

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

REGULAR MEETING- May 19, 1999

PRESENT: HON. ROBERT M. TINDA-AN, Vice Governor, Presiding Officer
HON. MARVIN D. ATOS, Board Member
HON. LISO L. AGPAS, Board Member
HON. FRANCISCO E. GOLINGAB, JR., Board Member
HON. FERNANDO M. ARITAO, Board Member
HON. MANUEL C. CUILAN, Board Member
HON. DANIO L. BOLISLIS, Board Member
HON. ALBERT D. MAYAMNES, Board Member
HON. CONCEPCION D. BALAO, PCL President, Member
HON. BONY L. TACIO, Liga ng mga Brgy. Pres., Member
HON. REDENTOR P. EDOC, SKF Pres., Member

ABSENT: HON. SARIO M. COPAS, Board Member (OB)

PROVINCIAL ORDINANCE NO. 99-54

AN ORDINANCE PROHIBITING SMOKING INSIDE THE BUILDINGS AT THE CAPITOL COMPOUND SUCH AS THE CAPITOL, DISPLAY CENTER-TOURISM, SHOWROOM, PROVINCIAL BUILDINGS HOUSING THE LIBRARY, PROVINCIAL SOCIAL WELFARE AND DEVELOPMENT OFFICE, OFFICE OF THE PROVINCIAL AGRICULTURE AND TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY, DEPARTMENT OF AGRARIAN REFORM, DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, CANTEEN, POST OFFICE, PROVINCIAL VETERINARY OFFICE AND NATIONAL COMMISSION ON INDIGENOUS PEOPLE. EXCEPT THE OPEN GYMNASIUM, WHICH SHALL BE THE SMOKING AREA AND PROVIDING PENALTY THEREOF

EXPLANATORY NOTE

Much has been said and written about the ill-effects of smoking cigarette to one's health and to caution its populace, a government warning is being aired daily in broadcast media saying, "Government warning: Smoking is dangerous to your health." This warning is substantiated when tobacco executives in America admitted under oath that "nicotine is addictive and that smoking is lethal." (The Philippine Star, June 21, 1998.) In a related case, Philippine doctors appealed to the government to ban tobacco, citing that it kills through heart diseases, lung diseases and cancer. (Manila Bulletin, Nov. 8, 1997).

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Likewise, alarmed of the growing tobacco consumption, the World Health Organization (WHO) through Dr. S. T. Han, Regional Director for Western Pacific, called on all member states to redouble their efforts in countering the growing tobacco consumption in the region, saying that the world may see more deaths from tobacco-related diseases unless tobacco use is stopped or minimized. (Manila Bulletin, May 23, 1998). Further, the same report stated that the data show that about 750,000 die yearly of tobacco-related diseases in China alone, and that trends indicate that at least 50 million people, under the age of 20 will die prematurely to tobacco-related diseases also in China.

The same international agency (WHO) predicts that tobacco will cause more deaths worldwide than HIV, tuberculosis, maternal mortality, motor vehicle accidents, suicide and homicide combined. And the same report further claimed that smokers in their 30's and 40's are five times more likely to have a heart attack than non-smokers, and that research also shows that the risks from smoking is substantially higher than previously thought.

Concretizing the aforecited reports/researches, a recent jury's decision at Portland, Oregon, USA, awarded the "biggest liability verdict ever against the tobacco industry by ordering Philip Morris to pay \$81 million to the family of a man who died of lung cancer after smoking Marlboros for four decades." (The Philippine Star, April 1, 1999)

In a similar case, at San Francisco, USA, the same article said that the jury awarded \$51.5 million to a Marlboro smoker who has in-operable lung cancer. Ibid.

Thus in fairness to non-smokers where it had been said that "cigarette smoke inhaled by others (indirect smoking) prejudices and poses greater danger to the health of non-smokers" (CSC MC No. 30, s. 1991), passage of an ordinance making the buildings at the Capitol Compound except the open gymnasium smoke-free is direly imperative.

NOW THEREFORE, BE IT ENACTED BY THE SANGGUNIANG PANLALAWIGAN IN SESSION ASSEMBLED, THAT:

Section 1. It shall be unlawful for any person to smoke inside the buildings at the capitol compound such as the Capitol, Display Center-Tourism, Showroom, Provincial Buildings housing the Library, Provincial Social Welfare and Development Office, Office of the Provincial Agriculture and Office of the Technical Education and Skills Development Authority, Department of Agrarian Reform, Department of Interior and Local Government, Canteen, Provincial Veterinary Office, Post Office and National Commission on Indigenous Peoples, except the open gymnasium, which shall be the smoking area.

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Section 2. The act of smoking shall cover the carrying of lighted cigarette, cigar or pipe or other smoking paraphernalia.

Section 3. Any person violating this ordinance shall be penalized as follows:

First Offense - P100.00 or one day imprisonment

Second Offense- 200.00 or two days imprisonment

Third Offense and thereafter- P300.00 or three days imprisonment.


Section 4. A compromise settlement in the amount of P100.00 may be paid by any violator without going to court.


Section 5. This ordinance shall take effect in accordance with the provision of the Local Government Code of 1991.

APPROVED. Six (6) in favor; Two (2) against; Two (2) abstained.


MARVIN D. ATOS
Board Member
(In favor)


FRANCISCO E. GOLINGAB, JR.
Board Member
(Not in favor)



MANUEL C. CUTILAN
Board Member
(In favor)


ALBERT D. MAYAMNES
Board Member
(Abstained)


EUSEBIO AGPAO
Board Member
(In favor)


FERNANDO M. ARRIAGA
Board Member
(In favor)


DANILO L. BOLISLET
Board Member
(In favor)

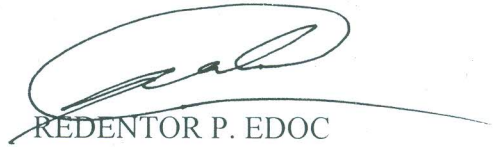

CONCEPCION D. BALAO
PCL President Member
(Not in favor)

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BONY L. TACIO
Liga ng mga Brgy. Pres., Member
(in-favori)



REDENTOR P. EDOC
SKF President, Member
(Abstained)

CERTIFIED CORRECT:



ROBERT M. VINDA-AN
Vice Governor
Presiding Officer

ATTESTED:



NOEL S. SABOG
Provincial Secretary

APPROVED:

RAUL M. MOLINTAS
Provincial Governor

Date: _____

/cea

