



Republic of the Philippines
PROVINCE OF BUKIDNON
MUNICIPALITY OF MANOLO FORTICH

RECEIVED

11-12-94

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 43RD REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT THE MUNICIPAL SESSION HALL ON OCTOBER 26, 1994 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

HON. ALFREDO C. GUDEN	Municipal Vice Mayor Presiding Officer
HON. VICTORIO G. DAGUNLAY	Sangguniang Bayan Member
HON. AURORA A. MIGRINO	Sangguniang Bayan Member
MARCELA P. GALOPE	Sangguniang Bayan Member
HON. JULIAN A. TORRES	Sangguniang Bayan Member
HON. DIOSDADO N. DITONA	Sangguniang Bayan Member
HON. NICKARTER S. ONAHON	Sangguniang Bayan Member
HON. FE Q. DONGALLO	Sangguniang Bayan Member
HON. FRANCO G. MONSOD	SB Member, ABC President
HON. NOEL M. GERONG	SB Member, SK Fed. Rep.

ABSENT:

HON. TERESITO V. PLAMOR	Sangguniang Bayan Member
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ORDINANCE NO. 94-21
(10th Regular Session)

AN ORDINANCE AMENDING THE APPROVED AMENDED HOUSE RULES ON FEBRUARY 3, 1993.

BE IT ORDAINED BY the Sangguniang Bayan assembled in session that;

ARTICLE I

The amended houserules on February 3, 1993 shall be amended to read as follows:

ARTICLE II
COMPOSITION AND MEMBERSHIP

Section 1. COMPOSITION - The Sangguniang Bayan shall be composed of the Vice Mayor as Presiding Officer, the Kagawads elected at large, ABC President, SK Representatives and such sectoral representatives as maybe chosen pursuant to law.

Section 2 - TERM OF OFFICE - The term of office of the members of the Sangguniang Bayan of Manolo Fortich shall be three (3) years which shall commence on such date as may be provided by law.

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OATH OF AFFIRMATION - All members of the Sangguniang Bayan of the City of Fortich shall, upon assumption to office, take an oath of office or affirmation in the prescribed form, duly subscribed before a person authorized to administer oath.

Copies of the oath or affirmation of office shall be filed and preserved in the office of the Municipal Mayor of the municipality of Manolo Fortich.

ARTICLE III PRESIDING OFFICER

Section 4 - THE PRESIDING OFFICER - The Vice Mayor shall be the presiding officer of the Sangguniang Bayan of Manolo Fortich. The presiding officer shall vote only to break a tie.

In the event of the inability of the vice mayor to act as presiding officer, the sanggunian members present constituting a quorum shall elect from among themselves a temporary presiding officer. The acting or temporary presiding officer shall not vote even in case of tie but shall certify within 10 days from their enactment or adoption all ordinances and resolutions passed by the Sangguniang Bayan of Manolo Fortich.

Section 5 - POWERS AND DUTIES OF THE PRESIDING OFFICER - The presiding officer shall:

- a) Preside over the session of the Sangguniang Bayan;
- b) Preserve order and decorum during sessions, and in case of disturbance or disorderly conduct in the session hall or within the premises, take measures as he may deem advisable or as the sanggunian may direct;
- c) Decide all questions of order, subject to appeal by any sanggunian member in accordance with these rules;
- d) Sign all acts, ordinances, resolutions, memorials, writs, warrants and subpoena issued by or upon order of the sanggunian; and
- e) Exercise such other powers and perform such other functions as may be provided by law, ordinance or resolution.

The regular presiding officer shall not be a chairman of any standing committee, but shall have a voice and vote in all committee deliberations.

He may, however, be elected as Chairman of any special or ad hoc committee which the sanggunian may organize for specific purposes.

ARTICLE IV THE SECRETARY

Section 6 - QUALIFICATIONS, POWERS AND DUTIES - The qualifications, powers and duties of the secretary to the sanggunian provided for in Section 469 under Article 1 - Title Five - Appointive Local Officials common to all municipalities, cities and provinces of Book III - Local Government Code of 1991, shall be adopted as follows.

- a) The secretary to the sanggunian shall be a career official with rank and salary equal to a head of office or department.

b) No person shall be appointed secretary to the sanggunian unless he is a citizen of the Philippines, a resident of the Local Government Unit concerned, of good moral character, a holder of a college degree, preferably in law, commerce, or public administration from a recognized college or university, and a holder of a first grade civil service eligibility or its equivalent.

c) The secretary to the sanggunian and shall:

1) Attend meetings of the sanggunian and keep a journal of its proceedings;

2) Keep the seal of the LGU and affix the same with his signature to all ordinances, resolutions, and other official acts of the sanggunian and present the same to the presiding officer for his signature;

3) Forward to the governor or mayor, as the case maybe, for approval, copies of ordinances enacted by the sanggunian and duly certified by the presiding officer;

4) Transmit to the sangguniang panlalawigan copies of duly approved ordinances;

5) Furnish, upon request of any interested party, certified copies of records of public character in his custody, upon payment to the local treasurer of such fees as may be prescribed by ordinance;

6) Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the sanggunian, with the dates of passage and publication thereof;

7) Keep his office and all non-confidential records therein open to the public during and publication thereof;

8) Take custody of the local archives and, where applicable, the local library and annually account for the same; and

10) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance to his position.

d. The secretary and stenographer shall be seated at the left side of the presiding officer in separate table at the unelevated portion at the hall during sessions.

ARTICLE V SESSIONS

Section 7 - REGULAR SESSIONS - The regular sessions of the Sangguniang Bayan of Manobo Fortich shall be on Wednesday of each week to start at 8:30 to 12:00 high noon or as maybe deemed necessary by the majority of the members to be held at the Municipal Session Hall.

Section 8 - SPECIAL SESSION - As often as necessary, when public interest so demands, special sessions may be called by the Local Chief Executive or by a majority of the members of the sanggunian.

no two (2) sessions, regular or special, may be held in a single day.

In the case of Special Sessions of the sanggunian, a written notice to the members shall be served personally at the member's usual place of residence at least twenty four (24) hours before the Special Session is held.

Unless otherwise concurred in by two-thirds (2/3) vote of the Sanggunian members present, there being a quorum, no other matters may be considered at a special session except those stated in the notice.

Section 9 - CALL TO ORDER - The presiding officer shall, open the session by calling the sangguniang to order thru Gavel signs;

Three (3) Raps - Call to order/set.

Two (2) Raps - Stand.

One (1) Rap - Approved.

An invocation will precede the session to be led by a sanggunian member designated.

On every session day, the National Anthem shall be sung after the invocation.

Section 10 - ATTENDANCE IN SESSION - Every member of the Sanggunian shall be present in all sessions, unless expressly excluded by it or necessarily prevented from doing so by sickness or other unavoidable circumstances duly reported to the sanggunian through the secretary.

Among the guidelines to determine excused and unexcused absences are determined as follows:

DEFINITION OF TERMS:

A. Excused

1. Absences in connection with official business.
2. Absences due to the natural calamities and fortuitous events.
3. Absences due to illness of SB Members or direct members of the family.
4. Attendance to funeral rites of relative.

In the event of the above circumstance, an excuse letter should be sent to the Presiding Officer through the SB Secretary or else if in other case, a medical certificate signed by a government physician or duly registered physician should be submitted to support absence due to illness.

B. Unexcused:

1. Absence due to personal reasons.
2. All other absences not relative to the provisions of excused absences.

C. All other absences not relative to (A) and (B) will seek the approval whether they are excused or unexcused from the majority of the members present which CONSTITUTE A QUORUM.

As agreed, all unexcused absences should be fined ₱300.00 (1/30th of the monthly salary) which is collectible from their salary.

A member who is late by 15 minutes and up shall be fined ₱50.00 which shall go to the Sangguniang Bayan Contingent Fund under the custody of the Chairman of the Committee on Finance and Appropriation and disbursement shall be subject to the approval of the body.

Section 11- PROPER CONDUCT AND DECORUM DURING SESSIONS - During sessions the member shall be in proper attire and observe proper decorum. While the presiding officer is addressing the sanggunian or putting a question, no member shall walk out or cross the session hall.

No member shall engage in conversation with another member nor do things not in connection with what is being deliberated on like reading newspapers, magazines, etc.

Section 12 - SMOKING PROHIBITED - Smoking shall not be permitted within the session hall.

Section 13 - OPEN TO PUBLIC - Sanggunian sessions or meeting of any committee thereof shall be "Open to Public" unless a closed session is decided or ordered by an affirmative vote of the majority of the members present there being a quorum, in the public interest or for reasons of security, decency, or morality or for reasons affecting the dignity of the sanggunian or any of its members, or when confidential matters are being considered. On a motion to hold a closed session duly approved, the presiding officer shall direct the session be cleared and door closed. Only the secretary and such other persons as are specifically authorized by the sanggunian shall be admitted to the closed sessions. They shall preserve the secrecy of whatever may be read or said at the session.

Section 14 - SUSPENSION OR ADJOURNMENT OF SESSION - Sessions of the sanggunian shall not be suspended or adjourned except by direction of the sanggunian itself, but the presiding officer may in his direction declare a recess of short intervals.

Section 15 - OPENING AND ADJOURNMENT TO BE ENTERED IN MINUTES - The exact hour of opening and adjournment of a session shall be entered in the minutes.

ARTICLE VI ROLL CALL AND QUORUM

Section 16 - QUORUMS - A majority of all elective and appointive members of the sanggunian shall constitute a quorum to transact official business.

Should a question of quorum be raised during a session, the presiding officer shall immediately proceed to call the roll of the members and thereafter announces the results.

Section 17 - WHERE THERE IS NO QUORUM IN A GIVEN SESSION - The presiding Officer may declare a recess until such time a quorum is constituted or a majority of the members present may adjourn from day to day and may compel the immediate attendance of any member absent without cause by issuing to the Philippine National Police assigned in

the area an order for the arrest and presentment of the absent member at the session.

If there is still no quorum despite the foregoing, no business shall be transacted. The presiding officer, upon proper motion duly approved by the members present, shall then declare the session adjourned for lack of quorum.

Section 18 - MOTION TO ADJOURN VACATES CALL - At any time after the roll call has been completed, a motion to adjourn shall be in order, and if approved by a majority of those present, all proceedings shall be vacated.

ARTICLE VII COMMITTEES

Section 19 - STANDING COMMITTEES - The Sangguniang Bayan shall be composed of different committees. The Presiding Officer shall appoint the Chairman and the Chairman shall choose his/her members.

The Standing Committees shall be the following:

COMMITTEES	CHAIRMAN
a) Finance, Appropriation, Ways and Means	Hon. Marcela P. Galope
b) Women and Family - - - - -	Hon. Fe G. Dongallo
c) Beautification & Tourism - - - - -	Hon. Marcela P. Galope
d) Poor, Disabled and Social Services - - - - -	Hon. Fe G. Dongallo
e) Youth Dev't. Sports/ SK Federation - - - - -	Hon. George S. Sarominez
f) Environmental Protection - - - - -	Hon. Nickarter S. Onahon
g) Indigenous & Cultural Minority - - - - -	Hon. Victorio Dagunlay
h) Health and Sanitation - - - - -	Hon. Teresito V. Plamor
i) Cooperative, Trade & Industries - - - - -	Hon. Nickarter S. Onahon
j) Laws, Rules and Regulations - - - - -	Hon. Aurora A. Migriño
k) Public Works And Engineering - - - - -	Hon. Julian A. Torres
l) Good Government Public Ethics - - - - -	Hon. Aurora A. Migriño
Civil Service & Employment	
m) Barangay Affairs - - - - -	Hon. Leonilo G. Tilap
n) Agriculture, Livelihood and Agrarian Reform - - - - -	Hon. Nickarter S. Onahon
o) Peace and Order - - - - -	Hon. Victorio Dagunlay
p) Education and Sports For All - - - - -	Hon. Aurora A. Migriño
q) Market Administration, Slaughterhouse and Socio Economic Development - - - - -	Hon. Julian A. Torres
r) Labor & Manpower Development - - - - -	Hon. Diosdado N. Ditona
s) Communication and Transportation - - - - -	Hon. Julian A. Torres
t) Public Safety and Disaster - - - - -	Hon. Julian A. Torres
u) Grievance - - - - -	Hon. Victorio G. Dagunlay
v) Human Rights & Public Information - - - - -	Hon. Leonilo G. Tilap

Section 20 - LIMITATIONS - No sangguniang Bayan member shall be a chairman of more than four (4) standing committees. The regular presiding officer of the sanggunian shall have a voice and vote in all committees. No member of a committee shall act upon or participate in any matter in which he has a special and direct substantial interest.

Section 21 - SPECIAL COMMITTEES - The sanggunian may organize special committee as it may deem necessary. The officers and members of special committees shall likewise be appointed by the majority vote

of all the sanggunian members.

Section 22 - COMMITTEE MEETINGS OR HEARING- The committee meetings shall be done once a week, preferably on Tuesday at 9 A.M. to 12 high noon or as maybe deemed necessary by the majority members of the committee concerned. Committee meetings or hearing shall be held only in public buildings.

The Chairman of the committee shall preside and in his/her absence the co-chairman shall preside. The committee shall elect a secretary who shall record proceedings during the meeting.

All members of the august body should be present during committee meetings with or without business being referred to.

A member who is absent shall be fined P50.00 and the amount shall go to the Sangguniang Bayan Contingent Fund.

Section 23 - COMMITTEE REPORTS AND ORDERS - Committee reports and order on any ordinance or resolution shall be considered in formal meetings and shall not be submitted to the sanggunian unless accompanied by the minutes of the meeting or hearing of the committee which adopted them. When a committee submits a report, the members thereof shall be presumed to have concurred in the report and shall be precluded from opposing the same, unless they have entered their objection thereto during the committee meeting.

ARTICLE VIII ORDER AND CALENDAR OF BUSINESS

Section 24 - ORDER OF BUSINESS - The order of business of the sanggunian for every session may be ;

- a) Call to order;
- b) Roll Call;
- c) Approval of the minutes of the previous sessions;
- d) First reading and referral to committees of proposed ordinances, resolutions, messages, communications, petitions, and memorials;
- e) Committee Report;
- f) Calendar of Business:
 - Unfinished Business
 - Business for the day
 - Unassigned Business
- g) Proposed ordinance and resolutions for third reading;
- h) Adjournment.

Section 25 - APPROVAL OF MINUTES - The minutes of each session shall be submitted to the sanggunian for approval. The approved minutes shall be signed by each member present during such session.

Section 26 - CALENDAR OF BUSINESS - The Calendar of Business shall be reviewed by the Committee on Laws, Rules and Regulations before it shall be calendared for deliberation. The Calendar of Business shall consist of the following parts:

a) Unfinished Business - Business being considered by the sanggunian at the time of its adjournment. Its consideration shall be presumed until such unfinished business is disposed of. Thereafter the presiding officer shall call for the Business of the Day.

b) Business of the Day - Proposed ordinances, resolutions and other measures set on the Calendar for Consideration on that day, to be considered in the order in which they are listed in the Calendar.

c) Unassigned Business - Proposed ordinances, resolutions and other measures reported out by committees but not calendared earlier. Any business included in this part of the Calendar may be set for consideration on motion of a member with unanimous approval of the sanggunian members present at a session, there being a quorum.

Section 27 - DISTRIBUTION OF CALENDAR - The Calendar shall be distributed each day of session, unless there be no addition to the one previously distributed, in which case a vote to that effect on the Order of Business shall be sufficient.

ARTICLE IX ORDINANCES AND RESOLUTIONS

Section 28 - ORDINANCES AND RESOLUTIONS DISTINGUISHED - Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are of temporary character shall be passed in the form of resolutions. Matters related to proprietary function and to private concerns shall also be acted upon by resolution.

Section 29 - ESSENTIAL PARTS OF ORDINANCES AND RESOLUTIONS - Proposed ordinances and resolutions shall be in writing and shall contain an assigned number, a title or caption, an enacting or ordaining clause, and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for its approval. It shall be signed by the authors and submitted to the secretary who shall report the same to the sanggunian at its next session.

Section 30 - FIRST READING - The secretary shall report all proposed ordinances and resolutions to the sanggunian members for the first reading at least two (2) days before a regular or special session.

The first reading of a proposed ordinance or resolution shall only be by title and thereafter the same shall be referred to the appropriate committee. An erroneous referral of a proposed ordinance or resolution may be corrected any day after the approval of the minutes.

Only the chairman or Vice Chairman of the committee to which a proposed ordinance or resolution was erroneously referred, as well as the Chairman or Vice Chairman of the Committee claiming jurisdiction over the proposed ordinance or resolution, may move that the referral be declared erroneous, and ask for its correction. However, the

presiding officer may motu proprio rectify an erroneous referral.

Section 31 - PERIOD TO REPORT - The Committee shall submit a report on the proposed ordinance or resolution within ten (10) days after it has been referred to it. If the Committee Report on a proposed ordinance or resolution is favorable, it shall be included in the Calendar of Business.

If the committee action on a proposed ordinance or resolution is unfavorable, it shall be laid on the table and, within ten (10) days, notice of the action taken will be furnished the author or authors concerned stating the reason or reasons for such action; Provided, that within five (5) days after receipt of the notice the sanggunian may consider the committee recommendation.

Section 32 - URGENT MEASURE - Any legislative matter duly certified by the Local Chief Executive as urgent, whether or not is included in the Calendar of Business, may be presented and considered by the sanggunian in the same session without need of suspending the rules. The sanggunian, likewise, may on motion made by the chairman or vice chairman of the committee concerned, consider a proposed ordinance or resolution as urgent and consideration thereof shall be scheduled according to a timetable.

If said motion is approved, the sanggunian shall forthwith prepare a detailed timetable fixing the date on or before which the proposed ordinance or resolution must be reported by the committee concerned, the number of days or hours to be allotted to the consideration of the measure on second reading, and the date or hour at which proceedings must be concluded and final vote on said measure taken.

Section 33 - SECOND READING AND DEBATE - No proposed ordinance or resolution shall be considered on second reading in any regular session unless it has been reported out by the proper committee to which it was referred or certified as urgent by the Local Chief Executive.

On the day set for the consideration of a proposed ordinance or resolution the same shall be read in full with the amendments proposed by the committee, if any, unless copies thereof have been distributed earlier and such reading is dispensed with. Thereafter, the proposed ordinance or resolution shall be subject to debate and pertinent motions.

Section 34 - DEBATE AND CLOSURE OF MEMBERS - In the discussion of any measure, a motion to close the debate shall be in order after two speeches for and one against or after only one speech for has been delivered and move entered against it.

When several members have registered or dignified their intention to speak on the matter under consideration and when said matter had been sufficiently and thoroughly discussed by the member speaking, the presiding officer, motu proprio or upon motion of a member, order that a member having the floor shall desist from speaking further so that other members may not be deprived of their opportunity to speak.

Section 35 - FIVE MINUTE RULE - After the close of debate, the sanggunian shall proceed to the consideration of committee amendment. A member who desires to speak for or against an amendment or of an amendment shall have only five (5) minutes to do so.

The five-minute rule shall apply, likewise in the consideration of an amendment to an amendment or of an amendment by Substitution.

Section 36 - APPROVAL OF MEASURE ON SECOND READING - The sanggunian secretary shall prepare copies of the proposed ordinance or resolution in the form it was passed on Second Reading and shall distributed to each sanggunian member a copy thereof except that a measure certified by the Local Chief Executive as urgent may be submitted for final voting immediately after debate and/or amendments during the Second Reading.

After the amendments have been acted upon, the proposed ordinance or resolution shall be voted on Second Reading.

Section 37 - THIRD READING - A proposed ordinance or resolution approved on Second Reading shall be included in the Calendar under for third reading.

No ordinance shall be approved unless it has passed three readings and copies thereof in its final form have been distributed to the members at least three (3) days before its passage, except when a Local Chief Executive or the sanggunian certifies to the necessity of its immediate enactment to meet a public calamity or emergency. Upon the Third Reading of a proposed ordinance or resolution, no amendment thereto shall be allowed and the vote thereon shall be taken immediately thereafter and the yeas and nays entered in the minutes.

Section 38 - APPROVAL OF RESOLUTIONS - A resolution shall be enacted in the same manner prescribed for ordinance, except that it need not go through a separate Third Reading for its final consideration unless decided otherwise by a majority vote of all the sanggunian members.

Section 39 - MAJORITY REQUIREMENT - No ordinance or resolution passed by the sanggunian shall be valid unless approved by the majority of the members present there being a quorum. Any ordinance or resolution authorizing or directing the payment of money or creating liability, shall require the affirmative vote of the majority of all the sanggunian members for its passage.

Upon passage of all ordinances or resolutions the sanggunian secretary shall record the ayes and the nays. Each approved ordinance or resolution shall be stamped with the seal of the sanggunian and recorded in a book kept for the purpose.

Section 40 - SPECIAL PROVISION ON THE BUDGET ORDINANCE - The sanggunian in no case increase the appropriation of any project or programs of any office of the municipality over the amount submitted by the Local Chief Executive in his budget proposal.

After the Local Chief Executive shall have submitted the annual general appropriation measures shall be considered only if supported by actual available fund as certified to by the Local Treasurer or by funds to be raised by corresponding revenue proposal included therein.

Section 41 - APPROVAL BY THE LOCAL CHIEF EXECUTIVE - Every ordinance or resolution passed by the sanggunian shall be forwarded to the Local Chief Executive for approval. The Local Chief Executive shall affix his initials on each and every page of the ordinance and resolution and the word "Approved" shall appear with his signature on the last page thereof.

With ten (10) days after receipt of the ordinance or resolution, the Local Chief Executive shall return the said ordinance or resolution to the sanggunian with either his approval or his veto. If he does not return it within that time, the ordinance or resolution shall be deemed approved.

Section 42 - VETO POWER OF THE LOCAL CHIEF EXECUTIVE - The Local Chief Executive may veto any ordinance or resolution on the ground that it would be prejudicial to the public welfare particularly stating his reasons thereof in writing.

The Local Chief Executive shall have the power to veto any particular item or items of an appropriation ordinance or of all ordinances or resolution direction the payment of money or creating liability. In such case, the veto shall not affect the items which is/are not objected to. The vetoed items shall have no effect unless the sanggunian overrides the veto in the manner hereunder provided; otherwise the item/s in the appropriation ordinance of the previous year corresponding to those vetoed shall be deemed reenacted.

The sanggunian may override the veto of the Local Chief Executive concerned by two-thirds (2/3) vote of all its members, there making the ordinance or resolution effective.

The local chief executive may veto the ordinance or resolution only once.

Section 43 - REVIEW BY THE SANGGUNIANG PANLALAWIGAN - Within seventy two (72) hours after the approval, the secretary shall forward to the sangguniang panlalawigan for review, copies of approved ordinance, resolution or executive orders promulgated thereafter and by the Municipal Mayor.

Within thirty (30) days after receipt of copies of approved ordinances, resolutions and executive orders promulgated by the Municipal mayor the Sangguniang Panlalawigan shall examine the documents or transmit them to the provincials attorney, or if there be move to the provincial fiscal for prompt examination. The provincial attorney or fiscal shall within fifteen (15) days from receipt of the documents, inform the Sangguniang Panlalawigan of his written comments or recommendations which may be considered by the said Sangguniang Panlalawigan in making its decision.

If the Sangguniang Panlalawigan finds that an ordinance, resolution or executive order is beyond the power conferred upon the Sangguniang Bayan or the Mayor, it shall declare such ordinance, resolution or executive order invalid in whole or in part. The Sangguniang Panlalawigan shall enter its actions upon the minutes and shall advise the corresponding municipal authorities of the action it has taken. The action of the Sangguniang Panlalawigan is final.

Section 44 - REVIEW BY THE SANGGUNIANG BAYAN - Within ten (10) days after enactment. The Sangguniang Barangay shall furnish copies of the barangay ordinance to the Sangguniang Bayan for review, as to whether the ordinance is consistent with the law and with municipal ordinances.

Failure of the Sangguniang Bayan to take action on barangay ordinance within thirty (30) days from receipt thereof, said ordinance shall be presumed consistent with law and within municipal ordinances and therefore valid.

If within thirty (30) days the sangguniang bayan finds the barangay ordinance inconsistent with law or with municipal ordinances the sangguniang bayan shall return the ordinance with its comments and recommendations to the sangguniang barangay for adjustments amendment or modification in which case, the effectivity of the ordinance shall be deemed suspended.

Section 45 - ENFORCEMENT OF DISAPPROVED MEASURES- Any attempt to enforce, promulgate or execute any ordinance, resolution or executive order after the disapproval thereof shall be sufficient ground for the suspension or dismissal of the officer making such attempt.

Section 46 - EFFECTIVITY OF ENACTMENTS - Unless otherwise stated in the ordinance or resolution, the same shall take effect after the lapse of ten (10) days from the date of a copy thereof is posted in a bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places such as public market, church, etc.

ARTICLE X DECORUM AND DEBATE

Section 47 - MANNER OF ADDRESSING THE CHAIR - When a member desires to speak, he shall rise and respectfully address the chair, "Mr. Chairman" or "Mr. Presiding Officer".

Section 48 - RECOGNITION OF MEMBER TO SPEAK - When two or more members rise at the same time, the presiding officer shall determine and recognize the member who is to speak first.

Section 49 - TIME TO LIMIT FOR SPEECHES - No member shall occupy more than fifteen (15) minutes in debate on any question or speak for more than once on any question without leave of the sanggunian, except as herein after provided. The period of interpolation shall not be counted against the time of the member speaking.

Section 50 - SPONSOR TO OPEN AND CLOSE DEBATE - The member reporting a measure under consideration from a committee may open and close the debate thereon. If the debate should extend beyond one session day, he shall be entitled to an additional fifteen (15) minutes to close.

Section 51 - DECORUM TO OPEN AND CLOSE DEBATE - In all cases, the member who has obtained the floor shall confine to the question under the debate, avoiding personalities. He shall refrain from uttering words or performing acts which are inconsistent with decorum. It is requested that a member be called to order for words spoken in debate, the member making such request shall indicate the words excepted to and they shall be taken down in writing by the secretary and read aloud. The member who utter such words shall not be held to answer nor be subject to censure by the sanggunian if further debate or other business has intervened.

Section 52 - DISCIPLINE OF MEMBERS - The sanggunian may punish its members for disorderly behavior and with the concurrence of two-thirds (2/3) of all its members, suspend or exclude from the session a member but if the penalty is suspension, this shall not exceed to sixty (60) days.

ARTICLE XI
VOTING AND MOTIONS

Section 53 - A TIE ON AN APPEAL - A tie on an appeal from the ruling chair sustains the decision of the chair.

Section 54 - WHO MAY VOTE - When a motion, report or proposed measure is adopted or lost, it shall be in order for a member who votes with majority to move for the reconsiderations thereof on the same or succeeding session day. Such motion shall take precedence over all other question, except a motion to adjourn to raise a question of privilege and a call to order.

Section 55 - RECORDING OF MOTIONS - Every motion shall be entered in the minutes with the name of the member making it, unless it is withdrawn on the same day.

Section 56 - READING AND WITHDRAWAL OF MOTIONS - When an motion is made, the Presiding Officer shall state it before being debated, except as herein provided, a motion may be withdrawn anytime before its approval or amendment.

Section 57 - PRECEDENCE OF MOTIONS - When a question is under debate, motion shall be entertained except to adjourn, raise a question of privilege, declare a recess, a lay on the table, or postpone to a certain day (which motions shall be decided without debate) refer, amend or postpone indefinitely (which motions shall be decided subject to five minute rule). Said motions shall have precedence in the foregoing order. No motion to postpone to any day certain or refer or postpone indefinitely, having failed passage, shall again be allowed on the same day.

Section 58 - AMENDMENTS - When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order. It shall also be in order to offer further amendments by substitution but it shall not be voted upon until the original motion or proposition is perfected. Any of said amendments may be withdrawn before a decision is had thereon.

Section 59 - RIDER PROHIBITED - No motion or proposition on a subject different from that under consideration shall be allowed under color of amendment.

Section 60 - MOTION TO COVER ONE SUBJECT MATTER- No motion shall cover more than one subject matter.

Section 61 - AMENDMENT OF TITLE - Amendment to the title of a proposed ordinance or resolution shall not be in order until after the text thereof has been perfected. Amendments to the title shall be decided without debate.

Section 62 - CALL TO ORDER - A motion to read in part of the rules is equivalent to a call to order and takes precedence over any motion other than to adjourn.

Section 63 - QUESTION OF PRIVILEGE - Question of privilege are:

a) Those affecting the rights of the sanggunian; its safety, dignity and integrity of its members.

b) Those affecting the rights, reputation and conduct of the members, individually, in their capacity as such members.

c) Subject to the five-minute rule, questions of privilege shall have precedence over all other questions, except a motion to adjourn.

Section 64 - PRIVILEGED QUESTIONS - Privileged question are those motions or subject matters which, under the rules, take precedence over other motions and subject matters.

ARTICLE XII SUSPENSION OF THE RULES

Section 65 - WHO CAN MOVE - Only the Chairman or Vice Chairman of the committee on rules can move for the suspension of the rules.

Section 66 - VOTE REQUIRED - No rule shall be suspended except by a vote of two-thirds (2/3) of the members, a quorum being present.

Section 67 - INTERRUPTION OF MOTION - When a motion to suspend the rules is pending, one motion to adjourn may be entertained. If it is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend.

Section 68 - EFFECT OF SUSPENSION - If the sanggunian votes to suspend the rules, it shall forthwith proceed to consider the measure. A two-third (2/3) vote of the members present shall be necessary for the passage of said measure, a quorum being present.

ARTICLE XIII OFFICIAL SEAL

Section 69 - OFFICIAL SEAL - The official seal of the Sangguniang Bayan of Manolo Fortich shall be :

ARTICLE XIV AMENDMENTS

Section 70 - AMENDMENTS - ALL other provisions not being amended by this ordinance are still considered in full force and effect.

ARTICLE XV SUPPLEMENTARY RULES

Section 71 - The rules and procedures and parliamentary practices of the legislative body of the Sangguniang Panlalawigan this province and Parliamentary Rules by Orendain shall serve as Supplementary authorities in the sanggunian in so far as they are not incompatible with its own rules and standing orders and the Local Government Code of 1991 otherwise known as Republic Act 7160.

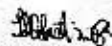
Section 72. Collection of Penalties. The Chairman of the Committee on Finance and Appropriations shall be authorized to collect whatever monetary penalties a member incurred.

ARTICLE XVI
EFFECTIVITY


Section 73 - EFFECTIVITY - This ordinance shall take effect upon its approval.

APPROVED: OCTOBER 26, 1994

CERTIFIED CORRECT:


LYDIA O. LASTIMOSA
Municipal Secretary

APPROVED:


ALFREDO C. GUDEN
Presiding Officer
Municipal Vice Mayor