

Republic of the Philippines
MUNICIPALITY OF PANIQUI
Province of Tarlac

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PANIQUI, TARLAC HELD ON JANUARY 24, 2011 AT THE SB SESSION HALL

PRESENT: Hon. Genevieve S. Linsao – *Vice Mayor/Presiding Officer*
Hon. Evelyn S. David, *member*
Hon. Rosauro V. Tayag, *member*
Hon. Godofredo G. Tangonan, Jr., *member*
Hon. Dante P. Belarmino, *member*
Hon. Gerardo N. Tiangsing, *member*
Hon. William M. Ibay, Sr., *member*
Hon. Gerardo R. Chanchico (ABC Pres)-*Ex-officio member*
Hon. Jovien Ian U. Lagmay (SK Rep.)-*Ex-officio member*

ABSENT: Hon. Jayrold Z. Roxas, *member*
Hon. Christian Alfred F. Cuchapin, *member*

RESOLUTION NO. 004-2011

WHEREAS, Section 447 of RA 7160 otherwise known as the Local Government Code of 1991 provides that the sangguniang bayan, as the legislative body of the municipality, shall enact ordinances intended for the general welfare of the municipality and its inhabitants and in the proper exercise of its corporate powers shall:

(1) Approve ordinances necessary for an efficient and effective municipal government, and in this connection shall:

x x x (ii) Maintain peace and order by enacting measures to prevent and suppress lawlessness. . .

WHEREAS, RA 9165 an act instituting the Comprehensive Dangerous Drugs Act of 2002 provides that:

x x x (d) Officers and employees of public and private offices, shall be subjected to undergo a random drug test...

WHEREAS, the local government unit of Paniqui makes a commitment to provide its citizenry a safe public service working environment, and to maintain public confidence in the municipality and its employees;

NOW THEREFORE, on motion of councilor Evelyn S. David, unanimously seconded, RESOLVED, to enact an ordinance requiring all government officials, employees, police and member of other law enforcement agencies, national and local officials within the Municipality of Paniqui to undergo drug test.

RESOLVED FURTHER that this resolution be enacted into an ordinance to wit:

ORDINANCE NO. 2011-001

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF PANIQUI, TARLAC IN SESSION ASSEMBLED THAT:

SECTION 1 - This ordinance shall be known as “**An ordinance requiring all government officials, employees, police and member of other law enforcement agencies, national and local officials within the Municipality of Paniqui to undergo DRUG TEST.**”

SECTION 2 - It is the policy of the state to safeguard the integrity of its territory and the well being of its citizenry from the harmful effects of dangerous drugs on their physical and mental well being and defend the same against act or omission detrimental to their development and preservation. In view of the foregoing the state needs to enhance further the efficacy of the law against dangerous drugs, being one of the today, more serious social ills.

The government shall pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drug and other similar substances through an integrated system of planning implementation and enforcement of the anti-drug abuse policies, programs and project. The government shall however aim to achieve a balance on the nation drug control program so that the people with legitimate adequate amounts of appropriate medications which include the dangerous drugs.

It is further declared the policy of the state to provide effective mechanisms or measure to reintegrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation.

SECTION 3 Objectives: to support the government anti-drug campaign and promote a drug-free society and to insure that government officials, employees, police and member of other law enforcement agencies, national and local officials within the municipality of Paniqui are not engage in the illegal drug trade.

SECTION 4 Any officers or employees found positive for the use of **dangerous drug** shall be dealt with administratively which shall be a ground for suspension or termination to the provision of Article 282 of the labor code and pertinent provision of the civil services law.

*Dangerous Drugs. – Include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the attached annex which is an integral part of **Republic Act 9165**.*

SECTION 5 The amount necessary for the continued administration of drug testing shall be incorporated in the annual budget of the local government of Paniqui.

SECTION 6 Authorized drug testing shall be done by any government forensic laboratories accredited and monitored by the municipal health office to safeguard the quality of the results.

The municipal health officer shall take steps in setting the price of the drug test with the Department of Health accredited drug testing center to further reduce the cost of such drug-test.

The drug testing shall employ among others two testing methods:

Screening test which will determine the positive results as well as the type of the drug used; and the,

Confirmatory test which will confirm a positive screening test.

Drug test certificates issued by accredited drug testing centers shall be valid for a one year period from date of issue which may be used for other purposes.

SECTION 7 Any person authorized, licensed or accredited under this act and its implementing rules to conduct drug examination or test, who issues false or fraudulent drug result knowingly, willfully or through gross negligence shall suffer the penalty of imprisonment ranging from six (6) years and one (1) day to twelve (12) years and a fine ranging from one hundred thousand pesos (P100,000.00) to five hundred thousand pesos (P500,000.00).

SECTION 8 The municipal mayor, with the recommendation of the Chief of Police and the Municipal Health Officer shall issue appropriate guidelines and implementing rules to insure the proper implementations of the provisions of this ordinance,

SECTION 9 If any provision of this ordinance or application thereof to any person or circumstances is held to be invalid, the other provision of this ordinance and the application of such provisions to other person or circumstances shall not be affected thereby.

SECTION 10 Effectivity – this ordinance shall take effect immediately after its approval.

ENACTED by the affirmative votes of all the members present in session assembled namely, *Hon. Evelyn David, Hon. Rosauro Tayag, Hon. Godofredo Tangonan, Jr., Hon. Dante Belarmino, Hon. Gerardo Tiangsing, Hon. William Ibay, Sr., Hon. Gerardo Chanchico, and Hon. Jovien Ian Lagmay.*

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

BETTY A. SAGABAEN
OIC- Secretary to the Sanggunian

ATTESTED:

GENEVIEVE S. LINSAO
Vice Mayor /Presiding Officer

APPROVED:

HON. MIGUEL C. RIVILLA
Municipal Mayor