STATE OF WEST VIRGINIA

EXECUTIVE DEPARTMENT

At Charleston

PROCLAMATION

By the Governor

WHEREAS, the resignation of former Governor Joe Manchin III, from the office of Governor to assume the office of United States Senator from the State of West Virginia on November 15, 2010, created a vacancy in this State in the office of Governor; and

WHEREAS, article VII, section sixteen of the West Virginia Constitution requires that the President of the Senate of the State of West Virginia shall act as Governor until the vacancy is filled; and

WHEREAS, I, Earl Ray Tomblin, as President of the Senate of the State of West Virginia, am constitutionally obligated to act as Governor until the vacancy is filled; and

WHEREAS, article VII, section sixteen of the West Virginia Constitution and section two, article ten, chapter three of the West Virginia Code require that a new election for Governor take place to fill the vacancy whenever a vacancy shall occur in the office of Governor before the first three years of the term shall have expired; and

WHEREAS, the Supreme Court of Appeals of West Virginia, in its opinion filed January 18, 2011, interpreted article VII, section sixteen of the West Virginia Constitution to mean that the new election must occur at such a time as will permit the person elected as Governor in the new election to assume office within one year of the date that the vacancy in the office of Governor occurred, which was November 15, 2010 in this case; and

WHEREAS, the Supreme Court of Appeals of West Virginia, in its mandate filed January 18, 2011, directed that I issue a proclamation to fix a time for a new statewide election to fill the vacancy in the office of Governor consistent with the provisions of section two, article ten, chapter three of the West Virginia Code.

NOW, THEREFORE, I, EARL RAY TOMBLIN, by virtue of the power and authority vested in me by law, and in accordance with article VII, section sixteen of the West Virginia Constitution, section two, article ten, chapter three of the West Virginia Code, and the mandate of the Supreme Court of Appeals of West Virginia filed January 18, 2011, do hereby proclaim the following:

The unexpired term of former Governor Joe Manchin III, shall be filled by a new election, pursuant to article VII, section sixteen of the West Virginia Constitution, section two, article ten, chapter three of the West Virginia Code, and the mandate of the Supreme Court of Appeals of West Virginia filed January 18, 2011, to be held on October 4, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the State of West Virginia to be affixed this twenty-first day of January, in the year of our Lord 2011.

DONE at the Capitol in the City of Charleston, State of West Virginia, this twenty-first day of January, in the year of our Lord, Two Thousand Eleven, and in the One Hundred Forty-Eighth year of the State.

Earl Ray Tomblin

GOVERNOR

By the Governor

Natalie E. Tennant

SECRETARY OF STATE