

Activities Of The Local Gov

A RESOLUTION REQUESTING HIS EXCELLENCY, THE PRESIDENT OF THE PHILIPPINES, TO ISSUE AND PROMULGATE AN EXECUTIVE ORDER ALLOWING MUNICIPAL GOVERNMENTS TO INCREASE THE SALARIES OF THE CHIEF MUNICIPAL OFFICIALS.

WHEREAS, the maximum rates of salaries fixed for the chief municipal officials, i.e. the municipal mayor, municipal secretary, and municipal treasurer, under the provisions of Republic Act No. 103 are very inadequate under the present economic conditions due to the elimination of the bonus formerly received by them;

WHEREAS, such a state of affairs is not conducive to the efficiency of the public service considering that these chief municipal officials must maintain adequately the dignity of their office and are, by virtue of their positions, required to spend much for representation purposes;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, to request His Excellency, the President of the Philippines, by virtue of the powers vested in him by the Constitution and the Emergency Powers Law, to promulgate an executive order allowing the various municipal governments, should their financial condi-

Power . . .

(15 R.C.L., p. 262). And the general power granted in the general welfare clause does not authorize a municipal council to prohibit the sale of intoxicants because, as stated in American Jurisprudence, vol. 30, p. 367, "as a general rule when a municipal corporation is specifically given authority or power to regulate or to license and regulate the liquor traffic, power to prohibit is impliedly withheld."

In view of the foregoing, the appealed orders or resolutions of the lower court dismissing the informations in the above entitled cases, are affirmed, without pronouncement as to costs.

So ordered.

Paras, Perfecto, Bengzon and Tuazon JJ., concur.

tions permit, to increase the salaries of the chief municipal officials to such amounts as shall not exceed the sum of their basic pay and the bonus formerly received by them, it being understood that no municipality shall incur any overdraft for the purpose of effecting the salary increases therein authorized;

RESOLVED LASTLY, that copies of this resolution be and are hereby furnished His Excellency, the President of the Philippines, for his kind consideration.

Approved unanimously, January 15, 1949.

I hereby certify that the foregoing resolution is a true and correct copy of the resolution unanimously approved in a special meeting of the Rizal Mayors' League held at Pasig, Rizal on January 15, 1949.

(Sgd.) BONIFACIO I. JAVIER
Speaker

Congratulations to

The

LOCAL GOVERNMENT REVIEW

Fortunato N. Suarez

Congressman, 1st District, Quezon

rnments And Their Officials

PETITION FOR MORE MUNICIPAL ALLOTMENT FROM THE GAS- OLINE FUND FOR BARRIO ROADS AND BARRIO SCHOOLS.

*EXCERPTS FROM THE MINUTES
OF THE JOINT CONVENTION OF
THE PROVINCIAL BOARD OF CA-
MARINES SUR AND THE MUNIC-
IPAL MAYORS HELD AT THE CITY
OF NAGA ON JANUARY 8, 1949.*

WHEREAS, the passage by the Phil-
ippine Congress and the approval by
His Excellency, the President, of Re-
public Act No. 314, providing for the
allotment of National funds, equivalent
to 10% of the gasoline fund, for the
repair, maintenance and construction
of municipal roads, is definitely a step
towards the improvement of road fa-
cilities from the poblacion to the bar-
rios of every town.

WHEREAS, the Provincial Board
and the Mayors of Camarines Sur are
cognizant of the incalculable benefits
that would accrue to the barrio folks
and the steeping of the agricultural and
commercial activities of our rural dis-
tricts, but one problem which every
barrio is still haunted every year is the
repair, maintenance and construction
of the barrio schools;

WHEREAS, from the liberation up
to the present, the town and barrio
inhabitants, in their inflexible desire
to send their children to school have
resorted to communal work, have sup-
plied materials to construct temporary
school houses, to accommodate the in-
creasing school population, and the ever
ready Parent-Teacher Associations in
every town and barrio, have become
patient beasts of burden in assuming
the functions that are purely of the
government's;

WHEREAS, the Provincial Board
and Mayors of this province are aware
and thankful of this civic spirit of our

citizens, but fear that the people could
not continue to carry this heavy re-
sponsibility, and we find in the passage
of Republic Act No. 314, if amended,
a way to ease up and relieve the Par-
ent-Teacher Associations of this bur-
den;

Now therefore, on motion of Board
Member Prila, seconded by Mayor Ca-
suncad of Pili, the Convention resolves
as it is hereby resolved, to petition His
Excellency, the President, and the Phil-
ippine Congress, to amend Republic
Act No. 314, by increasing the allot-
ment of 10 percent to 20 percent of
the gasoline fund given as National Aid
to municipalities and giving the mun-
icipal councils the authority to allocate
by resolution, one half of said funds
for municipal roads and bridges, and
the other half for construction and
maintenance of barrio schools, or the
whole of any of said funds for either
roads and bridges or for schools, which-
ever is the urgent need of every town.

Resolved lastly, to furnish copies of
this resolution to His Excellency, the
President of the Philippines, the Pres-
ident of the Senate and the Speaker of
the House of Representatives, Manila,
for their kind consideration and ap-
proval.

Unanimously approved.

xx xx xx

I hereby certify to the correctness
of the above-quoted resolution.

ANASTASIO M. PRILA

Secretary, Provincial Directorate

Liberal Party

Camarines Sur

*Resolutions of the Conference of Pro-
vincial Governors and City Mayors
held in the City of Manila on
January 21-27, 1948*

(Continued from first issue.)

No. 11

WHEREAS, there exists the neces-
sity of arranging and compiling all
motions, suggestions and resolutions to

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be presented and taken up in this convention;

WHEREAS, in order to facilitate the compilation of all such motions, suggestions and resolutions to be presented and taken up in this Convention there exists also the necessity of creating a committee to take charge of same;

WHEREFORE, this Convention of Provincial Governors and City Mayors, with the foregoing considerations, unanimously

RESOLVED, as it is hereby resolved, to authorize the Chairman to appoint seven members who will form themselves into a Committee charged with receiving all motions, suggestions and resolutions to be arranged and compiled in the form of a memorial for His Excellency, the President of the Philippines.

RESOLVED FURTHER, that the members of this Committee thus authorized created are as follows:

Gov. P. Faypon of Ilocos Sur, Chairman
" F. Leviste of Batangas, Member
" D. Aguila of La Union, "
" A. Abueg of Palawan, "
" F. Azcuña of Zamboanga, "
City Mayor J. Cariño of Baguio, "
" " M. Raffiñan of Cebu, "

RESOLVED FINALLY, to furnish copy of this resolution to the Chairman and Members of said Committee for their information and guidance.

Carried unanimously.

No. 12

WHEREAS, this Convention is given but only a few days to study and deliberate on bills and measures that

Tan Tai Chong

Bakery

Yawe, Padre Burgos, Quezon

may be presented and brought up for consideration;

WHEREAS, the study and deliberation on proposed bills by each and every member of this Convention takes quite a long time;

WHEREAS, this lengthy process of deliberating on all proposed bills and measures to be taken up in this convention could very well be avoided if the same be charged to a Committee which will first go over and study all such bills after which it may submit its findings to this Convention for action;

WHEREFORE, this Convention of Governors and City Mayors, unanimously

RESOLVED, as it hereby resolved, to create a Committee to study all proposed bills and to submit its findings on time to this Convention for final deliberation and action.

RESOLVED FURTHER, that the members of this Committee are as follows:

Gov. J. A. Madarang of N. V, Chairman
" M. Peñaflorida of Iloilo, Member
" D. E. Chipeco of Laguna. "
" P. T. Villanueva of N. Or., "
" G. Santayana of Quezon, "
" J. O. Chioco of N. Ecija, "

RESOLVED FINALLY, to furnish a copy of this resolution to each of the Chairman and Members of this Committee for their information and guidance.

Carried unanimously.

No. 13

WHEREAS, the granting of a more local autonomy to provincial and city governments is one of the primary purposes for which this convention has been called;

WHEREAS, there are already proposed bills regarding the change or granting of more local autonomy presented to this Body;

WHEREAS, before acting on such proposed bills, it is important that careful study and deliberation on same should first be made in order to find out the benefits and defects which such measures may afford to local governments;

The Provincial Governors and City

THE LOCAL GOVERNMENT REVIEW

Mayors now in convention in Manila, with the foregoing considerations, unanimously

RESOLVED, as it hereby resolved, that copies of proposed bills regarding the change of local autonomy be furnished to all Governors and City Mayors for their careful study and consideration.

RESOLVED FURTHER, to furnish copies of this resolution to the Chairman, Committee on Local Autonomy of this Convention for his information and appropriate action.

Carried unanimously.

No. 14.

WHEREAS, Provincial Governors and City Mayors are held directly responsible for the success of their administration in their respective provinces and cities;

WHEREAS, a number of National Government Bureaus and offices are represented in the provinces and cities by national officials appointed by the heads of the respective departments which they represent;

WHEREAS, the actuations and the degree of cooperation of these representatives of national government offices extended to provincial governors and city mayors have much to do towards the success of the administration of a province or a city;

WHEREAS, in order to insure the success of the administration of a certain province or city, which if it be a failure, is solely blamed upon the provincial governor or the city mayor, as the case may be;

WHEREFORE, the conference of Governors and City Mayors,

RESOLVED, as it is hereby resolved, to petition and request His Excellency, the President of the Philippines, that before Department Secretaries send government officials, or before assigning government officials to the provinces or cities, proper consultation with provincial governors or city mayors thereat be invariably made to insure close cooperation and mutual understanding in the successful administration and smooth running of provincial and city governments.

FEBRUARY, 1949

RESOLVED FURTHER, to forward this resolution to His Excellency, the President of the Philippines, Manila, for his information and favorable consideration, furnishing copies hereof to all Heads of Executive Departments, Manila, for their information also.

Carried.

No. 15.

WHEREAS, the present method of distributing health fund by the National Government to the different provinces is not equitable and depending upon the income of the respective provinces;

WHEREAS, health fund is maintained by a certain percentage of income which is not more than 10 per cent and depending upon the degree of cooperation and mutual understanding which exist between the Governor and District Health Officer;

WHEREAS, the share of the national government to the health fund depends upon the share of the respective provinces;

WHEREAS, the provinces with bigger income usually get the bigger share and those with less income the less share of the health fund;

WHEREFORE, the Governors and City Mayors now in convention,

RESOLVED, as it hereby resolved, to endorse the bill presented by the Honorable, the Secretary of Public Health and Welfare, to centralize health fund in order to effect the equitable distribution of same to the various provinces.

RESOLVED FURTHER, to forward copies of this resolution thru the respective Secretaries of both Houses of Congress, Manila, for their information and favorable consideration, furnishing copy hereof to the Honorable, the Secretary of Public Health and Welfare, Manila, for his information.

Carried unanimously.

No. 16.

WHEREAS, Commonwealth Act No. 85, as amended by Commonwealth Act No. 649 provides that each municipality or municipal district shall set aside annually a sum of not less than three

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per centum and not more than five per centum of its general fund, at the discretion of the Provincial Board and each provincial board shall set aside from its general fund like sum which, together with the sums set aside by the municipalities and municipal districts under its jurisdictions, shall constitute a special fund to be known as "Agricultural Fund";

WHEREAS, under the present financial status of the provinces under the Republic of the Philippines, this requirement of the law cannot be duly complied with without impairing and paralyzing the essential activities of their general funds in addition to making it very hard, if not impossible, for them to meet all their respective mandatory and statutory obligations, including sinking fund installments, bonded indebtedness and other pre-war obligations, aside from the different transfers of other funds;

WHEREAS, the provincial general funds embrace wider field of activities than those of the municipalities and/or municipal districts, and to require them to contribute equal amounts as those required of the municipalities and districts to contribute to the Provincial Agricultural Fund under their respective jurisdictions would mean not only to limit their activities needing immediate attention, especially those in the fields of health, education and morals, but also curtail the lively and vigorous spirit that may be taken towards the effort of bringing a harmonious coordination of activities aimed at reconstruction and rehabilitation such that peace, tranquility, contentment and happiness may once more prevail in this war-battered land of ours;

WHEREAS, for the provinces to contribute at least three per centum of their general funds to their respective Agricultural Funds without the necessity of equalling the amount contributed by all the municipalities and municipal districts under their respective jurisdictions would be more just and

equitable, considering the present disrupted finances of the provinces due to the incidents of the last global war;

WHEREFORE, on motion by Governor Perfecto Faypon of Ilocos Sur, the Provincial Governors and City Mayors in Convention, unanimously

RESOLVED, as it is hereby resolved, to petition the Congress of the Philippines, thru His Excellency, the President of the Philippines, Manila, to have this law, Commonwealth Act 85, as amended by Commonwealth Act 649, further amended, in the sense that the annual contribution of any province to its agricultural fund shall not be less than three per centum of its general fund, without the necessity of covering the total amount of contributions to the same fund made by the municipalities and districts of the province.

RESOLVED FURTHER, to forward this resolution to the Congress of the Philippines, thru His Excellency, the President of the Philippines, Manila, earnestly recommending favorable consideration.

Carried unanimously.

No. 17

WHEREAS, the organization of this Body of Governors and City Mayors into an Association aimed at working solidly for the improvement and best interests of the provinces and cities;

WHEREAS, the organization of a certain group into an association, the naming of such an association and the electing or appointing of its officers are of paramount importance in its proper functioning and administration;

WHEREAS, up to this time this Body of Provincial Governors and City Mayors now in convention in Manila is still devoid of a name and still without officers, except its temporary chairman;

WHEREFORE, the Governors and City Mayors now in convention, with the foregoing considerations, unanimously

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RESOLVED, as it is hereby resolved, to name this association as the "Conference of Provincial Governors and City Mayors", the officers of which should compose of the President, Vice-President, Secretary, Treasurer, Auditor, and seven Directors. The Directors will be appointed by the President of the Conference one of whom must be a city mayor and the other six to be apportioned as follows: 2 from Luzon; 2 from Visayas and 2 from Mindanao.

RESOLVED FURTHER, that the officers and directors are as follows:

Officers

Gov. Manuel Cuenco of Cebu, President
" J. B. Lingad of Pampanga, Vice-President
" P. Faypon of Ilocos Sur, Secretary
City Mayor P. Bernardo of Quezon, Treasurer
" " Manuel de la Fuente of Manila, Auditor.

Directors

Governor Nicasio Arranz of Cagayan
" G. Santayana of Quezon
" M. Peñaflorida of Iloilo
" J. C. Borja of Bohol
" P. Y. Ysalina of Misamis Or.
" F. Azcuña of Zamboanga

City Mayor Jose Cariño of Baguio

RESOLVED FINALLY, to furnish a copy of this resolution to the officers and directors mentioned above for their information and guidance.

Carried.

No. 18

WHEREAS, in the discussion, deliberation, consideration and solution by this Body of Governors and City Mayors of all problems and other matters affecting the provinces and cities in particular and the whole country in general, it is necessary to consult and

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seek the opinion of heads of the various executive departments and other national offices, for its information and guidance as well;

WHEREAS, such information, comment or opinion desired or sought for by this Body from the various department and office heads are given sometimes in the forms of speeches, memoranda or question and answer methods;

WHEREAS, in order that every governor and city mayor may be given the chance to deliberate intelligently on such speeches and the like;

The Provincial Governors and City Mayors now in convention in the City of Manila, with the foregoing consideration, unanimously

RESOLVED, as it hereby resolved, that all speeches, delivered or memoranda given in this convention be inserted in the records and that copies thereof be furnished to all Governors and City Mayors for their information and careful deliberation.

Carried unanimously.

(To be continued)

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Proprietor & Businessman

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