



Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 63rd REGULAR SESSION OF THE 10th SANGGUNIANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON JANUARY 19, 2021.

PRESENT:

| | |
|------------------------------|---|
| FAUSTINO G. DY III | Vice Governor & Presiding Officer |
| DELFINITO EMMANUEL L. ALBANO | Member (1 st District) & Floor Leader |
| EMMANUEL JOSELITO B. AÑES | Member (1 st District) |
| ED CHRISTIAN S. GO | Member (2 nd District) |
| EDGAR R. CAPUCHINO | Member (2 nd District) |
| RAMON JUAN N. REYES, JR. | Member (3 rd District) |
| RANDOLPH JOSEPH P. ARREOLA | Member (3 rd District) |
| CLIFFORD R. RASPADO | Member (4 th District) |
| ABEGAIL V. SABLE | Member (4 th District) |
| FAUSTINO U. DY IV | Member (5 th District) |
| EDWARD S. ISIDRO | Member (5 th District) |
| ALFREDO V. ALILI | Member (6 th District) |
| MARCO PAOLO A. MERIS | Member (6 th District) |
| ANTONIO S. HUI | Member, PCL Federation President |
| DANTE G. HALAMAN | Member, LnB Federation President |
| DAX PAOLO C. BINAG | Member, SK Federation President |
| ADRIAN PHILIP S. BAYSAC | Member, Agricultural /Industrial Workers Labor Sector Representative |
| VENUS T. BAUTISTA | Member, Women's Sectoral Representative |
| GRETCHEN F. VALDEZ | Member, Indigenous Cultural Communities Sector Representative |

RESOLUTION NO. 2021-03-10
SERIES OF 2021

A RESOLUTION DECLARING ORDINANCE NO. 2020-817 OF THE SANGGUNIANG BAYAN OF SAN MATEO, ISABELA TO BE PARTLY VALID

Sponsor: HON. MARCO PAOLO A. MERIS
Chairperson, Committee on Local Government

WHEREAS, on November 10, 2020, the Sangguniang Bayan of San Mateo, Isabela enacted Ordinance No. 2020-817 entitled **"An Ordinance Creating the Positions of Two (2) Sectoral Representatives for Agricultural Workers and Women, Salary Grade Twenty Four (SG 24), Under the Office of the Sangguniang Bayan, this Municipality"**;

WHEREAS, pursuant to the directives of Section 56 of the Local Government Code, the Sangguniang Bayan of San Mateo, Isabela (SB San Mateo) forwarded Ordinance No. 2020-817, hereinafter referred to as Ordinance, to this Honorable Body to have the same be reviewed for the purpose of determining if such is consistent with law and in line with the powers conferred to Sangguniang Bayan;

WHEREAS, consistent with the established procedures of this Honorable Body, the Ordinance was referred to the Committee on Local Government (Committee) for its examination and assessment;

Nagkaisa para sa Isabela

A RESOLUTION DECLARING ORDINANCE NO. 2020-817 OF THE SANGGUNIANG BAYAN OF SAN MATEO, ISABELA TO BE PARTLY VALID

WHEREAS, to aid the Committee in determining the validity of the Ordinance, a Committee Hearing was held on January 12, 2020. The same was attended by the Members of SB San Mateo;

WHEREAS, after careful examination of the Ordinance and thorough assessment of the records submitted by SB San Mateo to this Honorable Body, the Committee determined that the Ordinance is partly consistent with law, or, otherwise stated, not entirely in line with the powers conferred to the Sangguniang Bayan. Paragraph (a) and (b) of Section 446 of the Local Government Code, which established the mandatory composition of Sanggunian, provides:

“SEC. 446. Composition. (a) The sangguniang bayan, the legislative body of the municipality, shall be composed of the municipal vice-mayor as the presiding officer, the regular sanggunian members, the president of the municipal chapter of the liga ng mga barangay, the president of the pambayang pederasyon ng mga sangguniang kabataan, and the sectoral representatives, as members.

(b) In addition thereto, there shall be three (3) sectoral representatives: one (1) from the women; and, as shall be determined by the sanggunian concerned within ninety (90) days prior to the holding of local elections, one (1) from the agricultural or industrial workers; and one (1) from the other sectors, including the urban poor, indigenous cultural communities, or disabled persons.”

WHEREAS, pursuant to the above provision, the Sanggunian’s determination of sectoral representatives, except for the women’s sector, must be made within ninety (90) days prior to the holding of local elections. In connection with the Ordinance, SB San Mateo created two positions, namely: the Women’s Sector Representative; and the Agricultural Workers Representative well outside of the period provided by law;

WHEREAS, the creation of such positions has the effect of determining as to which sectors shall have representation in SB San Mateo. As a consequence, SB San Mateo’s creation of the Agricultural Workers’ Sector Representative position is violative of Section 446 of the LGC since it was not done within ninety (90) days prior to the holding of local elections, hence it is not in accordance with law. Meanwhile, their creation of the Women’s Sector Representative position is consistent with law as the determination thereof does not require that the same be made within the provided period. Accordingly, the Ordinance is determined to be partly valid;

WHEREAS, the Committee recommended such findings to this Honorable Body which the latter adopted and approved;

WHEREFORE, premises considered, upon motion of Honorable Marco Paolo A. Meris, duly approved and seconded in a session duly assembled, it was –

RESOLVED, AS IT HEREBY RESOLVES, TO PASS A RESOLUTION DECLARING ORDINANCE NO. 2020-817 OF THE SANGGUNIANG BAYAN OF SAN MATEO, ISABELA TO BE PARTLY VALID

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RESOLVED FINALLY, that a copy of this Resolution be furnished to: the Municipal Mayor of San Mateo, Isabela, Hon. Gregorio A. Pua, for his information; and the Municipal Vice Mayor of San Mateo, Isabela, Hon. Crispina R. Agcaoili, for her guidance and further action.

Approved and Adopted, January 19, 2021.

**I HEREBY CERTIFY TO THE CORRECTNESS
of the foregoing Resolution:**


ATTY. FRANCIS JAMES E. MEER
Secretary to the Sangguniang Panlalawigan

ATTESTED/APPROVED:


FAUSTINO G. DY III
Provincial Vice Governor & Presiding Officer