



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 23
Tuesday, September 17, 2019

EIGHTEENTH CONGRESS
FIRST REGULAR SESSION

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CALL TO ORDER

At 3:00 p.m., the Senate President, Hon. Vicente C. Sotto III, called the session to order.

PRAYER

Sen. Cynthia A. Villar led the prayer, to wit:

O Lord, our God, who is as great in compassion as You are in power, lend us Your ear and hear us. We know Your unconditional love for Your creation and Your inexhaustible goodness.

So, we turn to You in prayer and entreat You to deliver us from those who are out to sow lies, malice, division, fear, and negativity against us, Your people. Shield us with Your mighty protection. Show us how to rise above both the visible and invisible enemies. Place in us a power from on high; encompass us with Your almighty right hand; keep us under the shelter of Your wings; fortify us with love, and grant us unshakeable peace.

We will not be shaken, Lord, because of Your peace that transcends all understanding. So, amidst all the negativity and attacks, we hold on to Your word as cited

in Philippians Chapter 4:8: “Whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable—if anything is excellent or praiseworthy—think about such things.”

Upon You alone, Lord, we look with trust. On You alone we have placed our hopes. And to You we send up all the glory. For You are the Way, the Truth, and the Life.

Amen.

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Myra Marie D. Villarica, called the roll, to which the following senators responded:

Angara, S.	Go, C. L. T.
Binay, M. L. N. S.	Hontiveros, R.
Cayetano, P. S.	Lacson, P. M.
Dela Rosa, R. B. M.	Marcos, I. R.
Drilon, F. M.	Pimentel III, A. K.
Gatchalian, W.	Poe, G.
Recto, R. G.	Villanueva, J.
Revilla Jr., R. B.	Villar, C. A.
Sotto III, V. C.	Zuibiri, J. M. F.
Tolentino, F. T. N.	

Handwritten initials

With 19 senators present, the Chair declared the presence of a quorum.

Senators Pacquiao and Pangilinan arrived after the roll call.

Senator Gordon, who was on official mission, also arrived after the roll call.

Senator Lapid was out of town on official business as indicated in the letter of the Senator's chief of staff dated September 17, 2019.

Senator De Lima was unable to attend the session as she was under detention.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Zubiri acknowledged the presence of the following guests in the gallery:

- Vice Governor Jay Khonghun of Zambales;
- Sangguniang Bayan Members Noel Lapare, Daph Reliquias and Jason Tupas of Hinobaan, Negros Occidental;
- Barangay captains from Calamba, Laguna;
- Mayor Cresente Garcia of Burgos, Ilocos Norte;
- Mayor Raphael Ralph Benemerito II of Pagudpud, Ilocos Norte; and
- Cooperative leaders from Luzon, Visayas and Mindanao under the Coop-NATCCO partylist headed by former Representative Ben Canama, chairperson of the the Committee on Cooperatives.

Senate President Sotto welcomed the guests to the Senate.

APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journal of Session Nos. 21 (September 11, 2019) and 22 (September 16, 2019) and considered them approved.

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. 1032, entitled

AN ACT GRANTING HEALTH CARE, RETIREMENT, AND DEATH BENEFITS TO PROFESSIONAL FILIPINO ATHLETES WHO WIN WORLD CHAMPIONSHIP TITLES IN INTERNATIONAL PROFESSIONAL SPORTS COMPETITIONS OR IN OTHER EQUALLY PRESTIGIOUS INTERNATIONAL CHAMPIONSHIP GAMES AND PROVIDING FUNDS THEREFOR

Introduced by Senator Lapid

To the Committees on Sports; and Finance

Senate Bill No. 1033, entitled

AN ACT REGULATING THE USE OF TREATMENT TECHNOLOGY FOR MUNICIPAL AND HAZARDOUS WASTES, REPEALING FOR THE PURPOSE SECTION 20 OF REPUBLIC ACT NO. 8749, OTHERWISE KNOWN AS "THE PHILIPPINE CLEAN AIR ACT OF 1999"

Introduced by Senator Lapid

To the Committees on Environment, Natural Resources and Climate Change; and Ways and Means

Senate Bill No. 1034, entitled:

AN ACT FURTHER AMENDING REPUBLIC ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

Introduced by Senator Revilla, Jr.

To the Committees on Justice and Human Rights; and Constitutional Amendments and Revision of Codes

Senate Bill No. 1035, entitled

AN ACT DESIGNATING THE 3RD SUNDAY OF NOVEMBER ANNUALLY

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AS THE PHILIPPINE DAY OF REMEMBRANCE FOR ROAD CRASH VICTIMS, SURVIVORS AND FAMILIES

Introduced by Senator Dela Rosa

To the Committee on Public Services

Senate Bill No. 1036, entitled

AN ACT PROVIDING A MECHANISM FOR THE REGULATION OF STUDENT HOUSING ENTITIES AND ESTABLISHING A STUDENT HOUSING REGISTRY IN EVERY CITY AND MUNICIPALITY

Introduced by Senator Lapid

To the Committees on Urban Planning, Housing and Resettlement; and Local Government

Senate Bill No. 1037, entitled

AN ACT CREATING THE MEGA CEBU DEVELOPMENT AUTHORITY, PRESCRIBING ITS FUNCTIONS AND DUTIES, AND PROVIDING FUNDS THEREFOR

Introduced by Senator Marcos

To the Committees on Economic Affairs; and Finance

Senate Bill No. 1038, entitled

AN ACT CONSOLIDATING THE LOAN ALLOCATION PROVIDED FOR AGRICULTURE AND FISHERIES CREDIT AND AGRARIAN REFORM BENEFICIARIES, AND INCREASING THE PENALTIES ON LENDING INSTITUTIONS FOR NON-COMPLIANCE AND UNDER-COMPLIANCE WITH THE PROVISIONS OF REPUBLIC ACT NO. 10000, OTHERWISE KNOWN AS "THE AGRI-AGRA REFORM CREDIT ACT OF 2009," AMENDING FOR THE PURPOSE SECTION 6 AND SECTION 10, THEREOF, AND FOR OTHER PURPOSES

Introduced by Senator Marcos

To the Committee on Agriculture, Food and Agrarian Reform

Senate Bill No. 1039, entitled

AN ACT DECLARING THE FIFTH OF OCTOBER OF EVERY YEAR AS THE NATIONAL TEACHERS DAY

Introduced by Senator Binay

To the Committees on Basic Education, Arts and Culture; and Higher, Technical and Vocational Education

Senate Bill No. 1040, entitled

AN ACT PROVIDING FOR A COMPREHENSIVE HAZARDOUS AND RADIOACTIVE WASTES MANAGEMENT, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

Introduced by Senator Binay

To the Committees on Environment, Natural Resources and Climate Change; Health and Demography; Ways and Means; and Finance

Senate Bill No. 1041, entitled

AN ACT RECOGNIZING DIGITAL ASSETS, REQUIRING THE REGISTRATION OF DIGITAL ASSET ENTERPRISES, THEIR OPERATORS, AND FOR OTHER PURPOSES

Introduced by Senator Marcos

To the Committee on Banks, Financial Institutions and Currencies

Senate Bill No. 1042, entitled

AN ACT REFORMING THE MILITARY AND UNIFORMED PERSONNEL RETIREMENT AND PENSION, AMENDING PRESIDENTIAL DECREE NOS. 361, 1638, 1656, REPUBLIC ACT NOS. 8551 AND 9993, AND FOR OTHER PURPOSES

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Introduced by Senator Marcos

To the Committees on Government Corporations and Public Enterprises; and Finance

Senate Bill No. 1044, entitled

AN ACT MODERNIZING THE CHARTER OF THE MARIANO MARCOS STATE UNIVERSITY AND RENAMING THE SAME AS THE FERDINAND E. MARCOS STATE UNIVERSITY, AMENDING FOR THIS PURPOSE PRESIDENTIAL DECREE NO. 1279, AND FOR OTHER PURPOSES

Introduced by Senator Marcos

To the Committees on Higher, Technical and Vocational Education; Ways and Means; and Finance

Senate Bill No. 1045, entitled

AN ACT AMENDING SECTION 4 OF REPUBLIC ACT NO. 8186 OTHERWISE KNOWN AS AN "ACT PRESCRIBING OFFICER GRADE DISTRIBUTION IN THE ACTIVE FORCE OF THE ARMED FORCES OF THE PHILIPPINES AND LIMITING THE TENURE OF OFFICERS IN THE GRADE OF COLONEL/CAPTAIN (PN) AND GENERAL/FLAG OFFICERS IN THE AFP"

Introduced by Senator Pimentel III

To the Committee on National Defense and Security, Peace, Unification and Reconciliation

RESOLUTIONS

Senate Joint Resolution No. 5, entitled

JOINT RESOLUTION AUTHORIZING THE USE OF THE RICE SUBSIDY AS PROVIDED UNDER THE *PANTAWID PAMILYANG PILIPINO* PROGRAM (4PS) IN THE GENERAL APPROPRIATIONS ACT (GAA) FOR THE PURCHASE OF PALAY FROM

FARMERS, MANDATING FOR THE PURPOSE THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) TO BUY PALAY FROM THE LOCAL FARMERS AND DISTRIBUTE RICE SUBSIDY IN THE FORM OF ACTUAL RICE INSTEAD OF CASH ASSISTANCE TO QUALIFIED BENEFICIARIES

Introduced by Senator Villar

To the Committees on Social Justice, Welfare and Rural Development; and Finance

Proposed Senate Resolution No. 132, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON URBAN PLANNING, HOUSING, AND RESETTLEMENT TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE STATE OF CAPACITY OF FINANCING FOR THE HOUSING SECTOR AND NECESSITY OF ESTABLISHING THE HOUSING BANK OF THE PHILIPPINES IN ORDER TO CENTRALIZE THE FINANCING AND BANKING FUNCTIONS AND ADDRESS THE FINANCING NEEDS OF THE HOUSING SECTOR IN THE PHILIPPINES

Introduced by Senator Tolentino

To the Committees on Urban Planning, Housing and Resettlement; and Banks, Financial Institutions and Currencies

COMMITTEE REPORT

Committee Report No. 4, prepared and submitted jointly by the Committees on Electoral Reforms and People's Participation; Local Government; and Finance, on Senate Bill No. 1043, with Senators Go, Marcos, Revilla, Binay, Gatchalian, Tolentino and Angara as authors thereof, entitled

AN ACT POSTPONING THE MAY 2020 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY

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REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT NO. 10656, REPUBLIC ACT NO. 10923, AND REPUBLIC ACT NO. 10952, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 201, 222, 671, 869 and 875.

Sponsor: Senator Marcos

To the Calendar for Ordinary Business

ADDITIONAL REFERENCE OF BUSINESS

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that on 13 September 2019, the House of Representatives passed House Bill No. 4157, entitled

“AN ACT AMENDING SECTIONS 4, 5, 20, 22, 27, 28, 34, 40, 50, 73, 112, 117, 204, 222, 237, 237-A, 255, 256, 257, 258, 261, 263, 264, 266, 275, 290, 291, 292 AND ADDING NEW SECTIONS 6-A, 282-A, 293, 294, 294-A, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, AND 316, ALL UNDER THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES,”

in which it requested the concurrence of the Senate.

To the Committee on Ways and Means

BILLS ON FIRST READING

Senate Bill No. 1046, entitled

AN ACT GRANTING THE BASES CONVERSION DEVELOPMENT AUTHORITY, THE POWER TO ASSIST THE DEPARTMENT OF NATIONAL DEFENSE IN THE CREATION OF NEW MILITARY BASES AND FACILITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7227, AS AMENDED BY

REPUBLIC ACT NO. 9400, OTHERWISE KNOWN AS THE BASES CONVERSION AND DEVELOPMENT ACT OF 1992

Introduced by Senator Tolentino

To the Committees on Government Corporations and Public Enterprises; and National Defense and Security, Peace, Unification and Reconciliation

Senate Bill No. 1047, entitled

AN ACT PROVIDING DIRECT FINANCIAL ASSISTANCE TO FILIPINO RICE FARMERS, ESTABLISHING FOR THE PURPOSE THE *PANTAWID MAGSASAKANG PILIPINO* PROGRAM, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Recto

To the Committees on Social Justice, Welfare and Rural Development; Agriculture, Food and Agrarian Reform; and Finance

Senate Bill No. 1048, entitled

AN ACT PROVIDING FOR DIRECT FINANCIAL ASSISTANCE TO BACKYARD LIVESTOCK RAISERS AFFECTED BY MAJOR ANIMAL DISEASE EPIDEMIC OR TRANSBOUNDARY ANIMAL DISEASES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 1578, AND FOR OTHER PURPOSES

Introduced by Senator Recto

To the Committees on Agriculture, Food and Agrarian Reform; and Finance

Senate Bill No. 1049, entitled

AN ACT CREATING THE SPECIAL MASS TRANSIT SYSTEM SUPPORT FUND AMENDING FOR THE PURPOSE SECTION 7 OF REPUBLIC ACT NO. 8794, AS AMENDED

Introduced by Senator Recto

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To the Committees on Public Services; Public Works; and Finance

Senate Bill No. 1050, entitled

AN ACT EXEMPTING DIVIDENDS FROM INCOME TAX AND ABOLISHING THE IMPROPERLY ACCUMULATED EARNINGS TAX, AMENDING FOR THIS PURPOSE SECTIONS 24(B), 25(A), 32(B) AND 57(A), AND REPEALING SECTION 29 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED

Introduced by Senator Recto

To the Committee on Ways and Means

Senate Bill No. 1051, entitled

AN ACT TO ENSURE THE SECURITY OF MEMBERS, OFFICIALS, EMPLOYEES AND GUESTS OF CONGRESS AND THE SAFETY OF CONGRESSIONAL PREMISES, CREATING FOR THE PURPOSE THE CONGRESSIONAL POLICE FORCE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES”

Introduced by Senator Recto

To the Committees on Accounts; and Finance

Senate Bill No. 1052, entitled

AN ACT CREATING THE COCONUT FARMERS AND INDUSTRY TRUST FUND, PROVIDING FOR ITS MANAGEMENT AND UTILIZATION, RECONSTITUTING FOR THE PURPOSE THE PHILIPPINE COCONUT AUTHORITY BOARD, AND FOR OTHER PURPOSES

Introduced by Senator Villar

To the Committees on Agriculture, Food and Agrarian Reform; and Finance

Senate Bill No. 1053, entitled

AN ACT MANDATING THE APPOINT-

MENT OF A HUMAN SETTLEMENTS AND HOUSING OFFICER IN PROVINCES, CITIES AND MUNICIPALITIES, PROVIDING FOR ITS POWERS AND FUNCTIONS, AMENDING SECTIONS 17, 443, 454, 463, AND TITLE FIVE OF BOOK II OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE “LOCAL GOVERNMENT CODE OF 1991,” AND FOR OTHER PURPOSES

Introduced by Senator Tolentino

To the Committees on Local Government; and Urban Planning, Housing and Resettlement

Senate Bill No. 1054, entitled

AN ACT PROVIDING FOR A RAILWAYS FUND FROM THE MOTOR VEHICLE USER’S CHARGE COLLECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8794, AS AMENDED BY REPUBLIC ACT NO. 11239, ENTITLED “AN ACT IMPOSING A MOTOR VEHICLE USER’S CHARGE ON OWNERS OF ALL TYPES OF MOTOR VEHICLES AND FOR OTHER PURPOSES”

Introduced by Senator Tolentino

To the Committees on Public Services; Public Works; and Finance

RESOLUTIONS

Proposed Senate Resolution No. 133, entitled

A RESOLUTION URGING THE EXECUTIVE DEPARTMENT TO CONVENE A NATIONAL PUBLIC TRANSPORT SUMMIT WITH THE END IN VIEW OF CRAFTING A COMPREHENSIVE TRAFFIC MANAGEMENT PLAN THAT WOULD LAY DOWN THE SHORT TERM, MEDIUM TERM AND LONG TERM PROGRAMS AND SOLUTIONS TO THE TRAFFIC CRISIS

Introduced by Senator Revilla, Jr.

To the Committee on Public Services

Proposed Senate Resolution No. 134, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC SERVICES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE MASS TRANSIT ROADMAP OF THE GOVERNMENT, WITH THE END IN VIEW OF DETERMINING ITS VIABILITY AND ENSURING A SAFE, RELIABLE, EFFICIENT AND AFFORDABLE PUBLIC TRANSIT SYSTEM

Introduced by Senator Recto

To the Committee on Public Services

Proposed Senate Resolution No. 135, entitled

RESOLUTION EXPRESSING THE PROFOUND SYMPATHY AND SINCERE CONDOLENCE OF THE SENATE OF THE PHILIPPINES ON THE DEATH OF FORMER SENATOR RENE G. ESPINA

Introduced by Senators Sotto III, Zubiri, Drilon and Recto

To the Committee on Rules

Proposed Senate Resolution No. 136, entitled

RESOLUTION CALLING FOR AN INVESTIGATION IN AID OF LEGISLATION INTO UPDATING THE EXISTING LEGAL FRAMEWORK REGULATING ONLINE LENDING TO PREVENT ABUSIVE COLLECTION PRACTICES WHILE IMPROVING ACCESS TO CREDIT

Introduced by Senator Hontiveros

To the Committee on Banks, Financial Institutions and Currencies; and Science and Technology

Proposed Senate Resolution No. 137, entitled

RESOLUTION CALLING FOR AN INVESTIGATION IN AID OF LEGISLATION

INTO WHETHER OR NOT THE PRESENCE OF A FOREIGN TELECOMMUNICATIONS PROVIDERS' FACILITIES AND EQUIPMENT IN PHILIPPINE MILITARY BASES AND INSTALLATIONS UNDERMINES NATIONAL SECURITY

Introduced by Senator Hontiveros

To the Committees on National Defense and Security, Peace, Unification and Reconciliation; and Public Services

COMMITTEE REPORT

Committee Report No. 5, prepared and submitted jointly by the Committees on Justice and Human Rights; Public Order and Dangerous Drugs; and Finance, on Senate Bill No. 1055, with Senators Sotto III, Gordon, Zubiri and Dela Rosa as authors thereof, entitled

AN ACT ESTABLISHING A SEPARATE FACILITY FOR PRISONERS CONVICTED OF HEINOUS CRIMES,

recommending its approval in substitution of Senate Bill Nos. 2, 983, and 1004.

Sponsor: Senator Gordon

To the Calendar for Ordinary Business

At this juncture, Senate President Sotto yielded the Chair to Senate President Pro Tempore Recto.

PROPOSED SENATE RESOLUTION NO. 135

Upon motion of Senator Zubiri, there being no objection, the Body considered Proposed Senate Resolution No. 135, entitled

RESOLUTION EXPRESSING THE PROFOUND SYMPATHY AND SINCERE CONDOLENCES OF THE SENATE OF THE PHILIPPINES ON THE DEATH OF FORMER SENATOR RENE G. ESPINA.

With the permission of the Body, only the title of the resolution was read without prejudice to the insertion of its full text into the Record of the Senate.

SPONSORSHIP SPEECH OF SENATE PRESIDENT SOTTO

Senate President Sotto presented to the Body Proposed Senate Resolution No. 135 expressing the profound sympathy and condolences of the Senate on the death of former Senator Rene G. Espina.

Following is the full text of Senate President Sotto's sponsorship speech:

One's legacy upon death is not dependent on the eloquence of those who deliver eulogies, for it would be dangerous to rely on orators to make a verdict on how a life was lived. Words are inadequate to match the speech that has been delivered through the life well lived by Senator, Governor, Cabinet Secretary, Administrator, lawyer, host, and columnist Jose Marino "Rene" G. Espina.

Although nothing much has been written about him, Sen. Rene Espina's accomplishments and positions held in the government had a lot to say about his prominence. In all the titles and positions he held, he always made it a point to leave a mark:

As a lawyer – he was one of the topnotchers during his time;

As an administrator and chairman of the SSS – he introduced the first computer system in government;

As governor of Cebu – he was awarded as the Most Outstanding Governor in the Philippines in 1968 to 1969;

As Secretary of Public Works, Transportation and Communications – he was fondly called as the "Builder and Father of Mactan-Mandaue Bridge" for being the one behind its construction; and

As a senator – he crafted the first anti-drug law, which is the Dangerous Drugs Act of 1972, a precursor of RA 9165 or the Comprehensive Dangerous Drugs Act of 2002, which this Representation is principal author in the Senate and our Majority Leader, Sen. Migz Zubiri, its principal author in the House of Representatives. We both share the same convictions of having a drug-free Philippines, and this present Congress will continue to thrive with his legacy that he left this nation. He was voted as one of the "Most Outstanding Senators" during his tenure.

Senator Espina's presence and service to the people did not end when his term of office

as public servant ended. He continued to do civic and social works out of the limelight and received various awards for the same.

Truly, no words can measure up to the speech spoken by the life of Senator Espina for, truly, his actions speak louder than our words. He lived by the saying: "The great use of life is to spend it for something that will outlast it." Indeed, what he left behind is something that even the heirs of his heirs will enjoy—which is a better Philippines.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no interpellation, upon motion of Senator Zubiri, there being no objection, the Body closed the period of interpellations.

TERMINATION OF THE PERIOD OF AMENDMENTS

There being no committee or individual amendment, upon motion of Senator Zubiri, there being no objection, the Body closed the period of amendments.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 135

Upon motion of Senator Zubiri, there being no objection, Proposed Senate Resolution No. 135 was adopted by the Body.

ALL SENATORS AS COAUTHORS AND COSPONSORS

Upon motion of Senator Zubiri, there being no objection, all senators were made coauthors and cosponsors of Proposed Senate Resolution No. 135.

COMMITTEE MEMBERSHIPS

Upon motion of Senator Zubiri, there being no objection, the following senators were elected as members of the Special Committee on Marawi City Rehabilitation chaired by Senator Dela Rosa: Senators Pacquiao, Go, Marcos, Pimentel and Hontiveros.

He also manifested for the record the designation of Senator Tolentino as the committee vice chairman.

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SPECIAL ORDER

Upon motion of Senator Zubiri, there being no objection, the Body approved the transfer of Committee Report No. 4 on Senate Bill No. 1043 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 4 ON SENATE BILL NO. 1043

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1043 (Committee Report No. 4), entitled

AN ACT POSTPONING THE MAY 2020 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340, REPUBLIC ACT NO. 10632, REPUBLIC ACT NO. 10656, REPUBLIC ACT NO. 10923, AND REPUBLIC ACT NO. 10952, 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 Zubiri, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Marcos, Sponsor of the measure.

SPONSORSHIP SPEECH OF SENATOR MARCOS

Senator Marcos submitted to the Body Committee Report No. 4 on Senate Bill No. 1043, entitled "An Act Postponing the May 2020 Barangay and Sangguniang Kabataan Elections, Amending for the Purpose Republic Act No. 9164, as Amended by Republic Act No. 9340, Republic Act No. 10632, Republic Act No. 10656, Republic Act No. 10923, and Republic Act No. 10952, and for Other Purposes," as she underscored the urgency of postponing the barangay and SK election.

Following is the full text of Senator Marcos' speech:

As a single senator who derives directly from the barangays and the old Kabataang

Barangay, we seek to postpone the barangay and SK elections, revising their elections scheduled by RA 10952 in 2017 on the second Monday of May 2020, to the second Monday of 2023.

This urgent postponement is sought first and foremost because proceeding with an early election next year would be in flagrant violation of the law, both the Local Government Code and R.A. No. 9164 which both clearly established the terms of barangay and SK officials at the period of three years. By May of 2020, all incumbent barangay officials would have sat a mere two years, hardly time to perform their duties or to plan their programs. Overwhelmed by the plethora of functions now assigned to the barangays by a spate of recent laws — drug rehabilitation, anti-illiteracy, dengue, vaccination, child nutrition and, just lately, even road clearing, the barangay officials have not had a breather to plan or prioritize.

It is also time that we finally settled the calendar for barangay elections so that every year, in May, following national elections, the barangays and the SKs will know predictably and reliably that their elections will be next.

While SKs from the bigger local government units may be implementing their plans, most smaller LGUs are still undergoing the mandatory process of training their SKs. A 2020 election would clearly be impractical and impracticable for both barangays and these SKs. The SK Reform Act mandates a three-year plan, a Comprehensive Barangay Youth Development Plan. Surely, they will be far busier campaigning than planning if the election in May proceeds next year.

Further, the barangays protest that such a short term is operationally and financially unworkable. Following a six-month delay in the national budget's release last year, the barangays have just begun to finally access their local funds in the last few months. In compliance with the SK Reform Act and its new requisites, the SKs, in the meantime, continue to await new procurement guidelines for their projects. The bidding processes that will prevail would still be formulated, finalized, and enforced by the Government Procurement Policy Board.

Thus, this measure is urgent. To date, Comelec has luckily not spent any significant amount for the 2020 barangay and SK elections. Still, time, energy, and some expense are being lost. Already, registration is ongoing at the barangay and SK levels. Preparations for the procurement, short of award for carbonless paper and other require-

ments for ballots, are ongoing, anticipating a total budget of P37,896,250.00. Worse, our national budget for 2020 is pending and should shortly be passed including therein an item for P5.8 billion for the barangay and SK elections that could be put to other better uses more essential for our other needy sectors.

Barangay elections actually involve 62,963,305 registered voters. There are SKs in upwards of 21,100,858 registered in all our barangays. While the national elections open a mere 18,000 positions, in a barangay or SK elections, 672,448 positions are at stake. Further, barangay elections are manual, they are not automated—and let us recall we have urged the Comelec, the DICT, the DOST, to formulate a new and improved hybrid automated system for 2022. There is much work, indeed, to be done. Of course, the Comelec has said, “*Kaya naman siguro, we are good soldiers,*” but they also had to admit “*baka may mako-compromise.*” *Iyon po ang transcript sa kanilang budget.* And the question indeed arises, will the results be satisfactory?

At the end, let us postpone because if we do not postpone, we may erode our sacred right of suffrage. We must not compromise at any point the Filipino right to vote most especially a vote for the barangay and the youth through which our popular will is so directly and fulsomely expressed.

Ang sabi nga ng mga bata, “Ang boto ay dapat parang pag-ibig—priceless.” Ano man ang hirap at sakripisyo, kailangang gawin natin para buong puso at walang pag-aatubili ang pagboto.

The ancient *balangay* boats brought our forefathers to the new islands of hope—the archipelago that is today the Republic of the Philippines. We pray that this measure will bring new hope to those in our barangays and those in our youth sector.

COSPONSORSHIP SPEECH OF SENATOR TOLENTINO

Senator Tolentino stated that as chairman of the Senate Committee on Local Government, the committee that jointly heard the bill, he was supporting Senate Bill No. 1043, entitled “An Act Postponing the May 2020 Barangay and Sangguniang Kabataan Elections”. He agreed with Senator Marcos, as well as the other senators who proposed similar bills, namely, Senators Go, Revilla, Binay, and Gatchalian, on the rationale, the necessity and the urgency of expeditiously passing this SONA legislative measure.

Following is the full text of Senator Tolentino’s cosponsorship speech:

The Barangay and the Sangguniang Kabataan are vital pillars to our democracy. The barangay, being the most basic political unit of our country that is in the frontlines of providing essential government services to our communities, and the Sangguniang Kabataan (SK), which helps mold young leaders for the country’s future, must always be given primary importance. Thus, it only follows that these units of government must always be afforded the opportunity and time to perform their very important functions and duties. However, with the existing law on barangay elections and the realities these local government units have been facing since their assumption into office, it would seem that they have been denied the chance to fully, competently, and completely serve.

Kagaya po ng narinig ko kanina, kulang po iyong dalawang taon. Kai-eleksyon lamang po, mag-eeleksyon na po muli.

Republic Act 9164, as amended, provides that the current set of officers elected on the elections of May 2018 shall only serve for two (2) years as there will be another election for the same positions on May 2020. Therefore, the existing officials are only going to serve for two years. As expressed by the resource persons during the committee hearings, this is not enough. Two years or 24 months is not enough for the barangay and SK officials to conduct their trainings, perform their mandates as well as the new directives issued by the President regarding cleanup operations. With this bill, there is new hope for the accomplishment of these tasks.

This bill likewise meets the concerns of the Commission on Elections in having at least a one-year gap, or break, so to speak, between national and local elections and the barangay and SK elections to enable this hardworking Constitutional Commission to fully prepare and ensure that democracy is exercised.

After this bill is passed, confusion on the schedule of barangay elections will now be cleared up. As from hereon, barangay and SK elections will be held a year after every national and local election, promising consistency, institutionalization, and stability in these basic but supremely important units of government.

On this note, this Representation firmly supports the postponement of the barangay and Sangguniang Kabataan elections to May 2023 and urges this august Body to approve the same.

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COSPONSORSHIP SPEECH OF SENATOR GO

Senator Go also added his voice in supporting Senate Bill No. 1043 under Committee Report No. 4, postponing the barangay and *Sangguniang Kabataang* elections to May 2023, saying that he was one of the members of this Chamber who supported the passage of this measure, through Senate Bill No. 201 which he filed last July.

The rest of Senator Go's cosponsorship speech follows:

I support the postponement of the elections to 2023 as it will give the newly elected President a chance to work hand in hand with the new Barangay and SK officials, to synchronize and finish their projects and programs.

Hindi po kasalanan ng mga barangay officials ang postponement ng nakaraang eleksyon at dalawang taon na lamang po ang natitira sa kanila. As I have said with conviction many times before, our barangay officials are at the forefront when it comes to the delivery of the most basic and essential services to our people. *Sila rin po ang nasa unahan sa ating matinding kampanya laban sa ilegal na droga at kriminalidad.* They are very important when it comes to addressing the most perennial problems faced by our countrymen.

As a matter of fact, in recognition of their unquantifiable contributions to the welfare of our people, I have also filed Senate Bill No. 391, which seeks to provide a Magna Carta for Barangays, and Senate Bill No. 392, which mandates the appointment of barangay health workers. These measures recognize the invaluable contributions and the crucial roles played by our barangay officials.

That is why, it is only fitting and proper that they be given sufficient and adequate time to properly implement and enact the projects and programs they have championed, for the benefit of their constituents who expect nothing less from them.

Finally, I believe that this postponement, more than anything, is for the constituents.

I urge my colleagues in this august Body to support this measure. And let us give the barangay leaders chosen by the people enough time to implement all the necessary and essential programs promised to them.

INTERPELLATION OF SENATOR REVILLA

Asked by Senator Revilla how many times the barangay and SK elections have been postponed prior to the May 2018 election, Senator Marcos said that from 1992 to 2018, the barangay elections have been postponed six times; while the SK elections have been postponed seven times.

Asked why Congress had to postpone the barangay and SK elections in the past, Senator Marcos explained that there were various reasons, one of which was its proximity to the national elections. Specifically, in the case of the SK, she said that no IRR and other guidelines have yet been established since the passage of the SK Reform Act of 2015. She said that the Committee felt the urgent need to postpone the elections because preparations for registration and ballot supply procurement were already ongoing and they would be put to waste if the elections would eventually be postponed.

Senator Revilla inquired about the dates considered by the Committee before it recommended the postponement of the May 2020 elections to May 2023. He informed the Body that his version of the bill was for the elections to be held in October 2022. In reply, Senator Marcos stated that both her and Senator Go's versions bore the same date as in Senator Revilla's bill, which is almost immediately after the national elections in May of the same year. However, she said that the Comelec had expressed concern over the original proposed date because they claimed that it would be difficult for them to prepare for two elections within the same year considering the weather and the school year. Thus, she said that the Committee instead agreed to hold the elections in May 2023 which is a year after the national elections so that the local executives, starting from the governor and mayor, down to the SK, would have the same term of office.

Senator Revilla noted that under the existing law, the term of office of the barangay and SK officials should be three years. But he pointed out that if elections were to be held in 2020, the officials would have served for only two years which is in violation of the law. He then asked if serving for five years would be in accordance with the law. In reply, Senator Marcos clarified that while Section 43(C) of the Local Government Code stipulates that barangay officials should have a three-year term, it is possible for their term to be made longer but not shorter, as

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suggested by Senator Tolentino. She added the need for Congress to once and for all establish the calendar for all succeeding barangay and SK elections by making it clear that it should be held one year after the national elections, thereby complying with the three-year term rule.

Thereafter, Senator Revilla expressed his support for the measure.

**SUSPENSION OF CONSIDERATION
OF SENATE BILL NO. 1043**

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

**ACKNOWLEDGMENT
OF THE PRESENCE OF GUESTS**

At this juncture, Senator Zubiri acknowledged the presence in the gallery of the following guests:

- Gov. Damian Mercado of Southern Leyte;
- Mayor Edwin Santiago and Board Member Rosve Henson of San Fernando Pampanga; and
- Barangay Chairpersons Melchor S. Malaborbor, Gordon Toledo, Eduardo Silva, and Henry Crisostomo of Calamba, Laguna.

Senate President Pro Tempore Recto welcomed the guests to the Senate.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 3:45 p.m.

RESUMPTION OF SESSION

At 5:12 p.m., the session was resumed with Senate President Sotto presiding.

ADJOURNMENT OF SESSION

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

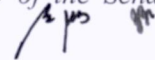
It was 5:12 p.m.

I hereby certify to the correctness of the foregoing.



ATTY. MYRA MARIE D. VILLARICA

Secretary of the Senate



Approved on September 18, 2019