



REPUBLIC OF THE PHILIPPINES
PROVINCE OF GUIMARAS
OFFICE OF THE 8TH SANGGUNIANG PANLALAWIGAN
San Miguel, Jordan, Guimaras



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE 8TH SANGGUNIANG PANLALAWIGAN, PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL ON JANUARY 09, 2018.

PRESENT:

Hon. John Edward G. Gando -	Vice Governor and Presiding Officer
Hon. Cyril C. Beltran -	SP Member and Majority Floor Leader
Hon David G. Gano -	SP Member and Deputy Majority Floor Leader
Hon. Cresente P. Chavez, Jr. -	SP Member
Hon. Diosdado G. Gonzaga -	SP Member
Hon. Josefina G. de la Cruz -	SP Member
Hon. Rex G. Fernandez -	SP Member
Hon. Aurelio G. Tionado -	SP Member
Hon. Ma. Sheila G. Gange -	Ex-Officio Member (PCL Federation President)
Hon. Aster Brian G. Hiponia -	Ex-Officio Member (Liga ng mga Barangay President)

ABSENT:

Hon. Dan Elby C. Habaña - SP Member

RESOLUTION NO. 11

RESOLUTION AUTHORIZING GOVERNOR SAMUEL T. GUMARIN, MD, MPH AND/OR VICE GOVERNOR ATTY. JOHN EDWARD G. GANDO TO FILE AND INITIATE A CASE DEEMED APPROPRIATE AGAINST THE COMMISSION ON ELECTIONS AND TO APPEAR IN THE PRE-TRIAL OF THE CASE, MAKE STIPULATIONS AND ATTEND SUCCEEDING HEARINGS THEREOF

WHEREAS, Ordinance No. 2017-008 entitled: "An Ordinance Altering the Boundaries of Barangay Inampulogan and Extending the Same to the Island Sitio of Naoway of Barangay San Isidro in the Municipality of Sibunag", thus seeking for the promulgation of guidelines for the conduct of plebiscite was forwarded to the Commission on Elections, Intramuros, Manila;

WHEREAS, the COMELEC in its letter dated 12 August 2017 informed this Honorable Body that upon evaluation there are documents that need to be submitted still;

WHEREAS, Vice Governor Atty. John Edward G. Gando wrote a letter dated 05 September 2017 requesting that the requirements mentioned in the letter dated August 12 of COMELEC be reconsidered to pave the way for the promulgation of guidelines for the conduct of the plebiscite;

WHEREAS, this Honorable Body received a COMELEC minute Resolution No. 17-0637 on their decision denying the Motion for Reconsideration filed by the Honorable Vice Governor, the dispositive portion of which provides: "*After due deliberation, the Commission RESOLVED, as it hereby RESOLVES, to deny the request of Vice Governor John Edward G. Gando of the Province of Guimaras for reconsideration on the documentary requirements for the conduct of plebiscite. RESOLVED, moreover, to approve the recommendation of Deputy Executive Director for Operations Bartolome J. Sinocruz, Jr. to require submission of the foregoing requisite documents for the conduct of plebiscite*";

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ProvinceofGuimaras

WHEREAS, this Honorable Body believes that the alteration of boundaries is not covered by the requirements provided by law as the same is imposed only in so far as creation, merger and division of a local government unit is considered;

WHEREAS, as stipulated under Ordinance 2017-008, "*a plebiscite shall be conducted by COMELEC within 90 days from the effectivity of the ordinance*" and COMELEC has no other option but to follow the provisions of the said ordinance;

WHEREAS, the matter being a pure question of law has to be decided by the court and this Honorable Body deemed it appropriate that the provincial government shall file a proper case against COMELEC for that office to perform an act required of it by law;

NOW THEREFORE, on motion of Hon. Cyril C. Beltran, Chairperson, Committee on Rules and Privileges, Ordinances and Legal Matters, unanimously seconded;

THE 8TH SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to authorize Governor Samuel T. Gumarin, MD, MPH and/or Vice Governor Atty. John Edward G. Gando to file and initiate a case deemed appropriate against the Commission on Elections and to appear in the pre-trial of the case, make stipulations and attend succeeding hearings thereof.

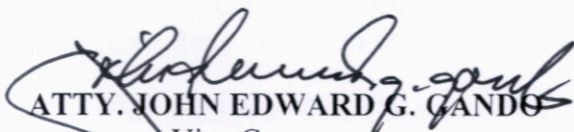
RESOLVED FURTHER, to send a copy of this resolution to the Honorable Governor, COMELEC Central Office, Manila and all other concerned offices for information.

APPROVED: January 09, 2018.


I hereby certify that the foregoing is a true and accurate copy of the resolution which was duly adopted by the 8th Sangguniang Panlalawigan of the Province of Guimaras during its regular session held on January 09, 2018.


LORENA MINIERVA-ITUCAS
Secretary to the Sangguniang Panlalawigan

Attested:


ATTY. JOHN EDWARD G. GANDO
Vice Governor
Presiding Officer

Approved:


SAMUEL T. GUMARIN, MD, MPH
Governor