

**MUNICIPALITY OF MANOLO FORTICH**

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 40th REGULAR SESSION OF THE 14TH SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON NOVEMBER 9, 2005.

PRESENT:

HON. HILARIO B. PAUSANOS

[illegible]

HON. EVELIO E. CORDOVEZ

HON. CLIVE D. QUINO

HON. ALEX D. PAYANGGA

HON. MIGUEL D. DEMATA

HON. VICTORIO G. DAGUNLAY

HON. WARLEO A. GOAYAN

HON. DIOSDADO N. DITONA

HON. LEONILLO G. TILAP

ABSENT:

HON. JERSON S. LEYSON

Sangguniang Bayan Member
Sangguniang Bayan Member
SK Federation Rep.

HON. KARLO ENRICO A. ALOMBRO

RESOLUTION NO. 2005-157
(40th Regular Session)

RESOLUTION AUTHORIZING THE MUNICIPAL TREASURER TO COLLECT BUSINESS TAXES FROM BUSECO THROUGH DISTRAINT OF PERSONAL PROPERTY EFFECTED BY DEDUCTING SUCH TAX LIABILITIES FROM ELECTRICITY BILLING OF THE MUNICIPALITY.

WHEREAS, as enunciated in the case of PHILRECA ET. AL., vs. THE SECRETARY, DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, AND THE SECRETARY, DEPARTMENT OF FINANCE G.R. No. 143076, June 10, 2003, that electric cooperatives organized and existing under PD No. 269 are not exempt from payment of local taxes including payment of real property tax;

WHEREAS, the Municipal Treasurer of Manolo Fortich, Bukidnon has sent her assessment of business taxes as well as real property taxes due the Municipality to Bukidnon Electric Cooperative (BUSECO) which the letter refuses to honor and pay;

WHEREAS, by virtue of its refusal to pay its tax obligations to the Municipality, BUSECO is deemed delinquent in paying local taxes, thus likewise liable to pay penalty and interest;

* WHEREAS, local taxes constitute a lien superior to all lien and covers all properties of delinquent taxpayer and rights over said properties;

WHEREAS, the Local Government of Manolo Fortich, Bukidnon has a corresponding monthly electric obligation in favor of BUSECO in a considerable and significant amount;

1. *best*

REPUBLIC OF THE PHILIPPINES
PROVINCE OF BUKIDNON
MUNICIPALITY OF MANOLO FORT
OFFICE OF THE SANGGUNIANG PANG

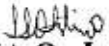
NOW THEREFORE, on motion of Hon. Evelio Cordovez and unanimously seconded by the members present, it was RESOLVED,

AS IT IS HEREBY RESOLVED, Authorizing The Municipal Treasurer To Collect Business Taxes From BUSECO Through Distraint Of Personal Property Effected By Deducting Such Tax Liabilities From Electricity Billing Of The Municipality.


RESOLVED FURTHER that copies of this resolution be furnished BUSECO, the Municipal Mayor's Office and the Office of the Municipal Account for their information and appropriate action.

APPROVED: November 9, 2005. Without 3rd Reading

CERTIFIED CORRECT:


LYDIA O. LASTIMOSA
Secretary to the Sanggunian

APPROVED:


HILARIO B. PAUSANOS, JR., M.D.
Presiding Officer
Municipal Vice Mayor