



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 15**  
Tuesday, August 30, 2016

**SEVENTEENTH CONGRESS**  
**FIRST REGULAR SESSION**

**SESSION NO. 15**  
**Tuesday, August 30, 2016**

**CALL TO ORDER**

At 3:19 p.m., the Senate President, Hon. Aquilino "Koko" Pimentel III, called the session to order.

**PRAYER**

Sen. Francis N. Pangilinan read the prayer from the Book of Psalms 37:1-9, to wit:

*"Do not fret because of evil men  
or be envious of those who do wrong;  
for like the grass they will soon wither,  
like green plants they will soon die away.*

*Trust in the Lord and do good;  
dwell in the land and enjoy safe pasture.*

*Delight yourself in the Lord  
and He will give you the desires of your heart.*

*Commit your way to the Lord;  
trust in Him and He will do this:  
He will make your righteousness shine  
like the dawn, the justice of your  
cause like the noonday sun.*

*Be still before the Lord and wait patiently for him;  
do not fret when men succeed in their ways,  
when they carry out their wicked schemes.*

*Refrain from anger and turn from wrath;  
do not fret—it leads only to evil.*

*For evil men will be cut off,  
but those who hope in the Lord  
will inherit the land."*

*In Jesus' Name we pray.*

Amen.

**ROLL CALL**

Upon direction of the Chair, the Secretary of the Senate, Atty. Lutgardo B. Barbo, called the roll, to which the following senators responded:

Angara, S.	Lacson, P. M.
Aquino, P. B. IV B.	Legarda, L.
Binay, M. L. N. S.	Pacquiao, E. M. D.
De Lima, L. M.	Pangilinan, F. N.
Drilon, F. M.	Pimentel III, A. K.
Ejercito, J. V. G.	Poe, G.
Escudero, F. J. G.	Sotto III, V. C.
Gatchalian, W.	Villanueva, E. J.
Gordon, R. J.	Villar, C. A.
Honasan, G. B.	Zubiri, J. M. F.
Hontiveros, R.	

With 21 senators present, the Chair declared the presence of a quorum.

*P. M. F.*

Senator Recto arrived after the roll call.

Senator Cayetano was on "official business" as indicated in the August 30, 2016 letter of the Senator's chief of staff.

Senator Trillanes was on official mission abroad.

## **APPROVAL OF THE JOURNAL**

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 14 (August 24, 2016) and considered it approved.

## **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended to enable the members of the Chamber to greet Senator De Lima a happy birthday which she celebrated last Saturday, August 27, 2016.

*It was 3:22 p.m.*

## **RESUMPTION OF SESSION**

At 3:29 p.m., the session was resumed.

## **ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

Senator Sotto acknowledged the presence in the gallery of the guests of Senator Gordon, the World Chess Olympiad Philippine Team led by legendary chess grandmaster, Eugene Torre.

Senate President Pimentel welcomed the guests to the Senate.

## **REFERENCE OF BUSINESS**

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

### **BILLS ON FIRST READING**

Senate Bill No. 1069, entitled

AN ACT TO REGULATE THE RATIONAL  
EXPLORATION, DEVELOPMENT  
AND UTILIZATION OF MINERAL  
RESOURCES, AND TO ENSURE THE

EQUITABLE SHARING OF BENE-  
FITS FOR THE STATE, INDIGENOUS  
PEOPLES AND LOCAL COMMUNI-  
TIES, AND FOR OTHER PURPOSES

Introduced by Senator Risa Hontiveros

**To the Committees on Environment and  
Natural Resources; Cultural Communities; Ways  
and Means; and Finance**

Senate Bill No. 1070, entitled

AN ACT RATIONALIZING THE CHANGE  
OF STATUS OF A MEMBER OF THE  
GOVERNMENT SERVICE INSUR-  
ANCE SYSTEM FROM ACTIVE TO  
SPECIAL, AMENDING FOR THE  
PURPOSE SECTIONS 2 & 55 OF  
REPUBLIC ACT NO. 8291, OTHER-  
WISE KNOWN AS THE GOVERN-  
MENT SERVICE INSURANCE  
SYSTEM ACT OF 1997, AND FOR  
OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Government Corpo-  
rations and Public Enterprises; and Civil Service,  
Government Reorganization and Professional  
Regulation**

Senate Bill No. 1071, entitled

AN ACT PROVIDING THE PUBLIC  
WITH ADEQUATE NOTICE AND  
EDUCATION ON THE EFFECTS  
OF EXPOSURE TO MERCURY  
THROUGH THE DEVELOPMENT OF  
HEALTH ADVISORIES AND BY  
REQUIRING THAT SUCH APPRO-  
PRIATE ADVISORIES BE POSTED,  
OR MADE READILY AVAILABLE,  
AT ALL BUSINESSES THAT SELL  
FRESH, FROZEN, AND CANNED  
FISH AND SEAFOOD WHERE THE  
POTENTIAL FOR MERCURY  
EXPOSURE EXISTS

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Health and Demo-  
graphy; and Environment and Natural Resources**

*JS*



Senate Bill No. 1072, entitled

AN ACT TO STRENGTHEN AND REORIENT THE MANDATE OF THE NATIONAL FOOD AUTHORITY IN ORDER TO ENSURE FOOD SUFFICIENCY, FOR THAT PURPOSE RATIONALIZING ITS FUNCTIONS, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Government Corporations and Public Enterprises; and Agriculture and Food**

Senate Bill No. 1073, entitled

AN ACT TO PROMOTE AND GOVERN THE DEVELOPMENT OF VOICE OVER INTERNET PROTOCOL IN THE PHILIPPINES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Science and Technology**

Senate Bill No. 1074, entitled

AN ACT TO STRENGTHEN NATION-BUILDING THROUGH THE INSTITUTIONALIZATION OF A STRATEGIC VOLUNTEERISM-BASED MULTI-SECTORAL PUBLIC-PRIVATE PARTNERSHIP FRAMEWORK IN ALL LOCAL GOVERNMENT UNITS (LGUs) AND CONGRESSIONAL DISTRICTS IN THE COUNTRY AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Social Justice, Welfare and Rural Development; Local Government; Ways and Means; and Finance**

Senate Bill No. 1075, entitled

AN ACT ESTABLISHING A COMPREHENSIVE VACCINATION AND

IMMUNIZATION PROGRAM FOR FILIPINO INFANTS AND CHILDREN, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Health and Demography**

Senate Bill No. 1076, entitled

AN ACT ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED AND OTHER BOTTLED WATER

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Health and Demography; Trade, Commerce and Entrepreneurship; and Finance**

Senate Bill No. 1077, entitled

AN ACT ESTABLISHING A CRISIS CENTER FOR STREET CHILDREN IN EVERY REGION OF THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Women, Children, Family Relations and Gender Equality; Social Justice, Welfare and Rural Development; and Finance**

Senate Bill No. 1078, entitled

AN ACT TO ESTABLISH MINIMUM STANDARDS REGARDING THE QUALITY OF WIRELESS TELEPHONE SERVICE AND TO MONITOR COMPLAINTS REGARDING SUCH SERVICE

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Public Services; and Trade, Commerce and Entrepreneurship**





Senate Bill No. 1079, entitled

AN ACT ESTABLISHING MULTIDISCIPLINARY RESEARCH CENTERS REGARDING WOMEN'S HEALTH AND DISEASE PREVENTION AND CONDUCTING A RESEARCH PROGRAM ON HORMONE DISRUPTION, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Health and Demography; Women, Children, Family Relations and Gender Equality; and Finance**

Senate Bill No. 1080, entitled

AN ACT REQUIRING THE TEACHING OF HUMAN RIGHTS AS MANDATORY IN ALL PUBLIC AND PRIVATE SCHOOLS

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Education, Arts and Culture; and Finance**

Senate Bill No. 1081, entitled

AN ACT PROVIDING FOR THE RETENTION AND UTILIZATION OF THE INCOME DERIVED BY THE NATIONAL MUSEUM, AMENDING FOR THE PURPOSE SECTION 26 OF REPUBLIC ACT NO. 8492, OTHERWISE KNOWN AS THE NATIONAL MUSEUM ACT OF 1998

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Education, Arts and Culture**

Senate Bill No. 1082, entitled

AN ACT REQUIRING RADIO STATIONS TO BROADCAST A MINIMUM OF THREE ORIGINAL FILIPINO MUSIC COMPOSITIONS EVERY HOUR AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Public Information and Mass Media; and Education, Arts and Culture**

Senate Bill No. 1083, entitled

AN ACT AMENDING TITLES V AND VI, SECTIONS 102 AND 107 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Local Government; and Social Justice, Welfare and Rural Development**

Senate Bill No. 1084, entitled

AN ACT TO REGULATE THE IMPORTATION, MANUFACTURE, SALE AND DISTRIBUTION OF CHILDREN'S TOYS, SCHOOL SUPPLIES, CHILDCARE ARTICLES AND OTHER RELATED PRODUCTS, CONTAINING TOXIC CHEMICALS AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Health and Demography; Trade, Commerce and Entrepreneurship; and Finance**

Senate Bill No. 1085, entitled

AN ACT PROVIDING FOR THE DIRECT REMITTANCE TO THE HOST LOCAL GOVERNMENT OF ITS FORTY PERCENT (40%) SHARE OF THE PROCEEDS DERIVED FROM THE UTILIZATION AND DEVELOPMENT OF NATIONAL WEALTH, AMENDING FOR THE PURPOSE SECTION 293 OF REPUBLIC ACT NO. 7160, AS AMENDED, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Local Government; and Finance**



Senate Bill No. 1086, entitled

AN ACT PROHIBITING LOCAL GOVERNMENT UNITS FROM APPLYING FOR LOANS TO FINANCE INFRASTRUCTURE PROJECTS AND LENDING INSTITUTIONS FROM APPROVING IT OR RELEASING THE PROCEEDS ONE YEAR BEFORE ELECTIONS

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Local Government; and Electoral Reforms and People's Participation**

Senate Bill No. 1087, entitled

AN ACT PROVIDING FOR STIFFER PENALTIES FOR WILFUL OR INDISCRIMINATE DISCHARGE OF FIREARMS, AMENDING FOR THE PURPOSE ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Public Order and Dangerous Drugs**

Senate Bill No. 1088, entitled

AN ACT ESTABLISHING THE BARANGAY INTEGRATED DEVELOPMENT APPROACH FOR NUTRITION IMPROVEMENT (BIDANI) OF THE RURAL POOR AS A NETWORK PROGRAM OF THE PARTICIPATING STATE COLLEGES AND UNIVERSITIES AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Health and Demography; Education, Arts and Culture; and Finance**

Senate Bill No. 1089, entitled

AN ACT AMENDING ARTICLE 75 OF TITLE IV OF EXECUTIVE ORDER NO. 209, AS AMENDED BY EXECU-

TIVE ORDER NO. 227, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Women, Children, Family Relations and Gender Equality**

Senate Bill No. 1090, entitled

AN ACT DECLARING AS UNLAWFUL ANY GOVERNMENT PROJECTS TO BE NAMED OR IDENTIFIED AFTER GOVERNMENT OFFICIALS AND OTHER PERSONS WHOSE NAME OR IDENTITY MAY IN ANY MANNER BE ASSOCIATED WITH SAID OFFICIALS

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Civil Service, Government Reorganization and Professional Regulation; and Public Works**

Senate Bill No. 1091, entitled

AN ACT PROHIBITING CITY MAYORS, MUNICIPAL MAYORS AND PROVINCIAL GOVERNORS FROM MAKING APPOINTMENTS TWO (2) MONTHS IMMEDIATELY BEFORE THE NEXT LOCAL ELECTIONS AND PENDING ASSUMPTION TO OFFICE OF THEIR SUCCESSORS AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Local Government; and Civil Service, Government Reorganization and Professional Regulation**

Senate Bill No. 1092, entitled

AN ACT REGULATING HARBOR PILOTAGE SERVICES AND THE CONDUCT OF HARBOR PILOTS IN ALL PORTS IN THE PHILIPPINES, REORGANIZING PORT AUTHORITIES AND FOR OTHER PURPOSES





Introduced by Senator Joseph Victor Ejercito

**To the Committee on Public Services**

Senate Bill No. 1093, entitled

AN ACT TO CREATE THE SOCIAL HOUSING DEVELOPMENT AND FINANCE CORPORATION, PRESCRIBING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Government Corporations and Public Enterprises; Urban Planning, Housing and Resettlement; and Finance**

Senate Bill No. 1094, entitled

AN ACT REQUIRING ALL INDEPENDENT POWER PRODUCERS, GENERATION COMPANIES OR ENERGY RESOURCE DEVELOPERS TO REMIT THE AMOUNT THEY ARE REQUIRED TO SET ASIDE AS FINANCIAL BENEFIT DIRECTLY TO THE HOST COMMUNITIES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Energy; and Local Government**

Senate Bill No. 1095, entitled

AN ACT GRANTING TAX DEDUCTIONS TO PARENTS AND LEGAL GUARDIANS OF CHILDREN WITH SPECIAL NEEDS AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Ways and Means**

Senate Bill No. 1096, entitled

AN ACT EXEMPTING THE SALE OR IMPORTATION OF PETROLEUM PRODUCTS AND RAW MATERIALS IN THE MANUFACTURE THEREOF

FROM THE EXPANDED VALUE ADDED TAX, AMENDING FOR THE PURPOSE SECTION 109 (1) OF THE NATIONAL INTERNAL REVENUE CODE (NIRC) OF 1997, AS AMENDED BY REPUBLIC ACT 9337, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Ways and Means**

Senate Bill No. 1097, entitled

AN ACT ESTABLISHING THE PHILIPPINE LEGISLATIVE ACADEMY, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Accounts; Ways and Means; and Finance**

Senate Bill No. 1098, entitled

AN ACT AMENDING PRESIDENTIAL DECREE NO. 1829, PENALIZING OBSTRUCTION OF APPREHENSION AND PROSECUTION OF CRIMINAL OFFENDERS

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Justice and Human Rights**

Senate Bill No. 1099, entitled

AN ACT DETERRING AND PUNISHING THE ESTABLISHMENT AND OPERATION OF CRIMINAL STREET GANGS, RECRUITMENT OF INDIVIDUALS TO PARTICIPATE IN THE COMMISSION OF GANG CRIMES AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Public Order and Dangerous Drugs**



Senate Bill No. 1100, entitled

AN ACT ESTABLISHING THE SOLIDARITY FUND OF THE LOCAL GOVERNMENT UNITS FOR DISASTER RESPONSE AND RECOVERY

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Local Government**

Senate Bill No. 1101, entitled

AN ACT DECLARING THE PROVINCE OF BILIRAN A MINING-FREE ZONE

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Environment and Natural Resources**

Senate Bill No. 1102, entitled

AN ACT CONSERVING, PROMOTING AND POPULARIZING THE NATION'S HISTORICAL AND CULTURAL HERITAGE AND RESOURCES, AS WELL AS ARTISTIC CREATIONS BY EXACTING A PERFORMANCE FEE FROM FOREIGN PERFORMERS AND ALLOCATING THE PROCEEDS THEREOF TO THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Education, Arts and Culture**

Senate Bill No. 1103, entitled

AN ACT ESTABLISHING POLYTECHNIC UNIVERSITY OF THE PHILIPPINES — SABLAYAN CAMPUS IN THE MUNICIPALITY OF SABLAYAN, OCCIDENTAL MINDORO TO BE KNOWN AS "PUP-SABLAYAN CAMPUS" APPROPRIATING FUNDS THEREOF AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Education, Arts and Culture; and Finance**

Senate Bill No. 1104, entitled

AN ACT REQUIRING THE TEACHING OF INTELLECTUAL PROPERTY OWNERSHIP PARTICULARLY COPYRIGHT LAW AS PART OF THE CURRICULUM OF ALL PRIMARY, SECONDARY AND TERTIARY SCHOOLS IN THE COUNTRY, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Education, Arts and Culture; Trade, Commerce and Entrepreneurship; and Finance**

Senate Bill No. 1105, entitled

AN ACT TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, THROUGH THE NATIONAL MAPPING AND RESOURCE INFORMATION AUTHORITY, TOGETHER WITH THE NATIONAL DISASTER COORDINATING COUNCIL, TO IDENTIFY LOW-LYING AREAS OF THE PHILIPPINE TERRITORY VULNERABLE TO RISING SEA LEVELS AS A RESULT OF GLOBAL WARMING, AND AREAS AT HIGH RISK FOR NATURAL DISASTERS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Environment and Natural Resources; Local Government; and Finance**

Senate Bill No. 1106, entitled

AN ACT PROVIDING BENEFITS AND INCENTIVES TO ACCREDITED DAY CARE WORKERS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6972 OTHERWISE KNOWN AS THE BARANGAY LEVEL TOTAL



DEVELOPMENT AND PROTECTION OF CHILDREN ACT

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Local Government; and Finance**

Senate Bill No. 1107, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF A SCHOOL BUILDING IN EVERY BARANGAY IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Education, Arts and Culture; Public Works; and Finance**

Senate Bill No. 1108, entitled

AN ACT IDENTIFYING OTHER PERSONS CRIMINALLY LIABLE FOR ELECTION OFFENSES AND INCREASING THE PENALTIES FOR ELECTION-RELATED OFFENSES, AMENDING SECTIONS 263 AND 264 OF BATAS PAMBANSA BILANG 881, AS AMENDED OF THE "OMNIBUS ELECTION CODE OF THE PHILIPPINES," AND SECTION 46 OF REPUBLIC ACT NO. 8189 OR "THE VOTER'S REGISTRATION ACT OF 1996," AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Electoral Reforms and People's Participation**

**ADDITIONAL REFERENCE OF BUSINESS**

The Deputy Secretary for Legislation, Atty. Edwin B. Bellen, read the following matters and the Chair made the corresponding referrals:

**BILLS ON FIRST READING**

Senate Bill No. 1109, entitled

AN ACT AMENDING SECTIONS 23(C), 24(A)(2), 27(A), 28(A), 32(B)(7), 34(A) AND (L), AND 35(E) OF TITLE II,

TAX ON INCOME AND SECTION 249(A) OF THE NATIONAL INTERNAL REVENUE CODE OF 1997 AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Aquilino "Koko" Pimentel III

**To the Committee on Ways and Means**

Senate Bill No. 1110, entitled

AN ACT AMENDING SECTION 8 OF PRESIDENTIAL DECREE NO. 910, S. 1976 (CREATING AN ENERGY DEVELOPMENT BOARD, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Aquilino "Koko" Pimentel III

**To the Committees on Energy; and Finance**

**RESOLUTIONS**

Proposed Senate Resolution No. 111, entitled

RESOLUTION DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED P200-MILLION RACKET INVOLVING FRAUDULENT PROCESSING OF PHILIPPINE HAJJ PASSPORTS ISSUED TO NON-FILIPINO MUSLIMS

Introduced by Senator Maria Lourdes Nancy S. Binay

**To the Committee on Accountability of Public Officers and Investigations**

Proposed Senate Resolution No. 112, entitled

RESOLUTION URGING THE COMMITTEE ON PUBLIC SERVICES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO REVISIT THE EXISTING DEVELOPMENT PROGRAMS OF THE COUNTRY



WITH THE END VIEW OF CRAFT-  
ING A LEGISLATED COMPREHEN-  
SIVE URBAN MASTER PLAN

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Public Services**

Proposed Senate Resolution No. 113, entitled

RESOLUTION DIRECTING THE COM-  
MITTEE ON ACCOUNTABILITY OF  
PUBLIC OFFICERS AND INVESTI-  
GATIONS (BLUE RIBBON) TO  
CONDUCT AN INQUIRY IN AID  
OF LEGISLATION, INTO THE  
POSSIBLE MALFEASANCE, MIS-  
FEASANCE, AND NONFEASANCE  
OF PUBLIC OFFICERS IN THE  
IMPLEMENTATION OF REPUBLIC  
ACT 9593 OTHERWISE KNOWN AS  
THE TOURISM ACT OF 2009

Introduced by Senator Richard J. Gordon

**To the Committee on Accountability of  
Public Officers and Investigations**

Proposed Senate Resolution No. 114, entitled

RESOLUTION DIRECTING THE COM-  
MITTEES ON FOREIGN RELATIONS;  
AND LABOR, EMPLOYMENT AND  
HUMAN RESOURCES DEVELOP-  
MENT TO CONDUCT AN INQUIRY,  
IN AID OF LEGISLATION, ON THE  
TRAGIC DEATH OF OVERSEAS  
FILIPINO WORKER IRMA AVILA  
EDLOY

Introduced by Senator Aquilino "Koko"  
Pimentel III

**To the Committees on Foreign Relations;  
and Labor, Employment and Human Resources  
Development**

**SECOND ADDITIONAL  
REFERENCE OF BUSINESS**

**BILL ON FIRST READING**

Senate Bill No. 1111, entitled

AN ACT PROVIDING FOR A SYSTEM  
FOR LOCAL ABSENTEE VOTING

FOR MEDIA PRACTITIONERS,  
LAWYERS, AND ELECTORAL  
STAFF OF CANDIDATES FOR  
NATIONAL ELECTIONS, AMEND-  
ING FOR THIS PURPOSE REPUBLIC  
ACT NO. 7166, AND FOR OTHER  
RELATED PURPOSES

Introduced by Senator Leila M. de Lima

**To the Committee on Electoral Reforms  
and People's Participation**

**COMMITTEE REPORT**

Committee Report No. 1, prepared and submitted  
jointly by the Committees on Local Government;  
Electoral Reforms and People's Participation;  
and Finance on Senate Bill No. 1112, with  
Senators Leila M. de Lima, Cayetano, Joel  
Villanueva, Sonny Angara, Zubiri and Legarda  
as authors thereof, entitled

AN ACT POSTPONING THE OCTOBER  
2016 BARANGAY AND SANGGUNI-  
ANG KABATAAN ELECTIONS,  
AMENDING FOR THE PURPOSE  
REPUBLIC ACT NO. 9164, AS  
AMENDED BY REPUBLIC ACT  
NO. 9340 AND REPUBLIC ACT  
NO. 10656, AND FOR OTHER  
PURPOSES,

recommending its approval in substitution of  
Senate Bill Nos. 371, 1037, 1041, 1049 and 1055.

Sponsor: Senator Sonny Angara

**To the Calendar for Ordinary Business**

**COMMUNICATION**

Notice of Order and Resolution of Sandiganbayan  
5th Division on Case No. SB-16-CRM-0128  
(*People of the Philippines vs. Joseph Victor  
G. Ejercito, et al.*) promulgated on 22 August  
2016, Re: Order of Suspension of Senator  
Joseph Victor G. Ejercito for ninety (90) days  
unless a motion for reconsideration is seasonably  
filed, a copy of which was received by the  
Senate through the Office of the Senate  
President on 23 August 2016.

**To the Committee on Rules**



## SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 1 on Senate Bill No. 1112 from the Calendar of Ordinary Business to the Calendar for Special Orders.

### COMMITTEE REPORT NO. 1 ON SENATE BILL NO. 1112

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1112 (Committee Report No. 1), entitled

AN ACT POSTPONING THE OCTOBER 2016 BARANGAY AND SANGGUNIAN KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340 AND REPUBLIC ACT NO. 10656, AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Angara for the sponsorship.

### SPONSORSHIP SPEECH OF SENATOR ANGARA

Senator Angara, on behalf of the Committee on Local Government, submitted for plenary consideration Senate Bill No. 1112, entitled "An Act Postponing The October 2016 Barangay And Sangguniang Kabataan Elections, Amending For The Purpose Republic Act No. 9164, As Amended By Republic Act No. 9340 And Republic Act No. 10656, And For Other Purposes," under Committee Report No. 1.

*The full text of Senator Angara's sponsorship speech follows:*

*Sinasabi na ang halalan ay isa sa pinakamahalagang elemento ng isang buhay na buhay na demokrasya. Kaya po nakasaad mismo sa ating Saligang Batas ang karapatan*

*sa halal o right to suffrage ng bawat tao. Ngunit minsan, kinakailangan ipagpaliban ito para hayaang mahinog ang iilang reporma, tulad ng SK Reform Act, at para bigyan ng pagkakataon ang mga kawani ng gobyerno na matututukan ang iba pang isyung panlipunan.*

*Iniisponsor po namin ngayon ang panukalang ipagpaliban pansamantala ang Barangay at Sangguniang Kabataan (SK) elections na kasalukuyang nakatakda itong darating na October 31, 2016, at itakda na ito ay gagapin sa huling Lunes ng October 2017.*

### More Urgent Matter

This past week, our Committee on Local Government held a public hearing on the matter, discussing five different bills filed by myself, Senators De Lima, Cayetano, Villanueva, and Zubiri.

In reality, all but one of the bills tackled included provisions calling for an extension in the terms of barangay officials, including the Sangguniang Kabataan, from three (3) years to five (5) years. This is, in fact, part of a long, ongoing discussion on how to better empower our barangays and how to insulate them from the distractions and burdens of partisan politics. But this matter, I believe, deserves more time for discussions and discernment.

The more urgent matter then concerns the postponement of the elections, given that the Comelec has begun preparations and that we are less than two months away from the scheduled date of elections.

Hence, the measure we are sponsoring focuses solely on postponing the upcoming barangay and SK elections, specifically to the last Monday of October 2017.

### In Favor

A foremost reason for pushing through with postponement is to allow more time for the full implementation of the SK Reform Act or Republic Act No. 10742, which was a product of the hard work of our colleagues, Senators Aquino, Ejercito, and former Senator Bongbong Marcos.

We clearly hear the voices of those who are against the proposal. *Naiintindihan po namin ang hinaing ng kabataan na tatlong taon na hindi pa nakakapaghalal ng Sangguniang Kabataan (SK). Nauunawaan naman po namin ang halaga ng SK bilang daan ng kabataan para itanghal ang kanilang saloobin at isaalang-alang ito para sa kaunlaran ng ating bansa.*



*Kaya rin po kami bumoto para sa SK Reform Act o RA 10742 noong nakaraang Kongreso. Klaro po sa amin na marami sa nilalaman nito ay makakatulong para palakasin ang SK at gawing mas makabuluhan para sa ikauunlad ng bansa. Pero klaro rin po sa amin na sa ilang mahahalagang aspeto, hindi pa po handa ang gobyerno para maimplimenta ang RA 10742. Alalahanin po natin na noong January lamang pinirmahan ang batas, noong July lang po naaprubahan, at itong Agosto lamang nailathala sa Official Gazette ang Implementing Rules and Regulations (IRR) nito.*

#### **Wala Pang "Training Fund"**

For instance, RA 10742 calls for the creation of a training fund worth P50 million to be used for the mandatory training of SK officials. The SK Reform Act mandates that every SK official has to undergo training before they formally assume office. But these trainings cannot take place this year given the 2016 GAA does not provide any such training fund. At the same time, no barangay is prepared to conduct such a training, primarily because no training module has been created—let alone tested, and fine-tuned.

In contrast, consider that the proposed 2017 budget includes an allocation for a training fund. On top of that, one year is more than enough time to fine-tune a training module and for barangays to prepare their training arms.

#### **Wala Pang Registration sa "Katipunan ng Kabataan"**

*Malinaw na nakasaad sa RA 10742 na dapat magkaroon sa bawat barangay ng "Katipunan ng Kabataan" bilang assembliya ng lahat ng nakatira sa barangay na may edad 15 to 30 years old. Ito po ang magiging "highest policy making body" sa barangay pagdating sa mga usapin ng kabataan. Sila rin po ang maghahalal sa SK ng kanilang barangay.*

*Malinaw naman po sa RA 10742 na minamandato ang Comelec na maglunsad ng "special registration" para sa Katipunan ng Kabataan—which in no case, according to the law, should be less than one (1) month. Hindi pa po nagaganap ang "special registration" na ito sapagkat 15 days lang po ang haba na ginawa nitong Hulyo.*

*Sa madaling salita po, pagdating sa pagimplementa ng SK Reform Act, may gatas pa sa labi ang gobyerno. Pilitin man natin, hindi agad-agad nahihinog ang hilaw. At hindi rin*

*po ba, mas maraming pagkakataon para magkamali kapag nagmamadali? Siguraduhin sana natin na maimplimenta nang tama ang SK Reform Act na pinaghirapan ng ating mga kasamahan.*

Another reason in favor for postponement is so-called election fatigue, a phrase used by Comelec Chairperson Andy Bautista. As early as May this year, the chair of the Comelec said he would ask Congress for the postponement, citing election fatigue as the foremost reason. For a number of us, the memory of the May 2016 elections is still quite fresh. And while we may have differing recollections of what transpired, I am sure we all remember the exercise to be particularly energetic and engaging.

But are voters as energized and engaged with the upcoming barangay and SK elections which are mere months away? Consider how, according to Comelec, around 3.095 million new voters registered out of the 6 million targeted new voters for the SK polls this year. That is less than 50% of the total number of new voters. Herein lies election fatigue where the focus, if not the interest, of the electorate is effectively divided, if not decimated, when they are made to vote too often.

This is not to say that barangay-level positions are less important than higher government posts. On the contrary, these officials are literally neighbors of their constituents, which makes their positions all the more vital to a democracy—to building a government that works for and side-by-side with the people. Postponement only gives the Comelec more time to assure higher voter turnout for these essential elections and would-be voters the head space to fully consider who should lead their barangays. *Marahil, nagiging malabnaw ang proseso kapag hindi dito nakatuon ang taumbayan.*

A third justification for postponement is about opportunity costs and delays. According to Comelec Chairman Bautista, the Comelec will need a little more than P6 billion for the barangay and SK polls this year—which will be conducted manually. That P6 billion is about the same amount saved if we synchronize those polls with the proposed election of delegates for any proposed constitutional convention.

Of course, our right to suffrage is sacred, and no financial cost should be spared for us to put this right to practice. However, the barangay and SK polls come with significant opportunity costs. For one, Department of Interior and Local Government Secretary Ismael "Mike" Sueno

*mpk*



raised the point — as did Senator Joel Villanueva during last week's hearing — that the polls will come with temporary bans and restrictions to government projects and processes.

We already lost 90 days with the May elections, and we could lose even more with the upcoming polls. And that means even more days blocked off for the possible implementation of government projects. While we are trying to fast-track so many infrastructure projects, that period is just too significant a time-period to give up, especially for an administration that is barely 100 days old. At the same time, the administration still has to fill several positions, something which Speaker Alvarez pointed out is banned during an election period. *Nagsisimula pa lang, binibitin na agad.*

Pushing through with the barangay polls this year could also break the momentum of the president's war against drugs, criminality and corruption. *Sabi po ng PNP doon sa aming hearing na* anywhere from 90 to 95 percent of PNP personnel are deployed during elections, 45 days before and up to 15 days afterwards — either national or barangay. These personnel would be deployed to some 36,700 polling precincts, while some are assigned to roving and checkpoint duties or tasked with securing the delivery of ballot boxes.

Assigning election-related duties would effectively limit — undercut even — the PNP's capacity, making it unnecessarily difficult to solve the drug problem that PNP Director General Ronald "Bato" Dela Rosa said already affects up to 11,321 or more than a fourth (27 percent) of the country's 42,000 barangays.

At the same time, barangay officials play an important role in the country's anti-criminality campaign. Having them engage in elections — a politically partisan exercise — would just be another way of distracting or delaying their resolve to face down the drug scourge. Over the weekend, President Duterte even expressed worry that drug money could taint the entire process. Of course, that is something we clearly have to prevent from happening.

The story is similar for the Armed Forces of the Philippines, who also just finished the redeployment of their soldiers from the May 2016 elections. On top of the war versus drugs, there is also an ongoing campaign versus the Abu Sayyaf Group (ASG). More battalions have in fact been sent to Sulu and Basilan. We would undermine this campaign if we reassign soldiers for election duty.

We also have to consider the current drive to amend our Charter. We will need to think long and hard about the role barangays will play in this new structure. Ours is now a government in transition.

### CONSENSUS

*Malinaw po na ang Kamara—pati ang Presidente—ay sumasang-ayon sa postponement. Kaya sa tingin ko po, 'wag na po nating upuan at ipagpaliban ang desisyon dito. Hiniling din po ng Comelec na klaruhin natin ang paninindigan natin bago mag-September 1.*

*Syempre, may iilan na hindi sumasang-ayon sa panukala, tulad po ng mga nagsasabi na tatlong taon nang hindi pa nagkakaroon ng halalan para sa SK. Sabik na sabik silang magkaroon ng eleksyon. Ngunit ano po ba ang para sa ikabubuti ng lahat? Marahil ang nangunguna dito ang pagpapaigting at pagpapalakas sa mga polisiya, sistema at istruktura ng pamahalaang pambarangay.*

That is why let me emphasize that with this measure we are not forsaking every person's right to suffrage. We merely defer its exercise in the hopes of strengthening it and making it more meaningful.

### COSPONSORSHIP SPEECH OF SENATOR DE LIMA

At the instance of Senator Sotto, there being no objection, the cosponsorship speech of Senator De Lima on Senate Bill No. 1112 was deemed read and inserted into the record.

*Following is the full text of the cosponsorship speech:*

It is my honor as author of Senate Bill No. 371 to cosponsor Senate Bill No. 1112 in substitution of Senate Bills Nos. 371, 1037, 1041, 1049 and 1055 which seeks to postpone the October 2016 Barangay and Sangguniang Kabataan (SK) elections to the last Monday of October 2017.

The barangay is the basic political unit of the country which serves as the frontliner in the delivery of basic services to the people needing immediate assistance and support.

*Sa oras man ng kalamidad, sakit, alitan, o anumang pangangailangan, ang barangay*





*ang pinupuntahan at inaasahang tutugon sa problema ng kanilang nasasakupan.*

The postponement of the barangay and SK elections will benefit local communities because their barangay officials will have a longer time to implement their projects and programs.

This will also allow the President who has just started his term last July to seamlessly implement his policies down to the barangay level without the supposed interruptions should the barangay elections take place this year.

*Tuwing eleksyon po kasi, nahihinto ang iba't ibang proyekto at programa sa barangay bilang paghahanda sa halalan.*

At the same time, this will give the Commission on Elections sufficient time to push for an agenda of electoral reforms as a result of said postponement.

Furthermore, I will still push for a bill which seeks to extend the term of office for all elective barangay officials from the current three (3) to five (5) years with a maximum of two consecutive terms.

I believe that the present term of office for barangay elective officials may be too short for them to fully implement their notable programs of peace and development in their localities.

This will also spare barangay officials from the regular political changes done almost every three (3) years corresponding to the term of office among other local and national elected officials.

This will give them a sense of independence from these officials, as barangay officials are intended to be insulated from the highly partisan nature of politics at these levels. The term extension will reinforce this intention to make barangay politics a community activity shorn of the political conflicts and interests that characterize politics at the municipal and city levels.

*Naniniwala po tayo, walang dapat kinikilingan ang mga barangay kundi ang mamamayan. Para higit na makapagsilbi sa Pilipino, hindi ito dapat maging partisan at maging kasangkapan ng sistemang padrino. Ang isang solusyon: dalangan ang paghalal ng mga opisyal ng barangay.*

In the interest of expediency, this aspect of my bill was not considered in the committee hearing. But in the coming days, I will be filing a bill specifically for this purpose.

I congratulate the Committee on Local Government headed by Senator Juan Edgardo "Sonny" Angara for a job well done. I hope that this will set a trend toward a more efficient and responsive Senate in the service of our countrymen.

## COSPONSORSHIP SPEECH OF SENATOR ZUBIRI

In cosponsoring Senate Bill No. 1112, Senator Zubiri delivered the following speech:

I thank the Chairperson of the Committee on Local Government, Senator Sonny Angara, for graciously allowing this Representation to cosponsor Senate Bill No. 1112 under Committee Report No. 1, or "An Act Postponing the October 2016 Barangay and Sangguniang Kabataan Elections."

Many would ask, why postpone it if the Comelec is already prepared for the conduct of the said election this year? Why postpone it if the budget has already been made available? Why postpone it if the barangay and local leaders are already anticipating it?

In some cases, it is not only a matter of preparation of budget but right timing as well. The bill on the floor is one of the exceptions to the general rule. The Committee has been prudent in postponing barangay and SK elections to only one year, meaning, by last Monday of October 2017, we will proceed with these elections. I believe that this is the right time for the said elections.

May I explain why. As we all know, there are bills filed extending the term of barangay and SK officials from three (3) years to five (5) years. There are also suggestions to clearly define the roles and functions of the barangay officials in light of the war on drugs by the current administration. After the initial efforts of the President and national law enforcement agencies — the PNP, PDEA and NBI — on the war on drugs, this will have to be sustained down to the municipal and barangay levels. The PDEA and PNP have identified, down to the barangay level, the infiltration of the drug menace in the country. We should enlist the cooperation of barangay and SK officials in this campaign, thus, a review of their roles and functions as specified in the Local Government Code is necessary. Moreover, to allow the elections to push through this October will necessarily slow down the current administration's campaign against illegal drugs.

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Similarly, there are also discussions on the modes of removal from office of the erring barangay and SK officials as well as call to review the powers and responsibilities of the barangay officials in traffic management, especially in Metro Manila and other urbanized localities. I expect that these issues will also be tackled in the discussion on the bills granting emergency powers to the President to solve the traffic and transportation problems in the country.

With the postponement of the barangay and SK elections, from October this year to October 2017, this will allow Congress and your Committee on Local Government in particular to have sufficient time to tackle all these bills and issues pertaining to the barangay and SK officials — their tenure, powers, functions and responsibilities. And by the time we conduct the election next year, we can have a reform measure concerning the barangay officials or an amendment to the Local Government Code.

For the foregoing reasons, I call for our distinguished colleagues to immediately pass this measure.

#### **COSPONSORSHIP SPEECH OF SENATOR CAYETANO**

At the instance of Senator Sotto, there being no objection, the cosponsorship speech of Senator Cayetano on Senate Bill No. 1112 was inserted into the Record.

*Following is the full text of Senator Cayetano's cosponsorship speech:*

I rise to express support for Senate Bill No. 1112, under Committee Report No. 1, entitled "An Act Postponing the October 2016 Barangay and Sangguniang Kabataan Elections, Amending for the Purpose Republic Act No. 9164, as Amended by Republic No. 9340 and Republic Act No. 10656, and for Other Purposes."

The proposed measure seeks to reset the upcoming synchronized Barangay and Sangguniang Kabataan (SK) elections scheduled on October 31, 2016, to be held after one (1) year, on the last Monday of October 2017,

The postponement of the upcoming synchronized Barangay and Sangguniang Kabataan (SK) elections is urgent and necessary for at least four (4) clear reasons:

1. It will enable all government agencies and political subdivisions to focus their full

support for and efforts towards winning the war against illegal drugs and criminality in the country.

2. It will afford the legislature ample time to review the 1991 Local Government Code's provisions on effective barangay governance.
3. It will give the Commission on Elections (Comelec) sufficient time to prepare for said elections and the Filipino electorate ample time to discern how to intelligently cast their votes.
4. It will enable incumbent barangay and SK officials to effectively continue their projects and programs and to amend or re-align their initiatives in accordance with the thrusts of the new Administration.

#### ***War Against Drug and Criminality***

In light of the ongoing war against illegal drugs and criminality being waged by the Duterte Administration, a war which must be fully supported by all national government agencies down to the barangay level if it is to be won, it is but prudent to postpone the said elections to at least a year later than the original date.

To hold said elections now would complicate matters concerning the government's crack-down on illegal drugs, especially if barangay officials linked to the said illicit activities will claim political motivations/election-related reasons behind such accusations. Standard prohibited activities during election and election bans will also hamper reforms being undertaken in the government.

February 2015 data from the Philippine Drug Enforcement Agency (PDEA) states that around one-fifth of barangays in the Philippines have drug-related cases, with Metro Manila as the region most affected by drugs, 92% of the latter's barangays having drug-related cases. Recent data from the National Capital Region Police Office (NCRPO) show 98% drug affectation rate in the barangays in Metro Manila, covering 1,611 barangays.

#### ***Effective Barangay Governance***

The proposed postponement would give our legislators sufficient time to strengthen this most basic political unit by studying and implementing governance reform in our 42,036 barangays around the Philippines.



In this sense, to take a closer look at how the Local Government Code can be amended in order to strengthen the provisions concerning barangays with regard to term limits, benefits, training and funding, among others, would certainly be a wise move, as what happened in the case of the postponement of the SK elections, which act paved the way for the passage of another important piece of legislation on SK reform. Maybe we can study more my original proposal of raising this three-year term to five years for a more meaningful governance in the barangay.

### *Time to Reflect*

Barely five (5) months after the recently concluded national and local elections, the conduct of the barangay and SK elections this October would be too soon for the Comelec and the Filipino people to prepare for and reflect on this all-important political exercise.

The inherent divisiveness that characterized the elections held early this year may likely affect the results of the said synchronized elections and the performance by concerned public officials of their respective duties. This should not be the case since barangay officials are not supposed to belong to any political party and should thus be neutral in the provision of services to their constituents.

### *Implement Projects and Programs along the Thrusts of the New Administration*

The postponement of the said synchronized elections will allow the incumbent national officials to continue the effective implementation of their new projects and initiatives or to reform their programs in accordance with the thrusts of the new Administration.

With a new President at the helm, a President with his own brand of leadership and governance, it is crucial that we ensure that government policies and programs initiated under the Duterte Administration, especially those concerning peace and order and the campaign against illegal drugs, will continue to be properly carried out all the way down to the local level.

### *Conclusion*

While I intend to introduce amendments at the proper time to enhance the Committee Report, such as inserting a provision requiring the Department of the Interior and Local Government (DILG) to have strict supervision over these extended terms in the barangay and

to impose stricter sanctions over those who are inefficient or who consistently fail to perform their duties, I believe in the wisdom of resetting the synchronized Barangay and Sangguniang Kabataan elections to a year after. But this is not a winner-take-all scheme. This postponement should not in any way allow the incumbent officials to be too lax in the performance of their duties during this period.

Thus, I earnestly seek the immediate approval of this bill.

## **COSPONSORSHIP SPEECH OF SENATOR VILLANUEVA**

In cosponsoring Senate Bill No. 1112, Senator Villanueva, delivered the following speech:

It is my honor to sponsor an act to reset the barangay and sangguniang kabataan elections to October 2017.

It is with some hesitation that I make this proposal. Barangay and SK elections are important: Barangays provide first-level services to Filipinos and Sangguniang Kabataan elections are the primary means by which our youth can participate and make their voices heard.

*Hindi po mapapasubalian ang kahalagahan ng mga SK leaders at mga barangay officials: Sila po ang unang takbuhan ng ating mga kababayan. Sila po ang unang tumutugon sa mga problema at isyung nakakaapekto sa ating mga pamayanan. Sila po ang nag-uugnay sa mga barangay sa mas mataas na antas ng ating pamahalaan.*

SK elections have been rescheduled before and our youth leaders have complained that their voices are not being heard. I sympathize with our youth and I respect their views. I support their role in local governance. It is because of this respect for youth representation that I beg for their understanding.

As important as these elections are, I believe postponing elections is necessary for the following reasons:

First, we have just finished divisive national elections and we need time for cooler heads to prevail. Barangay and SK elections are non-partisan and we do not want them contaminated with the aftermath of the last national elections.

Second, holding barangay and SK elections this year will cost delays and slow down crucial

*ppk*



economic projects of the national government. Elections will trigger temporary bans and restrictions in several government processes throughout the entire election period. Since we already had a 45-day ban this year on several government processes due to the national and local elections, adding a 10-day ban would mean that roughly 15% of this year were foregone opportunities on possible government services and development efforts.

We have just concluded national elections, and it may be more prudent to allow the new administration sufficient time to focus on its commitments.

Third, we need a higher voter turnout for barangay elections. A postponement will give an opportunity for the Commission on Elections to improve voter turnout in the SK and barangay elections and foster more meaningful participation.

According to the Comelec, there were 2,039,531 new registrants for the SK elections and 1,180,101 voters for the barangay elections.

SK and barangay polls postponement is a chance for senior high school and college students to be able to register for barangay and SK polls. A number of students were not able to register since classes were already ongoing during the 15-day registration period last month. In fact, the 15-day period can also be questioned because the implementing rules and regulations of the SK Reform Law states that there should be a special registration and it should not be less than one month including Saturdays and Sundays.

Fourth, the upcoming polls will be manual, not automated, and this will be costly.

The Comelec actually, during one of our meetings, recommends that we synchronize the holding of the barangay and SK polls with the constitutional convention as, and I quote, "this will save the government as much as P5 billion to P6 billion." It is still unclear when a constitutional convention will be held and it may be too long a time to wait for our barangay and SK officials. That is why a one-year delay under the circumstances is not unreasonable.

Fifth, if elections push through this year, there could be power outages in different parts of the country because of the directive for all power plants to be always available during the election period. The delay in the maintenance shutdown of several power plants due to the May 2016 elections is being cited as the major reason of Luzon's recent power problems during

the last committee hearing conducted by Senator Gatchalian in his Committee on Energy.

Lastly, during the committee hearing, there were concerns on the reported incidents of corrupt and inefficient barangay officials. The time that we could use in the elections may be used to improve mechanisms to investigate and eventually hold these erring officials accountable.

We are very lucky because our population is young and I can say that we have big dreams for this country. They are aware of their role to quest for justice and equity for Filipinos and to fight corruption; they are fully aware of their moral obligation to make a difference in this country even in just a small corner of it.

The barangay, on the other hand, is a forum wherein the collective voice of the people may be expressed, crystallized and considered.

That is why it is not hard to imagine why barangay residents, together with faith-based organizations and civil society organizations, collaborate on common pursuits, join forces to eradicate communal problems and mutually gain in the process.

Therefore, this proposal is not meant to belittle the role of the barangay and the Sangguning Kabataan in our political life. It is out of respect for these institutions that I submit this proposal to ensure that we have meaningful elections.

I urge my colleagues for full and an unequivocal support for this measure.

## SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

*It was 4:13 p.m.*

## RESUMPTION OF SESSION

At 5:18 p.m., the session was resumed.

## INTERPELLATION OF SENATOR AQUINO

Preliminarily, Senator Aquino acknowledged that Senator Angara made a number of good points in his speech, especially highlighting how a number of youth groups have been preparing for the October 16 SK elections.





Asked to comment on the latest news about a two-year election postponement or even the abolition of the SK, whether it would change the prevailing position of having the SK elections on October 2017, Senator Angara replied that the consensus during the committee hearing was really to postpone the barangay and SK elections for just one year and not two years, which is too long a postponement, adding that moving it to 2018 would be too close to the May 2019 elections.

Asked if the House of Representatives and the Senate share the same preference of moving the SK and barangay elections to October 2017, Senator Angara disclosed that, according to Representative Fariñas, the Majority Leader in the House, the House of Representatives would adopt Senate Bill No. 1112 if it would be passed ahead of the House bill, with the change only in the proviso contained in Section 1 of the Senate bill. He said that the House proposal postpones the elections to the fourth Monday of October 2017 instead of the last Monday of October 2017.

Senator Aquino disclosed that when he was asked by certain groups about the election postponement, he told that he was actually amenable to holding the elections on February 2017, just a few months from October 2017 but he acknowledged that, as Senator Angara pointed out, there are still a lot of preparations to be made, specifically the registration of more youth voters and the search for those who will be running in the elections as there are still a number of places where there is confusion as to who are qualified to run.

On whether he would stand by the Senate position if there would be a move to push the barangay and SK elections to 2018 or even to abolish the SK, Senator Angara replied in the affirmative, as he believed that most of the senators would be in favor of holding the elections within 2017.

Senator Aquino recalled that in the 16<sup>th</sup> Congress, the senators took a hard-line stance in agreeing to the postponement of the SK elections provided the SK Reform Act would be passed. He believed that the youth would be interested in seeing the Act implemented together with its first ever anti-political dynasty provision. He revealed that in his conversation with Comelec Chairman Bautista during the International Youth Day festivities, they talked about the need for some clarifications on how the anti-

political dynasty provision would be implemented. He said that although he agreed to the postponement, he maintains the position that too much postponement would be tantamount to a virtual abolition of the SK.

Asked if the Comelec would continue with its voter registration if the election would be postponed for one year, and if the DILG or the National Youth Commission (NYC) would do a caravan to convince more youth to run in the SK elections or disseminate information regarding the SK, Senator Angara stated that the Comelec needs to conduct a new registration because with the postponement there would be new qualified voters who would be covered. As regards the caravan, he believed that it would appeal to the youth, given the current state of knowledge or awareness of the youth about the new SK Reform Act.

Asked whether the election postponement to October 2017 is primarily due to the recently concluded 2016 elections, whether the goal is to prepare better because of the new provisions, or whether to convince the youth to run for public office, Senator Angara explained that during the committee hearing, the Comelec said that although it is ready to hold the elections and had started making preparations, holding two elections in one year is too much because it may lead to election fatigue, and it would be a big task for the Comelec, along with the concomitant use of resources such the PNP, the AFP and the accompanying election ban. He added that it is the reason why under the bill, there is a proviso which says that succeeding elections will be held in 2017, then 2020, and then 2023.

Asked why October was chosen as the election month, since initially there were plans of a February elections, Senator Angara explained that February would be too short a time for a postponement and October happens to be just one year away from the regularly scheduled elections, giving enough time for the Comelec to prepare as well as the other local officials to organize themselves. He said that taking all these factors together would lead to the consensus that it would be better to have a one-year election postponement.

Senator Aquino noted that the barangay and SK elections are not on the same level in the sense that there are incumbent barangay officials while there are no current Sangguniang Kabataan officials. He



then asked if the proposal to hold barangay and SK elections at the same time is for cost-cutting measures and whether having the SK elections ahead of the barangay was discussed in the committee level. Senator Angara replied that the idea of holding the SK elections ahead of the barangay elections was indeed discussed in the committee, as he informed the Body that the National Youth Commission (NYC), through its chair, Aiza Seguerra, actually suggested holding the SK elections at the soonest possible time, which the Committee considered; however, the Comelec informed the Committee that holding separate election would double the cost, costing close to P6 billion for each election.

In response to further question, Senator Angara said that it would just be a manual election and that the bulk of the expenses would be the honoraria paid to the teachers and other officials who would be serving during the elections.

#### INTERPELLATION OF SENATOR LACSON

At the outset, Senator Lacson commended Senator Angara for being the first one to submit to the plenary a committee report, which he thought is an accomplishment worth mentioning.

Asked by Senator Lacson if there are other more compelling reasons for the postponement of the barangay elections, Senator Angara gave the following reasons: election fatigue and the difficulty of having two national elections in one year; delays in the implementation of government projects; the effects of the ban on the power of the Executive to fill up vacancies in the Executive branch; the attention that will be diverted from various government programs, such as the PNP peace and order drive and the AFP's fight against the Abu Sayyaf Group (ASG); and the chance for the SK Reform Act to be fully implemented prior to an SK elections. He explained that the training fund he mentioned in the speech is a new development put into the SK Reform Act to ensure that the incoming SK officials would be more mature given their relative youth in undertaking their responsibilities. He also noted that there might be a potential effect on the country's power supply given that during the elections, the priorities are supplying and ensuring adequate power supply.

Asked why barangay officials would be contaminated with election fatigue when they are supposed to be nonpartisan, Senator Angara acknowledged

that barangay officials are supposed to be nonpartisan considering that they are performing basic services which must be free from political bias. However, he noted that in reality sometimes barangay elections are even more fiercely contested than national political contests.

To Senator Lacson's observation that there have been eight postponements already, including the SK elections, Senator Angara agreed, adding that the most recent barangay elections postponement was in 2005, which was moved to 2007, as well as the postponement of the SK elections in 2013 and 2015.

Asked what the common people would stand to gain in the postponement of the barangay and SK elections, Senator Angara replied that the government would have a more focused drive on national security, things which are difficult to quantify, then this would be something that the common people would appreciate very much.

As to how much the Comelec had already spent for the barangay election preparations for October of the current year, Senator Angara replied that the Commission started printing ballots on August 22, and he conveyed the assurance of the Comelec that there would be no wastage because the printed ballots would be utilized again in the rescheduled elections.

Asked how many new candidates are challenging the incumbents in the 42,036 barangays all over the country, Senator Angara replied that according to the resource persons in the committee hearing, there was no filing of candidacy yet but he estimated that the people would be electing over a million new barangay or SK officials in the October 2016 or October 2017 elections, and assuming there would be three candidates for every position, it would translate to three million candidates.

Asked if it would be unfair to those aspiring to be denied the opportunity to serve in their barangays or in their villages, Senator Angara answered that it is simply asking for a little bit of sacrifice from those aspiring so that a greater good can be accomplished. But, he conceded that the postponement would definitely favor the incumbents.

Asked how many barangay seats have been vacated due to suspension, death, dismissal or even convictions of some incumbent officials, Senator Angara said that he would get the data from the DILG.

*Handwritten signature/initials*



Asked to cite the constitutional provision that governs barangay elections in the country, Senator Angara cited Article X of the Constitution.

Asked whether the postponement of the barangay election would not be in any way constitutionally infirm, Senator Angara replied that there is no constitutional provision being violated by the proposed measure.

## INTERPELLATION OF SENATOR HONTIVEROS

Senator Hontiveros stated that she had listened intently to the sponsorship speech of Senator Angara, especially on the part where he said that the reforms under the RA 10742 or the SK Reform Law are not yet well-established — an argument which SK advocates support — and that the only anti-dynasty provision is found in the said law. She added that the speech also tackled the importance of youth representation in barangay governance and that the government is not yet ready for the full implementation of RA 10742. She then recalled that the youth during the time of the First Quarter Storm would always chant “If not now, when? If not us, who?”

Senator Hontiveros stated that during the committee hearing she tried to put forth the possibility of postponing the barangay elections but to push through with the SK elections; however, she eventually realized that splitting the two elections would mean paying twice the honoraria of the people working for the elections.

She supposed that the postponement of the SK elections in the last three years has saved the government a lot of resources. She then inquired if said resources could be used to push through with the SK elections.

In reply, Senator Angara opined that while it is a logical argument, it is not the way public financing works. He said that with the new administration, the money that was saved might probably have been spent already. He suggested that Senator Legarda may have a better response to the query being the chairperson of the Committee on Finance.

Stating that the response of Senator Angara was quite alarming, Senator Hontiveros expressed hope that he would placate her apprehensions over the next questions regarding those funds.

Senator Hontiveros underscored the need to ensure the representation of the youth sector in barangay governance and their representation in utilizing the funds intended for them which, she believed, already formed part of the 2016 budget. Noting that the Comelec has started printing the ballots as of August 21, 2016, she asked what would happen to the funding intended for the barangay and SK 2016 elections if it is postponed to 2017. Senator Angara said that the money could be realigned and could form part of the savings at the end of the year.

Senator Hontiveros asked Senator Angara to provide certain guarantees that the youth sector would be represented in the utilization of the funds intended for them in the SK elections.

On whether he would agree to the proposal requiring all Barangay Youth Development Task Force members to undergo mandatory youth development training to be administered by the National Youth Commission, Senator Angara said that while he supports the idea, the matter of realigning the savings is an executive task, unless Congress would decide to insert such funds in the 2017 budget especially since the year is coming to a close. He said that he would certainly put forward to the Executive the suggestion of Senator Hontiveros.

On another matter, Senator Hontiveros proposed that the mandatory attendance to youth development trainings be made a requirement for members of the Barangay Youth Development Task Force to be able to have access to the barangay SK fund. Senator Angara stated that he would support any move for heightened awareness of the important role of the SK in society.

Senator Hontiveros pointed out that the matter was not merely a general appreciation of the role of the SK but rather the proper management of the barangay SK fund lodged in the Barangay Youth Development Task Force for the past three years. She said that SK advocates would like to ascertain that the funds would remain within the hands of the youth even if Congress decides to postpone the SK elections to the following year.

Senator Angara stated that all the more he would support the proposal of Senator Hontiveros because indeed there have been many allegations of mis-





management of funds due to lack of awareness as to the limits or scope of power over such funds.

On the suggestion to mandate the Barangay Youth Development Task Force to comply with the Youth Operations Manual designed by the National Youth Commission, Senator Angara believed that the NYC is the instrumentality of the Executive that is aligned in terms of aims and purposes.

Senator Hontiveros stated that despite the disappointment of the SK advocates on the postponement of the elections, the assurance that along with the wait of one year, concrete steps would be taken to ensure that the funds would remain with the youth sector have increased their confidence that such would be the outcome of the one-year postponement.

#### **INTERPELLATION OF SENATOR EJERCITO**

Preliminarily, Senator Ejercito stated that the SK elections have been postponed twice already with the last election held in 2010. He said that as a principal author of the SK Reform Law, he was excited to see the new set of officers to be elected under the new law by October 2016. He then sought the assurance of the Committee on Local Government that the postponement would not be extended and that the election would only wait for one year.

Senator Angara assured the Body that the SK election would push through within 2017, as he acknowledged that Senator Ejercito was already looking forward to the implementation of the law, particularly its anti-dynasty provision.

Senator Ejercito said that indeed he was excited that an anti-political dynasty provision was included in a law for the very first time, including the fact that all issues raised under the old law were addressed by the new law. He then urged the Comelec, the NYC and other concerned agencies to fast-track the implementation of the SK Reform Law, especially the provision on the mandatory training provision as well as the other salient features of the law such as the adjustment of the age requirement for an SK candidate, the anti-political dynasty provision, and the concentration on training. He then asked the assurance of the Committee on Local Government that it would work together with its House counterpart to push through with the youth representation in October 2017.

Senator Angara thanked Senator Ejercito for expressing his concerns for the youth sector. He believed that any move to abolish the SK is easier said than done as it would definitely meet fierce opposition from the youth sector.

As regards the importance of the training fund, Senator Angara stated that there is all the more reason for the Body to be aware of the importance of passing the budget on time because the monthly funds for the training are contained in the 2017 budget. He added that aside from passing the budget on time, there should be lobbying to ensure that the Department of Budget and Management would release the funds in early 2017 to enable the SK to avail of such funds.

#### **INTERPELLATION OF SENATOR GORDON**

At the outset, Senator Gordon recalled that during his first term as senator, then Senate President Aquilino Pimentel, Jr., the father of the Local Government Code, made him promise that there would be no more postponements of the barangay elections.

Asked by Senator Gordon if the proposed measure would be the eighth postponement of barangay elections, Senator Angara clarified that the number of postponements are the combined number of the SK and the barangay elections that were postponed, as pointed out by Senator Lacson.

Senator Gordon clarified that he was not against the postponement of the elections. He said that the postponement should not rest on the reason of election fatigue and that the police would not be able to do their job because the matter of voting for public officials is a great responsibility on the part of the citizenry, and that Congress should not trifle with this right by giving all sorts of excuses.

Asked what the reason was that the Committee considered crucial in postponing the elections, Senator Angara replied that there were many factors that were taken into account. He explained that initially, the President was against the postponement but when he was apprised of the cost of elections, given the fact that the Executive was working on an "inherited budget," and in the face of fulfilling electoral promises made in relation to the drive against crime and threats to national security, he relented and the Committee was forced to act with urgency and favor the postponement of elections.

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Senator Gordon stated that he does not want it to appear that the Senate was acting on a knee-jerk reaction because every time a national election is held, the postponement of barangay elections is always raised. He said that it is not a matter that should be dealt with in a very cavalier manner. He stressed the need for the Senate to be able to present a more cogent vision of what local government must be and that Congress should come up with a law that would have elections every three years, with the succeeding elections taking place all at the same time so that it would not appear that it is groping every time an election happens. He reiterated that Congress should not give reasons such as it being too expensive, or that it will interfere with the duties of the police, with senators and congressmen whining about how it would have to spend again because barangay captains would visit them. He believed that contrary to the claim that the barangay is non-partisan, it is actually still extremely partisan.

Senator Angara agreed with Senator Gordon, recalling that in an earlier interpellation, it was brought up that theory sometimes departs from practice in certain areas.

Senator Gordon stated that the creation of the barangays was one of the means upon which previous presidents have managed to control the electorate. He recalled that in the past, there were no barangay elections and the barangay captains, called *teniente del barrio*, were not paid because they were volunteers.

Senator Angara opined that the postponement of the barangay and SK elections is a manifestation of how Filipinos value elections at it affords a bigger registration and a longer time for the youth to register, and that it must be given greater national attention, otherwise, it might not be given the importance it deserves.

Senator Gordon said that he wanted to create a vision that the people should elect the best, as he recalled that in the past, the *teniente del barrio* held the highest respect of the community because they were volunteers and were not involved in drugs.

Asked on the budgetary allocations for the 42,000 barangays needed for their maintenance, Senator Angara replied that based on the Local Government Code, each barangay captain receives from the government not less than P1,000, or at least P42

million a month for all the barangay captains, plus similar amounts for the barangay councilors.

Senator Gordon stated that he wanted to put a perspective into the discussion because barangay captains are very important since they are closest to the people. He said he wanted to know how much the government is spending in the operations of the barangay amid other national issues like underpaid teachers, PhilHealth coverage short by P7 billion having covered only 94% of the people. He noted that local governments represent only half a trillion pesos or P550 billion in appropriations including their internal revenue allotment. He wondered whether the government was not over-governed or over-spending.

Senator Angara said that the Philippines has been criticized by some of its Southeast Asian neighbors as having too much democracy. He stated that the government must be aware of the limits of democracy which is an advantage, something that Filipinos can be proud of because it is functional, that is, if there are policy directions, there must be limits to the number of decision-makers.

## SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

*It was 5:47 p.m.*

## RESUMPTION OF SESSION

At 5:50 p.m., the session was resumed.

Upon resumption, Senator Gordon said that he was trying to put a perspective in the approach because the proposal to postpone the barangay and SK elections was not a simple thing. He said he would like that the Body look at how wide the vision would be for it to be more effective. He added that he was not proposing for barangay captains or *kagawads* to be eliminated but for the Body to carefully study the system. He said that of the LGU IRA allocation of P550 billion, about P84 billion goes to the barangays.

Asked where the P84 billion budget for the barangay goes, Senator Angara replied that 50% of it goes to salaries of barangay officials, 20% to development fund, 10% to the SK, and 5% to calamity fund.





As to the effectiveness of the development programs like combatting drug problems given that 100% of the barangays are infected with the menace, Senator Angara admitted that development programs were not effective as expected because there are some unimplemented mandates given the fact that barangays are not created equal, with some having greater capacities than others. He said that during the hearings, the need to revisit such inequalities between local government units was suggested.

Asked whether some barangays have bigger IRA allocation because they have bigger population and land area, Senator Angara answered in the affirmative.

Senator Gordon pointed out that some barangays even receive a bigger share of the IRA compared to regular municipalities, like barangays in Quezon City. Senator Angara agreed, explaining that there are barangays in the business district that are earning ten times than the average municipalities. Likewise, Senator Gordon said that legislated taxation on revenue generation would matter in IRA shares, like tax on billboards, as well as collections derived from residence certificates.

Senator Gordon stressed that a huge responsibility indeed falls on the shoulders of barangay officials, and that there is the need to look into the proposal to postpone the elections because it is very expensive to run for an elective barangay position. He suspected that drug lords might have financed certain politicians during elections, the reason why 100% of the barangays are infected with the drug problem. Senator Angara stated that with the weak finance regime, Senator Gordon as an advocate of political party and campaign finance law knows better which area is in need of reform.

Senator Gordon said that there must be some benefit in the proposal to postpone the election and that what is needed is to look into the Local Government Code, especially regarding the term limits to be given to barangay officials. He recalled that when he was mayor in 1980, he had a fixed six-year term so that he was able to do difficult things. He admitted that it could be subject to abuse, thus the need to put in all recall measures that are readily available. He said that with a three-year term, the barangangay official would not be making any long-term visionary reform because in the first two years, he would be

familiarizing himself with the job and soon thereafter, he would be again running for election.

Senator Angara opined that a planning horizon of three years would happen and given the speed or lack of it, there could be great difficulties in coming up with a long-term plan because, for instance, a feasibility study would take one year and the approval of various government agencies would be delayed before the project could take effect. He cited China as having a ten-year security which means setting ample room for visionary and ground-breaking ideas.

Senator Gordon stated that personally he does not believe in term limits, that the people should be the term limit; thus, it should be accompanied by an informed electorate. Senator Angara agreed as he informed the Body that there are bills aimed at extending the term of barangay officials from three to five years.

Senator Gordon said that extending the term of office of barangay officials is not enough. He said that he believes in an intelligent electorate, who are enlightened through, for instance, townhall meetings and debates.

On the thrust to reform the barangay electoral process, Senator Angara stated that the Committee on Local Government would prioritize the ideas raised by Senator Gordon which are significant issues to empower the LGUs.

Senator Gordon stated that he was using the issue of extension as a platform to provide a vision and some facets of change within the system. He expressed hope that Senator Angara would take up the issues, saying that he intends to raise the same in the next barangay elections. He also suggested synchronizing the elections to four years considering the move toward a constituent assembly or constitutional convention. Senator Angara assured Senator Gordon that his proposed reforms are most welcome.

As regards feedback that the SK has not been effective in generating new leaders and that what should be looked into are meaningful extracurricular activities in grade schools, high schools and colleges such as the ROTC, the Debate Society, the Red Cross, and the Boys Scouts or Girl Scouts which hone leadership skills, Senator Angara stated that while he acknowledges the importance of such activities because it strengthens



the youth towards nation-building, the Sangguniang Kabataan is still a work in progress. He explained that the SK Reform Law had addressed two of the biggest issues: 1) nepotism through the anti-dynasty provision, and 2) corruption through the training fund which would ensure that those serving in the SK would be made aware of their responsibilities, and of the powers and laws governing their responsibilities.

To the claim that the issues in the SK have been resurrecting time and again prompting proposals to abolish it, Senator Angara admitted that while he is aware of such proposals, there has been no measure yet filed seeking to abolish the SK and that the prevailing sentiment is to reform the same.

Asked if the SK bill has been a good foil to combat drug proliferation in schools and the community especially for the out-of-school youth, Senator Angara replied that he is not in the position to answer with certainty absent definite statistics from the PNP and educational institutions.

To find out whether the SK has been a good platform for effective values and leadership training, Senator Gordon suggested looking into the record of outstanding SK leaders and what became of them. Senator Angara averred that he has been acquainted to a few local officials who were once part of SKs but that he would not know if there is a representative sample which would generate the conclusion that the SK was effective as a good leadership platform. He noted, however, that the precursor of the SK has produced few outstanding individuals.

Senator Gordon noted that opinions abound regarding some SK officials as being corrupt and that the SK has not shown any degree of worthwhile contribution to the community. He clarified that he was not against the principles of SK but that he would like to gauge how effective it has become in training future leaders and to the youth for them to become great citizens of the country.

Asked to cite an outstanding SK leader who came out of the SK woodwork, Senator Angara mentioned Chris Tiu, a basketball player from Ateneo, who was once an SK official. Senator Gordon agreed that Chris Tiu is a valued leader in his own right. Still, he said that he is groping for leaders who are products of the Sangguniang Kabataan inasmuch as the possibility of its abolition has been raised.

Senator Angara, however, stated that none of the resource persons has raised the potential abolition of the SK. He said that, in fact, one of the champions of SK, Vice Governor Dolor of Mindoro Oriental who was himself an SK member, has helped the Committee on Local Government in coming up with the SK Reform Act.

Finally, Senator Gordon stated that leadership is action and not a position. He clarified that he was not opposing anything but was rather proposing to invent a better mousetrap for the future of SK. Senator Angara agreed that power is different from influence.

#### MANIFESTATION OF SENATOR SOTTO

Senator Sotto said that to set the record straight, the information regarding 100% drug-affected barangays that was brought up during the last hearing of the Committee on Justice and Human Rights pertains to Metro Manila only and that there were no figures for the rest of the country.

#### INTERPELLATION OF SENATOR DRILON

Prefatorily, Senator Drilon placed on record that he fully supports the postponement of the barangay elections and associated himself with the various reasons made by Senator Angara.

Asked by Senator Drilon how much was the budget for the 2016 barangay elections, Senator Angara said that the allocation was P5.9 billion.

Asked how much has been obligated in terms of goods and services, Senator Angara stated that as of August 2016, the figure given by Comelec was P63,283,257 or in round off figure P63 million.

Asked why only P63 million was obligated for goods and services out of the P5.9 billion budget with barely a month to conduct the SK elections, Senator Angara explained that the expenses incurred so far was for the printing of ballots which can be stored and used again in the October 2017 SK elections, Senator Drilon remarked that from the point of view of the budget, there was no adverse effect of the elections being postponed.

Asked for the general breakdown of the P5.9 billion budget, Senator Angara gave the following figures:





Personal Services: ₱3.6 billion broken and follows — per diems, ₱2.508 billion; wages, ₱90 million; overtime services, ₱704 million; honorarium, ₱278 million; insurance, ₱30 million.

MOOE: ₱2.38 billion broken down as follows — travelling expenses, ₱877 million; communications, ₱14 million; freight and transportation, ₱270 million; supplies and materials, ₱711 million; training and seminars, ₱14 million; other services, ₱495 million.

Senator Drilon noted that on record, the conclusion that no public funds are wasted is supported by the breakdown of the budget which, from the way it was enumerated, would really be incurred when the barangay elections would take place.

Asked if the 2017 Comelec budget included the barangay election, Senator Angara replied in the negative.

Senator Drilon stated that theoretically, the Comelec, as a constitutional body enjoying fiscal autonomy, has right now ₱5.8 billion, and since the barangay elections will no longer take place, he asked how this ₱5.8 billion would be handled.

Senator Angara said that the Chairman of the Comelec was himself not certain whether it was the Comelec or the President that had the power to realign savings.

Senator Drilon pointed out that these constitutional bodies had been fighting for fiscal autonomy which includes the ability to realign the funds. This question, he said, is relevant as it would determine the budget of the Comelec for 2017. Senator Angara believed that the matter ought to be discussed by the members as a body.

As regards the suggestion that the matter be discussed with the Comelec so that the budget for the exercise should be provided for in the bill or in the budget for 2017, Senator Angara gave assurance that he would discuss the matter with the Comelec chairperson and the chairperson of the Committee on Finance.

On whether Section 3 concerning the hold-over provision under Republic Act No. 9164, as amended by Republic Act No. 9340, pertains to barangay officials since SK officials have vacated their positions following the passage of the SK Reform Act, Senator

Angara replied in the affirmative, adding that there were no incumbent SK officials as their term had ended in 2013.

To avoid any confusion, Senator Drilon suggested that the provision be worded in a way that would clearly state that Section 3 applies only to barangay officials.

Upon further queries, Senator Angara replied that Section 4 (*Appropriations*) refers to the 2017 General Appropriations Act but clarified that given the earlier discussion, this would be taken up with the Comelec chairperson. Senator Drilon stressed the importance of clarifying exactly where the appropriations would be sourced, whether from the 2016 or 2017 national budget, considering the huge amount of money involved and the fiscal autonomy being claimed by the Comelec. He pointed out that such funds could even be considered savings for 2016 and then declared as bonuses for the Comelec.

Adverting to Section 5 (*Implementing Rules and Regulations*) Senator Drilon asked why the provision mandates the Comelec for a 30-day time period to promulgate the rules and regulations when it could, in fact, be extended to even 180 days since the bill seeks a one-year postponement of the electoral exercise. Senator Angara said that while the provision sought only to put a definite time frame, he would welcome any suggestions to improve the same.

In closing, Senator Drilon reiterated his support for the measure and expressed hope that the points he had raised could be properly addressed.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1112**

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bill.

#### **CHANGE OF REFERRAL**

Senator Sotto moved to change the primary referral of Senate Bill No. 18 (Office of the Government Corporate Counsel) from the Committee on Civil Service, Government Reorganization and Professional Regulation to the Committee on Justice and Human Rights consistent with the referral of Senate Bill No. 278 and other similar bills concerning the OGCC that were filed in previous Congresses.



Upon motion of Senator Sotto, there being no objection, the Chair referred Senate Bill No. 18, which was primarily referred to the Committee on Civil Service, Government Reorganization and Professional Regulation, instead to the Committee on Justice and Human Rights.

#### CHANGES IN COMMITTEE MEMBERSHIPS

Upon motion of Senator Sotto, there being no objection, Senator Zubiri was elected member of the Committee on Foreign Relations in lieu of Senator Gatchalian; and Senator Pacquiao was elected member of the Committee on Ethics and Privileges in place of Senator Legarda.

#### CHANGE OF REFERRAL

Upon motion of Senator Sotto, there being no objection, the Body approved to change the primary

referral of Senate Bill No. 924 (Cheaper Electricity Bill Act) to the Committee on Energy, with the Committee on Finance as the secondary committee.

#### ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of the following day.

*It was 6:29 p.m.*

I hereby certify to the correctness of the foregoing.

  
ATTY. LUTGARDO B. BARBO

*Chair* Secretary of the Senate

Approved on August 31, 2016