17 JUL 2006
3:10 PM

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Third Regular Session

House Bill No. 5612

Introduced by Representatives Cesar G. Jalosjos, Roseller L. Barinaga and Cecilia G. Jalosjos-Carreon

---

EXPLANATORY NOTE

The bill seeks to create a new province, to be known as the Province of Liloy from the present Province of Zamboanga del Norte. The twelve (12) municipalities of the 3rd Congressional District of Zamboanga del Norte shall constitute the new province.

At present, the seat of the provincial government is located hundreds of kilometers from most of the municipalities of the third district. As such, there is a strong basis that due to the distance there is a delayed response to the delivery of services as well as coordination of activities. Secondly, the problem of peace and order continue to beset the provincial government. Thirdly, there is an absence of local participation in the governance of the province.

The creation of the new province will enhance administrative efficiency and further economic activities for the depressed municipalities. The creation of the new province will ensure the development of the underdeveloped municipalities.

Approval of this bill is earnestly urged.

REP. CESAR G. JALOSJOS
3rd District, Zamboanga del Norte

REP. ROSELLER L. BARINAGA
2nd District, Zamboanga del Norte

REP. CECILIA G. JALOSJOS-CARREON
1st District, Zamboanga del Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Third Regular Session

House Bill No. 5612

Introduced by Representatives Cesar G. Jalosjos, Roseller L. Barinaga and Cecilia G. Jalosjos-Carreon

---

AN ACT
CREATING THE PROVINCE OF LILOY AND FOR OTHER PURPOSES

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Title*. – This Act shall be known as the "Charter of the Province of Liloy,"

SEC. 2. *Province of Liloy* – There is hereby created a new province from the present Province of Zamboanga del Norte to be known as the Province of Liloy. The municipalities of Baliguian, Godod, Gutalac, Kalawit, Labason, Leon A. Postigo, Liloy, Salug, Sibuco, Siocon, Sirawai and Tampilisan shall compose the Province of Liloy. The remaining municipalities of Jose Dalman, Katipunan, La Libertad, Manukan, Mutia, Piñan, Polanco, Pres. Manuel Roxas, Rizal, Sergio Osmeña Sr., Siayan, Sibutad and Sindangan, and the cities of Dapitan and Dipolog shall comprise the Province of Zamboanga del Norte.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of existing boundary disputes or cases involving questions of territorial jurisdiction between the Province of Zamboanga del Norte and the adjoining local government units.

SEC. 3. *Capital Town and Seat of Government*. – The capital town and seat of government of the new Province of Liloy shall be the Municipality of Liloy.

SEC. 4. *Corporate Powers of the Province* – The province constitutes a political body corporate and as such is endowed with the attributes of perpetual succession and possessed of the powers which pertain to a provincial corporation to be exercised in conformity with the provision of this Charter. The province shall have the following corporate powers:

a. To have a continuous succession in its corporate name;

b. To sue and be sued;

c. To have and use a corporate seal;

d. To acquire, hold, and convey real or personal property;

e. To enter into contracts and agreements; and

f. To exercise such other powers, prerogatives or authority subjects to the limitations provided in this Act or other laws.

SEC. 5 *General Powers.* – The province shall have a common seal and may alter the same at its pleasure. It shall exercise the powers to levy taxes; to close and open roads, streets, alley, parks or squares; to take, purchase, receive, hold, lease, convey, and dispose of real and personal property for the general interests of the province; to expropriate or condemn private property for public use; to contract and to be contracted with, to sue and be sued; to prosecute and defend to final judgment and execution suits wherein the province is involved or interest in and to exercise all the powers as are granted to corporations or as hereinafter granted.

SEC.6. *Liability for Damages.* – The province and its officials shall not be exempt from liability for death or injury to persons or damage to property.

SEC. 7 *Congressional District.* . – The present third District of the province of Zamboanga del Norte shall constitute the Lone Congressional District of the Province of Liloy.

The Province of Zamboanga del Norte shall retain the (2) legislative districts as follows:

District I – Dapitan City and the Municipalities of La Libertad, Mutia, Piñan, Polanco, Rizal, Sergio Osmeña Sr., and Sibutad.

District II – Dipolog City and the Municipalities of Jose Dalman, Katipunan, Manukan, Pres. Manuel A. Roxas, Siayan, and Sindangan.

SEC. 8. *Jurisdiction of the Province* – The jurisdiction of the Province of Liloy, for police purpose only, shall be coextensive with its territorial jurisdiction and for the purpose of protecting and ensuring the purity of the water supply of the province, such police jurisdiction shall also extend over all the territory within the drainage area of such water supply source, or within one hundred (100) meters of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the province water service.

The regional trial courts and other courts under the Supreme Court of adjoining municipalities shall continue to try crimes and misdemeanors committed within the mandated jurisdiction of the new province. The court first taking jurisdiction of such offense shall thereafter retain exclusive jurisdiction thereof. Any license that may be issued within said zone, area, or space shall be granted by the proper authorities of the province or municipality concerned, and the fees arising therefrom shall accrue to the treasury of the said province or municipality.

ARTICLE II

PROVINCIAL OFFICIALS IN GENERAL

SEC. 9. *Officials of the Provincial Government.* – A. There shall be in the Province of Liloy, a governor, a vice governor, members of the sangguniang panlalawigan, a secretary to the sangguniang panlalawigan, a provincial treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a provincial budget officer, a provincial planning and development coordinator, a provincial legal officer, a provincial administrator, a provincial health officer, a provincial civil registrar, a provincial social welfare and development officer, a provincial general services officer, a provincial agriculturist, a provincial veterinarian, a provincial environment and natural resources officer, and a provincial cooperatives officer.

B. The governor may appoint a provincial architect, a provincial population officer, and provincial information officer.

C. The province shall establish a provincial fire station to he headed by a provincial fire marshal, a provincial jail to be headed by a provincial jail warden, a provincial school division to be headed by a provincial school division superintendent; and

D. The province may:

1. Establish and maintain offices not mentioned in subsections (A) and (B) hereof:

2. Create such other offices as may be necessary to carry out the purpose of the provincial government; or

3. Consolidate the functions of any office with those of another in the interest of efficiency and economy.

Unless otherwise provided herein, heads of departments and offices shall be appointed by the provincial governor with the concurrence of the majority of the sangguniang panlalawigan members, subject to civil service rules and regulations. The sangguniang panlalawigan shall act on the appointment within fifteen (15) days from the day of its submission, otherwise the same shall be deemed confirmed.

SEC. 10. *Residence and Office.* – During the incumbency of the governor, he shall have his official residence and office in the designated capital of the province. All elective and appointive provincial officials shall hold office in the provincial capital: *Provided*, That, upon the resolution of the sangguniang panlalawigan, elective and appointive provincial officials may hold office in any component city or municipality within the province for a period of not more than seven (7) days for any given month.

ARTICLE III

ELECTIVE PROVINCIAL OFFICIALS

SEC. 11. *The Provincial Governor.* – A. The provincial governor, as the chief executive of the provincial government, shall exercise such powers and perform such duties and functions as provided in the Local Government Code of 1991 and other laws.

B. For efficient, effective, and economical governance the purpose of which is the general welfare of the province and its inhabitants pursuant to Section 16 of the Local Government Code 1991, the provincial governor shall:

1. Exercise general supervision and control over program, projects, services, and activities of the provincial government, and in this connection shall:

a. Determine the guidelines of provincial policies and be responsible to the sangguniang panlalawigan for the program of the government;

b. Direct the formulation of the provincial development plan, with the assistance of the provincial development council, and upon approval thereof by the sangguniang panlalawigan, implement the same;

c. Present the program of government and propose policies and projects for the consideration of the sangguniang panlalawigan every calendar year and as often as may be deemed necessary as the general welfare of the inhabitants and the needs of the provincial government may require;

d. Appoint all officials and employees whose salaries and wages are wholly or mainly paid out of provincial funds and whose appointments are not otherwise provided for in this Act as well as those he may be authorized by law to appoint except those who are to be appointed by the vice governor as provided in Section 12 hereof;

e. Represent the province in all its business transactions and sign on its behalf all bonds, contracts, and obligations, and such other documents upon authority of sangguniang panlalawigan or pursuant to law or ordinance;

f. Carry out such emergency measures as may be necessary during and in the aftermath of man-made and natural disasters and calamities;

g. Determine the time, manner, and place of payment of salaries or wages of the provincial officials and employees, in accordance with law or ordinance;

h. Allocate and assign office space to provincial and other officials and employees who, by or ordinance, are entitled to such space in the provincial capitol and other buildings owned or leased by the provincial government;

i. Ensure that all executive officials and employees of the province faithfully their duties and functions as provided by the law and Local Government Code of 1991, and cause to be instituted administrative or judicial proceedings against any official or employees of the province who may have committed an offence in the performance of his officials duties;

j. Examine the books, records, and other documents of all offices, officials, agents or employees of the province and, in aid of his executive powers and authority, require all national officials and employees stationed in the province to make available to him such books, records, and other documents in their custody, except those classified by law as confidential;

k. Furnish copies of executive orders issued by him to the office of the President within seventy-two (72) hours after their issuance;

l. Visit components cities and municipalities of the province at least once every six (6) months to deepen his understanding of problems and conditions, listen and give appropriate counsel to local officials and inhabitants of components cities and municipalities of general laws and ordinance which especially concerns them, and otherwise conduct visits and inspections to ensure that the governance of the province will improve the quality of life of the inhabitants;

m. Act on leave applicants of officials and employees appointed by him and the commutation of the monetary value of their leave credits in accordance with law;

n. Authorize official trips of provincial official and employees outside of the province for a period not exceeding thirty (30) days;

o. Call upon any national official or employees stationed in or assigned to the province to advise him on matters affecting the province and to make recommendations thereon; coordinate with said official or make recommendations thereon; coordinate with said officials or employees in the formulation and implementation of plans, programs, and projects; and when appropriate, initiate an administrative or judicial action against a national government officials or employees who may have committed and offense in the performance of his duties while stationed in or assigned to the province;

p. Authorize payments for medical care, necessary transportation, subsistence, hospital or medical fees of provincial officials and employees who are injured while in the performance of their official duties and functions, subject to availability of funds;

q. Represent the province in inter-provincial or regional sports councils or committees, and coordinate the efforts of components cities or municipalities in the regional or national palaro or sports developments activities;

r. Conduct an annual palarong panlalawigan, which shall feature traditional sports and disciplines included in national and international games, in coordination with Department of Education and the Philippine Sports Commission;

s. Submit to the Office of the President the following reports: an annual report containing a summary of all matters pertinent to the management, administration, and development of the province and all information and data relative to its political, social, and economic conditions; and, supplemental reports when unexpected events and situations arise at any given time during the year, particularly when man-made or natural disasters or calamities affect the general welfare of the province.

2. Enforce all laws and ordinances relative to the governance of the province and the exercise of the appropriate corporate powers provided for in Section 22 of the Local Government Code of 1991; implement approved policies, programs, projects, services, and activities of the province, and in addition to the foregoing, shall

a. Ensure that the acts of the components cities and municipalities of the province and of its officials and employees are within the scope of their prescribed powers, duties and functions;

b. Call conventions, conferences, seminars, or meetings of any elective and appointive officials of the province and its components cities and municipalities, including national officials and employees stationed in or assigned to the province, at such time and place and on such subject as he may deem important for the promotion of the general welfare of the province and its inhabitants;

c. Issue such executive orders for the faithful and appropriate enforcement and execution of laws and ordinances;

d. Be entitled to carry the necessary firearm within his territorial jurisdiction;

e. In coordination with the mayors of components cities and municipalities and the National Police Commission, formulate the peace and order plan of the province and upon its approval, implement the same in accordance with Republic Act No. 6975; and

f. Call upon the appropriate national law enforcement agencies to suppress disorder, riot, lawless, violence, rebellion or seduction or to apprehend violators of the law when public interest so requires and the police forces of the component city and municipality where the disorder or violation is happening are inadequate to cope with the situation or the violators.

3. Initiate and maximize the generation of resources and revenues, and apply the same to the implementation of development of development plans, program objectives and priorities as provided for under Section 18 of the Local Government code of 1991, particularly those resources and revenues programmed for agro-industrial development and country-wide growth and progress and relative thereto, shall:

a. Require each head of an office or department to prepare and submit an estimate of appropriations for the ensuing calendar year, in accordance with the budget preparation process under Title V, book II of the Local Government code of 1991;

b. Prepare and submit the sangguniang panlalawigan for approval the executive and supplemental budgets of the province for the ensuing calendar year in the manner provided under Title V, Book II of the Local Government Code of 1991;

c. Ensure that all taxes and other revenues of the province are collected and that provincial funds are applied to the payment of expenses and settlement of obligations of the province, in accordance with law or ordinance;

d. Issue licenses and permits and suspend or revoke the same for any violations of the conditions upon which said licenses or permit had been issued, pursuant to law or ordinance;

e. Adopt adequate measures to safeguard and conserve land, mineral, marine, forest and other resources of the province, in coordination with the mayors of component cities and municipalities;

f. Provide efficient and effective property and supply management in the province; and protect the funds, credits, rights, and other properties of the province; and

g. Institute or cause to be instituted administrative or judicial proceeding for violations of ordinances in the collection of taxes, fees or charges , and for the recovery of funds and property, and cause the province to be defended against all suits to ensure that its interests, resources and rights shall be adequately protected.

4. Ensure the delivery of basic services and the provision of adequate facilities as provided for under Section 17 of the Local Government Code of 1991, and in addition thereto, shall:

a. Ensure that the construction and repair of roads and highways funded by the national government shall be, as far as practicable, carried out in a spatially contiguous manner and in coordination with the construction and repair of the roads and bridges of the province and of its components cities and municipalities; and

b. Coordinate the implementation of technical services by national offices for the province and its component cities and municipalities, including public works and infrastructure programs of the provincial government and its component cities and municipalities.

5. Exercise such other power and perform such other duties and functions as may be prescribed by law or ordinances.

C. The provincial governor shall receive a minimum monthly compensation corresponding to Salary Grade Thirty (30) prescribed under Republic Act No. 6758 and the implementing guidelines issued pursuant thereto.

SEC. 12. *The Vice Governor.* – A. The vice governor shall:

1. Be the presiding officer of the sangguniang panlalawigan and sign all warrants drawn on the provincial treasury for all expenditures appropriated for, the operation of the sangguniang panlalawigan;

2. Subject to civil service law, rules, and regulations, appoint all officials and employees including the secretary of the sangguniang panlalawigan and such employees of the individual members of the sangguniang panlalawigan, except those whose manner of appointment is specifically provided for under existing laws;

3. Assume the office of the governor for the unexpired term of the latter in the event of permanent vacancy as provided in Section 44, Book I of the Local Government Code of 1991;

4. Exercise the powers and perform the duties and functions of the governor in cases of temporary vacancy as provided for in Section 46, Book I of the Local Government Code of 1991; and

5. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

B. The vice governor shall receive a monthly compensation corresponding to Salary Grade twenty-eight (28) as prescribed under Republic Act No. 6758 and the implementing guidelines issued pursuant thereto.

ARTICLE IV

THE SANGGUNIANG PANLALAWIGAN

SEC. 13. *The Sangguniang Panlalawigan.* – A. The sangguniang panlalawigan, the legislative body of the province, shall be composed of the provincial vice governor as presiding officer, the regular sangguniang panlalawigan members, the president of the provincial chapter of the liga ng mga Barangay, the president of the panlalawigang pederasyon ng mga sangguniang kabataan, the president of the provincial federation of sanggunian members of component cities and municipalities, and the sectoral representatives, as members.

B. In addition thereto, there shall be three (3) sectoral representatives: one (1) from the women; and shall be determined by the sanggunian concerned within ninety (90) days prior to the holding of the local elections, one (1) from the agricultural or industrial workers; and one (1) from the other sectors, including the urban poor, indigenous cultural communities, or disabled persons.

C. The regular members of the sangguniang panlalawigan and the sectoral representatives shall be elected in the manner as provided for by law, and shall receive a monthly compensation corresponding to Salary Grade twenty-seven (27) as prescribed under Republic Act No. 6758 and the implementing guidelines issued pursuant thereto.

SEC. 14. *The Provincial Legislative Function.* – A. The sangguniang panlalawigan, as the legislative body of the province, shall enact ordinances, approve resolutions, and appropriate funds for the general welfare of the province and its inhabitants pursuant to Section 16 of the Local government Code of 1991 and in the proper exercise of the corporate powers of the province as provided for under Section 22 of the Local Government Code of 1991, and shall:

1. Approve all ordinances and pass resolutions necessary for an efficient and effective provincial government and, in this connection, shall:

a. Review all ordinances approved by the sanggunian of component cities and municipalities and executive orders issued by the mayors of said component units to determine whether these are within the scope of the prescribed powers of the sanggunian and of the mayor;

b. Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for the violation of said ordinances;

c. Approve ordinances imposing a fine not exceeding Five thousand pesos (P 5,000.00) or imprisonment not exceeding one (1) year, or both at the discretion of the court, for the violation of a provincial ordinance;

d. Adopt measures to protect the inhabitants of the province from the harmful effect of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters and calamities and in their return to productive livelihood following said events;

e. Enact ordinances intended to prevent, suppress, and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of house of ill repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, maintenance of drug dens, drug pushing, juvenile delinquency, the printing, distribution, or exhibition of obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the province;

f. Protect the environment. To this end, it may set aside at least ten percent (10%) of its development funds for the purpose of maintaining and enhancing the ecological balance of the province. It may also impose appropriate penalties for acts which endanger the environment, such as, dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs; smuggling of natural resources products and of endangered species of flora and faunal slash and burn farming; and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological balance;

g. Subject to the provisions of the Local Government Code of 1991 and pertinent laws, determine the powers and duties of officials and employees of the province;

h. Determine the positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly form provincial funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the provincial government;

i. Authorize the payment of compensation to a qualified person not in the government service who fills up a temporary vacancy, or grants honorarium to any qualified official or employee designated to fill a temporary vacancy in the concurrent capacity, at the rate authorized by law;

j. Provide mechanism and the appropriate funds therefore to ensure the safety and protection of all provincial government property, public documents, or record such as those relating to property inventory, land ownership, records of birth, marriages, deaths, assessments, taxation, account, business permits, and such other records and documents of public interest in the offices and departments of the provincial government;

k. When the finances of the provincial government allow, provide for additional allowances and other benefits to judges, prosecutors, public elementary and high school teachers, and other national government officials stationed or assigned to the province;

l. Provide legal assistance to provincial and municipal officials including the members of the provincial police who, in the performance of their official duties or on the occasion thereof, have to initiate judicial proceedings of defend themselves against legal actions. The sangguniang panlalawigan may authorize the provincial governor to engage the services of private counsel for this purpose, and

m. Provide for group insurance or additional insurance coverage for all officials, including members of Barangay tanod brigades and other service units, with public or private insurance companies, when the finances of the provincial government allows said coverage.

2. Generate and maximize the use of resources and revenues for the development plans, programs or objectives and priorities of the province as provided for under Section 18 of the Local Government Code of 1991, with particular attention to agro-industrial development and country-wide growth and progress and relative thereto, shall:

a. Enact the annual and supplement appropriations of the provincial government and appropriate funds for specific programs, projects services and activities of the province and its inhabitants;

b. Subject to the provisions of Book II of the Local Government Code of 1991 and applicable laws and upon the majority vote of all the members of the sangguniang panlalawigan, enact ordinances levying taxes, fees, and charges, prescribing the rates thereof for general and specific purposes, and granting tax exemptions, incentives, or relief;

c. Subject to the provisions of Book II of the Local Government Code of 1991 and applicable laws and upon the majority vote of all the members of the sangguniang panlalawigan, authorize the provincial governor to negotiate and contract loans and other forms of indebtedness;

d. Subject to the provisions of Book II of the Local Government Code of 1991 and applicable laws and upon the majority vote of all the members of the sangguniang panlalawigan, enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the purpose of raising funds to finance development projects;

e. Appropriate funds for the construction and maintenance or the rental of buildings for the use of the province; and upon the majority vote of all the members of the sangguniang panlalawigan, authorize the provincial governor to lease to private parties such public buildings held in a proprietary capacity, subject to existing laws, rules, and regulations;

f. Prescribe reasonable limits and restraints on the use of property within the jurisdiction of the province;

g. Review the comprehensive land use plans and zoning ordinance of component cities and municipalities and adopt a comprehensive provincial land use plan, subject to existing laws;

h. Reclassify lands within the jurisdiction of the province subject to the pertinent provisions of the Local Government Code of 1991.

i. Adopt measures to enhance the full implementation of the national agrarian reform programs in coordination with the Department of Agrarian Reform;

j. Enact integrated zoning ordinance in consonance with the approved comprehensive provincial land use plan, subject to existing laws, rules and regulations; establish fire limits or zones, particularly in populous centers, and regulate the construction, repair or modification of building within said fire limits or zones in accordance with the provisions of the Fire Code;

k. Subject to national law, process and approve subdivision plans for residential, commercial or industrial purposes and other development purposes, and to collect processing fees and other charges, the proceeds of which shall accrue entirely to the province: Provided, however. That where approval of a national agency or office is required by law, said approval shall not be withheld for more than thirty (30) days from receipt of the application. Failure to act on the application within the period stated above shall be deemed as approval thereof;

l. Subject to the provisions of Book II of the Local Government Code of 1991, grant the exclusive privilege of construction fish corrals or fish pens, or the taing of catching of bangus fry, prawn fry or kawag-kawag, or fry of any species of fish within the provincial waters;

m. With the concurrence of at least two thirds (2/3) of all the members of the sangguniang panlalawigan, grant tax exemption, incentives or relief to entities engaged in community growth inducing industries, subject to the provisions of the Local Government Code of 1991;

n. Grant loans or provide grants to other local government units or to national, provincial, and municipal charitable, benevolent, or educational institutions operated and maintained within the Province;

o. Regulate the numbering of residential, commercial, and other buildings; and

p. Regulate the inspections, weighing, and measuring of articles of commerce.

3. Subject to the provision of the Local Government Code of 1991, grant franchises, approve the issuance of permits or licenses, or enact ordinances levying taxes, fees, and charges upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the province, and pursuant to the legislative authority, shall;

a. Fix and impose reasonable fees charges for all services rendered by the provincial government to private persons or entities;

b. Regulate and fix license fees for any business or practice of profession within the province and the conditions under which the licenses for said business or practice of profession may be revoked and enact ordinances levying taxes thereon;

c. provide for and set the terms and conditions under which public utilities owned by the Province shall be operated by the provincial government, and prescribe the conditions under which the same may be leased to private persons or entities, preferably cooperatives;

d. Regulate the display of and fix the license fees for signs, signboards or billboards at the place or places where the profession or business advertised thereby is, in whole or in part conducted;

e. Any law to the contrary notwithstanding, authorize and license the establishment, operation, and maintenance of cockpits, and regulate cockfighting and commercial breeding of gamecocks. The existing rights should not be prejudiced;

f. Subject to the guidelines prescribed by the Department of Transportation and Communications, regulate the operation of tricycles and grant franchises for the operation thereof within the territorial jurisdiction of the province; and

g. Upon approval by a majority vote of all the members of the sangguniang panlalawigan, grant a franchise to any person, partnership, corporation, or cooperatives to do business within the province; establish, construct, operate, and maintain ferries, wharves, markets, or slaughterhouse; or undertake such other activities within the province as may be allowed by existing law.

4. Regulate activities relative to the use of land, building and structures within the province in order to promote the general welfare and for said purpose shall:

a. Declare, prevent, or abate nuisance;

b. With the concurrence of a majority of the members of the sangguniang panlalawigan, a quorum being present, deny the entry of legalized gambling by ordinance into any part of the province or regulate its location in the province;

c. Require that the buildings and the premises thereof and any land within the province be kept and maintained in a sanitary condition, impose penalties for any violations thereof; or upon failure to comply with such requirements, have the work done at the expense of the owner, administrator, or tenant concerned; or require the filling up of any land or premises to a grade necessary for proper implementation;

d. Regulate the disposal of clinical and other wastes from hospitals, clinics, and other similar establishment;

e. Regulate the establishment, operation, and maintenance of cafes, bars, restaurants, beer, wine and liquor stores, hotel, motels, inns, pension houses, dorms and lodging houses, and other similar establishments, including tourist guides and transportation service;

f. Regulate the sale, giving away, dispensing of any intoxicating malt, *vino*, mixed, or fermented liquors at any provincial retails outlets;

g. Regulate the establishment and provide for the inspection of steam boilers or any heating device in buildings, structures and the storage of inflammable and highly combustible materials within the province;

h. Regulate the establishment, operation, and maintenance of any entertainment or amusement facilities, including the theatrical and stage performances, circuses, billiards pools, public dancing halls, computer gaming cafes and bars, health and fitness spas, saunas baths, massage parlors, and other places for entertainment or amusement; regulate such other events or activities for amusement; particularly those which tend to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or prohibits certain forms of amusement or entertainment or amusement; regulate such other events or activities for amusement; particularly those which tend to disturb the community or annoy the inhabitants, or require the suspension or suppression of the same; or prohibit certain forms of amusement or entertainment in order to protect the social and moral welfare of the community;

i. Regulate the establishment, operation, and maintenance of funeral parlors and the burial or cremation of the dead, subject to existing laws, rules, and regulations;

j. Regulate the establishment, service, operation, and maintenance of gyms, sports centers, health and fitness spas, similar centers and parlors, subject to existing laws, rules, and regulations; and

k. Provide for the impounding of stray animals; regulate the keeping of animals in homes or as part of a business, and the slaughter, sale, or disposition of the same; and adopt measures to prevent and penalize cruelty to animals.

5. Approve ordinance which shall ensure the efficient and effective delivery of basic services and facilities as provided in Section 17 of the Local Government Code of 1991, and, in addition to said services and facilities, shall;

a. Provide for the establishment, maintenance, protection, and conservation of communal forest and watersheds, tree parks, greenbelts, mangroves, and other similar forest development projects;

b. Establish markets, slaughterhouses, or animals corrals and authorize the operation thereof by the provincial government; and regulate the construction and operation of private markets, talipapas or other similar buildings and structures;

c. Authorize the establishment, maintenance and operation by the provincial government of ferries, wharves, and other structures intended to accelerate productivity related to marine and seashore or offshore activities;

d. Regulate the preparation and sale of meat, poultry, fish, vegetables, fruits, fresh dairy product, and other foodstuffs for public consumption;

e. Regulate the use of stocks, avenues, alleys, sidewalks, bridges, parks and other public places and approve the construction, improvements, repair and maintenance of the same; establish bus and vehicle stops and terminals or regulate

their use by privately owned vehicles which serve the public; regulate garages and operation of conveyance for hire; designate stands to be occupied by public vehicles when not in use; regulate the putting up signs, signposts, awnings and awning posts on the streets; and provide for the lightning, cleaning and sprinkling of streets and public places;

f. Regulate traffic on all streets and bridges; prohibits encroachments or obstacles thereon and, when necessary in the interest of public welfare, authorize the removal of encroachments, and illegal settlement structures and constructions in public lands and areas;

g. Subjects to existing laws, establish and provide for the maintenance, repair and operation of an efficient waterworks system to supply water for the inhabitants and to purify the source of the water supply; regulate the construction, maintenance, repair and use of hydrants, pumps cisterns and reservoirs; protect the purity and quantity of the water supply of the province and, for this purpose, extends the coverage of appropriate ordinances over all territory within one hundred (100) meters of the reservoir, canal. Conduits, aqueduct, pumping station, or watersheds used in connection with the water services; and regulate the consumption, use or wastage of water and fix and collect charges therefore;

h. Regulate the drilling and excavation of the ground for ground water source, laying of water, gas, sewer, and other pipes, and the construction, repair, and maintenance of public drains, sewers, cesspools, tunnels and similar structures; regulate the placing of poles and the use of crosswalks, curbs and gutters, adopt measures to ensure public safety against open canals, manholes, lives wires, and other similar hazards to life and property, and regulate the construction and use of private water closets, privies, and other similar structures in buildings and homes;

i. Regulate the placing, stringing, attaching, installing, repair and construction of all gas mains, electric telegraph and telephone wires and cables, conduits, meters, supports structures and other similar apparatus and provide for the correction, condemnation and removal of the same when found to be dangerous to the welfare of the inhabitants;

j. Subject to the availability of funds and to existing laws, rules and regulations, provide for the establishment and operation of vocational and technical schools and similar post-secondary institutions; and, with the approval of the Department of Education, and subjects to existing laws on tuition fees, fix reasonable tuition fees and other school charges in educational institutions supported by the provincial government;

k. Establish an education and training scholarship fund for the poor but deserving constituents in schools located within its jurisdiction or of students residing within the province;

l. Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases with in its territorial jurisdiction;

m. provide for the care of paupers, the aged, the sick, persons of unsound mind, abandoned minors, abused children, disabled persons, juvenile delinquents, drug dependents, and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age; and subject to availability of funds, establish and support the operation of centers and facilities for said needy and disadvantaged persons and facilities the efforts to promote the welfare of families below the poverty threshold, the disadvantaged, and the exploited;

n. Establish and provide for the maintenance and improvement of jails and detention centers, institute a sound jail management program, and appropriate funds for the subsistence of detainees and convicted prisoners in the province;

o. Establish a provincial council whose purpose is the promotion of culture and the arts, coordinate with government agencies and non-governmental organizations and, subject to the availability of funds, appropriate funds for the support and development of the same; and

p. Establish a provincial for the elderly and veterans which shall formulate policies and adopt measures mutually beneficial to the elderly and to the province; and subject to the availability of funds, appropriate funds to support programs and projects for the elderly; and provide incentives for non-governmental agencies and entities to support the programs and projects of the elderly.

6. Exercise such other powers and performs such other duties and functions as provided for under the Local Government Code of 1991, and as may be prescribed by Law or ordinance.

ARTICLE V

PROCESS OF LEGISLATION

SEC. 15. *Internal rules of Procedures.* – A. On the first regular session following the election of its members and within ninety (90) days thereafter, the sangguniang panlalawigan shall adopt its own rules of procedure.

B. The rules of procedures shall provide for the following:

1. The organization of the sanggunian and the election of its officers as well as the creation of standing committees which shall include, but shall not be limited to, the committees on appropriations, revenues, engineering and public works, education and health, women and family, human rights, youth and sports development, environment protection, peace and order and traffic, and cooperatives; the general jurisdiction of each committee; and the election of the chairman and members of each committee;

2. The order and calendar or business for each session;

3. The legislative process;

4. The parliamentary procedures which include the conduct of members during session;

5. The discipline of members for disorderly behavior and absences without justifiable cause for four (4) consecutive sessions for which they may be censured, reprimand, or excluded from the session, suspended for not more than sixty (60) days, or expelled: *Provided,* That the penalty of suspension of expulsion shall require the concurrence of at least two-thirds (2/3) of all the sangguniang members: *Provided, further,* That the member convicted by final judgment to imprisonment of at least one (1) year for any crime involving moral turpitude shall be automatically expelled from the sanggunian; and

6. Such other rules as the sanggunian may adopt.

SEC. 16. *Full Disclosure of Financial and Business Interest of Sangguniang Panlalawigan Members.* – A. Every Sangguniang Panlalawigan member shall, upon assumption to office, make a full disclosure of his business and financial interest. He shall disclose and business, financial, or professional relationship, or any relation by affinity or consanguinity within the fourth civil degree, which he may have with any person, firm, or entity affected by any ordinance or resolution under consideration by the sanggunian of which he is a member, which relationship may result in conflict of interest. Such relationship shall include:

1. Ownership of stocks or capital, or investment in the entity or firm to which the ordinance or resolution may apply; and

2. Contracts or agreements with any person or entity which the ordinance or resolution under consideration may affect.

In the absence of a specific constitutional or statutory provision applicable to this situation, "conflict of interest" refers in general to one where it may be reasonably deducted that a member of a sanggunian panlalawigan may not act in the public interest due to some private, pecuniary, or other personal consideration that may tend to affect his judgment to the prejudice of the service or the public.

B. The disclosure required under this Act shall be made in writing and submitted to the secretary of the sanggunian or the secretary of the committee of which he is a member. The disclosure shall, in all cases, form part of the record of the proceedings and shall be made in the following manner;

1. Disclosure shall be made before the member participates in the deliberations on the ordinance or resolution under consideration: *Provided,* That if the member did not participate during the deliberations, the disclosure shall be made before voting on the ordinance or resolution on second third readings; and

2. Disclosure shall be made when a member takes a position or makes a privilege speech on a matter that may affect the business interest, financial connection, or professional relationship described herein.

SEC. 17. *Session.* - A. On the first day of session immediately following the election of its members, the sangguniang panlalawigan shall, by resolution, fix the day, time, and place of its regular sessions. The minimum number of regular session of the sangguniang panlalawigan shall be once a week.

B. When the public interest so demands, special session may be called by the provincial governor or by a majority of the members of the sanggunian;

C. All sanggunian sessions shall be open to the public unless a closed door session is ordered by an affirmative vote of a majority of the members present, there being a quorum, in the public interest or for reasons of security, decency, or morality. No two (2) session, regular or special, may be held in a single day; and

D. In the case of special sessions of the sanggunian, a written notice to the members shall be served personally at the members' usual place or 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.

E. The sanggunian shall keep a journal and a record of its proceedings which may be published upon resolution of the sangguniang panlalawigan.

SEC. 18. *Quorum.* – A. A majority of all the members of the sanggunian who have been elected and qualified shall constitute a quorum to transact official business. Should a question of quorum be raised during the session, the presiding officer shall immediately proceed to call the roll of the members and thereafter announce the results;

B. Where there is no quorum, the presiding officer may declare a recess until such time as a quorum is constituted, or a majority of members present may adjourn from day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member of the sanggunian, to be assisted by a member or members of the police force assigned in the territorial jurisdiction of the province, arrest the absent member and present him the session; and

C. If there is still no quorum despite the enforcement of the immediately preceding subsection, 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.

SEC. 19. *Approval of Ordinance.* – A. Every ordinance enacted by the sangguniang panlalawigan shall be presented to the provincial governor. If the governor approves the same, he shall affix his signature on each and every page thereof; otherwise, he shall veto it and return the same with his objections to the sanggunian, which may proceed to reconsider the same. The sanggunian may override the veto of the governor by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective for all legal intents and purposes; and

B. The veto shall be communicated by the governor to the sanggunian panlalawigan within fifteen (15) days; otherwise, the ordinance shall be deemed approval as if he had signed it.

SEC. 20. *Veto Power of the Governor.* – A. The provincial governor may veto any ordinance of the sangguniang panlalawigan on the ground that is prejudicial to the public welfare, stating his reasons thereof in writing.

B. The governor shall have the power to veto any particular item or items of an appropriation ordinance, and ordinance or resolution adopting a local development plan, and public investment program or an directing the payment of money or creating liability. In such case, the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take effect unless the sangguniang panlalawigan overrides the veto in the manner herein provided; otherwise, the item or items in the appropriations ordinance or the previous year corresponding to those vetoed, if any, shall be deemed reenacted.

C. The governor may veto ordinance or resolution only once. The sanggunian may override the veto of the governor by two=thirds (2/3) vote of all its members, thereby making the ordinance effective even without the approval of the provincial governor.

ARTICLE VI

DISQUALIFICATION AND SUCCESSION FOR ELECTIVE PROVINCIAL OFFICIALS

SEC. 21. The following persons are not qualified from running for any elective positions in the province:

A. Those sentenced by final judgment for an offense involving moral turpitude or an offense punishable by one (1) year or more of imprisonment within two (2) years after serving sentence;

B. Those removed from office as a result of an administrative case;

C. Those convicted by final judgment for violating the oath of allegiance to the Republic;

D. Those with dual citizenship;

E. Fugitives from justice in criminal or non-political cases here or abroad;

F. Permanent residents in a foreign country or those who acquired the right to reside abroad and continue to avail of the same right after the effectivity of the Local Government Code of 1991; and

G. The insane or feeble-minded.

SEC. 22. *Permanent Vacancy in the Office of the Provincial Governor.* – A. If a permanent vacancy occurs in the office of the governor, the vice governor concerned shall become the governor. If the vice governors refuses to assume the position of governor, the highest ranking sangguniang panlalawigan member shall become the governor. If a permanent vacancy occurs in the office of the vice governor, the highest ranking sangguniang panlalawigan member or, in the case of his permanent incapacity, the second highest ranking sangguniang panlalawigan member shall become the provincial governor or vice governor, as the case may be. Subsequent vacancies in said offices shall be filled automatically by the other sanggunian members according to their ranking as defined herein:

1. A tie between or among the highest ranking sangguniang panlalawigan members shall be resolved by drawing of lots.

2. The successors as defined herein shall serve only the unexpired terms of their predecessors.

3. For the purpose of this Act, a permanent vacancy arises when an elective local official fills a higher vacant office, refuse to assume office, fails to qualify, dies, is removal from office, voluntarily resigns or is otherwise permanently incapacitated to discharge the functions of his office.

4. For purposes of succession as provided in this Act, ranking in the sangguniang panlalawigan shall be determined on the basis proportion of votes obtained by each winning candidate to the total number of registered voters in the province in the immediately preceding local elections.

SEC. 23. *Permanent Vacancies in the Sanggunian.* – A. Permanent vacancies in the sangguniang panlalawigan where automatic succession as provided above does not apply shall be filled by appointments in the following manner:

1. The President, through the executive secretary makes the aforesaid appointments;

2. Only the nominee of the political party under which the sanggunian member concerned had been elected shall be appointed in the manner herein provided. The appointee shall come from the political party as that of the sanggunian member who caused the vacancy and shall serve the unexpired term of the vacant office. In the appointment herein mentioned, a nomination and a certificate of membership of the appointee from the highest official of the political party concerned re conditions sine qua non, and any appointment without such nomination and certification shall be null and void *ab initio* and shall be a ground for administrative action against official responsible therefore;

3. In case the permanent vacancy is caused by a sanggunian member who does not belong to any political party, the governor shall, upon recommendation of the sangguniang panlalawigan, appoint a qualified person to fill vacancy; and

4. In case of vacancy in the representation of the sangguniang kabataan, the sangguniang Barangay and the provincial league of councilors in the sangguniang panlalawigan, said vacancy shall be filled automatically by the official next in rank of the organization concerned.

SEC. 24. *Temporary Vacancy in the Office of the Provincial Governor.* – A. When the governor is temporarily incapacitated to perform his duties for physical or legal reasons such as, but not limited to leave of absence, travel abroad, and suspension from office, the vice governor shall automatically exercise the powers and perform the duties and functions of the governor, except the power to appoint, suspend, or dismiss employees which can only be exercised if the period to temporary incapacity exceeds thirty (30) working days.

B. Said temporary incapacity shall terminate upon submission to the sangguniang panlalawigan of a written declaration by the governor that he has reported back to office. In case the temporary incapacity is due to a legal cause, the governor shall also submit necessary documents showing that the said legal cause no longer exists.

C. When the provincial governor is traveling within the country but outside the territorial jurisdiction of the province for a period not exceeding three (3) consecutive days, he may designate in writing the officer-in-charge of his office. Such authorization shall specify the power and functions that the local official concerned shall exercise in the absence of the governor except the power to appoint, suspend, or dismiss employees.

D. In the event, however, that the governor fails or refuse to issue such authorization, the voce governor shall have the right to assume the powers, duties, and functions of the said office on the fourth day of absence of the governor, subject to the limitation provided in subsection (C) hereof.

E. Except as provided above, the governor shall in no case authorize any local official to assume the powers, duties, and function of the office other than vice governor.

ARTICLE VII

APPOINTIVE PROVINCIAL OFFICIALS, THEIR QUALIFICATIONS, POWERS AND DUTIES

SEC. 25. *The Secretary to the Sangguniang Panlalawigan.* – A. There shall be a secretary to the sangguniang panlalawigan who shall have the rank and salary equal to a head of department or office;

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 Master's degree preferably in law or public administration from recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in legislative work as a technical and administrative officer of sangguniang panlungsod or higher legislative body for at least ten (10) years.

C. The secretary of the sanggunian shall take charge of the office of the sangguniang panlalawigan, and shall:

1. Attend meeting of the sanggunian and keep a journal of its proceedings;

2. Keep the seal of the local government unit and affix the same with his signature to all ordinances, resolutions, and other officials acts of the sanggunian and present the same to the presiding officer for his signature;

3. Forward to the governor, for approval, copies of ordinance enacted by the sanggunian and duly certified by the presiding officer, in the manner provided for in Section 54 of the Local Government Code of 1991;

4. Forward to the sangguniang bayan or sangguniang panglunsod, as the case may be, copies of duly approved ordinance, in the manner provided in Section 56 and 57 of the Local Government Code of 1991;

5. Furnish, upon the request of any interested party, certified copies of records of public character in his custody, upon payment to the 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 the usual business hours;

8. Translate into the dialect used by the majority of the inhabitants all ordinances and resolutions immediately after their approval, and cause the publication of the same together with the original version in the manner provided under the Local Government Code of 1991; and

9. Take custody of the local archives and, where applicable, the local library and annually account for the same.

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

SEC. 26. *The Provincial Treasurer*. – A. The treasurer shall be appointed by the Secretary of Finance from the list of at least three (3) ranking eligible recommendees of the governor, subject to civil service law, rules and regulations.

B. The treasurer shall be under the administrative supervision of the governor to whom he shall report regularly on the tax collection efforts in the local government unit.

C. No person shall be appointed treasurer unless he is a citizen of the Philippines, a resident of the local government unit, of good moral character, a holder of a college degree preferably in commerce, public administration or law from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in treasury or accounting service for at least five (5) years.

The appointment of the provincial treasurer shall be mandatory.

D. He shall take charge of the treasury office, perform the duties provided for under Book II of the Local Government Code of 1991, and shall:

1. Advise the governor, or the sanggunian, as the case may be, and other local government funds and on such other matter relative to public finance;

2. Take custody and exercise proper management of the funds of the local government unit concerned;

3. Take charge of the disbursement of all local government funds and such other funds the custody of which may be entrusted to him by law or other competent authority;

4. Inspect private commercial and industrial establishments within the jurisdiction of the province in relation to the implementation of tax ordinances, pursuant to the provisions under Book II of the Local Government Code of 1991;

5. Maintain and update the tax information system of the local government unit; and

6. Exercise technical supervision over all treasury offices of component cities and municipalities.

E. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 27. *The Provincial Assessor*. – A. No person shall be appointed provincial assessor unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of college degree preferably in civil or mechanical engineering, commerce, or any other related course from recognized college or university, a first grade civil service eligible or its equivalent. He must have acquired experience in real property assessment work or in any related field for at least five (5) years.

The appointment of the Provincial Assessor shall be mandatory.

B. The assessor shall take charge of the assessor's office, perform the duties provided for under Book II of the Local Government Code of 1991, and shall:

1. Ensure that all laws and policies governing the appraisal and assessment of real properties for taxation purposes are properly executed;

2. Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in the valuation and assessment for real properties for taxation purposes;

3. Establish a systematic method of real property assessment;

4. Install and maintain a real property identification and accounting system;

5. Prepare, install, and maintain a system of tax mapping, showing graphically all properly subject to assessment and gather all data concerning the same;

6. Conduct frequent physical surveys to verify and determine whether all real properties within the province are properly listed in the assessment rolls;

7. Exercise the functions of appraisal and assessment primarily for taxation purposes of all real properties in the province;

8. Prepare a schedule of the fair market value for the different classes of real properties, in accordance with Title 2 Book II of the Local Government Code of 1991;

9. Issue, upon request of any interested party, certified copies of assessment records of real property and all other records relative to its assessment, upon payment of a service charge or fee to the treasurer;

10. Submit every semester a report of all assessments, as well as cancellations and modifications of assessments to the governor and the sangguniang panlalawigan; and

11. Exercise technical supervision and visitorial functions over all component city and municipal assessors, coordinate with component city or municipal assessors in the conduct of tax mapping operations and all other assessment activities, and provide all forms of assistance therefore: Provided, however, That upon full provision by the component city or municipality concerned to its assessor's office of the minimum personnel, equipment and funding requirements as may be prescribed by the Secretary of Finance, such functions shall be delegated to the said municipal assessor.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 28. *The Provincial Accountant.* – A. No person shall be appointed accountant unless he is a citizen of the Philippines, a resident of the province, of good moral character, and certified public accountant. He must have acquired experience in treasury or accounting service for at least five (5) years.

The appointment of provincial accountant shall be mandatory.

B. The accountant shall take charge of both the accounting and internal audit services of the province, and shall:

1. Install and maintain an internal audit system in the province;

2. Prepare and submit financial statements to the governor and to the sangguniang panlalawigan;

3. Appraise the sanggunian and other local government officials on the financial condition and operation of the provincial government;

4. Certify to the availability of budgetary allotment to which expenditures and obligations may be properly charged;

5. Review supporting documents before preparation of vouchers to determine completeness of requirements;

6. Prepare statements of cash advances, liquidation, salaries, allowances, reimbursements and remittances pertaining to the provincial government;

7. Prepare statements of journal vouchers and liquidation of the same and other adjustments related thereto;

8. Post individual disbursements to the subsidiary ledger and index cards;

9. Maintain individual ledgers for officials and employees of the provincial government pertaining payrolls and deductions;

10. Record and post in index cards details of purchased furniture, fixtures and equipment , including disposal thereof, if any;

11. Account for all issued requests for obligations and maintain and keep all records and reports related thereto; and

12. Prepare journals and the analysis of obligations and maintain and keep all records related thereto.

C. Exercise such other powers and perform such other duties and functions as may be provided by law or ordinances

SEC. 29. *The Provincial Budget Officer*. – A. No person shall be appointed budget officer unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of a college degree preferably in accounting, economics, public administration or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in government budgeting or in any related field for at least five (5) years.

The appointment of the provincial budget officer shall be mandatory.

B. The budget officer shall take charge of the budget office, and shall:

1. Prepare forms, orders and circulars embodying instructions on budgetary and appropriations matters for the signature of the governor;

2. Review and consolidate the budget proposals of different departments and offices of the province;

3. Assist the governor in the preparation of the budget and during the budget hearings;

4. Study and evaluate budgetary implications of proposed legislations and submit comments and recommendations thereon;

5. Submit periodic budgetary reports to the Department of Budget and Management (DBM);

6. Coordinate with the treasurer, the accountant, and the planning and development coordinator for the purpose of budgeting;

7. Assist the sangguniang panlalawigan in reviewing the approved budgets of component cities and municipalities; and

8. Coordinate with the planning and development coordinator in the formulation of the provincial development plan.

C. Exercise such other powers and perform such other duties and functions as may be provided by law or ordinance.

D. The appropriations for personal services of the budget officer shall be provided for in full in the annual budget of the provincial government.

SEC. 30. *The Provincial Planning and Development Coordinator*. – A. No person shall be appointed planning and development coordinator unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of a college degree preferably in urban planning, development studies, economics, public administration, or any related course from a recognized college or university, and a first grade eligible or its equivalent. He must have acquired experience in development planning or any related field for at least five (5) years.

The appointment of a planning and development coordinator shall be mandatory to the provincial government.

B. The planning and development coordinator shall take charge of the planning and development office, and shall:

1. Formulate integrated economic, social, physical, and other development plans and policies for consideration of the local government development council;

2. Conduct continuing studies, researches and training programs necessary to evolve plans and programs for implementation;

3. Integrate and coordinate all sectoral plans and studies undertaken by the different functional groups and agencies;

4. monitor and evaluate the implementation of the different development programs, projects and activities in the province in accordance with the approved development plan;

5. Prepare comprehensive plans and other development planning documents for the consideration of the provincial development council;

6. Analyze the income and expenditure patterns, and formulate and recommend fiscal plans and policies for consideration of the finance committee of the province;

7. Promote people participation in development planning within the province; and

8. Exercise supervision and control over the secretariat of the provincial development council.

C. Exercise such other powers and perform such other duties and functions as may be provided by law or ordinance.

D. The appropriations for the personal services of the planning and development coordinator shall be provided in full in the annual budget of the provincial government.

SEC. 31. *The Provincial Engineer*. – A. No person shall be appointed provincial engineer unless he is a citizen of the Philippines, a resident of the province, of good moral character, a licensed civil engineer. He must have acquired experience in the practice of his profession for at least five (5) years.

The appointment of the provincial engineer shall be mandatory.

B. The provincial engineer shall take charge of the engineering office, and shall:

1. Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in infrastructure development and public works in general of the province;

2. Advise the governor on infrastructure, public works, and other engineering matters;

3. Administer, coordinate, supervise, and control the construction, maintenance, improvement, and repair of roads, bridges, and other engineering public works projects of the province;

4. Provide engineering services to the province, including investigation and survey, engineering designs, feasibility studies and project management; and

5. Exercise technical supervision over all engineering offices of component cities and municipalities.

C. Exercise such other powers and perform such other duties and functions as may be provided by law or ordinance.

SEC. 32. *The Provincial Health Officer*. – A. No person shall be appointed health officer unless he is a citizen of the Philippines, a resident of the province, of good moral character, and a licensed medical practitioner. He must have acquired experience in the practice of his profession for at least five (5) years.

The appointment of a provincial health officer shall be mandatory.

B. The health officer shall take charge of the office on health service, and shall:

1. Supervise the personnel and staff of said office, formulate program implementation guidelines and rules and regulations for the operation of the said office for the approval of the governor, in order to assist him in the efficient, effective and economical implementation of health services program geared to implementation of health-related projects and activities;

2. Formulate measures of the consideration of the sangguniang panlalawigan and provide technical assistance and support to the governor in carrying out activities to ensure the delivery of basic services and provision of adequate facilities relative to health services provided under Section 17 of the Local Government Code of 1991;

3. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with health programs and projects which the governor, is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

4. In addition to the foregoing duties and functions, the health officer shall:

   a. Formulate and implement policies, plans, programs and projects to promote the health of the people of the province;
   b. Advise the governor and the sanggunian on matters pertaining to health;

   c. Execute and enforce all laws, ordinances and regulations relating to public health;
   d. Recommend to the sanggunian, through the provincial health board, the passage of such ordinances as he may deem necessary for the preservation of public health;
   e. Recommend the prosecution of any violation of sanitary laws, ordinances and regulations;
   f. Direct the sanitary inspection of all business establishments selling food items or providing accommodations such as hotels, motels, lodging houses, pension houses, and the like, in accordance with the Sanitation Code;
   g. Conduct health information campaigns and render health intelligence service;
   h. Coordinate with other government agencies and non-governmental organizations involved in the promotion and delivery of health services; and
   i. Exercise general supervision over health offices of component cities and municipalities.

5. Be in the frontline of the delivery of health services, particularly during and in the aftermath of man-made and natural disasters and calamities.

C. Exercise such other powers and perform such other duties and functions as maybe provided by law or ordinance.

SEC. 33. *The Provincial Civil Registrar*. – A. No person shall be appointed civil registrar unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of college degree from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in civil registry work for at least five (5) years.

The appointment of a provincial civil registrar shall be mandatory.

B. The civil registrar shall be responsible for the civil registration program in the province, pursuant to the Civil Registry Law, the Civil Code, and other pertinent laws, rules and regulations issued to implement them.

The civil registrar shall take charge of the office of the civil registry, and shall:

1. Develop plans and strategies and upon approval thereof by the governor, implement the same, particularly those which have to do with civil registry programs and projects which the governor and the sanggunian is empowered to provide under the Local Government code of 1991;

2. In addition to the foregoing duties and functions, the Civil Registrar shall:

   a. Accept all registrable document and judicial decrees affecting the civil status of persons;
   b. File, keep and preserve in a secure place the books required by law;
   c. Transcribe and enter immediately upon receipt all registrable documents and judicial decrees affecting the civil status of persons in appropriate civil registry books;
   d. Transmit to the Office of the Civil Registrar-General, within the prescribed period, duplicate copies of registered documents required by law;
   e. Issue certified transcripts or copies of any certificate or registered documents upon payment of the prescribed fees to the treasurer;
   f. Receive applications for the issuance of marriage license and, after determining that the requirements and supporting certificates and publications thereof for the prescribed period have been complied with, issue the license upon payment of the authorized fee to the treasurer; and
   g. Coordinate with the National Statistics Office in conducting of educational campaigns for vital registration and assist in the preparation of demographic and other statistics for the province.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 34. *The Provincial Administrator.* – A. No person shall be appointed Administrator unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of college degree preferably in public administration, law or any related course from a recognized college or university, a first grade civil service eligible or its equivalent. He must have acquired experience in management and administration work for at least five (5) years.

The term of the administrator is coterminous with that of his appointing authority.

The appointment of an administrator shall be mandatory.

B. The administrator shall take charge of the office of the administrator, and shall:

1. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with the management and administration-related programs and projects which the governor is empowered to implement and which the sanggunian is empowered to provide the Local Government Code of 1991;

2. In addition to the foregoing duties and functions, the administrator shall:

    a. Assist in the coordination of the work of all the officials of the province, under the supervision, direction, control of the governor, and for this purpose, he may convene the chiefs of the offices and other officials of the province;
    b. Establish and maintain a sound personnel program for the province designed to promote career development and uphold the merit principle in the province; and
    c. Conduct a continuing organizational development of the province with the end in view of instituting effective administrative reforms.

3. Be in the frontline of the delivery of administrative support services, particularly those related to the situations during and in the aftermath of man-made and natural disasters and calamities; and

4. Recommend to the sanggunian and advise the governor on all other matters relative to the management and administration of the province.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 35. *The Provincial Legal Officer*. – A. No person shall be appointed legal office unless he is a citizen of the Philippines, a resident of the province, of good moral character, and a member of the Philippine Bar. He must have practiced his profession for at least five (5) years.

The term of the legal officer shall be coterminous with that of his appointing authority.

The appointment of the legal officer shall be mandatory.

B. The legal officer, the chief legal counsel of the province, shall take charge of the office for legal services, and shall:

1. Formulate measures for the consideration of the sanggunian and provide legal assistance and support to the governor in carrying out the delivery of the basic services and provision of adequate facilities as provided for under Section 17 of the Local Government Code of 1991;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with programs and projects related to legal services which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the legal officer shall:

    a. Represent the province in all civil actions and special proceedings wherein the province or any official thereof, in his official capacity is a party: Provided, That, actions or proceedings where a component city or municipality is a party adverse to the provincial government or to another component city or municipality, a special legal officer may be employed to represent the adverse party;
    b. When required by the governor or the sanggunian draft ordinances, contracts, bonds, leases and other instruments, involving any interests of the province; and provide comments on any instruments already drawn;

c. Render his opinion in writing on any questions of law when requested to do so by the governor or the sanggunian;
d. Investigate or cause to be investigated any provincial official or employee for administrative neglect or misconduct in office and recommend appropriate action to the governor or sangguniang panlalawigan;
e. Investigate or cause to be investigated any person, firm or corporation holding any franchise or exercising any public privilege for failure to comply with any term or condition in the grant of such franchise or privilege and recommend appropriate action to the governor or the sanggunian;
f. When directed by the governor or sanggunian, initiate and prosecute, in the interest of the province, any civil action on any bond, lease or other contract upon any breach or violation thereof; and
g. Review and submit recommendations on ordinances approved and executive orders issued by component municipalities.

4. Recommend measures to the sangguniang panlalawigan and advise the governor, on all other matters related to the upholding of the rule of law; and

5. Be in the frontline of protecting human rights and prosecuting any violations thereof, particularly those which occur during and in the aftermath of man-made or natural disasters and calamities.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 36. *The Provincial Agriculture*. – A. No person shall be appointed agriculturist unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of college degree in agriculture or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in a related field for at least five (5) years.

The appointment of a provincial agriculturist shall be mandatory.

B. The agriculturist shall take charge of the office for agricultural services, and shall:

1. Formulate measures for the approval of the sanggunian and provide technical assistance and support to the governor in carrying out said measures to ensure the delivery of the basic services and provision of adequate facilities relative to agricultural services as provided for under Section 17 of the Local Government Code of 1991;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with agricultural programs and projects which the governor is empowered to provide under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the agriculturist shall:

a. Ensure the maximum assistance and access to resources in the productions, processing and marketing of agricultural and aqua-cultural and marine products are extended to farmers, fisherman and local entrepreneurs;

b. Conduct or cause to be conducted location specific agricultural researches and assist in making available the appropriate technology arising of and disseminating information on basic research on crops, prevention and control of plant diseases and pests, and other agricultural matters which will maximize productivity;
c. Assist the governor in the establishment and extension services of demonstration farms or aquaculture and marine products;
d. Enforce rules and regulations relating to agriculture and aquaculture; and
e. Coordinate with government agencies and agencies and non-governmental organizations which promote agricultural productivity through appropriate technology compatible with environmental integrity.

4. Be in the frontline of the delivery of basic agricultural services, particularly those needed for the survival of the inhabitants during and in the aftermath of man-made and natural disasters and calamities; and

5. Recommend to the sanggunian and advise the governor on all matters related to the agriculture and aquaculture which will improve the livelihood and living conditions of the inhabitants.

C. Exercise such other powers and perform such other functions as may be prescribed by law or ordinance.

SEC. 37. *The Provincial Social Welfare and Development Officer.* – A. No person shall be appointed unless he is a citizen of the Philippines, a resident of the province, of good moral character, a duly licensed social worker, or a holder of a college degree preferably in sociology or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in the practice of social work for at least five (5) years.

The appointment of a provincial social welfare and development officer shall be mandatory.

B. The social welfare and development officer shall take charge of the office of the social welfare and development services, and shall:

1. Formulate measures for the approval of the sanggunian and provide technical assistance and support to the governor in carrying out measures to ensure the delivery of basic services and provisions of adequate facilities relative to social welfare and development services as provided under Section 17 of the Local Government Code of 1991;

2. Develop plans and strategies and upon approval by the governor, implement the same, particularly those which have to do with social welfare programs and projects which the governor is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties, the social welfare and development officer shall:

a. Identify the basic needs of the needy, the disadvantaged and the impoverished, and develop and implement appropriate measures to alleviate their problems and improve their living conditions;

b. Provide relief and appropriate crisis intervention for victims of abuse and exploitation and recommend appropriate measures to deter further abuse and exploitation;
c. Assist the governor in implementing the barangay level program for the total development and protection of children up to six (6) years of age;
d. Facilitate the implementation of welfare programs for the disabled, elderly, and victims of drug addiction, the rehabilitation of prisoners and parolees, the prevention of juvenile delinquency and such other activities which would eliminate or minimize the ill-effects of poverty.
e. Initiate and support welfare programs that will enhance the role of the youth in nation-building; and
f. Coordinate with government agencies and non-governmental organizations which have for their purpose the promotion and the protection of all the needy, disadvantaged, underprivileged, or impoverished groups or individuals, particularly those identified to be vulnerable and high-risk to exploitation, abuse and neglect.

4. Be in the frontline of service delivery, particularly those which have to do with immediate relief during, and assistance in the aftermath of man-made and natural disasters or calamities; and

5. Recommend to the sanggunian and advise the governor on all matters related to social welfare and development service which will improve the livelihood and living conditions of the inhabitants.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 38. *The Provincial Environment and Natural Resources Officer.* – A. No person shall be appointed environment and natural resources officer unless he is a citizen of the Philippine, a resident of the province, of good moral character, a holder of college degree preferably in environment, forestry, agriculture, public administration, or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in environmental and natural resources management, conservation and utilization for at least five (5) years.

The appointment of a provincial environment and natural resources officer shall be mandatory.

B. The environment and natural resources officer shall take charge of the office on environment and natural resources, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor in carrying out the measures to ensure the delivery of basic services and provision of adequate facilities relative to environment and natural resources services as provided for under Section 17 of the Local Government Code of 1991;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with environment and natural resources programs and projects which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the environment and natural resources officer shall:

   a. Ensure the maximum assistance and access to resources in the production, processing and marketing of agricultural and aqua-cultural products and marine products are extended to farmers, fishermen and local entrepreneurs;
   b. Establish, maintain, protect and preserve communal forests, watersheds, tree parks, mangroves, greenbelts, commercial forests and similar forest projects like industrial tree farms and agro-forestry projects;
   c. Provide extension services to beneficiaries of forest development projects and technical, financial and infrastructural assistance;
   d. Manage and maintain seed banks and produce seedlings for forest and tree parks;
   e. Provide extension services to beneficiaries of forest development projects and render assistance for natural resources-related conservation and utilization activities consistent with ecological balance.
   f. Promote small-scale mining and utilization of mineral resources, particularly mining of gold; and
   g. Coordinate with government agencies and non-governmental organizations in the implementation of measures to prevent and control land, air and water pollution with the assistance of the Department of Environment and Natural Resources.

4. Be in the frontline of the delivery of basic services concerning the environment and natural resources, particularly in the renewal and rehabilitation of the environment during and in the aftermath of man-made and natural disasters or calamities; and
5. Recommend to the sanggunian and advise the governor on all matters relative to the protection, conservation, maximum utilization, application of appropriate technology and other matters related to the environment and natural resources.

C. Exercise such other powers and perform such other functions as may be prescribed by law or ordinance.

SEC. 39. *The Provincial Veterinarian.* – A. No person shall be appointed veterinarian unless he is a citizen of the Philippines, a resident of the province, of good moral character, and a licensed doctor of veterinary medicine. He must have practiced his profession for at least five (5) years.

The appointment of a provincial veterinarian shall be mandatory.

B. The veterinarian shall take charge of the office for veterinary services, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor in carrying out measures to ensure the delivery of the basic services and provision of adequate facilities pursuant to Section 17 of the Local Government Code of 1991;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with veterinary-related activities which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the provincial veterinarian shall:

   a. Advise the governor on all matters pertaining to the slaughter of animals for human consumption and regulation of slaughterhouses;
   b. Regulate the keeping of domestic animals;
   c. Regulate and inspect poultry, milk and dairy products for public consumption;
   d. Enforce all laws and regulations for the prevention of cruelty to animals; and
   e. Take the necessary measures to eradicate, prevent or cure all forms of animal diseases.

4. Be in the frontline of veterinary-related activities, such as in the outbreak of highly contagious and deadly diseases and in situations resulting in the depletion of animals for work and human consumption, particularly those arising from and in the aftermath of man-made and natural disasters or calamities; and

5. Recommend to the sanggunian and advise the governor on all matters relative to veterinary services which will increase the number and improve the quality of livestock, poultry, and other domestic animals used for work or human consumption.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 40. *The Provincial General Services Officer.* – A. No person shall be appointed general services officer unless he is a citizen of the Philippines, a resident of the Province, of good moral character, a holder of college degree on public administration, business administration or management from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in general services, including management of supply, property, solid waste disposal, and general sanitation for at least five (5) years.

The appointment of a provincial general services officer shall be mandatory.

B. The general services officer shall take charge of the office of the general services, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities pursuant to Section 17 of the Local Government Code of 1991, and which require general services expertise and technical support services;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with general services supportive to the welfare of the inhabitants which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the general services officer shall:

a. Take custody of and be accountable for all properties, real or personal, owned by the provincial government and those granted to him in the form of donation, reparation, assistance and counterpart of joint projects;
b. With the approval of the governor, assign building or land space to provincial officials and other public officials, who by law are entitled to such space;
c. Recommend to the governor, the reasonable rental rates for local government properties whether real or personal which will be leased to public or private entities by the provincial government;
d. Recommend to the governor, the reasonable rental rates for public or private properties which may be leased for the official use of the provincial government;
e. Maintain and supervise janitorial, security, landscaping , and other related services in all local government public buildings and other real property, whether owned or leased by the provincial government;
f. Collate and disseminate information regarding prices, shipping and other costs of supplies and other items commonly used by the provincial government;
g. Perform archival and record management with respect to records of offices and departments of the provinces; and
h. Perform all other functions pertaining to supply and property management heretofore performed by the local government treasurer; and enforce policies on records creation, maintenance and disposal.

4. Be in the front line of general services-related activities, such as the possible or imminent destruction or damage to records, supplies, properties, and structure and the orderly and sanitary clearing up of waste materials or debris, particularly during and in the aftermath of man-made and natural disasters or calamities.

C. Exercise such other powers and perform such other functions as may be prescribed by law or ordinance.

SEC. 41. *The Provincial Cooperatives Officer*. – A. No person shall be appointed cooperatives officer unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of college degree preferably business administration course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have experience in cooperatives organization and management for at least five (5) years.

The appointment of a provincial cooperatives office shall be mandatory.

B. The cooperatives officer shall take charge of the office for the development of cooperatives, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities through the development of cooperatives, and in providing access to such services and facilities;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with integration of cooperatives principles and methods in programs which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the cooperatives officer shall:

   a. Assist in the organization of cooperatives;
   b. Provide technical and the forms of assistance to existing cooperatives to enhance their viability as an economic enterprise and social organization; and
   c. Assist cooperatives in establishing linkages with government agencies and non-governmental organizations involved in the promotion and integration of the concept of cooperatives in the livelihood of the people and other community activities.

4. Be in the frontline of cooperatives organization, rehabilitation or viability enhancement, particularly during and in the aftermath of man-made and natural disasters and calamities, to aid in their survival and, if necessary, subsequent rehabilitation; and
5. Recommend to the sanggunian and advise the governor on all other matters relative to cooperatives development and viability enhancement which will improve the livelihood and quality of life of the inhabitants.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 42. *The Provincial Architect.* – A. No person shall be appointed architect unless he is a citizen of the Philippines, a resident of the province, of good moral character, and a duly licensed architect. He must have practiced his profession for at least five (5) years.

The appointment of a provincial architect shall be optional.

B. The architect shall take charge of the office on architectural planning and design, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to architectural planning and design as provided for under Section 17 of the Local Government Code of 1991;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with architectural planning and design programs and projects which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the architect shall:

   a. Prepare and recommend for consideration of the sanggunian the architectural plan and design for the province or a part thereof, including the renewal of slums and blighted areas, land reclamation activities, the greening of land, and appropriate planning of marine and foreshore areas;
   b. Review and recommend for appropriate action of the sanggunian and the governor, the architectural plan and design submitted by governmental and non-governmental entities or individuals, particularly those for undeveloped, underdeveloped and poorly-designed areas; and

c. Coordinate with government agencies and non-government entities and individuals involved in the aesthetics and the maximum utilization of the land and water within the jurisdiction of the province, compatible with environmental integrity and ecological balance.

4. Be in the frontline of the delivery of basic services involving architectural planning and design particularly those related to the redesigning of spatial distribution of basic facilities and physical structures during and in the aftermath of man-made and natural disasters or calamities; and
5. Recommend to the sanggunian and advise the governor on all matters related to the architectural planning and design as it relates to the total socioeconomic development of the province.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 43. *The Provincial Population Officer.* – A. No person shall be appointed population officer unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of college degree with specialized training in population development from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have experience in the implementation of programs on population development or responsible parenthood for at least five (5) years.

The appointment of a provincial architect shall be optional.

B. The population officer shall take charge of the office on population development, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to the integration of the population development principles and in providing access to said services and facilities;
2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with the integration of population development principles and methods in programs and projects which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the population officer shall:

    a. Assist the governor in the implementation of the constitutional provisions relative to population development and the promotion of responsible parenthood;
    b. Establish and maintain an updated data bank for program operations, development planning and an educational program to ensure the people's participation in and understanding of population development; and
    c. Implement appropriate training programs responsive to the cultural heritage of the inhabitants.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SEC. 44. *The Provincial Information Officer.* – A. No person shall be appointed information officer unless he is a citizen of the Philippines, a resident of the province, of good moral character, a holder of college degree preferably in journalism, mass communications, or any related course from recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in writing articles and research papers, or in writing for print, television or broadcast media for at least three (3) years.

The appointment of a provincial information officer shall be optional.

B. The information officer shall take charge of the office on public information, and shall:

1. Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor in providing the information and research data required for the delivery of basic services and provision of adequate facilities so that the public becomes aware of said service and may fully avail of the same;

2. Develop plans and strategies and, upon approval thereof by the governor, implement the same, particularly those which have to do with public information and research data to support the programs and projects which the governor is empowered to implement and which the sanggunian is empowered to provide for under the Local Government Code of 1991;

3. In addition to the foregoing duties and functions, the information officer shall:

    a. Provide relevant, adequate, and timely information to the provincial government and its residents;
    b. Maintain effective liaison with the various sectors of the community on matters and issues that affect the livelihood and the quality of life of the inhabitants and encourage support for programs of the local and national government;

    c. Assist the governor in the establishment, maintenance and promotion of local area tourism programs and projects; and
    d. Furnish information and data on the province to the government agencies or offices as may be required by law or ordinance and non-governmental organization to be furnished to said agencies and organizations.

4. Be in the front line in providing information during and in the aftermath of man-made and natural disasters and calamities, with special attention to the victims thereof, to help minimize injuries and casualties during and after emergency, and accelerate relief and rehabilitation; and

5. Recommend to the sanggunian and advise the governor on all other matters relative to public information and research data as it relates to total socioeconomic development of the province.

C. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

ARTICLE VIII

THE PROVINCIAL FIRE STATION, THE PROVINCIAL JAIL, THE PROVINCIAL SCHOOL DIVISION, AND THE PROVINCIAL PROSECUTION SERVICE

Sec. 45. *The Provincial Fire Station Service.* – A. There shall be established in the province at least five (5) fire stations with adequate personnel, fire-fighting facilities and equipment, by the Department of the Interior and Local Government (DILG), within two (2) months upon the commencement of the corporate existence of the new province. The provincial government shall provide the necessary land or site of the provincial fire stations.

B. The provincial fire station service shall be headed by a provincial fire marshal whose qualifications shall be as those provided for under Republic Act No. 6975, otherwise known as the Philippine National Police Law.

C. The provincial fire stations shall be responsible for the protection and various emergency services such as rescue and evacuation of injured people at fire-related incidents and in general, fire prevention and suppression measures to secure the safety of life and property of the citizenry.

SEC. 46. *The Provincial Jail Service.* – A. There shall be established and maintained in the province, within two (2) months upon the commencement of the corporate existence of the province by the Department of the Interior and Local Government, a secured, clean, adequately equipped, and sanitary jail facility for the custody and safekeeping of prisoners, any fugitive from justice, or person detained awaiting investigation or trial or transfer to the national penitentiary, and any violent, mentally ill person who endangers himself or the safety of others, duly certified as such by the proper medical health officer, pending the transfer to a mental institution.

B. The provincial jail service shall be headed by a provincial jail warden who must be a graduate of four (4) year course in psychology, psychiatry, sociology, nursing, social work, or criminology who shall assist in the immediate rehabilitation of individuals or detention of prisoners. Great care must be exercised so that human rights of these prisoners are respected and protected, and their spiritual and physical well-being are properly and promptly attended to.

SEC. 47. *The Provincial School Division.* – A. The Department of Education shall within two (2) months from the commencement of the corporate existence of the province herein created, establish and maintain a separate school division in the province whose jurisdiction shall cover the municipalities under the lone legislative district of the province.

B. The provincial school division shall be headed by a division superintendent who must possess the necessary qualifications required by the Department of Education, Culture and Sports.

SEC. 48. *The Provincial Prosecution Office.* – A. There shall be established and maintained a prosecution office by the Department of Justice, within two (2) months upon the commencement of the corporate existence of the province herein created, who shall be headed by a provincial prosecutor and such number of assistant prosecutors as may be necessary, who shall be part of the Department of Justice, and whose qualifications, manner of appointment, rank, salary, and benefits shall be governed by existing laws covering prosecutors in the Department of Justice.

B. The provincial prosecutor shall handle the criminal prosecution in the Municipal Trial Courts in the province as well as in the Regional Trial Courts for criminal cases originating in the territory of the new province, and shall render to and for the province such other services as are required by law or regulation of the Department of Justice.

ARTICLE IX

TRANSITORY AND FINAL PROVISIONS

SEC. 49. *Plebiscite.* – The Province of Liloy shall be created, as provided for in this Act, upon approval by the majority of the votes cast by the voters of the affected areas in a plebiscite to be conducted and supervised by the Commission on Elections (COMELEC) within ninety (90) days from the date of the effectivity of this Act.

The amount necessary for the conduct of the plebiscite shall be taken out of the contingent fund under the current fiscal year's appropriations, with augmentation fund from the Commission on Elections and concerned local government units.

SEC. 50. *Commencement of Corporate Existence.* – The Province of Liloy shall commence its corporate existence upon the election and qualification of the governor, vice governor, and majority of the members of the sangguniang panlalawigan.

SEC. 51. *Officials of the Province of Zamboanga del Norte.* – A. All elective and non-elective provincial and local government officials and employees of the present Province of Zamboanga del Norte shall continue to serve their term of office, perform their duties and functions in the province, until the commencement of the corporate existence of the new province as provided for in Section 9 of this Act.

B. The three (3) incumbent Congressional Representatives of the present province of Zamboanga del Norte shall continue to represent the three (3) existing legislative districts of the province until the expiration of their term of office.

SEC. 52. *Organization of the Provincial Government.* – All provincial appointive positions in the Province of Liloy shall be filled within sixty (60) days pursuant to Section 9 of this Act. This shall be done without prejudice to the officials and employees of the present Province of Zamboanga del Norte, who may wish to serve in the new Province of Liloy.

SEC. 53. *Suspension of Increase in Rates of Local Taxes.* – No increase in the rates of local taxes shall be imposed by the province within the period of five (5) years from its acquisition of corporate existence. Notwithstanding any existing laws or ordinance to the contrary, real property tax in the locality shall not be increased within five (5) years upon its creation into a new province.

SEC. 54. *Proportionate Division.* – Upon the effectivity of this Act, the obligations, funds, assets and other properties of the present Province of Zamboanga del Norte and the Province of Liloy shall be divided proportionately between the Province of Zamboanga del Norte and the Province of Liloy by the President of the Republic of the Philippines upon the recommendation of the Commission on Audit.

SEC. 55. *Application of Laws.* – The provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and other laws as are applicable to provinces shall govern the herein created province insofar as they are not inconsistent with the provisions of this Act.

SEC. 56. *Separability Clause.* – If any part of this Act is declared invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

SEC. 57. *Effectivity.* – This Act shall take effect fifteen (15) days upon its publication in at least two (2) newspapers of general and local circulation.

Approved,