

Title: Javier vs. Cadiao, et al. [792 Phil. 294 (2016)]

**\*\*Facts:\*\***

1. For the term 2007-2010, Vice Governor Rhodora J. Cadiao was the presiding officer of the Sangguniang Panlalawigan (SP) of Antique.
2. On July 5, 2007, during the SP's first regular session, the Lakas ng Tao-Christian Muslim Democrats (Lakas-CMD) party, which included petitioners J. Tobias M. Javier and Vincent H. Piccio III, was the majority block. Piccio was the Majority Floor Leader.
3. The Nationalist People's Coalition (NPC) was the minority party. However, the NPC later gained another member after an independent candidate allied with them.
4. The SP also had three ex-officio members from various leagues.
5. Subsequently, Juanitas left Lakas-CMD and joined NPC, followed by Vice Governor Cadiao, shifting the majority to NPC.
6. NPC proposed Resolution No. 42-2008, which aimed to reorganize the standing committees of the SP. This resolution, marked as "urgent," was brought to the floor on February 7, 2008.
7. The resolution was passed with seven votes in favor (NPC) versus six against (Lakas-CMD). Consequently, Piccio was replaced as the Majority Floor Leader by Juanitas.
8. The Lakas-CMD block petitioned the RTC, challenging the legality of the resolution on the grounds that a two-thirds vote (nine votes) were required for urgent matters per the Internal Rules of Procedure (IRP) of the SP, and alternatively, argued that at least a simple majority (eight votes) was necessary, interpreting the Vice Governor as part of the quorum.
9. The RTC ruled in favor of the respondents, holding that the Vice Governor's presence should not be counted in the majority vote calculation, thus validating the resolution passage with a 7-6 vote.
10. The Lakas-CMD block then appealed to the Supreme Court, which granted review.

**\*\*Issues:\*\***

1. Should the Vice Governor be counted in determining the majority required for SP decision-making?
2. Were two-thirds votes required for the passage of urgent matters under the SP's rules?
3. Did the RTC err in not applying the DILG's opinions about the majority and quorum in SP?
4. Were the required votes to pass Resolution No. 42-2008 under the IRP and the LGC correctly interpreted?

**Court's Decision:**

The Supreme Court ruled against the petitioners. Each issue was resolved as follows:

1. **Vice Governor's Inclusion in Majority Calculation:**

The Vice Governor is considered part of the SP for determining quorum but is excluded for calculating the majority for voting purposes. His role to vote arises only to break a tie. When the Combong Resolution passed, 13 members voting resulted in a 7-6 vote, which was sufficient without the Vice Governor's vote.

2. **Two-thirds Vote for Urgent Matters:**

Section 67 of the IRP of SP allows a majority vote to resolve issues unless explicitly stated otherwise. The requirement for urgent matters being passed by a two-thirds vote as per SP's Internal Rules of Procedure (IRP) cannot surpass the statutory minimums laid out by the Local Government Code (LGC). Thus, a simple majority applied.

3. **DILG Interpretations on Majority and Quorum:**

The Supreme Court acknowledged such executive opinions but held that legislative bodies cannot impose stricter standards than the LGC. The LGC requirements took precedence.

4. **Legal Interpretations of Votes:**

The Court applied the relevant statutes, determining that the SP's resolution passage complied with statutory voting requirements. Vice Governor Cadio's vote wasn't essential for this legislative matter per Section 67, IRP of the SP and the LGC.

**Doctrine:**

- **Doctrine 1:** The LGC provides that the presiding officer of a legislative body, i.e., the Vice Governor, counts towards determining quorum but not for the majority needed for deliberative decisions unless required to break a tie [Art. 102, IRR of the LGC].

- **Doctrine 2:** Legislative bodies are bound by the broader legislative frameworks such as the LGC and cannot enforce internal rules that provide more stringent requirements than the statute itself.

**Class Notes:**

1. **Majority and Quorum:**

- Quorum includes the Vice Governor.

- Majority excludes the Vice Governor unless breaking a tie.

2. **Voting Requirements**:

- Simple majority suffices unless a statute explicitly requires otherwise.
- Urgent matters (section-specific rules) cannot exceed statutory demands.

3. **Presiding Officer Role**:

- Ensures procedural integrity.
- Votes only to resolve deadlocks.

4. **Relevant Statutes**:

- Section 49, 67, Rule XVIII (Voting), IRP of the SP.
- Article 102, 107(g) of IRR of the LGC.

**Historical Background:**

This case reflects the challenges and intricacies local government units face concerning the procedural compliance and interpretation of legislative rules in the Philippines. Disputes over internal legislative procedures, while seemingly minor, can significantly influence governance and political dynamics within local legislative bodies. The case illustrates the delicate balance between statutory prescriptions and internal rules.