

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SESSION HALL, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON MARCH 19, 2007.

PRESENT:

HON. AGATON O. TUMABOTABO,	Vice Mayor & Presiding Officer
HON. ROEL T. JARINA,	Councilor
HON. SUZETTE T. ALQUISADA,	Councilor
HON. REMEDIOS T. TORRATO,	Councilor
HON. ROMEO T. LEDESMA,	Councilor
HON. ALFONSITO E. ESTOCE,	Councilor
HON. ALFONSO C. BABIERA,	Councilor
HON. PEDRO T. RAPADAS,	Councilor
HON. ORVILLO T. TANGENTE,	President, Liga ng mga Brgy.

ABSENT:

HON. JOSE T. TAVARRO, JR.,	Councilor (<i>Vacation Leave</i>)
HON. JOSE DONEL T. TRASPORTO,	SKMF President (Special Priv. Leave)

Resolution No. 2007-017

RESOLUTION REQUESTING THE OFFICERS OF LAND BANK OF THE PHILIPPINES, ILOILO BRANCH TO TAKE NOTICE OF THE PROVISIONS OF SEC. 46 PAR. (d) OF THE LOCAL GOVERNMENT CODE

WHEREAS, The Local Government Code of the Philippines under Section 46 thereof provides for the rules in case of Temporary Vacancy in the Office of the Local Chief Executive;

WHEREAS, Section 46 paragraph (d) specifically provides that "In the event, however, that the local chief executive fails or refuses to issue such authorization, the vice governor, the city or municipal vice mayor, or the highest ranking sangguniang barangay member, as the case maybe, shall have the right to assume the powers, duties, and functions of the said office on the fourth day of absence of the said local chief executive, subject to the limitations provided in subsection (c) hereof."

WHEREAS, sometime in March 2, 2007, the Municipal Mayor of this Municipality issued a Special Order designating Hon. Alfonsito E. Estoce as OIC Municipal Mayor of the Local Government Unit of Tigbauan from March 7, 8 & 9, 2007 in view of the Municipal Mayor's official travel to Manila;

WHEREAS, on March 12, 2007, the Municipal Mayor was still in Manila, hence, pursuant to Section 46, Paragraph (d) of the Local Government Code, the Municipal Vice Mayor assumed office as Acting Mayor until the return to office of the Municipal Mayor on March 15, 2007;

WHEREAS, the Municipal Vice Mayor has been duly authorized by this Sangguniang Bayan to be a signatory in the checks issued by the Municipality of Tigbauan in cases of the absence of the Municipal Mayor, and in his capacity as an

Acting Mayor, and the Municipal Vice Mayor already has a specimen of his signature in Land Bank of the Philippines, Iloilo Branch;

WHEREAS, in so many instances in the past months that the Municipal Vice Mayor had countersigned checks issued by the Municipality of Tigbauan in his capacity as Acting Mayor, in view of the absence of the Municipal Mayor;

WHEREAS, the employees and officials of this Municipality were surprised to learn that on March 14, 2007, Land Bank of the Philippines, refused and denied the withdrawal of the checks issued by the Municipality of Tigbauan for payment of the salaries and wages of the municipal officials and employees for the reason that there should be an order coming from the Municipal Mayor, for the assumption of the Municipal Vice Mayor as Acting Mayor of the Municipality of Tigbauan;

WHEREAS, the provisions of the Local Government Code in case of temporary vacancy in the office of the Local Chief Executive clearly provide the rules for succession and there is no need for the interpretation thereof;

NOW, THEREFORE, on motion of HON. SUZETTE T. ALQUISADA, Chairman, Committee on Appropriation, Budget, Finance, Accounts and Legal Matters and duly seconded by Hon. Romeo Ledesma and Hon. Roel Jarina,

RESOLVED, to request the officers of Land Bank of the Philippines, Iloilo Branch, to take notice of the provisions of Section 46, paragraph (d) of the Local Government Code, in order that the Municipality of Tigbauan will not experience the same predicament that happened on March 14, 2007;

RESOLVED FURTHER, to furnish copies of this Resolution to Land Bank of the Philippines, Iloilo Branch, Office of the Department of Interior and Local Government, Region VI and to all concerned for their information and guidance.

APPROVED.