

AN ACT TO AMEND THE PROVINCIAL GOVERNMENT ACT, NUMBERED EIGHTY-THREE, BY REORGANIZING THE PROVINCIAL BOARDS, AND BY ABOLISHING THE POSITION OF PROVINCIAL SECRETARY, AND FOR OTHE...

Act No. 1545, October 20, 1906

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By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. The provincial boards of all provinces organized under Act Numbered Eighty-three, as amended, shall hereafter be composed of the provincial governor, the provincial treasurer, and a third member to be chosen in the manner prescribed, or to be prescribed by law for provincial governors, except in the case of vacancies as hereinafter provided for, and subject to confirmation, and to suspension or removal, by the Governor-General, under the same conditions as prescribed for provincial governors. The qualifications of a candidate for election as the third member of a provincial board shall be the same as those now required for the office of provincial governor, and upon his election and confirmation such third member shall hold office for a term equal to that for which the governor is elected: Provided, That on or after the date this Act takes effect, and until the next regular provincial election, such third member shall be appointed by the Governor-General, with the consent of the Philippine Commission, to hold office until the said election, and until his successor is chosen and qualified in the manner herein prescribed: And provided further, That whenever in the opinion of the Governor-General, the same may be necessary or advisable for the public interests, he may, with the approval of the Philippine Commission, declare that no election shall be held for a third member of the provincial board, fully setting forth his reasons for such action, and in such case the Governor-General may make an appointment to the office, with the approval of the Philippine Commission: And provided further, That if in any case the Governor-General shall decline to confirm the person elected, he shall order a new election and shall fix the time for the holding thereof. If the Governor-General shall decline to confirm the person elected at the second election he shall, with the consent of the Philippine Commission, appoint some suitable person, who shall be a citizen of the United States or of the Philippine Islands, resident in the Philippine Islands, as the third member of the board: And provided further, That whenever the office of third member of the board becomes vacant during the term by death, removal, resignation, or other cause, the vacancy shall be filled by appointment made by the Governor-General, with the consent of the Philippine Commission.

SEC. 2. It shall not be necessary for the third member of the provincial board to reside at the capital of the province or to establish an office in the provincial building, but he shall be required to be present at the sessions of the board and to perform his duties as a member thereof: Provided, however, That by a unanimous resolution of the provincial board, setting forth the grounds upon which it is adopted, and approved by the Governor-General, such third member may, for the time specified in said resolution, be required to perform the duties of provincial treasurer, or any ministerial duty required by the board.

SEC. 3. The third member of the provincial board shall receive a compensation, to be fixed by resolution of the provincial board, of not less than five nor more than fifteen pesos for each day of actual attendance at the sessions

of the board. When designated to perform other official duties as above provided, such third member shall be entitled, upon unanimous resolution of the provincial board, to receive for each day that he shall be actually occupied with official duties such compensation as may be fixed in said resolution, not exceeding the maximum compensation hereinbefore prescribed: Provided, That on no one day shall more than one compensation be allowed to such third member. The per diem of the third member, when fixed by the provincial board, shall not be altered more than once during each fiscal year.

SEC. 4. The position of provincial secretary is hereby abolished and the employees of his office are hereby transferred to the office of the provincial governor: Provided, however, That the provincial secretary may on recommendation of the provincial board, with the approval of the Governor-General, be continued in office until the thirty-first day of December, nineteen hundred and six. The provincial governor shall, by an executive order, designate an employee or employees of his office to perform the duties heretofore performed by the provincial secretary, including those of recorder of the provincial board. In case the provincial governor shall certify that no employee in his office is competent to perform said duties, and the Bureau of Civil Service shall certify that its eligible list contains the name of no person who will accept the appointment for the salary allowed, the provincial governor may, with the approval of the Governor-General; appoint some person who is not in the classified civil service, or he may perform such duties personally should he so elect: And provided further, That a provincial secretary holding office on the date of the passage of this Act shall be eligible to appointment to any position in the classified civil service at a salary not exceeding the salary now received by him.

SEC. 5. Whenever for any reason the provincial governor finds it necessary to absent himself from the province or is under temporary disability, or for any other reason is unable to perform his official duties, the duties of the provincial governor shall be performed either by the third member of the provincial board or by the provincial treasurer, as the provincial governor may elect, and subject to change by him in his discretion. During the period of such absence, sickness, or other disability of the provincial governor, the member temporarily charged with the duties of his office shall preside at the meetings of the provincial board: Provided, That when the provincial governor is absent from the capital of the province, but within the limits of the province, it shall be discretionary with him whether or not he shall designate a temporary successor.

SEC. 6. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 7. This Act shall take effect on November fifteenth, nineteen hundred and six.

Enacted, October 20, 1906.

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