liaison: Bryce Hamilton
- [Utah Democratic Party](#)-- (QPP) Liaison: Cristóbal Villegas
- [Utah Libertarian Party](#)-- (QPP) Liaison: Joseph Buchman
- [Utah Republican Party](#)--(QPP) Liaison: Rob Anderson
- [Independent American Party](#) -- (QPP) Liaison: Jason Christensen
- [United Utah Party](#) (QPP) -- Liaison: Richard Davis
- [Green Party of Utah](#) (QPP) -- Liaison: Brendan Phillips

### How to become a:

#### Election Resources

[2016 Election Information](#)[Political District Maps](#)[Registered Political Parties](#)[Contact Your Elected Officials](#)[Offices Up For Election](#)[Contact Federal Officials](#)[Forms and Fees](#)[Election Results & Voter Statistics](#)[Utah Initiatives](#)[Utah Referenda](#)[Voting Machine Selection \(Archived\)](#)[Maps](#)[Election Code](#)[Links to Other Sites](#)

#### Campaign Finance

#### Lobbyists

#### Contact

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# ATTACHMENT 3

# STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR

## STATE BOARD OF CANVASSERS

The undersigned members of the State Board of Canvassers certify that they met pursuant to Utah Code Annotated section 20A-4-306 at noon on Monday, November 27, 2017, to compute and determine the vote for the 2017 Third Congressional District Special Election. The attached report contains the official number of votes cast for this election.

IN WITNESS WHEREOF, we have hereunto set our hands this 27<sup>th</sup> day of November 2017.

A handwritten signature in black ink, appearing to read "Sean D. Reyes".

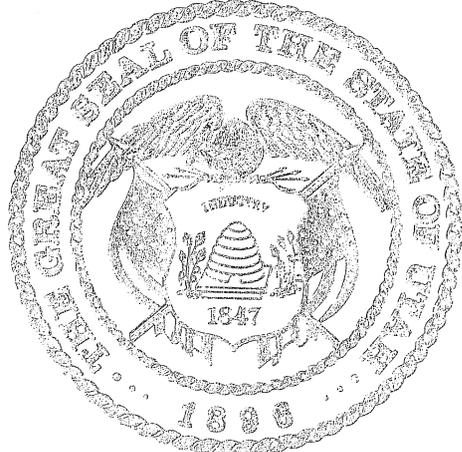
Sean D. Reyes, Attorney General

A handwritten signature in black ink, appearing to read "John Fougall".

John Fougall, State Auditor

A handwritten signature in black ink, appearing to read "David Damschen".

David Damschen, State Treasurer



ATTEST:

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

Spencer J. Cox, Lieutenant Governor

**2017 Third Congressional District Special Election**

<b>County</b>	<b>Jim Bennett (United Utah)</b>	<b>Joe Buchman (Libertarian)</b>	<b>Kathie Allen (Democratic)</b>	<b>Jason Christensen (Ind. American)</b>	<b>John Curtis (Republican)</b>	<b>Sean Whalen (Unaffiliated)</b>	<b>Brendan Phillips (Write-in)</b>	<b>Russell Paul Roesler (Write-in)</b>
Carbon	304	68	1,327	49	1,675	114	0	0
Emery	109	22	228	32	944	30	0	0
Grand	174	56	1,641	41	1,009	213	0	0
Salt Lake	4,913	1,073	21,135	579	21,857	1,011	4	4
San Juan	180	73	1,062	80	1,470	131	0	0
Utah	7,553	2,212	10,334	1,409	55,136	2,885	4	1
Wasatch	514	140	2,074	96	3,660	170	0	0
<b>Votes</b>	<b>13,747</b>	<b>3,644</b>	<b>37,801</b>	<b>2,286</b>	<b>85,751</b>	<b>4,554</b>	<b>8</b>	<b>5</b>
<b>Percentage</b>	<b>9.3%</b>	<b>2.5%</b>	<b>25.6%</b>	<b>1.5%</b>	<b>58.0%</b>	<b>3.1%</b>	<b>0.005%</b>	<b>0.003%</b>
<b>Total Votes Cast</b>	<b>147,796</b>							

<b>2017 Third Congressional District Special Election</b>			
<b>County</b>	<b>Total Active Registered</b>	<b>Total Ballots Cast</b>	<b>% Turnout</b>
Carbon	10,836	3,608	33.30%
Emery	5,027	1,391	27.67%
Grand	4,891	3,164	64.69%
Salt Lake	101,640	51,429	50.60%
San Juan	6,292	3,078	48.92%
Utah	233,497	92,643	39.68%
Wasatch	14,488	6,807	46.98%
<b>TOTAL</b>	<b>376,671</b>	<b>162,120</b>	<b>43.04%</b>

**2017 Third Congressional District Special Election: Absentee & Mail Ballots**

	Total Rejected Absentee Ballots	Absentee Ballots Rejected: Returned Unsigned	Absentee Ballots Rejected: Signature Mismatch	Absentee Ballots Rejected: Two Ballots in One Envelope	Absentee Ballots Rejected: Empty Envelopes	Absentee Ballots Rejected: Voter Deceased	Absentee Ballots Rejected: Signature Not on File	Absentee Ballots Rejected: Voted Already	Absentee Ballots Rejected: Residency Challenged	Absentee Ballots Rejected: Late Postmark
Carbon	4	0	3	0	0	0	0	0	0	1
Emery	0	0	0	0	0	0	0	0	0	0
Grand	17	3	3	0	0	0	0	0	2	9
Salt Lake	545	185	175	1	1	0	0	0	0	183
San Juan	103	35	37	0	0	0	0	0	0	31
Utah	1,684	127	560	0	9	10	4	0	0	974
Wasatch	66	0	3	0	0	0	0	0	0	63
<b>TOTAL</b>	2,419	350	781	1	10	10	4	0	2	1,261

**2017 Third Congressional District Special Election: Provisional Ballots**

	Total Rejected Provisional Ballots	Provisional Ballots Rejected: No ID Provided	Provisional Ballots Rejected: No Proof of Residency	Provisional Ballots Rejected: Not Registered to Vote in Utah	Provisional Ballots Rejected: Voted Already	Provisional Ballots Rejected: Incomplete Registration	Provisional Ballots Rejected: Incorrect Precinct
Carbon	17	1	6	10	0	0	0
Emery	0	0	0	0	0	0	0
Grand	5	4	0	1	0	0	0
Salt Lake	26	0	2	22	2	0	0
San Juan	0	0	0	0	0	0	0
Utah	107	0	0	59	20	7	21
Wasatch	4	0	0	0	4	0	0
<b>TOTAL</b>	159	5	8	92	26	7	21

# ATTACHMENT 4



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# Candidates

We are excited to have United Utah Party candidates running in Federal and State elections for 2018. Look for events near you to meet them!

Do their priorities and approach align with yours? Find ways to volunteer for a particular candidate through their respective websites.

## Federal Offices

### House of Representatives - District 1



**Eric Eliason**

### House of Representatives - District 2



AOR014



**Jan Garbett**

**House of Representatives - District 3**

**Melanie McCoard**

[Click here to read more about our congressional candidates --](#)

# State and County Offices

The United Utah Party has sixteen candidates running for state and county offices in 2018. They are:

NAME	OFFICE	WEBSITE
John Jackson	Utah State Senate District 8	
Alexander Castagno	Utah State Senate District 9	<a href="https://www.votecastagno.com/">https://www.votecastagno.com/</a>
Lee Houghton	Utah State Senate District 15	<a href="http://www.leeforutahsenate.com/">http://www.leeforutahsenate.com/</a>

Cathy Callow-Heusser	Utah State Senate District 26	
Cabot Nelson	Utah State House District 25	
Brian Fabbi	Utah State House District 31	<a href="https://www.fabbiforwvc.com/">https://www.fabbiforwvc.com/</a>
Bjorn Jones	Utah State House District 32	<a href="https://www.bjornjonesutah.com/">https://www.bjornjonesutah.com/</a>
Steve Walston	Utah State House District 41	<a href="http://www.votewalston.com">www.votewalston.com</a>
Amy Martz	Utah State House District 42	<a href="http://www.electamylmartz.com">www.electamylmartz.com</a>
Mark Russell	Utah State House District 49	<a href="https://markrussellforutah.com/">https://markrussellforutah.com/</a>
Michele Weeks	Utah State House District 51	<a href="http://www.micheleweeks.com">www.micheleweeks.com</a>
Isaac Walters	Utah State House District 56	<a href="http://waltersfor56.com/">http://waltersfor56.com/</a>
Hillary Stirling	Utah State House District 57	<a href="https://www.hillarystirling.com/">https://www.hillarystirling.com/</a>
Eric Chase	Utah State House District 61	<a href="https://voteericchase.com/">https://voteericchase.com/</a>
Hal Miller	Utah State House District 64	
Teri McCabe	Utah County Commission Seat A	<a href="http://vote4teri.com/">http://vote4teri.com/</a>





(pictured from left to right - Isaac Walters (HD 56), Hillary Stirling (HD 57), Teri McCabe (County Commission Seat A), Eric Chase (HD 61))

[Click for biographies of each of our state and county candidates --](#)

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# ATTACHMENT 5



Signed out



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# Proposed Constitution of the United Utah Party

## PREAMBLE

The United Utah Party believes that solutions can be found to the pressing problems of the state and nation using a pragmatic approach, finding common ground with others, and encouraging widespread public involvement in the resolution of public policy issues. We believe in the worth of all individuals in a society and assert that engagement by all is the best means for operating a democratic republic. We believe one of the fundamental rights of a free society is religious freedom for all. We seek to recruit candidates and elected officials who share these values to promote a more respectful, reasoned, and civil society in a time when those traits are missing even at the highest levels of government.

## Article I - Name

The name of this organization shall be the United Utah Party.

## Article II -Membership

Any registered voter in Utah may join the United Utah Party.

## Article III -State Organization

Section 1 -The officers of the state party shall consist of a chairperson, vice-chairperson, treasurer, and secretary.

Section 2 -The state chairperson shall be responsible for executive direction of the organization

and shall be authorized, with the consent of the executive committee, to appoint such administrative staff as may be necessary.

The vice-chairperson shall be responsible for executive direction of the organization in the event the chairperson is absent or incapacitated and for such other duties as the chairperson or administrative committee may assign.

The state treasurer shall be the custodian of funds of the organization, shall make written financial reports to the administrative committee, at least four times per year, shall make a full financial report in writing at each annual state convention, and shall expend funds from the state party treasury in accordance with the directives of the executive committee.

The secretary shall be responsible for taking the minutes at the administrative committee meetings and state conventions and file the same at the state headquarters immediately after each such meeting, and shall have such other duties as the chairperson or administrative committee may assign.

The administrative staff shall maintain the records of the organization.

Section 3 -The governing body of the state party shall be the executive

committee, which shall be composed of the above-named officers, as well as a representative of each congressional district, who will be appointed by the chairperson.

No member of the executive committee may be represented by proxy. If a Congressional District representative is unable to attend an administrative committee meeting, an alternate may act in place of the representative.

However, attendance includes both in person and electronic participation.

Section 4 - The executive committee shall meet at least four times per year. The state chairperson may call meetings outside of the regularly scheduled meetings when circumstances require. The state chairperson may change the date of a regularly scheduled meeting if necessary to accommodate activities that are beneficial to the state party. At least five days electronic written notice shall be given to all members for any meeting.

Section 5 - The executive committee by a majority vote at any meeting may determine the rules of its own proceedings, set policy for the orderly conduct of party business, authorize expenditures in the interests of the party, adopt resolutions and take positions on issues of concern, determine membership classification and shall provide for an annual audit of the financial records of the party.

Section 6 - The executive committee by a two-thirds vote at any of its regularly scheduled meetings may adopt, add to, or amend By-laws, which By-laws shall be not inconsistent with the provisions of this constitution. Such By-laws shall be published along with and at the end of this constitution and be available to the membership of the party.

Section 7 - There shall be an annual state convention at such time and place as the state executive committee shall determine during *the months of April or May of each calendar year, or, if necessary, at an alternative time the executive committee determines based on the State's electoral deadline for the nomination of*

*candidates during the given year.* Any voter registered as a member of the United Utah Party is automatically considered a delegate to the annual convention. Notice of conventions shall be made as provided in the By-laws. Notice of the results of convention decisions, including election of officers, will be placed on the party website within seven days of the convention.

Section 8 -The state chairperson, vice chairperson, treasurer and secretary shall be elected to a two-year term each odd-numbered year at the regular state organizing convention. Each shall hold office until the next organizing convention two years hence. The election of officers of the executive committee shall be conducted by the executive committee. However, no officer of the executive committee who is running for re-election in a contested election may participate in election planning.

Section 9 -In the event of a vacancy in any position on the executive committee ordinarily filled by election at a state convention, the following steps shall be followed to provide for a successor to serve until the next annual state convention, at which time the vacancy shall be filled by election to serve the balance of the term. No vacancy by voluntary resignation shall occur until a letter of resignation is received by state headquarters.

a. In the event of a vacancy in the Chair position, the Vice Chair shall automatically assume the position of the Chair until the next annual state convention, at which time there shall be an election to serve the balance of the term.

b. In the event of a vacancy in any other position normally elected by the state convention, the executive committee shall elect a successor to serve until the next annual state convention, at which time the vacancy shall be filled by election to serve the balance of the term.

Section 10 - All executive committee members shall be current members of the Party and shall vacate such office immediately upon loss of or termination

of party membership. Members of all committees and all officers of county units and congressional district units must be current members of the United Utah Party and must vacate that office immediately upon loss or termination of Party membership, after (10) days written notice from the chair of the unit in question.

Section 11 – The administrative committee may create other committees to fulfill certain functions in the party. The members and chairs of these committees shall be appointed by the chairperson.

Section 12 – One member of the executive committee will be designated by the chairperson to serve as a liaison with the Lt. Governor’s office, as well as with each county legislative body.

*Section 13 - The Party may publish an official party platform, which articulates the values and certain positions held by the Party as a whole. In principle, the Party will seek a platform that is minimalist in its approach to holding positions on specific policy issues or legislative approaches. The party platform should focus more on principles rather than specific positions whenever feasible.*

*No party member will be required to endorse the platform, and no political loyalty tests, or anything resembling one, may be enacted on party members or candidates by party leadership.*

*Any official Party platform published must be approved by party delegates during the state convention.*

*Proposed changes to the party platform must be submitted to the executive committee at least 30 days prior to the state convention. In order for a platform change to be approved by the executive committee for transmission to the state convention delegates, it must be proposed by at least 40 registered party members.*

*Any such proposed changes will be published by the Party prior to the state convention in order to give delegates ample time to consider the revisions before casting their vote at the convention.*

*On odd-numbered years, the State Party Chair will convene a platform revision committee at least three months prior to the anticipated state convention. Together with the State Chair, this committee will establish a transparent and inclusive process for soliciting proposed changes or alterations to the platform, which will in turn become recommendations for platform changes to be presented for sustaining vote at the state convention. Recommendations made by the platform revision committee must be supported by 2/3 of the committee in order to be presented at the state convention.*

*In order for any proposed change to the platform to be enacted after the state convention, whether proposed by the platform revision committee or with the endorsement of at least 40 registered party members, two-thirds (66.67%) of delegates present at the convention must vote in favor of the proposed platform change.*

*If the proposed platform revision is presented with endorsement of 40 registered party members, then delegates will be given three options: yea, nay, or defer to the next platform revision committee. While two-thirds will still be needed to sustain any platform change, if a simple majority of voters support referring the proposed revision to the platform revision committee, then that committee will consider the proposed change and present it in some form during the subsequent odd-numbered year's convention.*

#### ARTICLE IV- County Organization

Section 1 -The basic unit or organization of the United Utah Party shall be the county unit, and the administrative committee shall issue charters to such

units at its discretion. However, as a new party, county parties may be organized gradually. The executive committee may organize a region of the party rather than a county on a temporary basis until the organization of county parties.

Section 2 -Each county shall submit a constitution governing for approval by the executive committee. For new counties, constitutions must be approved prior to the issuance of a charter. Any changes in county constitutions after initial approval shall become effective only after approval by the standing constitution committee. Such approval must be given unless such county constitution or change is in conflict with this constitution. Each county constitution shall be printed or duplicated and copies with amendments shall be available to members of each county.

Section 3 -The officers of each county shall include a chairperson, vice-chairperson, secretary and treasurer. The offices of secretary and treasurer may be held by the same person. Counties may provide for additional officers. Officers of a county shall be elected for a term of two years. The election shall be held between September 1 and November 30 of an odd-numbered year during an annual convention of the county party organization. Reasonable written notice of at least ten days of such election meeting must be given by the secretary of each county to the state headquarters.. At each county convention only members of the United Utah Party shall be eligible to vote. In the event that the chairperson of the county shall fail to call such an election meeting within the period specified herein, the state chairperson shall be authorized to call such an election meeting as soon as practicable provided always that the provisions of this section with respect to notice shall be observed.

Section 4 -The fundamental responsibilities of each county shall be to develop the fullest possible membership in the county, to hold regularly scheduled meetings, to encourage candidates for elective office, to form and maintain an effective campaign organization, and to promote the general

interests of the party.

Section 5- The executive committee may, in its discretion, suspend or revoke a charter or take such other action as it may deem appropriate, if it finds that the officers or members of an existing county are clearly failing or refusing to perform the functions for which the county is responsible. No county charter shall be revoked or suspended until and unless the officers of said county shall be given an opportunity to appear at a meeting of the administrative committee.

#### ARTICLE V- Amendments

Section 1 -This constitution shall be amended by the concurrence of two-thirds of the delegates at a regularly called annual state convention of the United Utah Party.

Section 2 -Proposals for amending this constitution shall be submitted in writing to the executive committee at least 20 days before an annual state convention. Proposals that are adopted by the executive committee or those that are received from at least 50 delegates will be published electronically on the party's website at least 7 days before the convention and then voted on by the delegates at the convention.

All amendments to the state constitution shall follow this procedure.

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[info@unitedutah.org](mailto:info@unitedutah.org)

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# ATTACHMENT 6



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# Proposed Bylaws of the United Utah Party

## ARTICLE I – Executive Committee

Section 1 - A quorum for executive committee meetings shall consist of one-half of its total membership at any particular time.

Section 2 - All meetings of the United Utah Party, including the executive committee and all official party committees, commissions and bodies shall be open to the public with the exception for closed sessions on matters of personnel, campaign and party strategy and finance.

Section 3 - The time and place of the executive committee meeting shall be set by the state chairperson unless previously set by the committee itself.

Section 4 - Minutes of all executive committee meetings shall be distributed no later than 21 days after said meeting to all executive committee members.

Section 5 - Any action about urgent matters of personnel, campaign and party strategy, and finance that may be taken at a meeting of the Executive Committee may also be taken without a meeting and voted on by email subject to the policies developed and approved by the Executive Committee.

## ARTICLE II - Finances

Section 1 -The state chairperson shall appoint, prior to the expiration of each fiscal year, a budget committee, which shall have the responsibility for preparing a budget for the next fiscal year. The budget as prepared shall then be presented to the executive committee for the approval at the last meeting prior to the new fiscal year. The budget committee shall be comprised of the state chairperson and the state treasurer and three additional members. The state chairperson will have authority to authorize payment in recount situations upon determination of need. In the event the chairperson is not available, the vice- chairperson and one other executive committee officer will act.

The above provisions shall apply to general elections only.

Section 2 – The state chairperson will commission an audit of party finances at the end of each fiscal year.

Section 3 - No expenditure shall be reimbursed to party officers or employees without the presentation of itemized vouchers. Such vouchers will be honored only if submitted no later than three months after the expenditure has been incurred.

## ARTICLE III - Conventions

The state convention is a function of the state organization. Its purpose is to promote Party unity, form the Party platform in election years, to consider state party finances, elect state party officers, and conduct any other appropriate business. The executive committee shall set the date, site, and other matters related to the convention.

Section 1 - CALL TO CONVENTION: The call to convention must be made public no less than 30 days prior to the convention and shall include the date, purpose of convention, site, hours of registration, etc. (The exception is the first party nominating convention in June 2017.)

Section 2 - DELEGATES: To be eligible to participate at the state convention, all delegates must be registered members of the United Utah Party.

#### ARTICLE IV – NOMINATION PROCESS

Section 1 - All persons intending to become candidates at the Primary Convention for any elected public office, except for Lieutenant Governor of the State of Utah, shall file a statement of candidacy with either the County Clerk or Lieutenant Governor's Office, as is appropriate. Where the number of candidates filing declarations of candidacy is not greater than the number to be elected at the next general election, those candidates shall be allowed to address the convention, delegates, or caucus, as appropriate, seeking confirmation of the United Utah Party nomination. Where the number of candidates is greater than the number of nominees required for the next general election, there shall be nominating and seconding speeches made on behalf of the candidate and the candidate shall be allowed to address the convention, delegates, or caucus, as appropriate. Then the delegates who reside in the district to be represented by the candidate shall vote by secret ballot.

The results of the ballot shall be determined as follows:

- a. if a candidate receives 80 percent or more of the votes cast at the primary convention, that candidate shall become the party's nominee in the general election without the necessity of standing for election in the primary election; provided that no candidate gathers the requisite number of signatures as provided by applicable state law.
- b. if there were more than two candidates seeking the Party's nomination and no candidate receives eighty percent or more of the votes cast at the primary convention but one candidate received seventy percent of the votes cast, the convention shall use a second ballot. The two candidates receiving the

highest number of votes on the first ballot shall be placed on a second ballot. If one candidate receives eighty percent or more of the votes cast at the primary convention on the second ballot, that candidate may become the party's nominee in the general election without the necessity of standing for election in the Primary Election, provided that no candidate gathers the requisite number of signatures as provided by applicable state law.

c. if, after the second ballot, no candidate has received eighty percent of the vote, then a primary will be held. All candidates who received over twenty percent of the vote on the second ballot will be eligible to participate in the primary election. In the event of a primary election, those eligible to vote in the primary election will be all registered voters of Utah.

Section 2 - Nomination for Lieutenant Governor. The Gubernatorial Candidate or Candidates nominated by the Convention shall nominate a candidate for Lieutenant Governor who meets the eligibility requirements of the statutes and Constitution of the State of Utah. Nominees for Lieutenant Governor shall then file a statement of candidacy with the office of the Lieutenant Governor in a timely manner. The Gubernatorial Candidate or Candidates shall then run for election to that office on a joint ticket with their respective Lieutenant Governor nominee. In the election the names of the candidates for Governor and Lieutenant Governor shall appear together on the ballot and the votes cast for a candidate for Governor shall be considered as also cast for the candidate for Lieutenant Governor.

Section 3. Public Official Vacancies. The process to fill a vacancy resulting from the death, resignation or other cause, of a county, state or federal elected official shall be as follows:

(i) the State or County Party which provided the process for nominating the public official whose office is left vacant shall oversee the process for filling the vacancy; any member of the United Utah Party desiring to fill the vacancy

shall be allowed to file a statement of candidacy with the State Party Headquarters or the County Party Secretary, as appropriate;

(ii) a ballot listing the names of the candidates to fill the vacancy shall be prepared listing the names in an order to be determined by lot; at the discretion of the Chair, and in accordance with the laws of the State of Utah, a meeting of delegates in that jurisdiction (state, district, or county) shall be convened to select nominees to fill the vacancy for transmission to the appropriate legal authority as soon as is practicable with a ten day written notice or at a regularly scheduled meeting. Each delegate shall be allowed to cast one vote with the person(s) receiving the highest number of votes being the nominee(s); and, in the event that two or more persons have an equal number of votes, the tie shall be decided by lot.

#### ARTICLE V - OTHER

The party will not have a presidential candidate and therefore will not require a provision for selecting presidential electors. The party records will be accessible to members of the party on request.

In the case of grievances against the party, the chair will appoint a grievance committee to handle the matter.

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