

9 MAR -4 2009

SENATE

OFFICE OF THE SECRETARY

COMMITTEE REPORT NO. 287

Submitted by the Committee on Finance on MAR - 4 2009

Re: House Bill No.5715, Senate Bill 2984 and Senate Bill 3021

Recommending its approval with amendments.

Sponsor: Senator Edgardo J. Angara

Mr. President:

The Committee on Finance, to which was referred House Bill No. 5715, introduced by Representatives Cua (J.), Lagman, Susano, Gonzales (N.), De Guzman, Agbayani, Velarde and Romulo, entitled:

**“AN ACT
APPROPRIATING THE SUM OF ELEVEN BILLION THREE HUNDRED
ONE MILLION SEVEN HUNDRED NINETY THOUSAND PESOS
(P11,301,790,000.00) AS SUPPLEMENTAL APPROPRIATIONS FOR
AN AUTOMATED ELECTION SYSTEM AND FOR OTHER PURPOSES”**

and taking into consideration Senate Bill No. 2984, introduced by Senator Angara, entitled:

**“AN ACT
APPROPRIATING THE SUM OF ELEVEN BILLION THREE HUNDRED
ONE MILLION SEVEN HUNDRED NINETY THOUSAND PESOS
(P11,301,790,000.00) AS SUPPLEMENTAL APPROPRIATIONS FOR
AN AUTOMATED ELECTION SYSTEM AND FOR OTHER PURPOSES”**

and Senate Bill No. 3021, introduced by Senator Gordon, entitled:

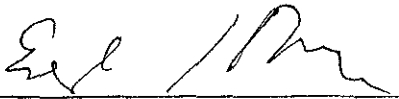
**“AN ACT
APPROPRIATING THE SUM OF ELEVEN BILLION THREE HUNDRED
ONE MILLION SEVEN HUNDRED NINETY THOUSAND PESOS
(P11,301,790,000) AS SUPPLEMENTAL APPROPRIATIONS FOR AN
AUTOMATED ELECTION SYSTEM”**

has considered the same and has the honor to report them back to the Senate with the recommendation that the House Bill No. 5715 be approved with amendments, as follows:

1. On page 1, line 3 between the words "to" and "an" delete the phrase "supplement the budget for" and in lieu thereof insert the phrase: **"FUND AND SUPPORT THE HOLDING AND CONDUCT OF"**
2. On page 1, line 4, between the words "system" and "of" delete the phrase "including the acquisition" and in lieu thereof insert a comma (,) and the phrase: **"THE PROCUREMENT"**
3. On page 1, line 5, before the word "purchase", delete the phrase: "with option to"
4. On page 1, line 5, between the words "agreement" and "mandatory", delete the backslash (/) and the phrase "contract and" and in lieu thereof insert the word **"INCLUDING"**
5. On page 2, line 5, between the words "with" and "the" insert the phrase: **"THE CONSTITUTION,"**
6. On page 2, line 5, between the words "of" and "Republic" delete the word: "said"
7. On page 2, line 7, between the words "election" and "on" insert the phrase: **"AND SHALL ADOPT SUCH MEASURES THAT WILL GUARANTY TRANSPARENCY AND ACCURACY IN THE SELECTION OF THE RELEVANT TECHNOLOGY OF THE ~~VOTING~~ MACHINES TO BE USED"**
8. On Page 2, Line 8, Between the figure "2010" and the period (.) insert the phrase: **"AUTOMATED NATIONAL AND LOCAL ELECTION"**

The certification by the National Treasurer that the funds may be necessary is available in the National Treasury to fund House Bill No. 5715, as Supplemental Appropriation for an Automated Election System in the amount of P11,301,790,000.00 has been issued on March 2, 2009, copy attached.

RESPECTFULLY SUBMITTED


SEN. EDGARDO J. ANGARA
 Chairperson

SEN. JOKER P. ARROYO
Vice Chairperson



SEN. GREGORIO B. HONASAN, II
Vice Chairperson

MEMBERS

SEN. BENIGNO S. AQUINO, III



SEN. MANUEL M. LAPID

 w/interpellation

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SEN. LOREN B. LEGARDA

SEN. ALAN PETER S. CAYETANO

SEN. M.A. MADRIGAL

SEN. PIA S. CAYETANO

 with interpellate

SEN. FRANCIS N. PANGILINAN

SEN. MIRIAM DEFENSOR SANTIAGO



SEN. RAMON B. REVILLA, JR.



SEN. RICHARD J. GORDON

SEN. MAR ROXAS



SEN. PANFILO M. LACSON

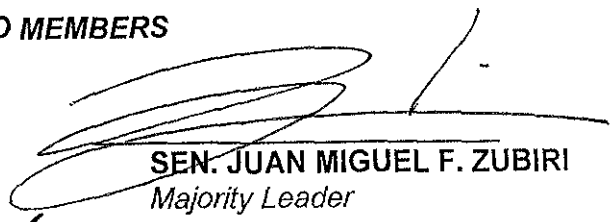
SEN. ANTONIO F. TRILLANES, IV

SEN. MANNY VILLAR

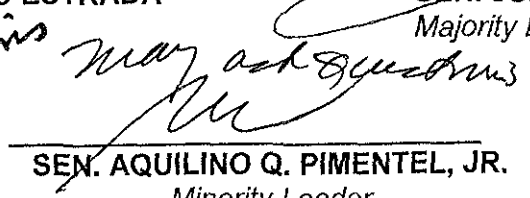
EX-OFFICIO MEMBERS



SEN. JINGGOY EJERCITO ESTRADA
President Pro-Tempore



SEN. JUAN MIGUEL F. ZUBIRI
Majority Leader

 may ask questions.

SEN. AQUILINO Q. PIMENTEL, JR.
Minority Leader

HON. JUAN PONCE ENRILE
President
Senate of the Philippines
Pasay City

9 MAR -4 PM 1:33

SENATE OF THE PHILIPPINES

House Bill No. 5715

RECEIVED BY *[Signature]*

As amended by the Committee Report

AN ACT APPROPRIATING THE SUM OF ELEVEN BILLION THREE HUNDRED ONE MILLION SEVEN HUNDRED NINETY THOUSAND PESOS (P11,301,790,000.00) AS SUPPLEMENTAL APPROPRIATIONS FOR AN AUTOMATED ELECTION SYSTEM AND FOR OTHER PURPOSES

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

1 **SECTION 1. Appropriations.** – The sum of Eleven Billion Three Hundred One
2 Million Seven Hundred Ninety Thousand Pesos (P11,301,790,000.00) is hereby
3 appropriated to [supplement the budget for] **FUND AND SUPPORT THE HOLDING**
4 **AND CONDUCT OF** an Automated Election System [including the acquisition] , **THE**
5 **PROCUREMENT** of services, supplies and machines on a lease [with option to]
6 purchase agreement[/contract and] **INCLUDING** mandatory biometric registration of
7 voters.

8 **SEC. 2. Use of Funds.** – The amounts herein appropriated shall be used for the
9 purposes indicated and subject to: (i) the relevant special and general provisions of
10 Republic Act No. 9498, or the *FY 2008 General Appropriations Act*, as reenacted, and
11 subsequent General Appropriations Acts; and (ii) the applicable provisions of Republic
12 Act No. 8436, entitled “*An Act Authorizing the Commission on Elections to Use an*
13 *Automated Election System in the May 11, 1998 National and Local Elections and in*
14 *Subsequent National and Local Electoral Exercises, Providing Funds Therefore and for*
15 *Other Purposes*”, as amended by Republic Act No. 9369: Provided, however, That
16 disbursement of the amounts herein appropriated or any part thereof shall be authorized
17 only in strict compliance with **THE CONSTITUTION**, the provisions of [said] Republic
18 Act No. 9369 and other election laws incorporated in said Act so as to ensure the conduct
19 of a free, orderly, clean, honest and credible election **AND SHALL ADOPT SUCH**
20 **MEASURES THAT WILL GUARANTY TRANSPARENCY AND ACCURACY IN**
21 **THE SELECTION OF THE RELEVANT TECHNOLOGY OF THE VOTING** *[Signature]*
22 **MACHINES TO BE USED** on May 10, 2010 **AUTOMATED NATIONAL AND**
23 **LOCAL ELECTIONS.**

24 **SEC. 3. Release of Funds.** – The amounts herein appropriated shall be released to
25 the Commission on Elections by the Department of Budget and Management (DBM) in
26 accordance with budgeting laws, rules and regulations.

1 **SEC. 4. *Effectivity.*** -- This Act shall take effect upon its publication in at least two
2 (2) newspapers of general circulation.

3

4 *Approved,*



HOUSE OF REPRESENTATIVES

H. No. 5715

By REPRESENTATIVES CUA (J.), LAGMAN, SUSANO, GONZALES (N.),
DE GUZMAN, AGBAYANI, VELARDE AND ROMULO

AN ACT APPROPRIATING THE SUM OF ELEVEN BILLION THREE
HUNDRED ONE MILLION SEVEN HUNDRED NINETY
THOUSAND PESOS (P11,301,790,000.00) AS SUPPLEMENTAL
APPROPRIATIONS FOR AN AUTOMATED ELECTION SYSTEM
AND FOR OTHER PURPOSES

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

1 SECTION 1. *Appropriations.* – The sum of Eleven billion three hundred
2 one million seven hundred ninety thousand pesos (P11,301,790,000.00) is
3 hereby appropriated to supplement the budget for an Automated Election
4 System including the acquisition of services, supplies and machines on a lease
5 with option to purchase agreement/contract and mandatory biometric
6 registration of voters.

7 SEC. 2. *Use of Funds.* – The amounts herein appropriated shall be used
8 for the purposes indicated and subject to: (i) the relevant special and general
9 provisions of Republic Act No. 9498, or the FY 2008 General Appropriations
10 Act, as reenacted, and subsequent General Appropriations Acts; and (ii) the
11 applicable provisions of Republic Act No. 8436, entitled: "An Act Authorizing
12 the Commission on Elections to Use an Automated Election System in the

1 May 11, 1998 National or Local Elections and in Subsequent National and
2 Local Electoral Exercises, Providing Funds Therefore and for Other
3 Purposes", as amended by Republic Act No. 9369: *Provided, however*, That
4 disbursement of the amounts herein appropriated or any part thereof shall be
5 authorized only in strict compliance with the provisions of said Republic Act
6 No. 9369 and other election laws incorporated in said Act so as to ensure the
7 conduct of a *free, orderly, clean, honest and credible election on May 10,*
8 2010.

9 SEC. 3. *Release of Funds.* – The amounts herein appropriated shall be
10 released to the *Commission on Elections* by the Department of Budget and
11 Management in accordance with budgeting laws, rules and regulations.

12 SEC. 4. *Effectivity.* – This Act shall take effect upon its publication in
13 at least two (2) newspapers of general circulation.

Approved,

O




Funding the Republic

REPUBLIC OF THE PHILIPPINES
BUREAU OF THE TREASURY
PASAYEN RAMUROS, MANILA 2801

CERTIFICATION

This is to certify that the sum of ELEVEN BILLION THREE HUNDRED ONE MILLION SEVEN HUNDRED NINETY THOUSAND PESOS (P11,301,790,000.00) or so much thereof as may be necessary is available in the National Treasury to fund the appropriations for the proposed House Bill No. 5715, as *Supplemental Appropriations for an Automated Election System and for other Purposes.*



ROBERTO B. TAN
Treasurer of the Philippines

March 2, 2009