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Republic of the Philippines
PROVINCE OF BENGUET
La Trinidad
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

August 28, 1997 - SPECIAL MEETING

PRESENT: HON. WASING D. SACLA, Vice Governor, Presiding Officer
HON. JAMES M. MALAYA, Board Member,
HON. FRANCISCO E. GOLINGAB, JR., Board Member
HON. BIAL A. PALAEZ, Board Member
HON. MARCIANO T. INSO, SR., Board Member
HON. SAMSON C. PARAN, Board Member
HON. AGOSTO P. SANTOS, Board Member
HON. DANIO L. BOLISLIS, Board Member
HON. FERNANDO M. ARITAO, Board Member
HON. DOMINGO B. BAY-AN, PCL President, Member

ABSENT : HON. VICTORINAL P. ALIPIT, Board Member
HON. JAIME A. GALASGAS, Board Member
HON. REDENTOR P. EDOC, SKF President, Member

~~PROVINCIAL~~ ORDINANCE NO. 97-39

AN ORDINANCE PROVIDING FOR THE CREATION OF THE PROVINCIAL EQUIPMENT MANAGEMENT AND SERVICES OFFICE (PEMSO)

EXPLANATORY NOTES

Under, Book III of the 1991 Local Government Code, Chapter 2, Section 463 (c) (2) empowers the Sangguniang Panlalawigan to create such offices as may be necessary to carry out the purposes of the Provincial Government; and

The creation of the Provincial Equipment Services Office is envisioned to improve and develop the Province's Equipment Office for the benefit of public service and to accelerate countryside development as well as hasten economic recovery;

NOW, THEREFORE, be it ordained by the Sangguniang Panlalawigan in session assembled that:

SECTION 1 - CREATION OF THE PROVINCIAL EQUIPMENT MANAGEMENT AND SERVICES OFFICE There is hereby created a Department which shall be known as the Provincial Equipment Management and Services Office (PEMSO), hereinafter referred to as the Equipment Office.

It shall be organized within thirty (30) days after the approval of this Ordinance. It shall exist for a period of twenty five (25) years from its organization; Provided, that the Sangguniang Panlalawigan by an Ordinance, may dissolve the Equipment Office whenever in its judgement the primary purpose for its creation has been accomplished. It shall establish its principal office at the Provincial Engineering Office, Wangal, La Trinidad, Benguet.

SECTION 2. TRANSFER OF THE MOTOR POOL DIVISION UNDER THE PROVINCIAL ENGINEER'S OFFICE - The existing Motor Pool Division under the Office of the Provincial Engineer shall be detailed to constitute the initial staff and personnel of the newly created Equipment Office within a period of six (6) months. Provided, that the driver/operator with an assigned vehicle/equipment including their budget shall remain within the Provincial Engineering Office.

SECTION 3. COMPOSITION OF THE MANAGEMENT COUNCIL.

The powers and functions of the Equipment Office shall be exercised by a management Council which shall be composed of ten (10) members as follows:

- a) The Provincial Governor as Chairman
- b) Five (5) members from the Sangguniang Panlalawigan, to be chosen by the SP Members;
- c) The Provincial General Services Officer;
- d) The Provincial Engineer; and
- e) The Chief Public Utility Regulation Officer;
- f) The Provincial Treasurer

The Provincial Governor shall appoint a Chief Public Utility Regulation Officer subject to confirmation by the SP who shall receive a compensation equivalent to G-24, equal to an Asst. Department Head. The Chief Public Utilities Regulation Officer shall be a member of the Management Council and who shall serve as the Chief Executive of the Equipment Office.

All procedural matters in the conduct of council meetings shall be prescribed in its internal rules.

SECTION 4. FUNCTIONS OF THE COUNCIL The Management Council shall be the policy-making body of the Equipment Office and shall perform the following functions:

- a. Determine the organizational structure of the Equipment Office, define the duties and responsibilities of all its officials and employees and adopt a compensation and benefit system equivalent to that of the prevailing rate for the Provincial Government Employees;
- b. The Governor shall appoint all employees: Provided, that all appointment shall be on the basis of merit and fitness and all personnel action shall be in pursuance of Civil Service Laws, Rules and Regulation.
- c. Prepare the quarterly reports and supplementary budgets of the Equipment Office.
- d. Submit a quarterly report of the operations of the Equipment Office to the Sangguniang Panlalawigan;

- e. To make the Equipment Office self-reliant in generating and managing financial resources.
- f. To establish a system that would streamline its procurement procedures and policies;
- g. To optimize the utilization of Equipment Office personnel;
- h. Carry out the purposes of the Equipment Office with the following terms and references:
 - 1) All available equipment under its jurisdiction shall be used in the implementation of the projects of the Province. In case the equipment are not committed to the prosecution of Provincial funded projects, it may be rented to any person, firm or corporation, private or public subject to the regulations and policies established by the council;
 - 2) Any and all earnings derived by reason of the operation of the equipment shall accrue to the Special Account under the general fund which shall devolve primarily for the operation, maintenance and purchase of additional equipment of the Equipment Office and shall be disbursed by the Management Council in accordance with existing auditing rules and regulations provided however, that savings from earnings shall accrue to the general fund for livelihood and developmental projects;
 - 3) All heavy equipment presently under the jurisdiction of the Provincial Engineering Office, shall remain with the same office;

SECTION 5. DUTIES AND RESPONSIBILITIES OF THE CHIEF PUBLIC UTILITY REGULATION OFFICER The Chief Public Utility Regulation Officer shall have the following duties and responsibilities:

- a) to act as the Chief Executive Officer of the Equipment Office;
- b) To direct and supervise the operations and administration of the equipment office.
- c) To take charge of the upkeep, repairs and maintenance of all equipment of the province.
- d) Upon authority of the Management Council, to represent the equipment office in all dealings with offices, agencies and instrumentalities of the government and with all persons and entities, public or private, domestic or foreign;

- e) To direct and supervise the preparation of the agenda for the meeting of the Board, and to submit for the consideration of the council such policies and measures as he believes necessary to carry out the purposes and objectives of this ordinance;
- f) To exercise such other powers and functions as approved by the council Council.

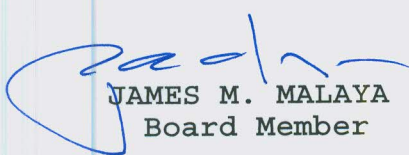
SECTION 6. IMPLEMENTING AUTHORITY. The Management Council is hereby authorized to promulgate rules and regulations to implement this ordinance subject to the approval of the Sangguniang Panlalawigan accordingly.

SECTION 7. SEPARABILITY CLAUSE. If any provision of this Ordinance shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 8. REPEALING CLAUSE. All laws, executive issuances or parts thereof which are inconsistent herewith are hereby repealed or amended accordingly.

SECTION 9. EFFECTIVITY CLAUSE. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

APPROVED."


JAMES M. MALAYA
Board Member


FRANCISCO E. GOLINGAB, JR.
Board Member


BIAL A. PALAEZ
Board Member


MARCIANO T. INSO, SR.
Board Member


SAMSON C. PARAN
Board Member


AGOSTO P. SANTOS
Board Member


FERNANDO M. ARITAO
Board Member


DOMINGO B. BAY-AN
Board Member


DANIO L. BOLISLIS
Board Member




CERTIFIED CORRECT:




WASING D. SACLIA
Vice Governor

ATTESTED:



NOEL S. SABOG
Provincial Secretary

APPROVED:



RAUL M. MOLINTAS
Provincial Governor

Date: 20 SEP 1997

