



Republic of the Philippines
PROVINCE OF AGUSAN DEL SUR
Gov. Democrito O. Plaza Government Center, Prosperidad

SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE 1ST REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF AGUSAN DEL SUR HELD AT ITS SESSION HALL ON JULY 5, 2022 AT 2:36 IN THE AFTERNOON.

Authored by:

MR. SALIMAR T. MONDEJAR

RESOLUTION NO. 348-22

ADOPTING THE INTERNAL RULES OF PROCEDURE OF THE SANGGUNIANG PANLALAWIGAN OF AGUSAN DEL SUR

WHEREAS, pursuant to the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 and Rule XIII, Article 103 of its Implementing Rules, the Sanggunian has the inherent right and obligation of adopting its own rules of procedure for the proper discharge of legislative duties and functions; and for the maintenance of order and proper decorum of the deliberations in the Sanggunian;

NOW THEREFORE, upon motion of Mr. Salimar T. Mondejar, duly seconded by Mr. Nilo D. Manpatilan, be it -

RESOLVED, as it is hereby resolved, to adopt the Internal Rules of Procedure of the Sangguniang Panlalawigan of Agusan del Sur.

RULE I - MEMBERSHIP

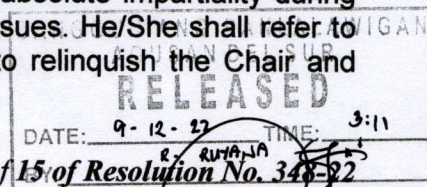
SECTION 1. Composition. The Sangguniang Panlalawigan of Agusan del Sur shall be composed of the Vice Governor as the presiding officer; the Ten (10) regular Sanggunian Members of the two (2) legislative districts; the Four (4) Ex-officio Members namely the Presidents of the Provincial Chapters of the Philippine Councilors League, Liga ng mga Barangay; Sangguniang Kabataan Federation and the Indigenous Peoples Mandatory Representative.

SECTION 2. Term of Office. The term of office of the Regular Members shall be three (3) years, which shall commence, unless otherwise provided by law, at noon of the thirtieth (30th) day of June following their elections.

SECTION 3. Oath of Affirmation. The Members shall take their oath of affirmation, collectively or individually, before they enter into the discharge of their duties. On the part of the Ex-officio Members, they will be governed by Section 438 for the Sangguniang Kabataan Provincial Federation President; Section 494 for the Liga ng mga Barangay Provincial Federation President; and Section 508 (b) for the Philippine Councilors League President, of Republic Act No. 7160, otherwise known as the Local Government Code of 1991. The oath of affirmation of the Indigenous Peoples Mandatory Representative in the Sangguniang Panlalawigan shall be governed by Section 11 of National Commission on Indigenous Peoples (NCIP) Administrative Order No. 03, Series of 2018.

RULE II - PRESIDING OFFICER

SECTION 4. The Presiding Officer. The Vice Governor shall be the Presiding Officer of the Sangguniang Panlalawigan. As such, he/she shall exercise absolute impartiality during sessions and shall announce a ruling in case of a tie vote on all issues. He/She shall refer to himself/herself only in the third person. He/She may be allowed to relinquish the Chair and participate on issues affecting the Chair.



In the event of the inability of the Vice Governor to act as Presiding Officer, the Secretary to the Sanggunian shall call the session to order and immediately cause the Sanggunian Members present, and constituting a quorum, to elect from among themselves a Temporary Presiding Officer. The Temporary Presiding Officer cannot vote even in case of a tie but shall certify within ten (10) days from their enactment of all ordinances and/or resolutions adopted or passed by the Sanggunian in the session over which he/she temporarily presided. In case the Presiding Officer should excuse himself/herself during the session, the Temporary Presiding Officer shall be responsible for the signing of consequent resolutions and ordinances passed and enacted during his/her tenure.

The Sanggunian Secretary shall ensure that a gavel is placed beside the Presiding Officer which symbolizes the authority of the Presiding Officer to conclude a ruling. Likewise, a mace which symbolizes the authority of the Legislative Body has to be installed and in place soon after the Presiding Officer has called the session to order. Such mace has to be removed during recess and upon adjournment of the session.

SECTION 5. Powers and Duties of the Presiding Officer.

- a) Presides over the sessions of the Sangguniang Panlalawigan;
- b) Calls the session to order;
- c) Recognizes properly the Member obtaining the floor;
- d) Makes rulings particularly on points of order, parliamentary inquiry, appeals and requests;
- e) Maintains and preserves order and proper decorum during sessions, and in case of disturbance or disorderly conduct in the hall or within the premises, takes measures as it may deem advisable or as the Sanggunian may direct;
- f) Takes a vote on the pending question and announces the result thereof;
- g) Informs the body of each item of business;
- h) Clarifies issues when needed;
- i) Decides all questions of order, subject to appeal by any Sanggunian Member in accordance with this Internal Rules;
- j) Signs all ordinances, resolutions, memorials, writs, warrants, and subpoena issued by, or upon order of the Sangguniang Panlalawigan;
- k) Adjourns the session properly; and
- l) Exercises such other powers and performs such other functions as may be provided by law, ordinance or regulation.

RULE III - THE SECRETARY

SECTION 6. Powers and Duties of the Secretary. In addition to the duties prescribed by RA 7160, the Sanggunian Secretary:

- a) Attends sessions and public hearing and keeps a journal and minutes of the proceedings;
- b) Prepares the Agenda subject to Rule VIII, Section 36 of this Internal Rules, and certifies the Minutes of the Sanggunian;
- c) Transmits to the proper committee all matters referred to it by the Sanggunian;
- d) Records in a book kept for the purpose, all ordinances and resolutions passed by the Sanggunian with the dates of their enactment and publication;
- e) Sends out notices of meetings and public hearings; and
- f) Submits to the Presiding Officer for his/her signature all ordinances and resolutions passed by the Sanggunian within seven (7) days after session.

RULE IV – SESSIONS

SECTION 7. Paperless Session. All sessions of the Sangguniang Panlalawigan shall be paperless at all times. The Sanggunian Secretary shall ensure that a soft copy of the agenda and all pertinent documents that need to be deliberated during sessions are scanned, hyperlinked to a particular agendum, and uploaded to the individual laptops of all the Members of the Sanggunian at least three (3) working days prior to the day of the session.

SECTION 8. Regular Sessions. The regular session of the Sangguniang Panlalawigan of Agusan del Sur shall be held on a Monday of each week to commence at exactly nine (9:00) o'clock in the morning or as may be decided upon in the immediate preceding session. Should the Regular Session falls on a non-working holiday, it shall be automatically scheduled on the following working day.

SECTION 9. Special Sessions. As often as necessary, when public interest so demands, special sessions may be called by the Provincial Governor or two-thirds vote of all the Members of the Sanggunian. The Sanggunian Secretary must sign the written notice and the same shall be served to the offices of the Sanggunian Members, and through Short Message Service (SMS), inform all the Members of the Sanggunian.

Written notices and SMS shall contain the date, time and purpose of the session. Unless otherwise agreed upon by two-thirds (2/3) vote of the Members present, there being a quorum, no other matters may be considered at a special session except those stated in the notice.

SECTION 10. Attendance in Sessions. Every Member of the Sanggunian shall be present in all sessions, unless expressly excluded by it or necessarily prevented from doing so by sickness or other unavoidable circumstances duly reported to the Sanggunian through the Secretary. The Secretary shall inform the Presiding Officer the whereabouts of the SP Member who cannot attend the session.

SECTION 11. Participations in Sessions. Only Members of the Sanggunian can participate in the discussions of the Sanggunian. However, this rule may be suspended only upon at least two-thirds (2/3) affirmative vote of Members present during a session to allow resource persons to participate in the deliberation.

SECTION 12. Voting. Every Member present in the session shall vote on every question unless he/she inhibits himself/herself on account of personal or pecuniary interest therein.

SECTION 13. Open to Public. Sanggunian sessions, hearings or meetings of any committee shall be open to the public unless a closed-door session is decided or ordered by an affirmative vote of a majority or the Members present, there being a quorum, in the public interest or for reasons of security, decency or morality, or for reasons affecting the dignity of the Sanggunian or any of its Members, or when confidential matters are being considered.

On motion to hold a closed-door session duly approved, the Presiding Officer shall direct the session hall cleared and doors closed.

Only the Secretary and such other persons specifically authorized by the Sanggunian shall be admitted to the closed-door sessions. They shall preserve the secrecy of whatever may be read or said at the session.

SECTION 14. Adjournment and Suspension of Sessions. Sessions of the Sanggunian shall not be adjourned except by direction of the Sanggunian itself through a motion to adjourn. The Presiding Officer may, in his/her discretion, declare a recess during sessions.

SECTION 15. Opening and Adjournment to be entered in the Minutes. The exact hour of opening and adjournment of a session shall be entered in the Minutes.

RULE V - SESSION HALL

SECTION 16. The Venue of the Sessions. All sessions of the Sanggunian shall be held at the session hall of the Sangguniang Panlalawigan or in any other venues as maybe agreed upon by the Sanggunian.

SECTION 17. Use of Session Hall. The session hall shall be used only for sessions, caucuses and meetings of Members, except when the Presiding Officer/Vice Governor directs otherwise.

RULE VI - ROLL CALL AND QUORUM

SECTION 18. Roll Call. Upon calling the roll, the names of Members shall be called alphabetically by full names except the Vice Governor.

SECTION 19. Quorum. A majority of all the Members of the Sanggunian present who have been elected and qualified shall constitute a quorum to transact official business. Should a question of quorum be raised during session, the Presiding Officer shall immediately proceed to call the roll of the Members and thereafter announce the results.

Section 20. Computing a Quorum. Quorum is computed based on the number of actual membership of incumbents. This must be limited to actual Members who are not incapacitated to discharge their duties by reason of death, incapacity, or absence from the jurisdiction of the organization, or for other causes which make attendance of the Member concerned impossible even through coercive process. In the absence of a Quorum no business can be transacted with legal effect even with the unanimous consent of those present.

SECTION 21. Absence of Quorum. Where there is no quorum, the Presiding Officer may declare a recess until such time as a quorum is constituted, or a majority of the 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 to fetch the absent member and present him at the session.

If there is still no quorum despite the enforcement of the foregoing, no business shall be transacted. The Presiding Officer, upon proper motion duly approved by the Members present, shall declare no session for lack of quorum.

RULE VII- COMMITTEES, THEIR COMPOSITION, POWERS AND SCOPE

SECTION 22. Standing Committees. The Sanggunian shall have standing committees which shall examine, investigate, hold meetings or hearings or otherwise take action on matters referred to them by the Sanggunian.

SECTION 23. Composition. Each committee shall be composed of a Chairman, Vice Chairman and three Members.

SECTION 24. Standing Committees of the Sanggunian, their Power and Scope

- a) **Committee on Rules and Privileges.** All matters relating to the rules of the Sanggunian; the calendar of business as well as parliamentary rules and procedures, and the order and manner of transacting business and the creation of the different committees.
- b) **Committee on Ways and Means.** All matters relating to taxes, fees, charges, loans; study and revision of tax measures; generation of other sources and forms of revenue from both public and private sectors, and codification of revenue ordinances.

- c) **Committee on Budget, Finance and Appropriations.** All matters relating to the finances of the provincial government and approval of the budget; appropriation of funds or payment of obligations; determination of compensation and other emoluments of personnel; reorganization of local offices; allocation of funds for projects and other services.
- d) **Committee on Economics, Trades, Industry and Cooperatives.** All matters relating to economics, trades, industry and cooperatives, both municipal and provincial based, cooperative movement and development, including financial assistance and the establishment of non-governmental organizations and people's organizations and their accreditation.
- e) **Committee on Health and Sanitation.** All matters relating to health, sanitation and hygiene; health centers, medical hospitals and clinics; other health and sanitary measures and issues.
- f) **Committee on Education.** All matters relating to education, Scholarship Program, local schools, colleges and universities, libraries and museums, non-formal and community adult education; scientific and cultural research; development and advancement, preservation and enrichment of Filipino arts and culture.
- g) **Committee on Social Welfare, Gender and Development.** All matters relating to the protection of family; measures to protect humanity by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and potentials; measures to protect the rights of spouses and children; including assistance for proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development, measures to protect the rights of families or family associations to participate in the planning and implementation of policies and programs that affect them; and other assistance that will safeguard the development of women and family; and all matters related to public and social welfare and ameliorative services; public social services for the disadvantaged groups in Philippine society including the elderly, the disabled, street children, drug dependents, criminal offenders as well as relocation and resettlement of squatters.
- h) **Committee on Environment and Natural Resources.** All matters relating to the conservation and protection of the environment, the regulations of the impact of human activities on the same, the promotion of environmental awareness of our citizens, the renewal of resources in damaged ecosystems and other environment related issues; and all matters relating to the administration, management, development, protection, exploration, storage, renewal, regulation and licensing, and wise utilization of the province's national reserves including, but not limited to, forest, mineral, public land, and the development of industries based on these resources.
- i) **Committee on Labor and Employment.** All matters relating to labor disputes and conciliation, local and foreign labor employment and manpower development, maintenance of industrial cooperation; labor education, standards and statistics; organization of labor market, including recruitment; training and placement of workers and employment, manpower promotion, and development of labor-intensive technology.
- j) **Committee on Peace and Order and Disaster Preparedness.** All matters relating to police matters, maintenance of peace and order, protective services; fire prevention and control measures; illegal drugs, and disaster risk reduction and management.
- k) **Committee on Agriculture, Fisheries and Aquatic Resources and Food Security.** All matters relating to agriculture, food production and agri-business; agricultural economic research, soil survey and conservation, agricultural education and extension services; animal industry and livestock quarantine, farm credits; fisheries and aquatic resource preservation and development of fishing grounds and construction of fish ponds and regulatory measures.

- l) **Committee on Transportation and Communication.** All matters relating to planning, modernization, installation and construction of transportation and telecommunications facilities, transportation tariffs, traffic rules and regulations, and communication franchises.
- m) **Committee on Public Works, Infrastructure, Public Housing and Land Use.** All matters relating to planning, construction, maintenance, improvement and repair of public buildings, highways, roads and bridges, parks, monuments, playgrounds, and other public edifices, public housing, drainage, sewerage and flood control and protection; and irrigation and water utilities, measures on CLUPs of component city and municipalities.
- n) **Committee on Youth and Sports Development.** All matters relating to the promotion and protection of the youth's physical, moral, spiritual, intellectual, and social well-being; inculcation of patriotism and nationalism among the youth and their involvement in public and civic affairs, development of sports program, amateur sports and competition in youth sectors.
- o) **Committee on Justice and Human Rights.** All matters relating to the administration of justice, civil courts, legal aid, adult probation, human rights, rebel returnees, and jail management.
- p) **Committee on Civil Service.** All matters relating to the operations, rules and regulations of the Civil Service and the status of officers and employees of the government, including their retirement, pension and gratuity, salaries and other emoluments; creation of government offices and positions which include the human resource management.
- q) **Committee on Tourism, Culture and the Arts.** All matters relating to tourism activities, and the development and preservation of culture and the arts.
- r) **Committee on Barangay Affairs.** All matters relating to the creation, operation and development of barangays including boundary conflicts within the Province.
- s) **Committee on Agrarian Reform.** All matters relating to the implementation of the Comprehensive Agrarian Reform Program and related issuances; uphold partnership among government agencies, non-government organizations and people's organizations; undertake measures to facilitate the delivery of support services to the agrarian reform communities and to the Province in general; make recommendations on pressing problems, issues and concerns; and integrate and harmonize development efforts of all agencies and sectoral organizations.
- t) **Committee on Ethics and Good Government.** All matters relating to the conduct, behavior, dignity, integrity and reputation, and all matters affecting the performance and behavior of all provincial officials and employees.
- u) **Committee on Moral Recovery and Values Formation.** All matters relating to moral recovery and values formation program.
- v) **Committee on Indigenous Peoples.** All matters relating to Indigenous cultural communities, and the development and preservation of culture and traditions of the Indigenous Peoples.
- w) **Committee on Ordinance and Style and Legal Matters.** All matters relating to ordinance and style; questions on legalities of issues affecting the local government operations.

SECTION 25. Measures Covering More than One Committee. Whenever a measure covers subject matters falling within the jurisdiction of more than one committee, the measure shall be referred by the Plenary to a Joint Committee, where one shall act as Lead Committee.

SECTION 26. Limitations. No Sanggunian Member shall be a Chairman or Vice Chairman of more than three (3) standing committees. No Member of a committee shall act upon or participate in any matter in which he has a special, direct, or indirect pecuniary interest.

SECTION 27. Special Committees. The Sanggunian may create special committees as it may deem necessary. The Officers and Members of special committees shall likewise be elected by the majority vote of all the Sanggunian Members.

SECTION 28. The Sangguniang Panlalawigan as a Quasi-Judicial Body. The Sangguniang Panlalawigan is automatically converted into a Quasi-Judicial Body as soon as an administrative complaint against any City/Municipal official is lodged before the august Body, or appeals from the decision of the Sangguniang Bayan pertaining to cases involving barangay officials.

SECTION 29. The Legislative Research Staff. The Legislative Research Staff is a research arm of the Sanggunian, whose Members are experienced in the fields of policy science and research and who are adequately knowledgeable on the varied subjects of legislation that are brought to the attention of the sanggunian for appropriate legislative action.

The Composition of the Legislative Research Staff are the following:

Chairman	: Secretary to the Sanggunian
Co-chairman	: Provincial Government Assistant Department Head
Members	: Two (2) Local Legislative Staff Officer V Two (2) Local Legislative Staff Officer IV Board Secretary III

SECTION 30. Vacancy in the Sanggunian Committee/s. Whenever a vacancy occurs or is declared to exist in any of the Committees, the same shall be filled by election among the Sanggunian.

SECTION 31. Committee Meetings or Hearings. The committee shall meet as often as necessary. Committee meetings or hearings shall not only be held in public buildings but also in public places. Any two (2) Members present will constitute a quorum.

SECTION 32. The Committee Chairman. Committee Chairman sets date of hearings/meetings in writing, inviting for the purpose the committee members and other personalities who may have something to do with the measure being taken up. He/She prepares or causes to prepare the committee report of the committee's findings and recommendations, if any.

SECTION 33. Committee Reports and Orders. Committee Reports and/or orders on any ordinance or resolution shall be considered in sessions and must be in writing and signed by the Chairman, Vice Chairman and all Members present during the Committee Meeting/Hearing.

A Committee Member who was absent during the hearing/meeting shall be deprived from asking questions during the delivery of the Committee Report.

SECTION 34. Committee Reporting Format. Committee Reports shall be made in the following manner and format:

- A. Reporting - A Committee Report may be read either by the reporting Committee Chairman, Committee Member, or by the Secretary (if a copy thereof has been furnished to the Secretary). If the report is too long and would consume a lot of time, the Body may decide to instruct the reporter to read only the findings, conclusions and recommendations contained in the report.

B. Format

1. Date of Report;
2. Name of the reporting committee;
3. Date when the Committee Hearing was conducted;
4. Date when the measure was referred;
5. Subject matter;
6. Findings;
7. Recommendations; and
8. Names and signatures of the Chairman, Vice Chairman, and the concurring Members of the Committee.

SECTION 35. Minority Report. Any Member who disagrees with the majority decision may submit a dissenting opinion in the form of a minority report which shall, likewise, be submitted to the august Body.

RULE VIII - ORDER AND CALENDAR OF BUSINESS

SECTION 36. Order of Business. The Order of Business shall be:

- A) Call to Order;
- B) Invocation;
- C) Singing of the Philippine National Anthem;
- D) Recitation of the Panunumpa ng Katapatan sa Watawat ng Pilipinas;
- E) Recitation of the PBMLP Creed;
- F) Roll Call;
- G) Adoption of the Minutes of the Previous Session;
- H) Privilege Hour;
- I) Question Hour;
- J) Visitor's Hour;
- K) Period of Inclusion;
- L) Adoption and Approval of the Proposed Measures Introduced during the Period of Inclusion;
- M) Calendar of Business:
 - M.1 Unfinished Business
 - M.2 Business for the Day
 - a. Resolutions/Ordinances for First Reading;
 - b. Resolutions/Ordinances for Second Reading;
 - c. Resolutions/Ordinances for Third Reading;
 - d. Messages and Communications; and
 - e. Petitions and Memorials.

M.3 Unassigned Business

- N) Committee Report;
- O) Review of Municipal Resolutions/Ordinances pursuant to Section 56 of R.A. 7160;
- P) Period of Announcement; and
- Q) Adjournment.

SECTION 37. Session Preliminaries. The singing of the Philippine National Anthem, Recitation of the Panunumpa ng Katapatan sa Watawat ng Pilipinas and Recitation of the PBMLP Creed shall be observed every first regular session of the month; unless waived.

SECTION 38. Administrative Matters. The Sanggunian may discuss other matters during a regular session but it shall be limited strictly to administrative matters. Introduction of other measures not included in the prepared calendar of business is not allowed.

SECTION 39. Adoption of Minutes. The minutes of each session shall be submitted to the Sanggunian for correction and adoption. Every Friday, all Members of the Sanggunian shall be furnished soft copy of the minutes of the proceedings of the previous session.

SECTION 40. Calendar of Business. The Calendar of Business shall consist of the following parts:

- a) Unfinished Business. Business being considered by the Sanggunian at the time of its last adjournment. Its consideration shall be presumed until such unfinished business is disposed of. Thereafter, the Presiding Officer shall call for the business for the day.
- b) Business for the Day. Proposed ordinances, resolutions and other measure set in the Calendar for consideration on that day to be considered in the order in which they are listed in the calendar.
- c) Unassigned Business. Proposed ordinances, resolutions and other measures reported out by committee but not calendared earlier.

Any business included in this part of the Calendar may be set for consideration on motion of a member with unanimous approval of the Sanggunian Members present at a session, there being a quorum.

RULE IX - ORDINANCES AND RESOLUTIONS

SECTION 41. Ordinances and Resolutions, Distinguished. Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are of temporary character shall be passed in the form of resolutions; matters relating to proprietary functions and to private concerns shall also be noted upon by resolutions.

SECTION 42. Essential Parts of Ordinances and Resolutions. Proposed ordinances and resolutions shall be in writing and shall contain an assigned number, a title or caption and enacting or ordaining clause and the date of its effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for its approval. It shall be signed by the author or authors and submitted to the Secretary who shall enter it in the Agenda.

SECTION 43. Inclusions. All urgent matters that are not included in the Agenda shall be admitted as inclusions, provided that they are presented with Certificate of Urgency duly signed by the Governor. Committee Reports will only be allowed under inclusions if they are to address urgent need of the Executive, duly certified by the Governor as such.

The Sanggunian, likewise, may on motion made by the Chairman or Member of the Committee concerned, consider a proposed ordinance or resolution as urgent and consideration thereof shall be scheduled according to a timetable.

If said motion is approved, the Sanggunian shall forthwith prepare a detailed timetable fixing the date on or before which the proposed ordinance or resolution must be reported by the Committee concerned, the number of days or hours to be allotted to the consideration of the measure for Second Reading and the date and hour at which proceedings must be concluded and final vote on said measure is taken.

SECTION 44. Second Reading and Debate. No proposed ordinance or resolution shall be considered on Second Reading in any regular session unless it has been reported out by the proper committee to which it was referred or certified as urgent by the Provincial Governor.

The same shall be read in full with amendments proposed by the Committee, if any, unless copies thereof have been distributed earlier and such reading is dispensed with. Thereafter, the proposed ordinance or resolution shall be subject to debate and pertinent motions.

SECTION 45. Debate and Closure of Measure. In discussion of any measure, a motion to close the debate shall be in order after two speeches for and one against, or after only one speech has been delivered and none entered against it.

When several Members have registered or signified their intention to speak on the matter under consideration and when said matter has been sufficiently and thoroughly discussed by the Member speaking, the Presiding Officer, *motu proprio*, or upon motion of a Member, order that Member having the floor shall desist from speaking further so that other Members may not be deprived of their opportunity to speak.

SECTION 46. Five-Minute Rule. After the close of debate, the Sanggunian shall proceed to the consideration of committee amendments. A Member who desires to speak for or against an amendment shall have only five (5) minutes to do so.

The five-minute rule shall apply, likewise, in the consideration of an amendment, or of an amendment by substitution.

SECTION 47. Approval of Measure on Second Reading. The Sanggunian Secretary shall distribute copies of the measure from the Author to each Sanggunian Member, except when a measure certified by the Provincial Governor as urgent may be submitted for final voting, immediately after debate and/or amendments during the Second Reading.

After the amendments have been acted upon, the proposed ordinance or resolution shall be voted on Second Reading.

SECTION 48. Third Reading. A proposed ordinance or resolution approved on second reading shall be included in the Calendar under Third Reading.

No ordinance shall be approved unless it has passed three readings and copies thereof in its final form have been distributed to the Members before its passage, except when the Provincial Governor or the Sanggunian certifies as to the necessity of its immediate enactment to meet a public calamity or emergency. Upon the Third Reading of a proposed ordinance or resolution, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter and the ayes and nays entered in the minutes.

Upon the passage of all ordinances or resolutions, the Sanggunian Secretary shall record the "Yes" and "No". Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.

SECTION 49. Special Provisions on the Budget Ordinance. The Sanggunian shall in no case increase the appropriation of any project or program of any office of the Province of Agusan del Sur over the amount submitted by the Provincial Governor in his/her budget proposal.

After the Provincial Governor shall have submitted the annual general appropriations measure, supplemental budget appropriation measure, shall be considered only if supported by actually available funds as certified to by the local treasurer or by funds to be raised by corresponding revenue proposals included therein.

SECTION 50. Approval by the Provincial Governor. Every ordinance passed by the Sanggunian shall be forwarded in hard copies only to the Provincial Governor for approval. He/She shall affix his/her initial along with the initials of the Vice Governor and Secretary on each and every page of the ordinance and the word "approved" shall appear with his/her signature on the last page thereof. The same shall be done on resolutions approving the provincial development plan and public investment program passed for his/her approval.

Within fifteen (15) days after receipt of the ordinance or resolution approving the provincial development plan and public investment program, the Provincial Governor shall return the said ordinance or resolution to the Sanggunian with either his/her approval or his/her veto. If he/she does not return it within that time, the ordinance or resolution shall be deemed as if he/she had signed it.

SECTION 51. Review by the Sangguniang Panlalawigan. Within thirty (30) calendar days after receipt of copies of such ordinances and resolutions, the Sangguniang Panlalawigan shall examine the documents or transmit them to the Provincial Legal Officer or if there be none, to the Provincial Prosecutor for prompt examination. The Provincial Legal Officer or Provincial Prosecutor shall, within a period of ten (10) days, from receipt of the documents, inform the Sangguniang Panlalawigan in writing of his/her comments or recommendations, which may be considered by the Sangguniang Panlalawigan in making its decision.

If the Sangguniang Panlalawigan finds that such an ordinance or resolution is beyond the power conferred upon the Sangguniang Bayan concerned, it shall declare such ordinance or resolution invalid in whole or in part. The Sangguniang Panlalawigan shall enter its action in the Minutes and shall advise the corresponding municipal authorities of the action it has taken.

If no action has been taken by the Sangguniang Panlalawigan within reglementary period after submission of such an ordinance or resolution, the same shall be presumed consistent with law and therefore deemed valid.

SECTION 52. Effectivity of Ordinance or Resolution. Unless otherwise stated in the ordinance or the resolution, effectivity shall be upon the date of approval by the Provincial Governor. Copy thereof, when required by law, shall be published and or posted in a bulletin board at the entrance of the Provincial Capitol, and in at least two (2) other conspicuous places in the province.

RULE X - DECORUM AND DEBATE

SECTION 53. Manner of Addressing the Presiding Officer and Members. When a Member desires to speak, he/she respectfully address the Chair, "Mr./Madam Presiding Officer". Members are addressed with "Mr" and "Ms".

SECTION 54. Recognition of Member to Speak. When two (2) or more Members rise at the same time, the Presiding Officer shall recognize the Member who is to speak first. No Member of the Sanggunian shall take the floor without having been formally recognized by the Presiding Officer. Words uttered by an unrecognized Member shall not be included by the Secretary in the journal or minutes.

SECTION 55. Time Limit for Speeches. Except during privilege hour when a Member is allowed ten (10) minutes, no Member shall occupy more than ten (10) minutes in debate on any question or speak for more than once on any question. During the period of interpellation, the time spent by a speaker shall not be counted against the time of the Member speaking. There shall be no two-privilege speeches in one setting. Only three (3) speakers allowed in the interpellation, two "pros" and one "cons".

SECTION 56. Sponsor to Open and Close Debate. The Member reporting a measure under consideration from a Committee may open and close the debate thereon. If the debate should extend beyond one session day, he/she shall be entitled to an additional fifteen (15) minutes to close.

SECTION 57. Decorum to Open and Close Debate. In all cases, the Member who has obtained the floor shall confine himself/herself to the question under debate, avoiding personalities. He/She shall refrain from uttering words, or performing acts which are inconsistent with decorum.

If it is requested that the Member be called to order for words spoken in debate, the Members making such request shall indicate the words excepted to, and they shall be taken down in writing by the Secretary and read aloud. The Member who uttered such words shall not be held to answer, nor be subject to censure by the Sanggunian if further debate or other business has intervened.

SECTION 58. Dress Code and Deportment during Session. During regular session, the Members shall observe proper decorum. The attire of the male members during session shall be Barong Tagalog, long or short sleeves, slacks and leather shoes. Lady Barong shall be required for female members. Smart casual attire shall be worn during special sessions, unless agreed otherwise.

While the Presiding Officer is addressing the Sanggunian or putting a question, no Member shall walk out or walk across the session hall.

All cellular phones must be on silent mode when the Sanggunian is on session.

SECTION 59. Discipline of Members. In case of disorderly behavior of a Member or absences without justifiable cause for four (4) consecutive sessions and four (4) consecutive hearings, the Sanggunian may censure, reprimand, or exclude from the session, or suspend for not more than sixty (60) days, or expel the erring Member. However, the penalty of suspension or expulsion shall require the concurrence of at least two-thirds (2/3) vote of all Sanggunian members. A Member convicted by final judgment to suffer an imprisonment of at least one (1) year for any crime involving moral turpitude shall be automatically expelled from the Sanggunian.

The case of an erring Member shall be referred to the committee on ethics and good government for investigation. The committee shall conclude its investigations within thirty (30) calendar days from the date of referral and submit its committee report to the plenary. If the respondent is a Member of the Committee on Ethics and Good Government, he/she shall participate in all hearings and investigations as a respondent only.

RULE XI - VOTING AND MOTIONS

SECTION 60. Manner of Voting. The Presiding Officer shall put a question, saying "As many as are in favor of (as the question may be) say "yes" and, after the affirmative vote is counted, "As many as are opposed, say "no".

An abstention shall not be counted as a vote. Unless otherwise provided by law or by these Rules, a majority of those voting, a quorum being present, shall decide the issue.

SECTION 61. Nominal Voting. The "Yes" and "No" on a question shall be entered in the Minutes.

SECTION 62. Explanation of Vote. A Member may explain his/her vote in not more than three (3) minutes.

SECTION 63. No Interruption during Voting Execution. The voting shall not be interrupted except on a question of quorum.

SECTION 64. Tie Vote. In case of a tie, the Presiding Officer, except when he/she is temporary, shall break the tie. A tie on an appeal from the ruling of the Chair sustains the decision of the Chair.

SECTION 65. Who May Move for Reconsideration. When a motion, report or proposed measure is adopted or lost, it shall be in order for a Member who voted with the majority to move for the reconsideration thereof on the same or succeeding session day. Such motion shall take precedence over all other questions, except a motion to adjourn, to raise a question of privilege and a call to order.

SECTION 66. Recording of Motion. Every motion shall be entered in the Minutes with the name of the Member making it, unless it is withdrawn on the same day.

SECTION 67. Reading and Withdrawal of Motions. When a motion is made, the Presiding Officer shall state it before being debated. Except as herein otherwise provided, a motion may be withdrawn anytime before its approval or amendment.

SECTION 68. Precedence of Motions. When a question is under debate, no motions shall be entertained except to:

- a) Adjourn;
- b) Raise a question;
- c) Declare a recess;
- d) Lay on the table;
- e) Postpone to a certain day, which foregoing motions shall be decided without a debate; and
- f) Motions to refer, amend or postpone indefinitely which shall be decided subject to the five-minute rule.

The above-mentioned motions shall have precedence in the foregoing order. No motion to postpone to any day certain, or refer, or postpone indefinitely, having failed passage, shall again be allowed on the same day.

SECTION 69. Motion to Adjourn. Motion to adjourn shall always be approved by majority of the Members. No debate is entertained in a motion to adjourn.

SECTION 70. Amendments. When a motion or proposition is under consideration, a motion to amend that amendment shall be in order. It shall also be in order to offer further amendment by substitution, but it shall not be voted upon until the original motion or proposition is perfected. Any of said amendments may be withdrawn before a decision is had thereon.

SECTION 71. Rider Prohibited. No motion or proposition on a subject different from that under consideration shall be allowed under color of amendment.

SECTION 72. Motion to Cover One Subject Matter. No motion shall cover more than one subject matter.

SECTION 73. Amendment to Title. Amendments to the title of a proposed ordinance or resolution shall not be in order until after the text thereof has been perfected. Amendments to the title shall be decided without debate.

SECTION 74. Point of Order. A motion to read any part of the rules is equivalent to a point of order and takes precedence over any motion other than to adjourn.

SECTION 75. Question of Privilege. Question of privilege are:

- a) Those affecting the rights of the Sanggunian; its safety, dignity and integrity of its Members; and
- b) Those affecting the rights, reputation and conduct of the Members, individually, in their capacity as such Members;

Subject to the five-minute rule, questions of privilege shall have precedence over all other questions, except a motion to adjourn.

SECTION 76. Privilege Question. Privilege questions are those motions or subject matters, which, under the Rules, take precedence over other motions and subject matters.

RULE XII- SUSPENSION OF THE RULES

SECTION 77. Suspension of the Rules. Any Member of the Sanggunian may move for the suspension of the Rules.

SECTION 78. Interruption of Motion. When a motion to suspend the Rules is pending, one motion to adjourn may be entertained. If it is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend.

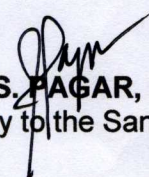
SECTION 79. Effect of Suspension of the Rules. If the Sanggunian vote to suspend the Rules, it shall forthwith proceed to consider the measure. A two-thirds (2/3) vote of the Members present shall be necessary for the passage of said measure, a quorum being present.

RULE XIII – AMENDMENTS

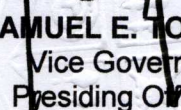
SECTION 80. Amendments. Any portion of this Internal Rules may be amended by a two-thirds (2/3) vote of all the Sanggunian Members.

ADOPTED.

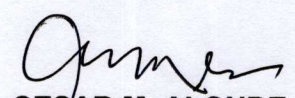
I hereby attest to the correctness of the foregoing resolution.

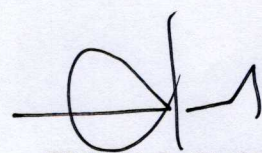

CECILE S. PAGAR, DM-HRM
Secretary to the Sanggunian

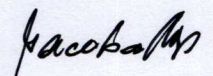
CERTIFIED:


SAMUEL E. TORTOR
Vice Governor
Presiding Officer

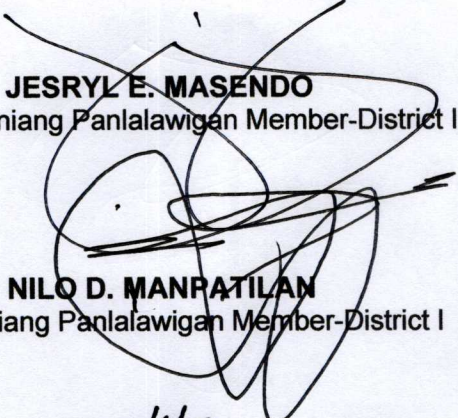
CONCURRED BY:


CESAR M. ALONDE
Sangguniang Panlalawigan Member-District I

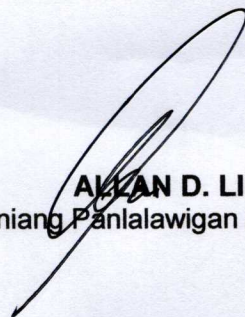

EDWIN G. ELORDE
Sangguniang Panlalawigan Member-District II


GINA A. CEBALLOS
Sangguniang Panlalawigan Member-District I


JOSEPH D. PLAZA
Sangguniang Panlalawigan Member-District II

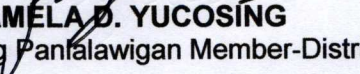


JESRYL E. MASENDO
Sangguniang Panlalawigan Member-District I




ALLAN D. LIM
Sangguniang Panlalawigan Member-District II

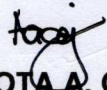
NILO D. MANPATILAN
Sangguniang Panlalawigan Member-District I



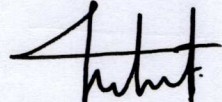
PAMELA D. YUCOSING
Sangguniang Panlalawigan Member-District II



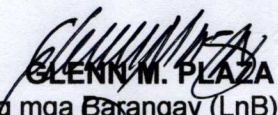
EDGAR O. GA
Sangguniang Panlalawigan Member-District I



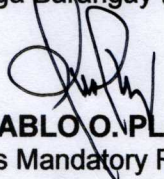
AVALOTA A. CEJAS
Sangguniang Panlalawigan Member-District II




SALIMAR T. MONDEJAR
President, PCL Federation, Agusan del Sur Chapter



GLENN M. PLAZA
President, Liga ng mga Barangay (LnB) Provincial Chapter



PABLO O. PLAZA
Indigenous Peoples Mandatory Representative (IPMR)



DOREEN PAMILE M. DAIGDIGAN
President, Sangguniang Kabataan (SK) Provincial Federation