

HOUSE OF REPRESENTATIVES

Republic of the Philippines
Quezon City, Metro Manila

Thirteenth Congress

First Regular Session

HOUSE BILL NO. 2908

Introduced by Honorable Ernie D. Clarete

EXPLANATORY NOTE

This bill seeks to merge Barangays Adorable, Macabayao, Sinara Bajo, Sinara Alto and Tabo-o of the Municipality of Sinacaban, with the Municipality of Jimenez, all in the Province of Misamis Occidental.

The Municipality of Sinacaban was created by Executive Order No. 258, dated August 30, 1949, issued by then President Elpidio Quirino. It used to be a part of the Municipality of Jimenez.

Executive Order No. 258 specifically provides that *"The Municipality of Sinacaban contains the barrios of Sinacaban, which shall be the seal of the municipal government, Sinonoc, Libertad, the southern portion of the barrio of Macabayao, and the sitios of Tipan, Katipunan, Estrella, Flores, Senior, Adorable, San Isidro, Cagayanon, Kamanse, Kulupan and Libertad Alto."*

The technical description provided under Executive Order No. 258, however, defining and fixing the metes and bounds of the territorial boundaries of the Municipality of Sinacaban inadvertently incorporated territories not part of the enumerated constituent barangays.

At the time of the creation of the Municipality of Sinacaban, Barangays Adorable, Macabayao, Sinara Bajo, Sinara Alto and Tabo-o remain as constituent barangays of, and continue even until today under the local governance of the Municipality of Jimenez.

In 1988, the Municipality of Sinacaban raised the issue relative to respective boundaries by claiming that Barangays Adorable, Macabayao, Sinara Bajo, Sinara Alto and Tabo-o are within its territorial jurisdiction, resulting to a full blown boundary dispute between the two adjoining municipalities of the Province of Misamis Occidental.

As a consequence, the Municipality of Jimenez was deprived of necessary revenues from some areas of its territories. Likewise, the prolonged conflict regarding the municipal boundaries affects not only the implementation of socio-economic programs, but also heightens animosity among the officials of the two municipalities and the inhabitants of the disputed barangays.

Moreover, the boundary dispute between the two municipalities confuses the taxpayers, voters, residents owning real property in the disputed barangays, as well as the national and local officials in allocating income and real property tax shares to municipalities and barangays. Unless the dispute is permanently resolved, the disputed barangays are less likely to fully benefit from the development programs of the national and local governments.

In view of the foregoing considerations, the immediate enactment of this curative piece of legislation is earnestly requested.



ERNIE D. CLARETE

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AN ACT MERGING BARANGAYS ADORABLE, MACABAYAO, SINARA BAJO, SINARA ALTO AND TABO-O OF THE MUNICIPALITY OF SINACABAN, WITH THE MUNICIPALITY OF JIMENEZ, ALL IN THE PROVINCE OF MISAMIS OCCIDENTAL, AND APPROPRIATING FUNDS THEREFOR.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Separation and Merger.*— Barangays Adorable, Macabayao, Sinara Bajo, Sinara Alto and Tabo-o are hereby separated from the Municipality of Sinacaban and merged with the Municipality of Jimenez, all in the Province of Misamis Occidental, without affecting in any other manner the legal existence of such local government units.

SEC- 2. *Territorial Boundaries.* - The existing territorial boundaries of the barangays enumerated in Section One (1) hereof, shall be retained and maintained, and their territories shall form part of the total land area of the Municipality of Jimenez.

SEC. 3. *Plebiscite.* - The merger shall take effect upon ratification by a majority of the votes cast by qualified voters in a plebiscite to be conducted by the Commission on Elections in the affected Municipalities of Sinacaban and Jimenez, both in the Province of Misamis Occidental, within one hundred and twenty (120) days from the date of effectivity of this Act.

SEC. 4. *Barangay Officials.* - The incumbent Punong Barangay, members of the *Sangguniang Barangay* and other barangay officials of each of the merged barangays shall continue to perform their duties and functions as such until the expiration of their term of office or upon withdrawal of their appointment, and shall be entitled to the corresponding honoraria, allowances and such other emoluments as may be authorized by law.

SEC. 5. *Appropriations.* - The amount necessary for the conduct of the plebiscite shall be charged to the appropriations of the Commission on Elections under the current General Appropriations Act.

SEC. 6. *Repealing Clause.* - All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof which are inconsistent with the provisions of this Act, are hereby repealed, amended, or modified accordingly.

SEC. 7. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in at least two (2) national newspapers of general circulation.

Approved.