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SENATE

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COMMITTEE REPORT NO. 143

Submitted jointly by the Committees on Local Government and on Constitutional Amendments, Revision of Codes and Laws on MAY 14 2012.

Re: House Bill No. 4451

Recommending its approval with amendments taking into consideration Senate Bill No. 2681.

Sponsors: Senators Marcos and Santiago

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MR. PRESIDENT:

The Committees on Local Government and on Constitutional Amendments, Revision of Codes and Laws, to which were referred House Bill No. 4451, introduced by Representatives Cagas and Bautista, entitled:

**“AN ACT  
CREATING THE PROVINCE OF DAVAO OCCIDENTAL”**

taking into consideration Senate Bill No. 2681, introduced by Senator Recto, entitled:

**“AN ACT  
CREATING THE PROVINCE OF DAVAO OCCIDENTAL FROM THE PROVINCE OF  
DAVAO DEL SUR AND FOR OTHER PURPOSES”**

have considered the same and have the honor to report it back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 2, line 11, after the word "Charter", delete the punctuation mark period (.) and in lieu thereof insert the phrase "AND THE 1991 LOCAL GOVERNMENT CODE, AS AMENDED.";

2. On the same page, line 23, delete the phrase "exercise the powers to levy taxes" and in lieu thereof insert the phrase "HAVE THE POWER TO CREATE ITS SOURCES OF REVENUE AND TO LEVY TAXES, FEES AND CHARGES;"
3. On page 3, line 2, after the word "granted" delete the punctuation mark period (.), and in lieu thereof place the punctuation mark comma (,) and insert the phrase "SUBJECT TO THE PROVISIONS OF THE 1991 LOCAL GOVERNMENT CODE, AS AMENDED.";
4. On the same page, lines 25 to 26, delete the phrase "a provincial civil registrar;"
5. On the same page, line 28, delete the phrase "a provincial environment and natural resources officer;"
6. On page 4, line 1, after the word "veterinarian" delete the punctuation mark comma (,) and in lieu thereof insert the conjunction "AND";
7. On the same page and line delete the phrase "and a provincial cooperatives officer";
8. On the same page, line 4, after the word "officer", insert the phrase "A PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICER, A PROVINCIAL COOPERATIVES OFFICER";
9. On the same page, line 13, after the word "herein", insert the phrase "OR IN THE 1991 LOCAL GOVERNMENT CODE, AS AMENDED";
10. On the same page, line 21, delete the word "designated";
11. On the same page, after line 25, insert the following paragraph:

"ELECTIVE AND APPOINTIVE PROVINCIAL OFFICIALS SHALL RECEIVE SUCH COMPENSATION, ALLOWANCES, AND OTHER EMOLUMENTS AS MAY BE DETERMINED BY LAW OR ORDINANCE, SUBJECT TO THE BUDGETARY LIMITATIONS ON PERSONAL SERVICES PRESCRIBED UNDER TITLE FIVE, BOOK II OF THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED: PROVIDED, THAT, NO INCREASE IN COMPENSATION SHALL TAKE EFFECT UNTIL AFTER THE EXPIRATION OF THE FULL TERM OF ALL THE ELECTIVE OFFICIALS APPROVING SUCH INCREASE.";
12. On page 5, line 17, after the word "and" delete the punctuation mark comma (,);
13. On the same page, after Section 10 (b)(iii), insert the following paragraph:

"(iv) INITIATE AND PROPOSE LEGISLATIVE MEASURES TO THE SANGGUNIANG PANLALAWIGAN AND AS OFTEN AS MAY BE DEEMED NECESSARY, PROVIDE SUCH INFORMATION AND DATA NEEDED OR REQUESTED BY SAID SANGGUNIANG PANLALAWIGAN IN THE PERFORMANCE OF ITS LEGISLATIVE FUNCTIONS;"

and renumber the succeeding subsections accordingly;

14. On the same page, line 27, after the word "appoint" put a punctuation mark period (.) and delete the following phrase "EXCEPT THOSE WHO ARE TO BE APPOINTED BY THE PROVINCIAL VICE GOVERNOR AS PROVIDED IN SECTION 11 HEREOF;"
15. On page 8, line 5, delete the word "given";
16. On page 9, line 1, after the word "and" delete the punctuation mark comma (,);
17. On page 11, line 9, delete the phrase "including the secretary";
18. On the same page line 10, delete the phrase "and such employees of the individual members of the sangguniang panlalawigan";
19. On page 12, line 5, delete the word and figure "ten (10)", and in lieu thereof, insert the word "THE";
20. On the same page, line 9, after the word "municipalities" insert the phrase "AND COMPONENT CITIES";
21. On the same page, merge Section 12 (a) and Section 12 (b) by inserting the word and figure "THREE (3)" found in line 9 between the article "the" and the word "sectoral"; and delete the phrase "(b) in addition thereto, there shall be three (3) sectoral representatives";
22. On the same page, line 12, delete the word "concerned" and in lieu thereof insert the word "PANLALAWIGAN";  
  
And reletter the succeeding subsections accordingly.
23. On page 13, line 11, after the word "both" delete the punctuation mark comma (,) and the preposition "at" and in lieu thereof insert the preposition "IN";
24. On the same page, line 16, delete the preposition "in";
25. On page 14, line 14, delete the preposition "in";
26. On the same page, line 17, delete the word "properties" and in lieu thereof insert the word "PROPERTY";
27. On the same page, line 25, delete the preposition "in";
28. On the same page, delete lines 26 to 28;
29. On page 15, delete lines 1 to 7;
30. On the same page, line 23, after the phrase " applicable laws and" delete the punctuation mark comma (,);
31. On the same page, line 27, after the phrase "applicable laws and" delete the punctuation mark comma (,);

32. On page 16, line 4, after the word "and" delete the punctuation mark comma (,);
33. On the same page, line 10, delete the sign "hyphen" in the word "land-use";
34. On the same page, line 12, delete the sign "hyphen" in the word "land-use";
35. On the same page, delete lines 13 to 14;
36. On the same page, delete lines 18 to 28;
37. On page 17, delete lines 1 to 18;
38. On the same page, line 19, after the phrase "provisions of" delete the article "the" and in lieu thereof insert the phrase "BOOK II OF THE";
39. On the same page, line 26, after the word "fix" insert the article "the";
40. On the same page and line, delete the phrase "any business or practice of profession within the province and the conditions under which the license for the said business or practice of profession may be revoked and enact ordinances levying taxes thereon;" and in lieu thereof insert the following phrase:  
  
"FOR SUCH ACTIVITIES AS PROVIDED FOR UNDER THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED."
41. On page 18, delete lines 1 to 27;
42. On page 19, delete lines 1 to 28;
43. On page 20, delete lines 1 to 12;
44. On the same page, line 16 after the word "shall" insert the following subsections:  
  
"(i) ADOPT MEASURES AND SAFEGUARDS AGAINST POLLUTION AND FOR THE PRESERVATION OF THE NATURAL ECOSYSTEM IN THE PROVINCE, IN CONSONANCE WITH APPROVED STANDARDS ON HUMAN SETTLEMENTS AND ENVIRONMENTAL SANITATION;  
  
(ii) SUBJECT TO APPLICABLE LAWS, FACILITATE OR PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF A WATER-WORKS SYSTEM OR DISTRICT WATERWORKS FOR SUPPLYING WATER TO INHABITANTS OF COMPONENT CITIES AND MUNICIPALITIES;"
45. On the same page, delete lines 17 to 28;
46. On page 21, delete lines 1 to 28;
47. On page 22, delete lines 1 to 7;
48. On page 22, line 14, delete the phrase "an education and training" and insert the article "a";

49. On the same page, line 15, delete the word "constituents" and in lieu thereof insert the word "STUDENTS";

And renumber the succeeding subsections accordingly;

50. On page 23, line 7, delete the phrase "and veterans";

51. On the same page, line 20, after the word "adopt" insert the phrase "OR UPDATE";

52. On the same page and line, delete the word "own" and in lieu thereof insert the word "EXISTING";

53. On the same page, line 25, delete the phrase "revenues, engineering and public works, education and health,"

54. On page 24, line 12, after the phrase "Provided, further, That" delete the article "the" and in lieu thereof insert the article "a";

55. On the same page, line 20, after the phrase " any business" delete the conjunction "and";

56. On page 28, line 7, after the phrase "provincial governor" delete the punctuation mark period (.) and insert the phrase "OR IN CASE OF HIS PERMANENT INABILITY, THE HIGHEST RANKING SANGGUNIANG MEMBER, SHALL BECOME THE GOVERNOR,";

57. On the same page and line, delete the phrase "if the provincial vice governor refuses to assume the position of the provincial governor, the highest ranking sangguniang panlalawigan member shall become the provincial governor."

58. On the same page, line 14, delete the phrases "provincial governor or the" and "as the case may be.";

59. On page 29, merge Section 21 (a) with Section 21 (a) (1) which shall read as follows:

"(A) PERMANENT VACANCIES IN THE SANGGUNIANG PANLALAWIGAN WHERE AUTOMATIC SUCCESSION AS PROVIDED DO NOT APPLY SHALL BE FILLED BY APPOINTMENT BY THE PRESIDENT, THROUGH THE EXECUTIVE SECRETARY."

And reletter subsections 21 (a)(2), 21 (a) (3) and 21 (a) (4) to become subsection 21 (b), 21 (c) and 21 (d);

60. On the same page, line 8, after the word "elected" insert the phrase " AND WHOSE ELEVATION TO THE POSITION NEXT HIGHER IN RANK CREATED THE LAST VACANCY IN THE SANGGUNIANG";

61. On the same page, line 9, after the phrase "come from the" insert the word "SAME";

62. On page 31, line 5, delete the word "master's" and in lieu thereof insert the word "COLLEGE";
63. On page 33, line 5, after the word "custody" insert the preposition "OF";
64. On page 38, line 21, after the word "province" insert the phrase "AS PROVIDED UNDER TITLE FIVE, BOOK II OF THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED;";
65. On page 40, line 3, after the cardinal number (1) insert the phrase "TAKE CHARGE OF THE OFFICE ON HEALTH SERVICES,"
66. On page 41, delete the entire Section 31;
67. On page 46, line 18, after the word "have", insert the phrase "PRACTICED HIS PROFESSION IN AGRICULTURE OR";
68. On page 47, line 13, delete the word "prevention and" and in lieu thereof insert the word "PREVENTIVE";
69. On the same page, line 23, after the phrase "the frontline of" delete the article "the";
70. On page 48, line 6, after the word "worker" insert the preposition "OR";
71. On page 49, line 16, delete the roman numeral (v) and in lieu thereof insert the roman numeral number "(vi)";
72. On the same page, line 20, delete the preposition "or" and in lieu thereof insert the conjunction "AND";
73. On page 50, line 8, delete the preposition "for" and in lieu thereof insert the preposition "OF"
74. On the same page, line 10, delete the word "mandatory" and in lieu thereof, insert the word "OPTIONAL";
75. On page 51, delete lines 1 to 3 and renumber the succeeding subsections accordingly;
76. On the same page, line 20, delete the word "basic";
77. On page 53, line 23, delete the preposition "for" and in lieu thereof insert the preposition "OF";
78. On page 54, line 16, delete the word "him" and in lieu thereof insert the word "IT";
79. On page 56, line 2, delete the word "mandatory" and in lieu thereof insert the word "OPTIONAL";
80. On page 60, line 6, after the phrase "least three (3) years;" insert the following paragraph:

" THE TERM OF THE INFORMATION OFFICER IS CO-TERMINOUS WITH THAT OF HIS OR HER APPOINTING AUTHORITY."

- 81. On page 61, delete lines 1 to 2;
- 82. An omnibus amendment in the entire bill, to change the objective pronoun "his" to become "HIS OR HER" to be consistent with the gender equality law.
- 83. An omnibus amendment in the entire bill, to change the subjective pronoun "he" to become "HE OR SHE" to be consistent with the gender equality law.

Respectfully submitted:

  
**FERDINAND R. MARCOS, JR.**  
*Chairman*  
Committee on Local Government

  
**MIRIAM DEFENSOR SANTIAGO**  
*Chairperson*  
Committee on Constitutional Amendments, Revision of Codes and Laws

Members:

  
**GREGORIO B. HONASAN II**

  
**MANUEL "LITO" M. LAPID**

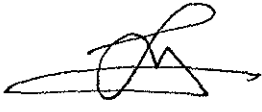
  
**RAMON BONG REVILLA JR.**

  
**LOREN LEGARDA**  
*will support*

  
**MANNY VILLAR**

 **DO NOT CONCUR**  
**ANTONIO "SONNY" F. TRILLANES IV**

*Man Amad*  
  
RALPH G. RECTO

  
FRANCIS "CHIZ" G. ESCUDERO

*Edg. Am*  
EDGARDO J. ANGARA

*Pan*  
PANFILO M. LACSON

*with reservations  
A Pimentel will interpellate*  
AQUILINO "KOKO" PIMENTEL III

*provided technical rights  
are met.*  
PIA S. CAYETANO

*Joker*  
JOKER P. ARROYO

*Judicial will interpellate*  
FRANKLIN M. DRILON

*will interpellate*  
  
FRANCIS N. PANGILINAN

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