



Republic of the Philippines
Province of Davao Oriental
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
SP Complex, Government Center, Dahican
CITY OF MATI



EXCERPTS FROM THE MINUTES OF THE 30TH REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL HELD ON WEDNESDAY, JANUARY 25, 2023 AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

Hon. Niño Sotero L. Uy, Jr. Vice Governor – Presiding Officer

Regular Members:

District I

Hon. Anna Cheryl N. Castro
Hon. Art Benjie C. Bulaong
Hon. Marietta D. Palmera
Hon. Andy A. Monday

District II

Hon. Shella Marie S. Go
Hon. Harold A. Montes
Hon. Rotchie M. Ravelo
Hon. Daud V. Linsag
Hon. Stephen Paul L. Uy

Ex-Officio Members:

Hon. Joselito B. Villademoso	President, Philippine Councilors League (PCL) - Davao Oriental Chapter
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR)
Hon. Ronald T. Lara, Jr.	Sangguniang Kabataan Provincial Federation President (SKPFP)

ABSENT:

Hon. Rustan R. Castellones	President, Liga Ng Mga Barangay (LNB) - Davao Oriental Chapter – OB – Pasay City
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RESOLUTION NO. 17-313-01-2023

Author : Hon. Marietta D. Palmera
Sponsor : Hon. Marietta D. Palmera

A RESOLUTION RETURNING TO THE SANGGUNIANG BAYAN OF GOVERNOR GENEROSO, DAVAO ORIENTAL, MUNICIPAL ORDINANCE NO. 17, SERIES OF 2022, ENTITLED: “AN ORDINANCE CREATING THE MUNICIPAL TOURISM OFFICE OF THE MUNICIPALITY OF GOVERNOR GENEROSO, DAVAO ORIENTAL”, WITHOUT ACTION, SUBJECT FOR THEIR REVIEW AND APPROPRIATE ACTION THEREOF.

WHEREAS, Mr. Val E. Amigo, Secretary to the Sangguniang Bayan of Governor Generoso, Davao Oriental, has forwarded Municipal Ordinance No. 17, series of 2022, for review and approval of the Sangguniang Panlalawigan on December 20, 2022, docketed as Communication No. 17-245-2022;

WHEREAS, the subject Municipal Ordinance was referred to the Committee on Labor and Employment, Civil Service & Human Resource Development on January 4, 2023 Regular Session of the 17th Sangguniang Panlalawigan;

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WHEREAS, the said ordinance was enacted by the Sangguniang Bayan of Governor Generoso on October 11, 2022, and was approved by the Municipal Mayor on December 12, 2022;

WHEREAS, in exercising the prescribed functions of the Sanggunian Panlalawigan to review all ordinances approved by the Sanggunians of component cities and municipalities to determine whether these are within the scope of the prescribed powers of the sanggunians, among others, the Committee finds the following provisions in the Ordinance:

1. Some parts of Section 5 thereof do not conform to the provisions under Section 42 of RA 9593 (The Tourism Act of 2009), and Section 125 of its IRR, which provides for the appointment and qualifications of a Tourism Officer, respectively;
2. There is no specific section/provision in the Ordinance that provides for the fund appropriation for the operation of the newly created government office and its corresponding budget for the positions and staffing pattern;

WHEREAS, the abovementioned findings are not in conformity with the provisions under Section 5 of CSC Memorandum Circular No. 12, S. 2022; and Sections 42 and 125 of RA 9593 and its IRR;

WHEREAS, there is a need to return to the concerned Sangguniang Bayan the subject Municipal Ordinance for their further review and appropriate action thereof;

WHEREFORE, on motion of SP Member Marietta D. Palmera, duly and jointly seconded by SP Members Shella Marie S. Go, Harold A. Montes, Daud V. Linsag, Stephen Paul L. Uy, Ronald T. Lara, Jr., Anna Cheryl N. Castro, and Eleuterio C. Manaytay, it was

RESOLVED, as it is hereby resolved, **RETURNING TO THE SANGGUNIANG BAYAN OF GOVERNOR GENEROSO, DAVAO ORIENTAL, MUNICIPAL ORDINANCE NO. 17, SERIES OF 2022, ENTITLED: "AN ORDINANCE CREATING THE MUNICIPAL TOURISM OFFICE OF THE MUNICIPALITY OF GOVERNOR GENEROSO, DAVAO ORIENTAL", WITHOUT ACTION, SUBJECT FOR THEIR REVIEW AND APPROPRIATE ACTION THEREOF;**

RESOLVED, FINALLY, That copies of this resolution be furnished: The Honorable Municipal Mayor and the Honorable Sangguniang Bayan Members thru its Presiding Officer, both of the Municipality of Governor Generoso, Davao Oriental, for their information and guidance.

CARRIED AND APPROVED.

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**I hereby Certify to the Correctness
of the foregoing Resolution.**

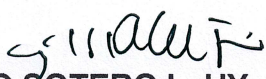
Evangelina Uy-Plaza

EVANGELINE UY-PLAZA

*Provincial Government Assistant Department Head
Assistant Secretary to the Sangguniang Panlalawigan
Acting Secretary*

[Handwritten signature]

**Attested and Certified
to be duly Adopted:**


NIÑO SOTERO L. UY, JR.
Vice Governor and Presiding Officer