

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**THIRTEENTH CONGRESS
Second Regular Session**



HOUSE BILL NO. 5378

Introduced by **Rep. Rodolfo “Ompong” G. Plaza**

Explanatory Note

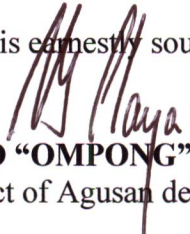
This bill seeks to create the Municipality of Monting Plaza in the province of Agusan del Sur. The proposed municipality is named as Monting Plaza as a tribute to the legacy of the founder and political legend of Agusan del Sur, the late Democrito O. Plaza.

The proposed municipality is composed of eleven (11) barangays from the municipality of Loreto, namely; Binucayan, Johnson, Sabud, Kauswagan, Sto. Niño, San Mariano, San Isidro, Sta. Teresa, Bugdangan, Ferdinand, and Mabuhay. The officials of the said barangays have manifested and signified their willingness and desire to be one of the component barangays of the proposed municipality.

The integrated income, population, and land area of the component barangays constituting the municipality of Monting Plaza conform with the minimum requirements set under the Local Government Code for the creation of a municipality. Also, the creation of said municipality does not reduce the income, population, and land area of the Municipality of Loreto to less than the prescribed minimum requirements provided by law.

The separation of the subject barangays from the municipality of Loreto and their formation into a distinct and separate municipality will provide additional government machinery which will certainly facilitate economic development, and will uplift the lives of the people in Agusan del Sur.

In view of the foregoing, the approval of this bill is earnestly sought.


RODOLFO “OMPONG” G. PLAZA
Lone District of Agusan del Sur

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**AN ACT
CREATING THE MUNICIPALITY OF MONTING PLAZA IN THE PROVINCE
OF AGUSAN DEL SUR**

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

SECTION 1. *Creation.* – There is hereby created a new municipality in the Province of Agusan del Sur to be known as the Municipality of Monting Plaza.

SEC. 2. *Seat of the Municipal Government.* – The seat of government of the new Municipality of Monting Plaza shall be in Barangay Binucayan.

SEC. 3. *Territorial Boundaries.* – The Municipality of Monting Plaza as herein created, composed of barangays Binucayan, Johnson, Sabud, Kauswagan, Sto. Niño, San Mariano, San Isidro, Sta. Teresa, Bugdangan, Ferdinand, and Mabuhay of the Municipality of Loreto, Province of Agusan del Sur, has the following technical description:

Bounded on the North by the Municipality of Loreto; on the South by the Province of Compostela Valley; on the East by the Municipality of Veruela; and on the West by the Province of Bukidnon.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of any boundary dispute or case involving question of territorial jurisdiction between the Municipality of Monting Plaza and the adjoining local government units (LGUs): Provided, however, That the territorial jurisdiction of the disputed area or areas shall remain with the LGU, which has existing administrative supervision over said area or areas until the final resolution of the case.

SEC. 4. *Plebiscite.* – The Municipality of Monting Plaza shall acquire corporate existence upon the ratification of its creation by a majority of the votes cast by qualified voters in a plebiscite to be conducted in the barangays comprising the Municipality of Monting Plaza pursuant to Section 3 and the remaining barangays of the municipality of Loreto, Province of Agusan del Sur within thirty (30) days from the approval of this Act.

The Commission on Elections shall conduct and supervise such plebiscite.

SEC. 5. *Officials of the Municipality of Monting Plaza.* – Upon ratification of its creation by a majority of the votes cast by qualified voters in a plebiscite, the mayor, vice mayor and the members of the sangguniang bayan shall be appointed by the President of the Republic of the Philippines, in consultation with the representative of the congressional district and the provincial governor, and shall serve until the new set of officials shall have been elected and qualified in the next local elections following the approval of this Act.

SEC. 6. *Internal Revenue Allotment Shares.* – During the first year of acquisition of its corporate existence, the Municipality of Monting Plaza shall receive the Internal Revenue Allotment (IRA) shares of barangays as provided in Section 3 hereof from the Department of Budget and Management. Thereafter, the Municipality of Monting Plaza and all the barangays comprising it shall be entitled to IRA shares pursuant to the provision of Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

SEC. 7. *Appropriations.* – The amount necessary to conduct such plebiscite as provided for under this Act shall be borne by the Province of Agusan del Sur.

SEC. 8. *Repealing Clause.* – All laws, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 9. *Effectivity.* – This Act shall take effect upon its approval.

Approved,