



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 29TH DAY OF APRIL, 2025

PRESENT:

Hon. Jeffrey P. Ferrer	Vice-Governor/Presiding Officer
Hon. Rommel T. Debulgado	Member - 1st District
Hon. Araceli T. Somosa	Member - 1st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2nd District
Hon. Samson C. Mirhan	Member - 2nd District
Hon. Andrew Gerard L. Montelibano	Member - 3rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.
Hon. Richard Julius L. Sablan	Member - ABC Rep.

ON OFFICIAL BUSINESS:

Hon. Manuel Frederick O. Ko	Member - 3rd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6th District
Hon. Jeffrey T. Tubola	Member - 6th District

RESOLUTION NO. 0527
Series of 2025

RESOLUTION DISMISSING THE LETTER FOR RECONSIDERATION REGARDING THE APPROVAL OF APPROPRIATION ORDINANCE NO. 02, SERIES OF 2025, APPROVING THE 2025 SUPPLEMENTAL BUDGET NO. 1 OF THE MUNICIPALITY OF ISABELA IN THE AMOUNT OF FOUR HUNDRED FORTY-THREE MILLION, FIVE HUNDRED THOUSAND PESOS (P443,500,000.00), SIGNED BY SIX (6) COUNCILORS, RELATIVE TO RESOLUTION NO. 0425, SERIES OF 2025, DECLARING AS A VALID ENACTMENT OF APPROPRIATION ORDINANCE NO. 02

Sponsored and Authored by:
*The Joint Committee on Laws, Rules, and Ordinances
and the Committee on Budget, Finance, and Appropriation*

WHEREAS, the Resolution No. 0425, Series of 2025, otherwise known as "RESOLUTION DECLARING AS A VALID ENACTMENT OF APPROPRIATION ORDINANCE NO. 02, SERIES OF 2025, OTHERWISE KNOWN AS "AN ORDINANCE AUTHORIZING AND APPROVING SUPPLEMENTAL BUDGET NO. 1, SERIES OF 2025, IN THE AMOUNT OF FOUR HUNDRED FORTY-THREE MILLION, FIVE HUNDRED THOUSAND PESOS (P443,500,000.00) FOR THE SUPPLEMENTAL OPERATION OF THE MUNICIPALITY OF ISABELA, NEGROS OCCIDENTAL, FOR CALENDAR YEAR 2025, AND FURTHER AUTHORIZING THE MUNICIPAL MAYOR TO UTILIZE THE SAID SUPPLEMENTAL BUDGET", was based on the discussion presented in the thirty-four (34) pages of the Joint Committee Report;

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WHEREAS, under the Joint Committee Report, it was firmly emphasized that under the parliamentary procedure, that when there is no objection, it is presumed that all the members have unanimously agreed to a certain motion, unless challenged by an objection, where a vote of affirmative, negative, and/or abstention, is recorded;

WHEREAS, the Letter was duly signed by six (6) members of the Sangguniang Bayan of the Municipality of Isabela, of whom only one (1) was present during the regular session dated February 19, 2025, when Appropriation Ordinance No. 02 was unanimously approved by the Sangguniang Bayan of Isabela;

WHEREAS, in the same Letter, Hon. Henry A. Foscablo, who previously executed an Affidavit inhibiting himself from any discussion or participation, has now surfaced in this Letter of Reconsideration dated April 15, 2025, duly received by the Sangguniang Panlalawigan of Negros Occidental;

WHEREAS, in the Joint Committee Report, it was emphasized that strict adherence to parliamentary procedure as a governing guideline in all the proceedings of the regular sessions of all Legislative Bodies in the Philippines is enshrined under Section 50(a) of the Local Government Code of 1991, to wit:

Section 50(a): On the first regular session following the election of its members and within ninety (90) days thereafter, the Sanggunian concerned shall adopt or update its existing rules of procedure;

WHEREAS, the Sanggunian concerned shall adopt its existing rules of procedure including parliamentary procedures under Section 50(a), and it is further pointed out under Section 50(b)(4), to wit:

Section 50(b)(4): The parliamentary procedures which include the conduct of members during sessions;

WHEREAS, in compliance with the Local Government Code of 1991, and the customary practices of all Legislative Bodies parliamentary procedure is the governing mandate that is followed accordingly, whether authored by renowned writer, the late Reverendo M. Dihan, MGM, CESO; thus, it is very clear that once a motion is introduced and there is no objection, it is automatically carried unanimously;

WHEREAS, during the hearing at the Sangguniang Panlalawigan conducted on April 2, 2025, all points of arguments presented by both the Anti-thesis and the Pro-thesis were properly, fairly, and legally conducted, where a series of arguments were introduced, as well as other queries raised by the hearing Joint Committee, where the Presiding Officer of the Municipality of Isabela challenged the members during the session after a motion was introduced by Hon. Rene D. Iturriaga, and no objection was raised; thus, it was automatically carried, as "acquiescence" means agreeing to the motion unless challenged by an objection, whereupon a division of the body follows and affirmative, negative, and abstention votes are recorded accordingly;



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WHEREAS, after the facts of the matter were thoroughly established during the hearing conducted on April 2, 2025, the concealed intentions of those who may be against the approval of the loan amounting to Four Hundred Forty-Three Million, Five Hundred Thousand Pesos (₱443,500,000.00), as well as those in favor thereof, were openly divulged following a series of questions, interpellations, and cross-questioning directed at all ten (10) members present, excluding the representative from the Indigenous Peoples sector;

WHEREAS, furthermore, after the facts of the case were laid out, it was found that there were inconsistencies in the deliberation, particularly regarding the presumed objection to the approval of Appropriation Ordinance Nos. 01 and 02, the latter of which was supposedly challenged by an Affidavit of Inhibition submitted by the Hon. Henry A. Foscablo; however, said affidavit has not effected in the actual vote counted, as it was challenged by the Presiding Officer, Hon. Juan Miguel C. Montilla;

WHEREAS, the question of legality now arises, apart from the facts of the matter, in light of Section 56 of the Local Government Code, which provides that only actions conferred by law may be upheld or declared valid or invalid by a reviewing authority such as the 37th Sangguniang Panlalawigan;

WHEREAS, under the principle governing the application of said law, the Sangguniang Panlalawigan concurred in the validation of Appropriation Ordinance No. 02, as the action of the Sangguniang Bayan of Isabela was duly certified as correct and properly enacted by the Secretary to the Sanggunian, Ms. Esperanza T. Mandal, and was duly approved by the Municipal Vice Mayor, Hon. Juan Miguel C. Montilla, and the Municipal Mayor, Hon. Irene C. Montilla;

WHEREAS, the said Ordinance was submitted for review, bearing confirmation that it complied with all procedural and substantive requirements, having received six (6) affirmative votes without any recorded objection or abstention;

WHEREAS, the six (6) affirmative votes surpassed the required number under Article 107(g) of the Implementing Rules and Regulations of the Local Government Code of 1991, which mandates that the vote of the *Qualified Members* is required, there being a *Quorum*;

WHEREAS, both the questions of fact and the application of the pertinent rules and regulations under the law were duly observed and applied, affirming that the submission of Appropriation Ordinance No. 02, approving Supplemental Budget No. 1 in the amount of Four Hundred Forty-Three Million, Five Hundred Thousand Pesos (₱443,500,000.00), is a legislative act that conforms to all legal requirements, particularly under Sections 447 and 16 of the Local Government Code of 1991;

NOW, THEREFORE, on joint motion of Hon. Sixto Teofilo Roxas V. Guanzon Jr. and Hon. Rommel Debulgado, duly seconded *en masse* during the regular session of the Sangguniang Panlalawigan of Negros Occidental,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it is hereby resolves, to pass and approve this Resolution, to wit:



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RESOLVED FURTHER, due to a very clear departure from the traditional, customary, and legal parliamentary procedures that were adopted, and due to the lack of appropriate explanations, the Joint Committee hereby dismisses the Letter of Reconsideration by the six (6) Antithesis Group members, namely, Hon. Francis Y. Malabor, Hon. Henry A. Foscablo, Hon. Arjay D. Ansag, Hon. Eugenio J. Sambrona, Hon. Elsa V. Candelario, and Hon. Alyssa Terese E. Celo, and it is hereby **DENIED** for lack of merit.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. RICHARD JULIUS L. SABLAN
Temporary Presiding Officer

ATTESTED:

APTY. MARK ANGEL O. ASCALON
Provincial Secretary

Note: Hon. Jeffrey P. Ferrer, Vice-Governor/Presiding Officer relinquished the chair to the Temporary Presiding Officer, Hon. Richard Julius L. Sablan.