



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
TACLOBAN CITY
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SANGGUNIANG PANLALAWIGAN

MINUTES OF THE 35th REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE, HELD AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX, PALO, LEYTE ON 14 March 2023.

PHYSICALLY PRESENT:

- | | |
|-------------------------------------|---------------------------------------|
| 1. Hon. Ronnan Christian M. Reposar | 1 st District Board Member |
| 2. Hon. Trinidad G. Apostol | 2 nd District Board Member |
| 3. Hon. Raissa J. Villasin | 2 nd District Board Member |
| 4. Hon. Marie Kathryn V. Kabigting | 3 rd District Board Member |
| 5. Hon. Ma. Corazon E. Remandaban | 3 rd District Board Member |
| 6. Hon. Flaviano C. Centino, Jr. | 4 th District Board Member |
| 7. Hon. Carlo P. Loreto | 5 th District Board Member |
| 8. Hon. Carmen L. Cari | Ex-Officio Member, ABC President |

VIRTUALLY PRESENT:

- | | |
|---------------------------------|---------------------------------------|
| 1. Hon. Leonardo M. Javier, Jr. | Vice-Governor/Presiding Officer |
| 2. Hon. Wilson S. Uy | 1 st District Board Member |
| 3. Hon. Vincent L. Rama | 4 th District Board Member |
| 4. Hon. Michael L. Cari | 5 TH District Board Member |
| 5. Hon. Jo-Vanille Chua-Merilo | Ex-Officio Member, SK President |

ABSENT:

- | | |
|-----------------------|---|
| 1. Hon. Nolie C. Caña | Ex-Officio Member, ABC President
(Official Travel to Cebu) |
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The 35th Regular Session opened at 10:25 o'clock in the morning presided over by the Honorable Vice-Governor Leonardo M. Javier, Jr.

Opening Prayer was led by the Honorable Ma. Corazon E. Remandaban, Representative of the 3rd District of Leyte and followed by the singing of the Philippine National Anthem.

A motion to dispense with the Panunumpa sa Watawat, the Leyte Hymn, the PBMLP Hymn and the PBMLP Creed of the agenda was presented by the Honorable Floor Leader Honorable Carlo P. Loreto duly seconded by the Honorable Raissa J.

50 Villasin, Representative of the 2nd District of Leyte, the Honorable Ma. Corazon E.
51 Remandaban and the Honorable Michael L. Cari.

52 Considering that there was no objection, the motion was carried.

53 The Honorable Presiding Officer Leonardo M. Javier, Jr., requested the SP
54 Secretary, Mrs. Florinda Jill S. Uyvico to call the roll to determine the quorum.

55 **MRS. FLORINDA JILL S. UYVICO: SP SECRETARY**

56 The following are in attendance:

57 Hon. Leonardo M. Javier, Jr. - Presiding Officer

58 Hon. Wilson S. Uy

59 Hon. Ronnan Christian M. Reposar

60 Hon. Trinidad G. Apostol

61 Hon. Raissa J. Villasin

62 Hon. Marie Kathryn V. Kabigting

63 Hon. Ma. Corazon E. Remandaban

64 Hon. Vincent L. Rama

65 Hon. Flaviano C. Centino, Jr.

66 Hon. Michael L. Cari

67 Hon. Carlo P. Loreto

68 Hon. Carmen L. Cari

69 Hon. Jo Vanille Chua-Merilo

70 Thirteen (13) Members are present, Mr. Chair, Mr. Floor.

71 **HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR**

72 There is a quorum to do business.

73 **HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER**

74 We now go to the minutes of the previous sessions of March 3, 2023 and March
75 7, 2023.

76 **HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER**

77 Do we have corrections on the floor?

78 Considering that everybody has been given copies of the minutes, and since
79 there is no correction from the floor, Mr. Chair, I move that we adopt and approve the
80 minutes of March 3, 2023 and March 7, 2023. I so move.

81 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

82 Second.

83 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

84 Second.

85 HON. MICHAEL L. CARI: 5TH DISTRICT BOARD MEMBER

86 Second.

87 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

88 Second.

89 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

90 Okay, there is a motion to approve the minutes of March 3 and 7, 2023 duly
91 seconded.

92 Hearing no objection, the motion is carried.

93 Approved unanimously.

RES. NO. 2023-140

94 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

95 Since there are no items for first reading and reference of business and we have
96 no committee report as well. So we proceed to the Business of the Day, Mr. Chair.

97 Item No. 01, Madam Secretary please.

98 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

99 **BUSINESS OF THE DAY**

100 Presented for consideration are
101 **ORGANIZATIONS/ASSOCIATIONS REQUESTING FOR**
102 **ACCREDITATION AS A NON GOVERNMENT**
103 **ORGANIZATION/ASSOCIATION IN THE PROVINCE OF LEYTE ,**
104 **TO WIT:**

105
106 **01 ABIJAO INTEGRATED FARMERS ASSOCIATION (AIFA) of**
107 **Brgy. Abijao, Villaba, Leyte ; and**
108

139 Hearing none, motion is approved.

140 Approved unanimously.

RES. NO. 2023-141

141 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

142 Thank you, Mr. Chair.

143 We now proceed to Item No. 3, Madam Secretary please.

144 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

145 **ITEM NO. 03**

146 Presented for consideration is a letter dated March 2,
147 2023 from **Agnes C. Rafon, OIC-PPDC**, Chairperson,
148 Provincial Land Use Committee, in response to SP Res. No.
149 2023-069 dated February 7, 2023, with the information that
150 the said ordinance is valid and that formulation of the said
151 Municipal Forest Land Use Plan was in accordance with
152 DENR guidelines.

153
154 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

155 Mr. Chair, will you please recognize the Honorable Raissa J. Villasin?

156 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

157 Honorable Raissa Villasin, good morning, you are recognized.

158 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

159 Thank you, Mr. Chair, thank you, Mr. Floor.

160 Item No. 3 is a letter from the OIC-PPDC regarding the Provincial Land Use Plan
161 Ordinance coming from the Municipality of Capoocan, Leyte. It was referred to the
162 Provincial Land Use Committee during the February 7, 2023 session. According to Ms.
163 Agnes Rafon, the OIC-PPDC, the Municipal Ordinance is valid and for implementation.
164 The formulation of the Municipal MFLUP was in accordance with the DENR guidelines
165 and underwent a series of consultation and participation of various local communities,
166 multi-sector groups and other stakeholders as per the attached approval sheet.

167 If my motion is in order, I move to declare valid Ordinance No. 12 series of 2022
168 of Capoocan, Leyte, "An Ordinance adopting the Forest Land Use Plan allocation and
169 zoning for the administration, enforcement, and amendment thereof and for the repeal
170 of all the ordinances in conflict thereto". I so move.

171 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT6 BOARD MEMBER

172 Second.

173 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

174 Second.

175 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

176 Motion has been seconded.

177 Do I hear any objection?

178 Hearing none, motion is approved.

179 Approved unanimously.

RES. NO. 2023-142

180 Next item please.

181 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

182 Madam Secretary please.

183 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

184 **ITEM NO. 04**

185 Presented for consideration is **General Fund Annual**
186 **Budget FY 2023** of **Kananga, Leyte** amounting to
187 **Php287,070,347.00** under **Appropriation Ordinance No.**
188 **23L.22-015**. Recommended for **APPROVAL** with **CONDITIONS**
189 by the Local Finance Committee per review letter dated
190 March 2, 2023, together with **Annual Investment Plan (AIP)**
191 for CY 2023 in the amount of **Php1,901,106,356.19**.

192 **ITEM NO. 05**

194 Presented for consideration is **General Fund Annual**
195 **Budget FY 2023** of **Santa Fe, Leyte** amounting to
196 **Php110,539,550.00** under **Appropriation Ordinance No.**
197 **2022-09**. Recommended for **APPROVAL** with **CONDITIONS** by
198 the Local Finance Committee per review letter dated
199 February 20, 2023, together with **Annual Investment Plan**
200 **(AIP)** for **FY 2023** in the amount of **Php113,143,226.60**.

201 **ITEM NO. 06**

203 Presented for consideration is **General Fund Annual**
204 **Budget FY 2023** of **Inopacan, Leyte** amounting to
205 **Php121,611,500.00** under **Appropriation Ordinance No. 22-**
206 **05**. Recommended for **APPROVAL** with **CONDITIONS** by the
207 Local Finance Committee per review letter dated March 3,
208 2023, together with **Annual Investment Program (AIP)** for **FY**
209 **2023** in the amount of **Php2,711,794,911.35**.

210 **ITEM NO. 07**

211 Presented for consideration is **General Fund Annual**
212 **Budget CY 2023** of **Tanauan, Leyte** amounting to
213 **Php223,474,205.26** under **Appropriation Ordinance No.**
214 **2022-10**. Recommended for **APPROVAL** with **CONDITIONS** by
215 the Local Finance Committee per review letter dated March
216 7, 2023, together with **Annual Investment Program (AIP)** for
217 **CY 2023** in the amount of **Php223,474,205.26**.

218 **ITEM NO. 08**

219
220 Presented for consideration is **General Fund**
221 **Supplemental Budget No. 5 FY 2022** of **Kananga, Leyte**
222 amounting to **Php7,262,500.00** under **Appropriation**
223 **Ordinance No. 23L.22-022**. Recommended for **APPROVAL**
224 with **CONDITIONS** by the Local Finance Committee per
225 review letter dated March 6, 2023.

226
227 **HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER**

228 Thank you, Mr. Chair.

229 For the next items, there are several budgets in our agenda today. Earlier I
230 conferred with the Chairman of the Committee on Budget, Honorable Uy and we agreed
231 as Vice-Chair, I will make the motion today. He is on travel.

232 I therefore move to pass an omnibus resolution, approving the following:

233 General Fund Annual Budget FY 2023 of Kananga as well as its corresponding
234 AIP;

235 General Fund Annual Budget FY 2023 of Santa Fe, as well as its corresponding
236 AIP;

237 General Fund Annual Budget FY 2023 of Inopacan, Leyte, as well as its
238 corresponding AIP;

239 General Fund Supplemental Budget CY 2023 of Tanauan as well as its
240 corresponding AIP;

241 And the General Fund Supplemental Budget No. 5 FY 2022 of Kananga, Leyte.

242 I so move.

243 **HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER**

244 Second.

245

246 HON. FLAVIANO C. CENTINO, JR.: 4TH DISTRICT BOARD MEMBER

247 Second.

248 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

249 Second.

250 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

251 The motion is in order, been seconded.

252 Any objection?

253 Hearing none, motion is approved.

254 Approved unanimously.

RES. NO. 2023-143

255 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

256 Yes, the Honorable Apostol, Mr. Chair.

257 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

258 Honorable Ebbie Apostol is recognized.

259 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

260 Thank you, Mr. Chair, Mr. Floor Leader.

261 I just would like to manifest that as per recommendation, there are several
262 conditions that we should take into consideration. With this, Mr. Floor Leader, Mr.
263 Chairman, can we take the recommendations together with its approval the
264 observations of the Local Finance Committee? Thank you, Mr. Chairman, thank you,
265 Mr. Floor Leader.

266 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

267 Mr. Chair, we yield to the suggestion of the distinguished the suggestion of the
268 Honorable Apostol. And so, I amend my motion, Mr. Chair.

269 Okay, we now proceed to item No. 09, Madam Secretary please.

270 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

271 **ITEM NO. 09**

272 Presented for consideration is **Ordinance No. 01, S.**
273 **2023 of Abuyog, Leyte – “AN ORDINANCE ADOPTING A**
274 **MECHANISM FOR THE GRANT OF SANGGUNIANG BAYAN**
275 **RESOLUTION TO APPLICATION FOR INDUSTRIAL, COMMERCIAL**
276 **SAND AND GRAVEL QUARRY IMPOSING FEES, CHARGES AND**

277 **PENALTIES FOR VIOLATION THEREOF.**" A revised ordinance in
278 compliance with SP Resolution No. 2022-467 dated
279 September 27, 2022.

280
281 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

282 The Honorable Reposar, Mr. Chair?

283 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

284 Honorable Reposar, good morning, you are recognized.

285 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

286 Item No. 9 actually is the 3rd version of the Ordinance of Abuyog. The 1st version
287 being Ordinance No. 18, series of 2020 and second, Ordinance No. 02, series of 2021.
288 All issues actually have been resolved, except for the provision which seeks to impose a
289 business tax for business permit to concessionaires of sand and gravel operations.

290 This representation actually, being the Chair of the Committee on Rules had
291 several discussions with the Sangguniang Bayan of Abuyog. And sometime last year, I
292 think on September 2022, I sat down with the Sangguniang Bayan of Abuyog. And
293 there, it was clarified that the imposition actually is not meant as a business permit but
294 actually intended for the protection and rehabilitation fund as well as the disaster
295 preparedness fund considering that they are really trying to conserve and preserve the
296 3 main Rivers of the Municipality which are actually the source of their drinking water
297 and source of several livelihood opportunities for the constituents of the Municipality of
298 Abuyog.

299 With the discussion and considering the recommendations of the Committee on
300 Rules, the Sangguniang Bayan of Abuyog have the latest version of the said Ordinance
301 which is now Ordinance No. 1 series of 2023 now articulating in the definition of terms
302 that particular imposition of charges which is the environmental protection and
303 rehabilitation fee. And I read the definition which it says, "this fee is chargeable against
304 the activity of sand and gravel quarry or mountain soil extraction operations to defray
305 the cost of future projects to protect, preserve the environment which would vary
306 depending on the area of coverage or area of operation. The second imposition is
307 disaster preparedness fee is a fee charge purposely to defray the cost of services being

308 provided by the LGU such as, but not limited to inspection, hazard analysis and
309 monitoring and to defray the cost of future disaster preparedness and response related
310 activities. One example they gave was the maintenance and rehabilitation of access
311 road to interior barangays which as they explained is an experience of almost all
312 municipalities that being dependent to allocations or financial assistance coming from
313 the province or any other funding or donation so that they could rehab or implement
314 maintenance activities to access interior barangays. And among the examples they
315 gave was their experience of the recent landslide in the Municipality of Abuyog. So, the
316 basis of the imposition is actually the consensus. They had several consultations
317 meetings with the concessionaires and the basis of the amount was actually the
318 consensus among those who were present during that public consultation. And I think
319 they have another public consultation based on the records they submitted, they have
320 another public consultation with the stakeholders of the Municipality of Abuyog.

321 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

322 So, Mr. Chair, it would appear that Abuyog has complied with the
323 recommendations of the Committee on Rules. To comply, so they are not actually
324 collecting confiscatory and unconsumable business taxes. What they are collecting is
325 rehab fund for disaster and for the rehab of the roads that are destroyed.

326 On that note, Mr. Chair, I would like to join the Honorable Reposar on his motion.
327 Was there a motion?

328 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

329 After that, if no questions or inquiry, I would like to move that this 3rd version of
330 the Ordinance of Abuyog be approved, Mr. Chair.

331 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

332 And I would like to join the Honorable Reposar in his motion.

333 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

334 Honorable Floor Leader, we have discussions about the extraction of gravel and
335 sand in the province. And this ordinance has to be reviewed by the people in charge in
336 the extraction of gravel and sand in the province because precisely the roads are

337 getting destroyed because of the extraction using big big trucks. And we have been
338 getting funds to repair the roads to fix the roads and these roads are being destroyed by
339 these trucks with bigger than 12 cu. meters of cargo. So, when they use the bigger
340 trucks necessarily these roads get destroyed and it becomes the burden of the province
341 and the municipality or the representative from Congress to fix these roads. So, I would
342 like to suggest that this ordinance be reviewed by our gravel and sand people in the
343 Province para ma impose sa kanila what is part of the ordinance the restriction of using
344 bigger trucks in the extraction of these gravel and sand. I am an advocate of the
345 preservation of these roads precisely because I was asking for funds from the national
346 government for all sort of funding to fix the roads. And yet, some unscrupulous
347 extractors or permittees have been reckless in using and abusing the use of our road by
348 using big trucks. And if you have a 30 cu. meters trucks or 40 cu. meters trucks,
349 kawawa talaga yong mga kalye. I don't know if this ordinance is in order, I am asking
350 the Honorable Bolingling Reposar to ask, maybe we can refer this back to Atty. Acol
351 and find out if they complied with the restrictions of trucks being used to extract the
352 gravel and sand in the Municipality of Abuyog. That is my manifestation and may I just
353 get a comment from Atty. Reposar?

354 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

355 Yes, Mr. Chair. Actually the Ordinance refers to the guidelines of the Municipality
356 of Abuyog before they can issue a resolution interposing no objection. So, this is not yet
357 I think a regulatory ordinance relating to the operations of sand and gravel.

358 For the meantime, I agree with the observation of the Honorable Vice-Governor
359 and I think probably even without referring back this Ordinance for review since this is
360 just a mechanism or guidelines in the issuance of a interposing no objection. I want to
361 study introducing or enacting a Provincial-wide Municipal Ordinance instead. This
362 observation or experience that we have of the sand and gravel concessionaires or
363 mountain quarry concessionaires using big trucks which destroy our access roads is
364 actually very evident even in the Municipality of Palo. My suggestion, Mr. Chair is I

365 particularly, being the Chair of the Committee on Rules would like to study or draft an
366 Ordinance to that effect, Mr. Chair.

367 But in relation to this Ordinance since this is just a mechanism of the Municipality
368 of Abuyog, in the issuance of interposing no objection, I think we can actually approve
369 this ordinance now, Mr. Chair.

370 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

371 The Honorable Apostol, Mr. Chair?

372 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

373 The Honorable Ebbie Apostol, Maam you are recognized.

374 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

375 Thank you, Mr. Chairman, thank you, Mr. Floor Leader.

376 Now, what is really the recommendation of the Chairman? First of all, I heard that
377 to the Committee on Rules for further study. Then he moved for the approval. Which is
378 which? He recommended to refer it to the Committee on Rules for further study, am I
379 correct? The first statement that you gave.

380 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

381 No, the suggestion of the Honorable Vice-Governor, BM Apostol.

382 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

383 Yes, I am in favor to refer that to the Committee on Rules for further study.

384 But then in your last paragraph you moved for the approval of this Ordinance coming
385 from the Municipality of Abuyog. So, you have 2 manifestations.

386 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

387 Actually this has been referred to the Committee on Rules last year. Actually, in
388 the year 2020 and 2021.

389 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

390 So, there was already a recommendation from the Committee on Rules?

391 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

392 There was actually a recommendation from the Provincial Legal Office and the
393 Committee on Rules. And they have complied, the first recommendation from 2020

394 Sangguniang Panlalawigan and the 2021 composition of the Sangguniang
395 Panlalawigan except for the Mayors' Business Permit. It has been referred to the
396 Committee on Rules and they have complied with our recommendation. The reason
397 why I have moved that this Ordinance on the 3rd version of this Ordinance be already
398 approved, what I am referring to for further study would be the suggestion of the Vice-
399 Governor to impose limitations on the weight I don't know what to call that the gross
400 tonnage of the trucks passing through in and out or using our roads. So, that is the
401 reason why I said, we might want instead of referring this ordinance just to Abuyog, but
402 the experience of the province this is happening all over the municipalities where there
403 are sand and gravel concessions. So, I am proposing that we might want to study the
404 enactment of Provincial-wide Ordinance so that the restriction on the weight or the
405 tonnage of the trucks passing through our roads may be regulated not just in the
406 Municipality of Abuyog but all throughout the Province.

407 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

408 Yes, Mr. Chairman, Mr. Floor Leader.

409 Mr. Chairman?

410 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

411 Mr. Floor Leader, go ahead?

412 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

413 Actually, I subscribe with the position submitted by the Honorable Reposar. This
414 was reviewed by the Provincial Legal Office. They have several observations and this
415 was also reviewed by the Committee on Rules. And we have several recommendations.
416 And the Sangguniang Bayan of Abuyog are now before us, they amended their original
417 ordinance to comply with all our recommendations. That is why it is before us now. And
418 yes, I also submit that this just provides the legal framework for the Sangguniang Bayan
419 to process request for a resolution interposing no objection and this in no way allows big
420 trucks to traverse the provincial and municipal roads in the Province of Leyte. That
421 would be another subject for another ordinance, for another day. So, I maintain my
422 request to join the Honorable Reposar in his motion.

423 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

424 Mr. Floor Leader, as I said there is really a problem with the extraction of gravel
425 and sand in the province. And we have discussed this with the gravel and sand people.
426 And as BM Reposar has said, we might just make a Provincial-wide Ordinance
427 controlling the movement of trucks and extraction of gravel and sand in the Province.
428 Now, my suggestion is, this Ordinance maybe intertwined with our new ordinance that
429 we are going to impose in the province. We are discussing this so that we don't require
430 ordinances in every municipality destroying the roads. That is the problem in Jaro, in
431 Dagami, also a problem in Javier. And we are really worried of the use of these big big
432 trucks now. The ordinance adopting a mechanism to grant Sangguniang Bayan the
433 operation for industrial, commercial sand and gravel. Wala pa dito yong mga
434 requirements of moving this because if you give a permit necessarily to move the
435 gravel. And if you move the gravel you have to put rules on the movement of the
436 extracted items. So, baka naman pweding e integrate natin ito sa Provincial Ordinance
437 that might help the whole Province in preserving our roads. If there is so much funding
438 to be given to the province as far as we are concerned to fix the road and to make
439 barangay roads access roads, farm to market roads, they are being destroyed by these
440 trucks. Because they have permits, diba? Pero wala pa tayong resolution compelling to
441 the size of the load. And we already referred to the DPWH regarding this and the
442 suggestion is to make a Province-wide Ordinance to control this and even the fees and
443 charges and penalties para maging uniform buong probinsya. Now, we have gone this.
444 And this resolution is an application, right for the industrial, the imposition of fees.
445 Kasama rin ito doon sa ordinance na gagawin natin, eh. And we are supposed to do
446 that as soon as possible. Baka pwedi naman e intertwine natin itong ordinance na ito,
447 the bigger ordinance for the province. Hindi ba pwedi yon? Are you in a hurry to pass
448 this?

449 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

450 'Actually Vice-Gov., there are 3 Resolutions interposing no objection being
451 required by the MGB and by the Provincial Government. Pursuant to our Environmental

452 Code, one from the Barangay, another from the Sangguniang Bayan and another from
453 the Sangguniang Panlalawigan. This pertains to the Sangguniang Bayan.

454 However, just so, I would like to state on record, Atty. Acol sent me a draft
455 ordinance regarding the trucks, the size and the weight of trucks that may be allowed to
456 traverse provincial roads, Mr. Chair. However, upon review, I think it is wanting. There
457 are several tests being required by the Supreme Court and by the Constitution. First,
458 there should be a lawful subject and a lawful means. Lawful subject which is a subject
459 which may be the topic of legislation. Lawful means, the means employed to deter or
460 to remedy the problem is reasonably related to the subject of the ordinance. I think the
461 draft ordinance, I was supposed to call a meeting. The draft ordinance from Atty. Acol
462 required merely a deposit. So, how does that stop the trucks, the big trucks from
463 destroying our roads? So, I think that is something that, I agree with the Honorable
464 Reposar that is something that we should welcome, Mr. Chair. So that as the Vice-
465 Governor conveyed, it is a problem, it is a persistent problem that no matter how many
466 millions we put on our roads, it is just destroyed by these concessionaires who are
467 using very big trucks, Mr. Chair.

468 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

469 Majority Floor Leader?

470 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

471 Mr. Chair, the Honorable Rama?

472 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

473 The Honorable Rama is recognized.

474 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

475 Thank you. First I am in full support of the Vice-Governor's observation. Another
476 observation that we might have missed out, with extraction, there is also a procedure
477 when you extract gravel from the rivers. Because the thing that is happening in the 4th
478 district is that, most of the time all the rivers have already been rechanneled. Meaning
479 once upon a time it was straight now it is going sideways left, right and most of the
480 constituents living on the site are not using the water that supposed to be on their

481 wide streams. Attending a few meetings regarding extraction, there is even a procedure
482 wherein you need a backhoe to go inside and trucks are not allowed in certain area to
483 go inside. The Vice-Governor is pointing out the effects when it comes out from the
484 river. That is also another matter that we look into and I think the municipality of Abuyog
485 has already looked into this. Thank you, Mr. Chair.

486 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

487 Mr. Chair?

488 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

489 The Honorable Floor Leader?

490 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

491 Mr. Chair, the Honorable Reposar moved and I joined his motion considering that
492 there is no second, Mr. Chair, the motion is dead under water. So the subject matter is
493 deferred until our next session, it is dead under water. Unless there is a second, Mr.
494 Chair.

495 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

496 Mr. Floor Leader, can I say something?

497 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

498 Yes, the Honorable Apostol, Mr. Chair.

499 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

500 Thank you, Mr. Chairman, thank you, Mr. Floor Leader.

501 `May I just ask the Chairman, in your last paragraph in your manifestation, you
502 were proposing for further study? Am I correct?

503 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

504 I was saying to study on the trucks.

505 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

506 You were saying for further study of this?

507 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

508 No, not this ordinance. I have studied already this ordinance.

509

510 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

511 Can the Secretariat please repeat what the Honorable Chairman said in the last
512 paragraph? You were proposing to study of this particular ordinance. Now, just for
513 clarification, and now you moved for the approval of this ordinance. So, which is which?
514 The referral proposing for a study or for the approval? For my observation, I would just
515 like to refer this to any concerned entity to give us clarification for this particular
516 ordinance coming from the Municipality of Abuyog. Thank you.

517 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

518 Let me clarify, Mr. Chair and Honorable Vice-Governor.

519 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

520 Go ahead Attorney, go ahead.

521 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

522 The manifestation on the further study was the proposal or the recommendation
523 or the proposal of the Vice-Governor for the big trucks. That was what I am referring to
524 in that statement for further study. But before that, there was already a clarification and
525 a discussion made referring to this ordinance. And that is what I am moving that the
526 same be approved since this is also the 3rd version of the ordinance, having been
527 passed on the year 2020 for the first version, the second version on 2021 then both
528 referred to the Provincial Legal Office and referred to the Sangguniang Panlalawigan.
529 And to both versions there were some observations that have been referred back to the
530 municipality of Abuyog. Hence, I was earlier saying that in order to make a clarification
531 from the Sangguniang Bayan of origin, this representation actually attended their
532 sessions. So that, I personally hear what they really are referring to about that Mayors
533 business permit since it was the only issue which the Provincial Legal Office says lacks
534 clarification. So, eventually it was clarified, they were not actually referring to the
535 business mayor's permit but actually the imposition of environmental protection related
536 charges and a disaster preparedness related charges since there are instances that the
537 3 main rivers of the Municipality of Abuyog needs some funding for rehab or protection.
538 So, that is the reason why I was proposing that this be approved since that was already

539 clarified. And if for clarification purposes, what I am referring to for further studies is the
540 proposal of a provincial-wide ordinance for the restrictions of big trucks passing through
541 in and out or using provincial, barangay and municipal roads. That is what I am referring
542 to Honorable Maam Ebbie Apostol. Sorry if...

543 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

544 Thank you, Mr. Floor Leader.

545 He moved for approval and it was not seconded. So, what happened to this
546 particular ordinance?

547 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

548 The Honorable Kabigting is manifesting something?

549 HON. MARIE KATHRYN V. KABIGTING: 3RD DISTRICT BOARD MEMBER

550 I would like to second on his motion.

551 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

552 On that case, Mr. Chair, it duly seconded now.

553 So may we request for a ruling, Mr. Chair. And after this nalang I will make a
554 corollary motion, Mr. Chair, to request the Committee on Rules to draft.

555 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

556 Actually that is what I am going to, I am actually volunteering Honorable Vice-
557 Governor to study the proposal for a municipal-wide Provincial Ordinance and
558 eventually after study, enact the ordinance for presentation before the Sangguniang
559 Panlalawigan and before the Honorable Vice-Governor so that we can at least enact
560 and ordinance which will ensure the protection of the Provincial, municipal and
561 barangay roads within the territorial jurisdiction of the Province of Leyte. But I would still
562 sustain my motion that this ordinance may still be approved since this is just an
563 ordinance providing for a mechanism before the Municipality of Abuyog issues a
564 resolution interposing no objection. As for regulation and other guidelines for the
565 operations of concessioners and permittees of commercial industrial sand and gravel, I
566 agree with the majority Floor Leader that that is another subject which we can study and

567 later on pass an ordinance for the regulation of the operation as such sag and eye
568 sagged activities.

569 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

570 Honorable Reposar?

571 I am the Chairman of the Committee on Environment. And precisely everything
572 that has arise from the problems on extraction in the Province has come to my attention.
573 I will give you a story which is in layman's language I am not a lawyer, but I can just tell
574 you an example.

575 Now, there is a town called Jaro, Leyte. And there are about 42 concessionaires
576 there. And according to the study of the DPWH if this the Cabayongan River if not
577 rehabilitated, it can eras 2 barangays of Jaro if there is a huge rain. So, it has come to
578 my attention that there have been funds allotted for the construction of roads and the
579 reconstruction of river in Jaro. And to the tune of several millions about a hundred and
580 20 million pesos have been given to rehabilitate the roads. Okay, there is a road for
581 example, 18 million that was given to a certain barangay and it was completed in a few
582 months and fixed that road in about 5 months. And let me just tell you an example that
583 the road was fixed and it was beautiful for the use of everybody. Para sa mga
584 Salognon. In about a month's time, that road was destroyed by the big trucks. That is
585 why I object to mechanism like this if it does not go through a microscope because we
586 do not want to stop their livelihood as far as extraction fees in concerned. Ang gusto
587 lang naming sana na respituhin naman nila yong kabuhayan ng mga tao ng iba. Kagaya
588 ng mga farmers. There is one in this regard for the destruction of roads. And it says
589 here, imposing fees, charges and penalties. For them how much charge fees for
590 penalties, for 4 million pesos of roads. It has been fixed for 5 months and destroyed in
591 one month. That is why I really disagree with an ordinance for one municipality that
592 maybe copied by the other municipalities, we approved this and that mean we consent
593 to an ordinance like this, even if it doesn't hold anybody responsible for the destruction
594 of roads that costs us millions. I know this is tough but we have been asking for funds
595 from senate from congress from the province as a matter of fact, if there are funds from

596 the province to fix roads. And then eventually destroyed. So, ang akin lang dito being
597 the Chairman of the Committee on Environment and that include the destruction of the
598 river beds, I would like to seek something like an ordinance, a mechanism to
599 application of industrial commercial sand and gravel quarrying with the imposition of
600 some rules like fees, bigger fees and penalties. Sabi nga ni Gov. even if you charge
601 huge fees. Okay lang yon kong gagamiting nila yong malaking trucks basta gawing nila
602 yong kalye kung giniba nila. Wala naman tayong, hindi naman tayo Martial Law ano, but
603 they should respect the effort of some people who want to give the municipalities the
604 roads for the people. Then we should also ask the opinion of the Congressman of the
605 5th district regarding the extraction of sand and gravel in Abuyog. Kasi he does fundings
606 for the roads in the 5th District and that includes Abuyog. I for one know the mechanisms
607 regarding getting of funds from Congress. As a matter of fact, I am running farm to
608 market roads including from the province. Not only from the Senate. Kaya lang
609 nakakahiya pag nagawa na yong kalye nagigiba kaagad kasi huge loads carrying 35
610 tons big big trucks. They ran across road and at the end of the day the roads destroyed.
611 Ngayon, anong gagawin ng municipality if they already have the ordinance granting the
612 permits? How are they going to control the usage of big trucks and the imposition of
613 some fees. Para naman hind sila mag sabing umaboso, diba? So, that is why I would
614 like to have as what the Honorable Reposar would propose. Pwedi tayong gumawa ng
615 Province-wide Ordinance considering that the gravel and sand is the wealth of the
616 province. And likewise it can also be used to fix road in the municipalities. But these
617 have to be controlled. These activities should have to be controlled. By imposing
618 smaller truck, imposing fees that can help the municipality rebuild roads. Para makita
619 natin ito mayron tayong mechanism for the grant of SB Resolution to application for
620 industrial. Because I know for a fact that some municipalities operate quarrying. And I
621 would like to manifest this observation para naman ma move natin kon ano man iton
622 ordinance na ito can merge dito sa province para hindi mag kanya kanya ng ordinance
623 dito, diba. Sasabihin natin this is just for the mechanism. Sorry Boss, mabigat ito
624 because I have been a Mayor for 9 years at nakita ko yong destruction talaga ng mga

625 river beds natin due to the extraction. I got about 12 Billion worth and I made roads in
626 Javier. Yong ibang truck na dumadaan dyan na hindi taga dyan nag obstructs sila
627 nagigiba na yong mga kalyeng ginawa ko, because they have permits. So, there are no
628 rules regarding the use of big trucks. There are no rules regarding fees that can help the
629 barangay captains to rebuild the roads. And I suppose, this is my sentiment now. I am
630 here in front of you, if you want piecemeal approval of different ordinances regarding the
631 sand and gravel extraction or we have a Province-wide Ordinance that we can use to
632 impose in the activity in the extraction of sand and gravel in the province. That is my
633 manifestation. Thank you.

634 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

635 Yes, Mr. Chair. To formalize I would like to move to request the Committee on
636 Rules to draft, to conduct committee hearings, to research and to draft proposed a
637 ordinance as discussed. I so move.

638 The Honorable Reposar, Mr. Chair?

639 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

640 Go ahead Atty. Reposar.

641 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

642 Thank you, very much, Mr. Chair. I actually subscribe to the reservation and the
643 sentiment of the Vice-Governor. I have been involved in the Hindang and Hilongos land
644 slide issues where I was still the Legal Officer of the Environmental Legal Assistant
645 Center and I agree that sand and gravel operations are not regulated. Destroys roads.
646 And not just actually destroys roads in Hilongos and Hindang but actually destroyed the
647 main river system of both municipalities. So, I accept the request or the proposal of the
648 of the Majority Floor Leader to study and eventually to draft the necessary ordinance.
649 But I would like to go first the Sand and Gravel Ordinance of the Province of Leyte since
650 it is the provincial government of Leyte to issue permit for commercials sand and gravel.
651 And the Mines and Geosciences Bureau for the Industrial sand and gravel. So, we
652 might as well look into our own provincial ordinance whether or not or to find out

653 whether these regulations are there, which are not just being implemented or we have
654 to improve our own provincial sand and gravel ordinance.

655 So I accept the proposal and with the permission of the Honorable Chairperson
656 of the Committee for Environment I would like to secure permission Vice-Governor to
657 also provide inputs later on after research and some studies or output on committee
658 hearings and research that I may be conducting.

659 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

660 Okay, there is a motion Mr. Chair, duly seconded. May request for a ruling?

661 To request the Committee on rules to draft the proposed ordinance and the use
662 of provincial road and to prevent big trucks, mayda ito tonnage, mayda ito size.

663 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

664 Majority Floor Leader?

665 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

666 The Honorable Rama, Mr. Chair?

667 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

668 Go ahead.

669 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

670 This is just an inquiry. Are we approving this ordinance or are deferring it
671 because by approving this ordinance, basig we can defer this because for example we
672 are serious in amending our ordinance for sand and gravel. I know it has been
673 seconded it is just unfortunate that the municipality of Abuyog is the one proposing the
674 ordinance. But I just would like to be clarified. Are we approving the motion of this
675 ordinance?

676 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

677 What is the motion, Mr. Floor Leader?

678 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

679 It is another matter, Mr. Chair. It is about the crafting of the ordinance. Actually
680 the Honorable Rama is inquiring about the ordinance of Abuyog which it appears has
681 not been ruled on. Let me state on record that the Local Governments like the

682 Sangguniang Bayan has their own powers and prerogatives. They can impose fees and
683 charges which does not preclude the provincial government from imposing legislation
684 and imposing fees and charges as well. They are 2 independent local governments.
685 However, once the provincial government the Sangguniang Panlalawigan lays a new
686 ordinance which is not at all force with the local Sangguniang Bayan then the ordinance
687 of the Sangguniang Bayan effectively yields to the ordinance of the province. So, I think
688 there is no problem if we approve this and eventually if we approve a provincial
689 ordinance and if it negates the municipal ordinance then our ordinance will prosper. So,
690 wala pa palang ruling on the Abuyog ordinance.

691 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

692 Mr. Floor Leader.

693 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

694 Yes, Mr. Chair.

695 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

696 Maybe I guess we can integrate this ordinance, integrated into something with
697 more teeth to a provincial ordinance. I am not saying that we just disregard this. I am
698 saying we defer this and so it can be integrated with the proposal of Honorable Reposar
699 to make a provincial ordinance integrating some suggestions and solutions, diba?

700 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

701 Oo mas mataas ang penalty kay provincial ordinance. At any rate, I am
702 amenable to deferment. But there is a motion. Actually duha diay ang motion, diba.

703 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

704 I am proposing since different ideas were laid on the floor as a procedure
705 parliamentary, let's take a vote of the ordinance if we approve it or not rather than defer
706 it.

707 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

708 According to the rules, as long as there is no objection, we cannot divide the
709 house and vote on the matter.

710

711 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

712 The Presiding Officer will just take it as an objection... I don't know...

713 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

714 Mr. Floor Leader?

715 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

716 Yes, the Honorable Apostol?

717 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

718 There is no objection, Honorable Rama.

719 We are just manifesting each and every one of us who talked just only a
720 manifestation. So, there is no need to divide the house because there is no objection.

721 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

722 The Honorable Apostol might want to ask the Secretary to review the notes,
723 because I think I heard the Vice-Governor objecting. I might be wrong but I thought it
724 was an objection. Just an observation.

725 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

726 BM Vince, mine is not an objection but a suggestion to defer this until we make
727 the ordinance that the Honorable Reposar has suggested. Para hindi maraming
728 ordinance, diba. Mamaya, next week, maraming ordinance will come, from Hindang,
729 from MacArthur or from Jaro. So marami na, maaring e consolidate natin ito. The same
730 subject that pertains to so many municipalities. Suggestion ko, defer this and see if we
731 can further study this to integrate it with the provincial ordinance.

732 HON. VINCENT L. RAMA: 4TH DISTRICT BOARD MEMBER

733 I am clarified, Mr. Chair. Thank you.

734 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

735 Mr. Chair and Majority Floor Leader?

736 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

737 BM Reposar go ahead.

738

739

740 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

741 If it still proper, I would like to withdraw my earlier motion and move that this
742 subject be deferred so that at least we can discuss... I think there are legal implications
743 if there are no objections and we don't approve this we might be encroaching the
744 legislative intent of the Sangguniang Bayan concerned. But in the meantime, I would
745 suggest that we defer this, hence I am withdrawing my earlier motion.

746 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

747 Second.

748 Mr. Chair, I would like to explain my second.

749 After all the motion makes sense because our role is only to review the
750 ordinances from of the Sangugniang Bayan. So we cannot delve into the wisdom of
751 their ordinances. All we can do is to see if they can comply with the sufficient standards
752 test, the completeness test. At any rate, the motion now is to defer and it has been
753 seconded.

754 Mr. Chair, may we request for a ruling?

755 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

756 The motion to defer, hearing no objection?

757 Approved unanimously.

RES. NO. 2023-144

758 Next item please.

759 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

760 May we request also for a ruling on the motion to request the committee on rules
761 to craft an ordinance on the regulation on the size and tonnage of trucks that maybe
762 allowed traversing provincial roads. There is a motion, duly seconded. May we request
763 for a ruling, Mr. Chair?

764 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

765 Its been duly seconded, hearing no objection, motion is approved.

766 Approved unanimously.

RES. NO. 2023-145

767 Next item please.

768

769 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

770 **ITEM NO. 10**

771 Presented for consideration is **Municipal Ordinance**
772 **No. 154 s. of 2023 of Carigara, Leyte – “AN ORDINANCE**
773 **AMENDING THE LBP FORM NO. 3 – PLANTILLA OF LGU**
774 **PERSONNEL FY: 2023 LGU-CARIGARA, LEYTE, PARTICULARLY**
775 **ITEM 11-12 SANGGUNIANG BAYAN SECRETARY, SG 24/4**
776 **UNDER THE SANGGUNIANG BAYAN SECRETARY OFFICE; AND**
777 **LBP FORM NO. 3-A-PERSONNEL SCHEDULE FY:2023,**
778 **DEPARTMENT/OFFICE: SANGGUNIANG BAYAN SECRETARY**
779 **OFFICE, PARTICULARLY ITEM 11-12 SANGGUNIANG BAYAN**
780 **SECRETARY,SG 24/4, OF MUNICIPAL ORDINANCE 148, SERIES**
781 **OF 2022- “APPROPRIATING THE SUM OF TWO HUNDRED**
782 **THIRTY-TWO MILLION SEVEN HUNDRED FIFTY-SEVEN THOUSAND**
783 **ONE HUNDRED SEVENTY-FOUR PESOS & 50/100**
784 **(PHP232,757,174.50) ONLY AND A TOTAL EXPENDITURES OF**
785 **TWO HUNDRED THIRTY-TWO MILLION SEVEN HUNDRED FIFTY-**
786 **SEVEN THOUSAND ONE HUNDRED SEVENTY-FOUR PESOS &**
787 **50/100 (PHP232,757,174.50) ONLY, FROM JANUARY 1, 2023 TO**
788 **DECEMBER 31, 2023.” Recommended for the declaration of**
789 **its VALIDITY by the Provincial Legal Office per 2nd**
790 **indorsement dated November 23, 2022.**

791
792 **ITEM NO. 11**

793 Presented for consideration is **Ordinance No. 2023-01**
794 **of Dagami, Leyte – “AN ORDINANCE CREATING AND**
795 **ESTABLISHING THE DAGAMI AUXILIARY TRAFFIC UNIT (DATU) IN**
796 **THE MUNICIPALITY OF DAGAMI, LEYTE, AND APPROPRIATING**
797 **FUNDS FOR ITS PURPOSE.” Recommended for the declaration**
798 **of its VALIDITY by the Provincial Legal Office per 2nd**
799 **indorsement dated February 27, 2023.**

800
801 **ITEM NO. 12**

802 Presented for consideration is **Ordinance No. 2023-03**
803 **of Dagami, Leyte – “AN ORDINANCE REGULATING THE**
804 **OPERATION OF “HABAL-HABAL” AND PEDICAB “POT-POT”**
805 **OPERATING WITHIN THE JURISDICTION OF THE MUNICIPALITY**
806 **OF DAGAMI, LEYTE, IMPOSING FEES, AND PENALIZING**
807 **VIOLATORS THEREOF.” Recommended for the declaration of**
808 **its VALIDITY with CONDITION by the Provincial Legal Office**
809 **per 2nd indorsement dated February 27, 2023.**
810

811 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

812 There are several items from the 2nd District. Items 10, 11 and 12. May we
813 request for an omnibus motion from the former Vice-Governor and former
814 Congresswoman from the 2nd District, Mr. Chair?

815 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

816 Go ahead please.

817 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

818 Thank you, Mr. Chairman, thank you, Mr. Floor Leader.

819 Now, we have several Items here, Items 10, 11 and 12, coming from the 2nd
820 District of Leyte.

821 Item No. 10 is Ordinance No. 154 from the Municipality of Carigara, Leyte. This
822 has been recommended for approval by the Provincial Legal Office.

823 Item No. 11, an Ordinance No. 2023-01 from the Municipality of Dagami, Leyte.
824 This is an Ordinance Creating and Establishing the Dagami Auxiliary Traffic Unit. Again
825 Mr. Chair, this has been declared valid by the Provincial Legal Office as per its 2nd
826 Indorsement dated February 27, 2023.

827 Item No. 12 is another Ordinance No. 2023-03 of Dagami, Leyte, which is an
828 Ordinance Regulating the Operation of Habal-Habal and Pedicab (Pot-Pot) operating
829 within the jurisdiction of the Municipality of Dagami, Leyte., imposing fees and
830 penalizing violators thereof.

831 Mr. Chair, this has been studied by the Provincial Legal Office and has been
832 recommended to be valid. But we have to take into consideration the recommendation
833 of the Provincial Legal Office in its 2nd Indorsement dated February 27, 2023.

834 With this, Mr. Chair, I move for an omnibus motion to approve Item Nos. 10, 11
835 and 12, I so move, Mr. Chair, Mr. Floor Leader. I so move.

836 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARDE MEMBER

837 Second.

838 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

839 Second.

840 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

841 It has been duly seconded.

842 Do I hear any objection?

843 Hearing none, the motion is approved.

844 Approved unanimously. **RES. NO. 2023-146**

845 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

846 Thank you, Mr. Chair.

847 We now proceed to Item No. 13, Madam Secretary please.

848 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

849 **ITEM NO. 13**

850 Presented for consideration is **Municipal Ordinance**
851 **No. 2022-09 series of 2022 of Tabango, Leyte – “AN**
852 **ORDINANCE STRENGTHENING YOUTH PARTICIPATION AND**
853 **REPRESENTATION IN LOCAL DISASTER RISK REDUCTION AND**
854 **MANAGEMENT OF THE MUNICIPALITY OF TABANGO.”**
855 Recommended for the declaration of its **VALIDITY** by the
856 Provincial Legal Office per 2nd indorsement dated February
857 27, 2023.

858
859 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

860 Will you please recognize the former Mayor of Tabango, Leyte, Mr. Chair?

861 The Honorable Remandaban.

862 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

863 The Honorable Remandaban?

864 HON. MA. CORAZON E. REMANDABAN: 3RD DISTRICT BOARD MEMBER

865 Thank you, Mr. Chair, thank you, Mr. Floor Leader.

866 For Item No. 13, this is for active involvement of the youth sector especially in
867 Disaster Risk Reduction and Management Program in the Municipality of Tabango,
868 Ordinance No. 2022-09 series of 2022 of Tabango, Leyte, “An Ordinance
869 Strengthening the Youth Participation and Representation in Local Disaster Risk
870 Reduction and Management of the Municipality of Tabango. This is also declared valid
871 pursuant to its power under Section 26 (c) of RA 7160.

872 So, if my motion is in order, I would like to approve this Ordinance. I so move, Mr.
873 Chair.

874 HON. MARIE KATHRYN V. KABIGTING: 3RD DISTRICT BOARD MEMBER

875 Second.

876

877 HON. FLAVIANO C. CENTINO, JR.: 4TH DISTRICT BOARD MEMBER

878 Second.

879 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

880 Second.

881 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

882 Second.

883 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

884 It has been duly seconded.

885 Do I hear any objection?

886 Hearing none, motion is approved.

887 Approved unanimously.

RES. NO. 2023-147

888 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

889 Thank you, Mr. Chair.

890 Item No. 14, Madam Secretary please.

891 MRS. FLORINDA JILL S. UYVICO: SP SECRETARY

892 **ITEM NO. 14**

893 Presented for consideration is **Municipal Ordinance**
894 **No. 152 Series of 2022 of San Isidro, Leyte – “AN ORDINANCE**
895 **ENACTING THE NEW CHILDREN’S CODE OF SAN ISIDRO, LEYTE.”**
896 Recommended for the declaration of its **VALIDITY** by the
897 Provincial Legal Office per 2nd indorsement dated March 7,
898 2023.

899
900 **ITEM NO. 15**

901 Presented for consideration is **Municipal Ordinance**
902 **No. 154-2023 Series of 2023 of San Isidro, Leyte – “AN**
903 **ORDINANCE CREATING THE NEW PLANTILLA POSITIONS IN THE**
904 **MUNICIPALITY OF SAN ISIDRO, LEYTE, PROVIDING FOR ITS**
905 **QUALIFICATIONS, DEFINING ITS DUTIES AND FUNCTIONS AND**
906 **APPROPRIATING FUNDS THEREFOR.”** Recommended for the
907 declaration of its **VALIDITY with CONDITION** by the Provincial
908 Legal Office per 2nd indorsement dated March 7, 2023.

909
910 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

911 There are 2 Items in Items 14 and 15. They are both Ordinances from San Isidro,

912 Leyte. Will you please recognize the Honorable Kathryn Veloso-Kabigting, Mr. Chair?

913 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

914 Go ahead Honorable Veloso-Kabigting?

915 HON. MARIE KATHRYN V. KABIGTING: 3RD DISTRICT BOARD MEMBER

916 Thank you, Mr. Chair and Mr. Floor Leader.

917 Presented for consideration is Municipal Ordinance No. 152 series of 2022 of
918 San Isidro, Leyte, "An Ordinance Enacting the New Children's Code of San Isidro,
919 Leyte.

920 And for Item No. 15, presented for consideration IS Municipal Ordinance No.
921 154-2023 of San Isidro, Leyte, "An Ordinance Creating the New Plantilla Positions in the
922 Municipality of San Isidro, Leyte, providing for its qualifications, Defining its Duties and
923 Functions and appropriating funds thereof.

924 Both Ordinances have been recommended for the declaration of its validity by
925 the Provincial Legal Office as per its 2nd Indorsement dated March 7, 2023. This is
926 pursuant to its power under Section 56 of RA 7160.

927 If my motion is in order, I would like to make an omnibus motion to approve
928 Ordinance No. 152 and Ordinance No. 154 of San Isidro, Leyte, taking note of the
929 condition set forth by the Provincial Legal Office. I so move.

930 HON. MA. CORAZON E. REMANDABAN: 3RD DISTRICT BOARD MEMBER

931 Second.

932 HON. CARMEN L. CARI: PCL PRESIDENT

933 Second.

934 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

935 Second.

936 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

937 Any objections?

938 So, motion is approved.

939 Approved unanimously.

RES. NO. 2023-148

940 Mr. Floor Leader?

941

942 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

943 We do not have any items in our agenda? Do we any other matters to be
944 discussed?

945 If my may Mr. Chair, I would like to raise a point of privilege, Mr. Chair?

946 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

947 Go ahead, Mr. Floor Leader.

948 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

949 I have come across a co-sponsorship of a former colleague, a former Board
950 Member in the person of Congresswoman Anna Veloso-Tuazon. She manifested that
951 she co-sponsored House Bill 4605 underscoring the need to establish legal frameworks
952 that protect and honor a woman's identity as she comes into her own, seasoned by
953 time and experience. This symbol expedient of spelling out her right to retain her
954 maiden name following a change in civil status allows her to assert her identity. In other
955 words, if this proposed House Bill becomes a law even though she is married she may
956 retain her own name.

957 If I maybe allowed Mr. Chair, I would like to pass a resolution supporting this
958 proposed legislation which is very timely considering that it is Women's Month, Mr.
959 Chair. I so move.

960 HON. RONNAN CHRISTIAN M. REPOSAR: 1ST DISTRICT BOARD MEMBER

961 Second.

962 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

963 Second.

964 HON. RAISSA J. VILLASIN: 2ND DISTRICT BOARD MEMBER

965 Second.

966 HON. MA. CORAZON E. REMANDABAN: 3RD DISTRICT BOARD MEMBER

967 Second.

968 HON. MARIE KATHRYN V. KABIGTING: 3RD DISTRICT BOARD MEMBER

969 Second.

970

971 HON. CARMEN L. CARI: PCL PRESIDENT

972 Second.

973 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

974 Duly seconded by women.

975 The motion is approved.

976 Approved unanimously.

RES. NO. 2023-149

977 Just in case you intend to marry somebody she will not be carrying her family

978 name. So, she will be the same person. Hindi na mabibisto ngayon.

979 HON. CARLO P. LORETO: FLOOR LEADER/5TH DISTRICT BOARD MEMBER

980 Oo hindi na, Masaya ngayon yong iba, Mr. Chair.

981 HON. TRINIDAD G. APOSTOL: 2ND DISTRICT BOARD MEMBER

982 I move to adjourn.

983 HON. LEONARDO M. JAVIER, JR.: PRESIDING OFFICER/VICE-GOVERNOR

984 Anyway, I think a closing Prayer is in order.

985 Closing Prayer led by the Honorable Centino.

986 (Adjourned at 11:40 o'clock in the afternoon.)

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**35TH Regular Session
March 14, 2023**

I HEREBY CERTIFY to the correctness of the foregoing minutes.

**FLORINDA JILL S. UYVICO
Secretary to the Sanggunian**

APPROVED:

**WILSON S. UY
1ST District Board Member**

**RONNAN CHRISTIAN M. REPOSAR
1ST District Board Member**

**TRINIDAD G. APOSTOL
2ND District Board Member**

**RAISSA J. VILLASIN
2ND District Board Member**

**MA. CORAZON E. REMANDABAN
3RD District Board Member**

**MARIE KATHRYN V. KABIGTING
3RD District Board Member**

**FLAVIANO C. CENTINO, JR.
4TH District Board Member**

**VINCENT L. RAMA
4TH District Board Member**

**MICHAEL L. CARI
5TH District Board Member**

**CARLO P. LORETO
5TH District Board Member**

**NOLIE C. CAÑA
Liga ng mga Barangay Pres.
Ex-Officio Member
(absent)**

**JO VANILLE CHUA-MERILO
SK Prov'l. Fed. President
Ex-Officio Member**

**CARMEN L. CARI
PCL President
Ex-Officio Member**

**LEONARDO M. JAVIER, JR.
Vice-Governor
Presiding Officer**

**/vilma
/naomi
/elma**

Date Approved: _____