LEGISLATIVE ORDER OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Calling Special Election for Initiative No. INT-01-14, "Dissolution of the Hia Ced District")

LEGISLATIVE ORDER NO. 15-043

WHEREAS, the Constitution of the Tohono O'odham Nation reserves to the Nation's members the right to "independently propose ordinances, resolutions or other legislation affecting the Tohono O'odham Nation" (Constitution, Article XV); and

WHEREAS, the Constitution of the Tohono O'odham Nation further states, "[a]ny proposed initiative measure shall be presented to the council accompanied by a petition signed by not less than three hundred (300) registered voters of the Tohono O'odham Nation" (Constitution, Article XV); and

WHEREAS, the Tohono O'odham Election Board ("Election Board") is empowered to receive and process initiative applications and petitions and "shall notify the Council by providing the petition to the secretary of the Council" that a minimum of 300 registered voters of the Nation have signed the petition (12 Tohono O'odham Code Chapter 1 - Elections, Article III, Section 1302(G) and Article XIII, Section 11305(D)); and

WHEREAS, on February 2, 2015, the Legislative Secretary received notice from the Election Board that initiative petition, INT-01-14, entitled "Dissolution of the Hia Ced District" was submitted to the office of the Election Board for verification and the Election Board verified 389 registered voters signed the Initiative Petition; and

WHEREAS, "Upon the Board's notice to Council of an initiative petition, . . . the Council shall either adopt the initiative measure by a majority vote without alteration or shall call for a special election to be held not later than 90 days after the notice was provided to the Council . . ." (12 Tohono O'odham Code Chapter 1 - Elections, Article XIII, Section 11309); and

WHEREAS, the Legislative Council has not adopted Initiative No. INT-01-14 and is therefore required by Article XV of the Constitution and Section 11309 of the Nation's Elections law to call a special election to allow Tohono O'odham Nation members to vote on the Initiative.

NOW, THEREFORE, BE IT ORDERED by the Tohono O'odham Legislative Council that it calls a special election on April 25, 2015 to allow Tohono O'odham Nation members to vote on Initiative No. INT-01-14, "Dissolution of the Hia Ced District."

BE IT FINALLY ORDERED that the Tohono O'odham Legislative Council's action setting the special election is mandated by Article XV of the Constitution and does not represent the Council's support for or opposition to Initiative No. INT-01-14, "Dissolution of the Hia Ced District."
The foregoing Order was passed by the Tohono O'odham Legislative Council on the 13th day of FEBRUARY, 2015 at a meeting at which a quorum was present with a vote of 2,926 FOR; 19.6 AGAINST; 0- NOT VOTING; and 92 ABSENT, pursuant to the powers vested in the Council by Article X, Section 7 and Article XV of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Timothy Joadpin, Legislative Chairman

13 day of February, 2015

ATTEST:

Evonne Wilson, Legislative Secretary

17 day of February, 2015