

REPUBLIC OF THE PHILIPPINES
ORMOC CITY

Office of the Municipal Board

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY
THE MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, IN ITS
SESSION HALL ON JANUARY 5, 1952

PRESENT:

His Honor, Lucilo A. Conui.....Presiding Officer
Hon. Marcelo D. Bandalan.....Vice Mayor
" Inaki Larrasabal.....City Councilor
" Victorino C. Teleron....." "
" Guillermo T. Parrilla...." "
" Esteban C. Conejos....." "
" Jorge S. Tan....." "
" Usualdo F. Laguitan....." "
" Teotimo Ocubillo....." "
" Alvaro I. Gutierrez....." "

ABSENT:

N o n e

RESOLUTION NO. 15

WHEREAS, Councilor Inaki Larrasabal suggested the Honorable Body to pass a resolution to empower the Blue Ribbon Committee to investigate the Fire Chief of Ormoc City, Mr. Agapito B. Villasin as to the status of the collections he made for the purchase of a jeep which would be utilized by the Fire Department of Ormoc City;

NOW THEREFORE, The Board, on motion of Councilor Inaki Larrasabal, seconded by Councilor Teotimo Ocubillo;

BE IT RESOLVED, as is hereby resolved, to empower the Blue Ribbon Committee of the Municipal Board, Ormoc City to investigate the Fire Chief of Ormoc City, Mr. Agapito B. Villasin, as to the status of the collections he made for the purchase of a jeep which would be utilized in the Fire Department of Ormoc City;

FINALLY RESOLVED, to furnish copy of this resolution each to the City Mayor, Ormoc City; City Treasurer, Ormoc City; City Auditor, Ormoc City; the Chairman, Blue Ribbon Committee, Ormoc City, and Fire Chief, Ormoc City.

CARRIED.

I HEREBY CERTIFY to the correctness of the above quoted resolution.

Felipe T. Capuyan
FELIPE T. CAPUYAN
Actg. Secretary

APPROVED AS TO PROCEEDINGS:

LUCILO A. CONUI
City Mayor
Presiding Officer

COPY FURNISHED:

The City Mayor, Ormoc City
The City Treasurer, Ormoc City
The City Auditor, Ormoc City
The Chairman, Blue Ribbon Committee, Ormoc City
The Fire Chief, Ormoc City

(over)

Jan. 1952
(Resolution No. 15 Cont'd)

Page Two

ATTESTED AS TO PROCEEDINGS:

TEOFILO C. MALINAO
Acting Secretary to the City Mayor

7/ftc

VETO OF RESOLUTION NO. 15, CURRENT
SERIES, OF THE HONORABLE MUNI-
CIPAL BOARD OF ORMOC CITY
PURSUANT TO REPUBLIC
ACT NO. 179

--

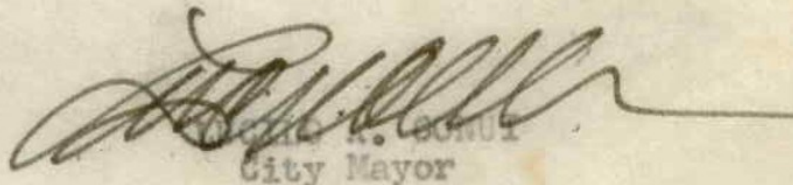
The undersigned by virtue of and pursuant to Art. 3, Sec. 14, Republic Act No. 179, vetoes Res. No. 15, current series of the Honorable Municipal Board of Ormoc City, with the reasons hereunder stated:

(a) It is premature.- Resolution No. 8 creating the standing committees of the Municipal Board including the Blue Ribbon Committee was vetoed by the undersigned for reasons stated in the veto. It is elementary rule of law for the Blue Ribbon Committee to undertake the investigation when its legal existence has been questioned and no final disposition of the matter has been reached.

(b) It is illegal.- The Chief of the Fire Department is a presidential appointee and to investigate him is governed by existing laws and civil service rules. Except resolution No. 15 which authorizes a department head to be investigated by a committee of the Board, there is no existing law, executive order or regulation that clothe the committee to investigate the Chief of the Fire Department.

(c) It is inquisitorial.- The Board or any member thereof should not initiate the charges and at the same time act as the investigating body, because it becomes both a prosecutor and a judge. While the Board might be actuated with a sense of public service, it can not sever itself from the influence of partisan feeling because it is a political body.

Done in the City Hall of Ormoc City, this 10th day of January, 1952.



City Mayor