

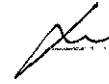
FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

9 APR 13 P5:58

SENATE

P.S. Resolution No. **972**

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Introduced by Senator FRANCIS G. ESCUDERO

RESOLUTION

EXPRESSING THE SENSE OF THE SENATE ON THE LEGISLATIVE INTENT OF REPUBLIC ACT NO. 9286, SPECIFICALLY SECTION 2 THEREOF, ON THE DETERMINATION OF COMPENSATION OF LOCAL WATER DISTRICT GENERAL MANAGERS.

WHEREAS, Republic Act (RA) No. 9286 was enacted into law on 02 April 2004, further amending certain provisions of Presidential Decree (PD) No. 198, as amended, otherwise known as "*The Provincial Water Utilities Act of 1973.*"

WHEREAS, Section 2 of RA No. 9286 amended Section 23 of PD No. 198, which now reads:

"SEC. 23. The General Manager. At the first meeting of the Board, or as soon thereafter as practicable, the Board shall appoint, by a majority vote, a general manager and shall define his duties and fix his compensation. Said officer shall not be removed from office, except for cause and after due process."
(underscoring supplied)

WHEREAS, the above cited provision of law has been consistently maintained as a legislative policy and can be found in PD Nos. 198 and 768, and to date, RA No. 9286.

WHEREAS, despite such consistent and unequivocal provision of law, it is still being argued that the compensation of water district general managers is subject to RA No. 6758 or the Salary Standardization Law; hence, the respective boards of water districts cannot fix such compensation as provided for in RA No. 9286.

WHEREAS, water districts are self-reliant government owned and controlled corporations, and do not receive any subsidy nor appropriation from the government; their operation depends solely on their respective internally generated revenues.

WHEREAS, consistent with the policy and mandate provided for by law, and in order to resolve doubts and ascertain the legislative intent or

policy set by Congress itself, there is a need for the Senate to express its sense on the intention of RA No. 9286.

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED that the Senate express its sense on the legislative intent of RA No. 9286, specifically Section 2 thereof, as empowering the respective boards of water districts to fix the compensation of their general managers, thereby providing an exemption from the coverage and operation of the Salary Standardization Law.

Adopted,



FRANCIS G. ESCUDERO