

**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

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

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

8 **WHEREAS, the Tohono O'odham Election Board ("Election Board") is empowered to receive**
9 **and process initiative applications and petitions and "shall notify the Council by**
10 **providing the petition to the secretary of the Council" that a minimum of 300**
11 **registered voters of the Nation have signed the petition (12 Tohono O'odham**
12 **Code Chapter 1 - Elections, Article III, Section 1302(G) and Article XIII, Section**
13 **11305(D)); and**

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

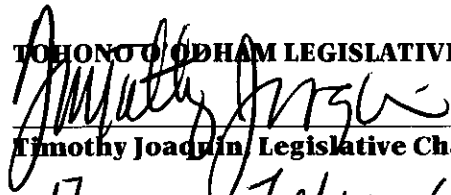
19 **WHEREAS, "Upon the Board's notice to Council of an initiative petition, . . . the Council shall**
20 **either adopt the initiative measure by a majority vote without alteration or shall**
21 **call for a special election to be held not later than 90 days after the notice was**
22 **provided to the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

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


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

31 **BE IT FINALLY ORDERED that the Tohono O'odham Legislative Council's action setting the**
32 **special election is mandated by Article XV of the Constitution and does not**
33 **represent the Council's support for or opposition to Initiative No. INT-01-14,**
34 **"Dissolution of the Hia Ced District."**

1 The foregoing Order was passed by the Tohono O'odham Legislative Council on the 13TH day of
2 FEBRUARY, 2015 at a meeting at which a quorum was present with a vote of 2,926.9 FOR; 19.6
3 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by
4 Article X, Section 7 and Article XV of the Constitution of the Tohono O'odham Nation, adopted
5 by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy
6 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the
7 Act of June 18, 1934 (48 Stat.984).
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10 TOHONO O'ODHAM LEGISLATIVE COUNCIL
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12 _____
13 Timothy Joaquin, Legislative Chairman
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15 17 day of February, 2015
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21 ATTEST:

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23 _____
24 Evonne Wilson, Legislative Secretary
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26 17 day of February, 2015
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