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SENATE

COMMITTEE REPORT NO. 313

Submitted by the Committees on Electoral Reforms and People's Participation and Finance on JUL 04 2012.

Re: Senate Bill No. 1198, taking into consideration House Bill No. 4241.

Recommending its approval with amendments.

Sponsors: Senator Pimentel III and Senator Drillon.

MR. PRESIDENT:

The Committees on Electoral Reforms and People's Participation and Finance, to which was referred **Senate Bill No. 1198**, introduced by Senator Villar, entitled:

**"AN ACT
PROVIDING FOR ABSENTEE VOTING BY THE MEMBERS
OF MEDIA WHO ARE AWAY FROM THE PLACES OF THEIR
REGISTRATION BY REASON OF OFFICIAL FUNCTIONS ON
ELECTION DAY"**

taking into consideration **House Bill No. 4241**, introduced by Representatives Teodoro, Casino, Colmenares, Ilagan, Mariano, Palatino, De Jesus, and Tinio, entitled:

**"AN ACT PROVIDING FOR EARLY VOTING TO QUALIFIED
MEMBERS OF THE MEDIA"**

have considered the same and have the honor to report **Senate Bill No. 1198** back to the Senate with the recommendation that it be approved with the following amendments; to wit:

1. On page 1, first line of SECTION 1 - change SECTION 1 to indicate as follows: **"TITLE – THIS ACT SHALL BE KNOWN AS THE "ABSENTEE VOTING FOR MEDIA ACT OF 2012."**

2. On the same page and line - renumber SECTION 1 to SEC. 2 and delete the sentence – "Elections shall be free and equal.";
3. On page 1, second line of SECTION 1 – after the word "shall", delete the word "always";
4. On page 1, SEC. 2 – delete the entire Section 2 and in lieu thereof insert a new provision and renumbered as Section 3, which reads as follows:

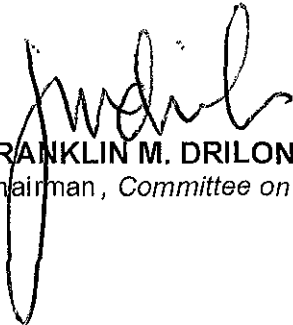
SEC. 3. COVERAGE. ANY REGISTERED VOTER WHO, BY REASON OF HIS/HER FUNCTIONS AND DUTIES AS A MEMBER OF MEDIA, INCLUDING TECHNICAL AND SUPPORT STAFF, IS ASSIGNED ON ELECTION DAY TO A PLACE OTHER THAN HIS/HER PLACE OF REGISTRATION, MAY VOTE IN THE CITY/MUNICIPALITY WHERE THE OFFICE OF THE MEDIA ESTABLISHMENT IS LOCATED.

5. On page 1, first line of SEC. 3 – renumber SEC. 3 to SEC. 4. and delete the phrase "Thirty (30) days" and in lieu thereof insert the phrase "**NOT LATER THAN SIXTY (60) DAYS**";
6. On the same page and line - delete the word "appropriate" between the words "the" and "head" and after the phrase "head of office", insert the phrase "**OF MEDIA ESTABLISHMENTS**".
7. On page 1, second line of SEC. 3 - after the phrase "Commission on Elections", insert the acronym "**COMELEC**" enclosed in open and close parentheses; and after the phrase "members of media", add the punctuation mark "**comma**" (,) and insert the phrase "**INCLUDING TECHNICAL AND SUPPORT STAFF,**";
8. On page 1, fifth line of SEC. 3 – after the phrase "members of media", add the punctuation mark "**comma**" (,) and insert the phrase "**INCLUDING TECHNICAL AND SUPPORT STAFF**";


9. On page 1, sixth line of SEC. 3 – after the word “in”, delete the phrase “their place of assignment.” and in lieu thereof insert the phrase “**THE CITY/MUNICIPALITY WHERE THE OFFICE OF THE MEDIA ESTABLISHMENT IS LOCATED.**”
10. On page 1, first line of SEC. 4 – renumber SEC. 4. to SEC. 5 and delete the phrase “Commission on Elections” and replace it with the acronym “**COMELEC**”;
11. On page 1, first line of SEC. 5 – renumber SEC. 5 to SEC. 6 and delete the word “Commission” and replace it with the acronym “**COMELEC**”;
12. On page 1, first line of SEC. 6 – renumber SEC. 6 to SEC. 7. and after the word “vote”, insert the phrase “**NOT LATER THAN**”;
13. On page 1, second line of SEC. 6 - insert the word “**THEIR**” between the words “casting” and “votes” and the article “**THE**” between the words “in” and “office”;
14. On the same page and line – after the phrase “of the place”, delete the phrase “of their assignment” and in lieu thereof insert the phrase “**WHERE THE OFFICE OF THE MEDIA ESTABLISHMENT IS LOCATED.** And thereafter add the sentence “**ONLY THE POSITIONS FOR PRESIDENT, VICE-PRESIDENT, SENATOR AND PARTY-LIST SHALL BE VOTED FOR UNDER THE ABSENTEE VOTING.**”;
15. On page 1, first line of SEC. 7 – *delete the entire Section 7*;
16. On page 2, first line of SEC. 8 – delete the phrase “Commission on Elections” and replace it with the acronym “**COMELEC**”;
17. On page 2, second line of SEC. 8 - add the letter “**S**” to the word “vote” and delete the word “is” and replace it with the word “**ARE**”;

18. On page 2, third line of SEC. 8 – change the phrase “Commission on Elections” to the acronym “**COMELEC**” and delete the phrase “special Commission on Elections”; and add the letter “**S**” to the word “ballot”;
19. On page 2, third and fourth lines of SEC. 8 - delete the phrase “within two security envelopes”;
20. On page 2, fourth line of SEC. 8 – after the phrase “office of the”, delete the phrase “Commission one day before the elections.” And in lieu thereof insert the phrase “**COMELEC BEFORE THE CLOSING OF THE POLLS ON ELECTION DAY.**”
21. On page 2, seventh line of SEC. 8 – add the letter “**S**” to the word “number”;
22. On page 2, first line of SEC. 9 – delete the entire SEC. 9;
23. On page 2, first line of SEC. 10 – renumber SEC. 10 to **SEC. 9** and change the word “Commission” to the acronym “**COMELEC**”;
24. On page 2, first line of SEC. 11 – delete the entire SEC. 11;
25. On page 2, first line of SEC. 12 – renumber SEC 12 to **SEC. 10**;
26. On page 2, first line of SEC. 13 – renumber SEC 13 to **SEC. 11**;
27. On page 2, first line of SEC. 14 – renumber SEC. 14 to **SEC. 12**;
28. On page 2, first line of SEC. 15 – renumber SEC 15 to **SEC. 13**;
29. On page 2, second line of SEC. 15 – after the phrase “publication in”, delete the phrase “Three (3)” and in lieu thereof insert the phrase “**AT LEAST TWO (2)**”.

Respectfully submitted:




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Chairman, *Committee on Finance*



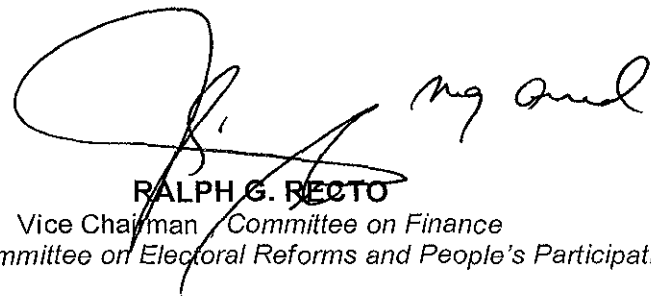
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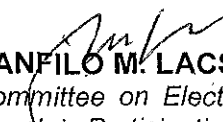
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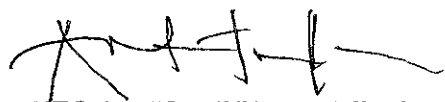
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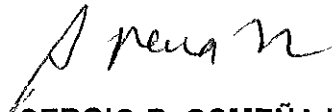
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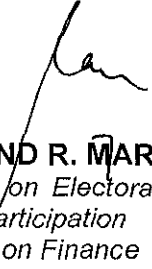
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President
Senate of the Philippines
Pasay City

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE CLERK
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SENATE
S.B. 1198

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Introduced by Senator Manny Villar

EXPLANATORY NOTE

The democratic principle requires the broadest participation in electoral and similar exercises by persons who have all the qualifications and none of the disqualifications to vote.

Under the electoral law now in force the rule is that a person has to be physically present in the polling place whereof he is a registered voter in order to be able to vote subject to several exceptions such as government officials and employees, members of the AFP and members of the PNP who are duly registered voters and temporarily assigned on election day in places where they are not registered to perform public functions and duties as well as the qualified Filipino citizens abroad.

This bill seeks to grant the members of the media who are assigned to places other than their place of registration the privilege to participate in electoral exercises, under certain conditions.

In view of the foregoing, the approval of this bill is earnestly requested.


MANNY VILLAR

SENATE
S.B. 1198

Introduced by Senator Manny Villar

**AN ACT
PROVIDING FOR ABSENTEE VOTING BY THE MEMBERS OF MEDIA WHO
ARE AWAY FROM THE PLACES OF THEIR REGISTRATION BY REASON OF
OFFICIAL FUNCTIONS ON ELECTION DAY**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Declaration of Policy. Elections shall be free and equal. The State shall always ensure the free exercise of the right of suffrage by all citizens of the Philippines not otherwise disqualified by law.

SEC. 2. Any person who by reason of his/her functions and duties as a member of media, is not in his/her place of registration on election day, may vote in the city/municipality where he/she is assigned on election day; Provided, That he/she is a duly registered voter.

SEC. 3. Thirty (30) days before the election, the appropriate head of office shall submit to the Commission on Elections a list of members of media who are registered voters, and who, by reason of their duties and functions, will be in places other than their place of registration, and who desire to exercise their right to vote, with the request that said members of media be provided with application forms to cast absentee ballots in their place of assignment.

The list and the request shall be under oath.

SEC. 4. Upon verification by the Commission on Elections that the persons included in the list are qualified voters, it shall transmit the exact number of application forms to the head of the office making the request.

SEC. 5. Upon verification of the applications, the Commission shall transmit the exact number of absentee ballots to the Office of the City or Municipal Election Registrar.

SEC. 6. The absentee voters shall vote one week before election day. They shall do so by casting votes in office of the City or Municipal Election Registrar of the place of their assignment.

SEC. 7. The special Commission on Elections absentee ballot shall be placed within two security envelopes, the one containing the absentee ballots indicating only that it is an envelope of the Commission on Elections, and the other envelope indicating the name of the absentee voter and his/her voter's registration record number.

SEC. 8. The Commission on Elections official concerned to whom the absentee vote is delivered shall immediately transmit by the fastest means available to the Commission on Elections the special Commission on Elections absentee ballot within two security envelopes so that the same are in the central office of the Commission one day before the elections.

The transmittal letter shall indicate the names of the persons who cast the absentee votes, their voter's registration record number and their certificates of eligibility to vote absentee.

SEC. 9. The Commission on Elections shall canvass the votes cast by absentee voters and shall add the results of the same to the votes reported throughout the country.

SEC. 10. The Commission shall promulgate the necessary rules and regulations to implement this Act.

SEC. 11. Positions to be voted for. Only the positions for President, Vice-President, Senator and Party-list shall be voted for under the absentee voting.

SEC. 12. Appropriations. The amount necessary to carry out the provisions of this Act shall be provided in a supplemental budget or included in the General Appropriations Act of the year of its enactment into law. Thereafter, the expenses for its continued implementation shall be included in the subsequent General Appropriations Act.

SEC. 13. Separability Clause. If any part or provision of this Act shall be declared unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 14. Repealing Clause. All laws, presidential decrees, executive orders, rules and regulations, other issuances, and parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 15. Effectivity. This Act shall take effect fifteen (15) days following its publication in three (3) newspapers of general circulation.

Approved,



HOUSE OF REPRESENTATIVES

H. No. 4241

BY REPRESENTATIVES TEODORO, CASIÑO, COLMENARES, ILAGAN, MARIANO,
PALATINO, DE JESUS AND TINIO, PER COMMITTEE REPORT NO. 662

AN ACT PROVIDING FOR EARLY VOTING TO QUALIFIED
MEMBERS OF THE MEDIA

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 SECTION 1. *Title.* – This Act shall be known as the “Early Voting for
2 Media Act of 2011”.

3 SEC. 2. *Declaration of Policy.* – All Filipino citizens at least eighteen
4 (18) years old, unless disqualified by law, are accorded the right of suffrage.
5 The State ensures equal opportunity to all in order to exercise this fundamental
6 right. This includes special cases wherein citizens, carrying out public service,
7 cannot cast their votes on election day.

8 SEC. 3. *Coverage.* – Any registered voter who, by reason of his/her
9 duties as member of the media, cannot cast his/her vote on election day may
10 vote in his/her municipality or city prior to the date set for the elections.

11 SEC. 4. *Requirements.* – Thirty (30) days before the election, officers
12 of media establishments shall submit to the Commission on Elections
13 (COMELEC) a list of members of their media staff who will be assigned away

1 from their polling place and will not be able to vote on the day of the election
2 but desire to exercise their right to vote. Upon verification by the COMELEC,
3 media practitioners, all of whom must be registered voters, must fill out an
4 application form for early voting.

5 SEC. 5. *Voting Procedures.* – Those qualified to vote may cast his/her
6 ballot in the Office of the Municipal/City Election Registrar where he/she is
7 registered during office hours within fourteen (14) working days before the day
8 of elections. He/She shall be allowed to vote for as many positions available
9 as any other qualified voter.

10 SEC. 6. *Implementing Rules and Regulations.* – The COMELEC shall
11 promulgate the necessary rules and regulations to implement this Act.

12 SEC. 7. *Appropriations.* – The budget needed to implement the
13 provisions of this Act shall be included in the annual General Appropriations
14 Act.

15 SEC. 8. *Separability Clause.* – Should any provision of this Act be
16 declared invalid or unconstitutional, the validity or constitutionality of the
17 other provisions shall not be affected thereby.

18 SEC. 9. *Repealing Clause.* – All laws, decrees, letters of instructions,
19 resolutions, orders, ordinances or parts thereof which are inconsistent with the
20 provisions of this Act are hereby repealed, amended or modified accordingly.

21 SEC. 10. *Effectivity.* – This Act shall take effect fifteen (15) days after
22 its complete publication in at least two (2) newspapers of general circulation.

Approved,