

TUESDAY, SEPTEMBER 17, 2019

OPENING OF THE SESSION

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

The President. The 23rd session of the Senate in the First Regular Session of the Eighteenth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Cynthia Villar.

Everybody rose for the prayer.

PRAYER

Senator Villar. *Let us put ourselves in the presence of God.*

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 unshakable 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, Verse 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

The President. The Secretary will please call the roll.

The Secretary, reading:

Senator Sonny Angara	Present
Senator Maria Lourdes	
Nancy S. Binay	Present
Senator Pia S. Cayetano	Present
Senator Leila M. De Lima	*
Senator Ronald "Bato"	
M. Dela Rosa	Present
Senator Franklin M. Drilon	Present
Senator Win Gatchalian	Present
Senator Christopher Lawrence	
T. Go	Present
Senator Richard J. Gordon	Present**
Senator Risa Hontiveros	Present
Senator Panfilo "Ping" M. Lacson ...	Present
Senator Manuel "Lito" M. Lapid	***
Senator Imee R. Marcos.....	Present
Senator Emmanuel "Manny"	
D. Pacquiao	Present****
Senator Francis "Kiko"	
N. Pangilinan	Present****
Senator Aquilino "Koko" L.	
Pimentel III.....	Present
Senator Grace Poe	Present
Senator Ralph G. Recto	Present
Senator Ramon Bong Revilla Jr.	Present
Senator Francis "Tol" N. Tolentino...	Present
Senator Joel Villanueva	Present
Senator Cynthia A. Villar	Present
Senator Juan Miguel F. Zubiri	Present
The President	Present

The President. With 19 Senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

Senator Zubiri. Thank you, Mr. President.

Mr. President, we have several guests with us today.

Vice Gov. Jay Khonghun of Zambales is here.

We also have Sangguniang Bayan Member Noel Lapare, Coun. Daph Anthony Reliquias, and Coun. Jason Tupas from Hinoba-an, Negros Occidental.

We have also with us barangay captains from Calamba, Laguna, Mayor Cresente N. Garcia of Burgos, Ilocos Norte, and Mayor Rafael Ralph L. Benemerito of Pagudpud, Ilocos Norte.

* Unable to attend the session as she was under detention

** On official mission but arrived after the roll call

*** On official business

**** Arrived after the roll call

chairman of this committee was already elected last week, Sen. Ronald “Bato” dela Rosa.

With the permission of the Body, I move that we elect Sen. Francis “Tol” Tolentino as the vice chairman; and Sen. Emmanuel “Manny” D. Pacquiao, Sen. Christopher Lawrence T. Go, Sen. Imee Marcos, Sen. Aquilino “Koko” Pimentel III, and Sen. Risa Hontiveros as members.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the motion is approved.

Senator Zubiri. Mr. President, we have a committee report. This is the first committee report of the Eighteenth Congress.

SPECIAL ORDER

Mr. President, with the permission of the Body, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders Committee Report No. 4 on Senate Bill No. 1043. This is an Act Postponing the May 2020 Barangay and Sangguniang Kabataan Elections.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the motion is approved.

BILL ON SECOND READING S. No. 1043—Postponing the May 2020 Barangay and Sangguniang Kabataan Elections

Senator Zubiri. Mr. President, I move that we consider Senate Bill No. 1043 as reported out under Committee Report No. 4.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the motion is approved.

Consideration of Senate Bill No. 1043 is now in order.

The Secretary. Senate Bill No. 1043, entitled

AN ACT POSTPONING THE MAY 2020 BARANGAY AND SANGGUNIAN 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

Editorial Note: A copy of Senate Bill No. 1043 is annexed at the end of this session date.

Senator Zubiri. Mr. President, I ask that we recognize the sponsor of the measure, the honorable chairperson of the Committee on Electoral Reforms and People’s Participation, Sen. Imee Marcos.

The President Pro Tempore. Sen. Imee Marcos is recognized to sponsor the measure.

SPONSORSHIP SPEECH OF SENATOR MARCOS

Senator Marcos. Thank you, Mr. President.

Mr. President, esteemed colleagues of the Philippine Senate, good afternoon to everyone.

Today, I submit Committee Report No. 4 sponsoring therewith 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 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 May 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 in the Local Government Code and in RA 9164 which both clearly establish 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 settle 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 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 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 still to be formulated, finalized, and enforced by the Government Procurement Policy Board.

Thus, this measure, ladies and gentlemen, 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 procurement short of award for carbonless paper and other requirements for ballots are ongoing, anticipating a total budget of P37,896,250. Worse, our national budget for 2020 is impending 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.

Gentlemen and ladies, 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 and 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 new department of 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, kailangan gawin natin para buong puso at walang pag-aatubili ang pagboboto.

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.

Thank you and good day.

The President Pro Tempore. Thank you, Senator Marcos.

Senator Tolentino. Just a manifestation of support, Mr. President.

The President Pro Tempore. Senator Tolentino is recognized.

MANIFESTATION OF SENATOR TOLENTINO

Senator Tolentino. Mr. President, distinguished colleagues, as the chairman of the Senate Committee on Local Government, one of the committees that jointly heard this important piece of legislation, this humble representation would like to manifest his humble support to the proposed bill entitled, "An Act Postponing the May 2020 Barangay and Sangguniang Kabataan Elections" introduced by Senator Imee Marcos.

This representation agrees with the rationale, the necessity, and the urgency forwarded by the good Senator Marcos, as well as the other Senators who proposed similar bills, namely: Senators Go, Revilla, Binay, and Gatchalian, in timely and expeditiously passing this SONA legislative measure.

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, 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 that these local government officials 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. Kaeleksyon lamang po, mag-eeleksyon na po muli.

Republic Act No. 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 hard-working 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 elections promising consistency, institutionalization, and stability in this basic but supremely important units of government.

On this note, Mr. President, 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.

Salamat po, Mr. President.

The President Pro Tempore. Thank you, Senator Tolentino.

The Majority Leader is recognized.

Senator Zubiri. Thank you, Mr. President.

Also, to cosponsor the measure, may we recognize Sen. Bong Go.

The President Pro Tempore. Senator Go is recognized.

COSPONSORSHIP SPEECH OF SENATOR GO

Senator Go. Good afternoon, Mr. President.

Mr. President, I rise to express my support for Senate Bill No. 1043 under Committee Report No. 4, postponing the barangay and Sangguniang Kabataan elections to May 2023. I was one of the members of this Chamber who supported the passage of this measure, through the filing of Senate Bill No. 201, which I filed this July.

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.

Mr. President, *hindi po kasalanan ng mga barangay officials ang postponement ng nakaraang eleksiyon, 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 iligal 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, Mr. President, 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.

Thank you, Mr. President.

The President Pro Tempore. Thank you, Senator Go.

The Majority Leader is recognized.

Senator Zubiri. Thank you, Mr. President. I believe some of our colleagues would like to start asking questions on the measure because of the urgency of the bill.

Mr. President, may we recognize Sen. Bong Revilla to ask a few questions if, of course, the sponsor will allow.

The President Pro Tempore. Senator Revilla is recognized.

Senator Revilla. May the good Senator from Ilocos Region yield for some clarificatory questions?

Senator Marcos. Gladly, Mr. President.

Senator Revilla. Mr. President, for the record, may I know how many times barangay and SK elections in our country have been postponed prior to the last May 2018 election?

Senator Marcos. The barangay and SK elections since 1992 have been postponed six times: from May 1998 to November 1998; March 1999; May 2002 to July 2002; 2005 to 2007—*madalas na po*—2016; 2017 to 2018. *Iyong* SK elections *naman*, seven times *na* because no SK elections were held during the barangay elections in October of 2013. So, *napakadalas na po at sana maitakda natin na regular at laging natutuloy ang ating mga* term.

Senator Revilla. May I know, Mr. President, the general reasons why Congress has postponed several times our barangay and SK elections?

Senator Marcos. I think, there are various reasons but, by and large, it was always too close to the national election and, I believe, in the case of the SK, no IRR and other guidelines had as yet been established while awaiting the SK Reform Act of 2015.

Senator Revilla. Basically, the lady Senator from Ilocos Region is saying that there was a

need and necessity to postpone election. Is this correct?

Senator Marcos. That is correct. We feel that there is an urgent need to postpone the elections. The efforts and preparations are now ongoing for registration and for ballot supply procurement. *Sayang lamang po ito kapag papalitan pala natin ang date.*

Senator Revilla. Mr. President, on the substituted bill, may I know, for the record, what were the dates considered by the committee before it recommended postponing the May 2020 to May 2023? This representation actually proposes that elections be held in October 2022.

Senator Marcos. Yes. *Ang totoo, pa iba-iba po ng date. Nagsimula kaming lahat, kasama ni Senator Go, na October 2022 sana, almost immediately after the national election of May 2022. Pero nakiusap ang COMELEC na napakahirap sa kanila at sabi natin, "Ano kaya kung kaunting postpone after Christmas, iyong January or February ng 2023, at napakahaba naman ng May." Pero ang sabi nga nila mahihirapan daw dahil iyong weather, walang kuwenta ang panahon. Ikalawa, iyong mga bata ay nasa eskuwelahan pa baka kaunti lamang ang makapunta para bumoto, tapusin na lamang ang school year. Kaya umabot kami sa May at sa ganoon maging pare-pareho ang mga term ng local officials mula sa mayor, governor, at hanggang sa mga SK.*

Senator Revilla. I agree. Under existing laws, the lady sponsor said, "The term of office of our barangay and SK officials is three years. And if elections will be held next year, in effect, they will only serve two years." The lady sponsor also mentioned that this will violate existing laws if they serve two years only. Will serving five years be in accordance with existing laws?

Senator Marcos. Yes, thank you. Indeed, we need to clarify that Section 43(c) of the Local Government Code very clearly stipulates that barangay officials should have a three-year term.

Ganoon din ang nakasaad sa RA 9164. Sabi nga po ng ating mahal na senador na galing sa Cavite, "Ang pagboboto ay dapat katulad din ng pag-ibig, puwedeng magdagdag, huwag magbawas." Dahil dito po, dadagdagan na lamang natin ang termino ng ating mga barangay. Imbes na makaltasan sila ng ilang taon, dagdagan na po natin. Ikalawa, what we should do is to finally establish the calendar for all succeeding barangay elections making it

clear that one year after the national election, a barangay election will be held, therefore, always complying with the three-year term rule.

Senator Revilla. All right.

Thank you, Mr. President.

I just want to put on record that I support this measure.

Senator Marcos. Thank you.

The President Pro Tempore. The Majority Leader is recognized.

SUSPENSION OF CONSIDERATION OF S. NO. 1043

Senator Zubiri. Mr. President, to allow our colleagues to study the measure further, I move to suspend consideration of the same.

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the motion is approved.

ACKNOWLEDGMENT OF GUESTS

Senator Zubiri. Mr. President, we have with us a very good friend of mine and a good friend of many Senators: Gov. Damian Mercado of Southern Leyte; Mayor Edwin Santiago and Board Member Rosue Henson of San Fernando, Pampanga; and Barangay Captains Melchor Malaborbor, Gordon Toledo, Eduardo Silva, and Henry Crisostomo of Calamba, Laguna. I am sure they are very elated to hear about the postponement plans of Senator Marcos.

The President Pro Tempore. Welcome to all our workers of government. Welcome to the Senate.

SUSPENSION OF SESSION

Senator Zubiri. Mr. President, may I ask for a one-minute suspension?

The President Pro Tempore. Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

It was 3:45 p.m.

RESUMPTION OF SESSION

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

The President. The session is resumed.

ADJOURNMENT OF SESSION

Senator Zubiri. Mr. President, I move that we adjourn the session until three o'clock in the afternoon, Wednesday, September 18, 2019.

The President. Is there any objection? *[Silence]* There being none, the session is adjourned until three o'clock in the afternoon, Wednesday, September 18, 2019.

It was 5:12 p.m.

WEDNESDAY, SEPTEMBER 18, 2019

OPENING OF THE SESSION

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

The President. The 24th session of the Senate in the First Regular Session of the Eighteenth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Juan Miguel F. Zubiri.

Everybody rose for the prayer.

PRAYER

Senator Zubiri. Thank you, Mr. President.

Let us come together in prayer to seek guidance from the wise and benevolent Lord, that He may steer us towards the right path as our people's appointed servant-leaders.

As Jesus humbled Himself to His disciples and washed their feet with no qualms, may we also submit ourselves fully to the Filipino people who are our true masters.

As the Holy Father sacrificed his only Son for the redemption of humankind, may we also be prepared to set ourselves aside in service of the greater good.

As the Virgin Mary offered herself to be a vessel for the Lord, may we also allow ourselves to be vessels of goodness and truth.

We pray that the good Lord grant us the wisdom and understanding to know what true leadership is, and the strength and conviction to accomplish it.

We pray as well that eternal rest grant unto the soul of the great Sen. Rene Espina. His legacy of leadership and service is a constant reminder of what we must strive towards.

Guide us always, O Lord, as humble servants of this great nation.

Amen.

ROLL CALL

The President. The Secretary will please call the roll.

The Secretary, reading:

Senator Sonny Angara	Present
Senator Maria Lourdes	
Nancy S. Binay	Present
Senator Pia S. Cayetano	Present
Senator Leila M. De Lima	*
Senator Ronald "Bato"	
M. Dela Rosa	Present
Senator Franklin M. Drilon	Present
Senator Win Gatchalian	Present**
Senator Christopher Lawrence	
T. Go	Present
Senator Richard J. Gordon	Absent
Senator Risa Hontiveros	Present
Senator Panfilo "Ping" M. Lacson ...	Present
Senator Manuel "Lito" M. Lapid	Present
Senator Imee R. Marcos.....	Present
Senator Emmanuel "Manny"	
D. Pacquiao	Present
Senator Francis "Kiko"	
N. Pangilinan	Present
Senator Aquilino "Koko" L.	
Pimentel III.....	Present
Senator Grace Poe	Present**
Senator Ralph G. Recto	Present**
Senator Ramon Bong Revilla Jr.	Present
Senator Francis "Tol" N. Tolentino...	Present
Senator Joel Villanueva	Present
Senator Cynthia A. Villar	Present
Senator Juan Miguel F. Zubiri	Present
The President	Present

The President. With 19 Senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

ACKNOWLEDGMENT OF GUESTS

Senator Zubiri. Mr. President, we have several guests in the gallery today. Most importantly, we have an honorable Senator from Guam, no other than Sen. James C. Moylan. He is accompanied by Mr. Bobby Shringi.

And, we have several local officials: Mayor Alfredo Matugas Coro II of Del Carmen, Surigao Del Norte, Mayor Vergel Meneses of Bulacan, Mayor Noel Luistro of Mabini, Batangas, and Mayor Rogelio Raymund Tongson Jr. of Himamaylan City.

We have also with us Mayor Ronald Apostol and the Liga ng mga Barangay ng Cabangan, Zambales.

* Unable to attend the session as she was under detention

** Arrived after the roll call

EMERGENCY AND TRAUMA CENTER, TO BE
KNOWN AS THE JOAQUIN VILLANUEVA
EMERGENCY TRAUMA CENTER

Introduced by Senator Angara

The President. Referred to the Committees on Health and Demography; and Finance

The Majority Leader is recognized.

Senator Zubiri. Thank you, Mr. President.

Mr. President, we were supposed to tackle the bill of Senator Gordon today. Unfortunately, Senator Gordon is not feeling very well and, therefore, he asked to move it to Monday.

So, in today's agenda, we have only Senate Bill No. 1043 postponing the May 2020 barangay elections, Mr. President.

BILL ON SECOND READING
**S. No. 1043—Postponing the May 2020
Barangay and Sangguniang Kabataan Elections**
(Continuation)

Therefore, I move that we resume consideration of Senate Bill No. 1043 as reported out under Committee Report No. 4.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1043 is now in order.

Senator Zubiri. Mr. President, the parliamentary status of the measure is that we are in the period of interpellations. I ask that we recognize the sponsor, the distinguished lady Senator from Ilocos Norte, Sen. Imee R. Marcos; and to interpellate, we have Sen. Christopher Lawrence T. Go.

The President. Sen. Imee Marcos is recognized; and to interpellate, Sen. Christopher Lawrence Go.

Senator Marcos. Thank you, Mr. President.

SUSPENSION OF SESSION

Senator Zubiri. Mr. President, I move that we suspend the session for one minute to allow Senator Go to prepare.

The President. Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

It was 3:08 p.m.

RESUMPTION OF SESSION

At 3:09 p.m., the session was resumed.

The President. The session is resumed.

Senator Marcos and Senator Go are recognized.

Senator Marcos. Thank you, Mr. President.

MANIFESTATION OF SENATOR GO

Senator Go. Thank you, Mr. President.

Mr. President, first of all, I would like to reiterate my support for Senate Bill No. 1043, specifically as regards the postponement of the upcoming barangay and SK elections to a date following the next presidential elections. I would want to place before the consideration of this honorable Body the second Monday of October 2022 as the date for the next barangay and SK elections.

As I have said before this honorable Chamber yesterday, the interval would grant the next elected president and the barangay officials the opportunity to work hand in hand and accomplish their projects and programs together. When President Duterte was elected in 2016, he was determined to eradicate illegal drugs in the country, yet the dilemma during that time was that more than 200 barangay officials were linked to illegal drugs according to PDEA. It took two more years for the people to elect new barangay officials that can help the administration deliver reforms in their communities.

If we move the next barangay elections immediately after the national elections in 2022, we would then have a new set of leaders from the barangay all the way to the national level. The next administration can buckle down and set a direction. The shorter gap between the two elections would mean shorter waiting time for them to be able to work collectively and, in effect, align their agenda, direction, objectives, and programs sooner, ultimately for the benefit of the people who placed them in office.

Mr. President, if we have to wait a year after the presidential elections to elect new barangay officials, *baka mainip ang new president at mahirapan na siguraduhing maramdaman sa mga barangay ang pagbabagong gusto niyang iimplementa.*

With respect to Comelec, I see no reason for Comelec to defer the elections a year after the

presidential elections because they have done this before and it has been proven possible to conduct both elections in the same year.

Mr. President, pursuant to this manifestation, I would like to solicit some answers, if the distinguished lady Senator from Ilocos Norte would yield for some questions?

Senator Marcos. Gladly, Mr. President.

Senator Go. Mr. President, this representation would like to seek clarification as to why the date May 2023 was chosen? Did the Comelec give a favorable position as regards this date?

Senator Marcos. Yes, Mr. President. As previously discussed with the distinguished coauthor, Senator Go, their lack of material time has been an essential complaint of the Comelec.

Alam po natin, talagang dinanas na ito ng ating bansa noong 2010 at talagang labis-labis iyong problema noong nagkasunod iyong national election at barangay election within the same year. At that point in time, 48 million pa lamang ang botante kung maaalala po natin. Subalit noong 2010, kung maaalala natin, ay 2,512 ang barangay na may failure of election at ang hindi nakaboto ay 6,496 clustered precincts. Ang total ng ating mga botante na hindi binigyan ng kanilang karapatang bumoto ay halos dalawang milyon dahil gahol sa panahon, hindi nakapag-imprenta ng balotang maayos na verified, at hindi nakapag-distribute sa kasamaan ng panahon, at talaga naman na iyong manual and hybrid ay kakaiba.

Iyong mga SK noon ay gipit na gipit din sa registration, kung maaalala natin, dahil sa problema. And ito nga, ang pagkaka-usap ko sa ating Comelec, willing naman sila—sapagkat good soldier sila—na paagahin.

So, nag-work out kami ng bagong table of events na mag-uumpisa, halimbawa, October 2021 or thereabouts, para hindi naman maantala iyong national elections. Ang inabutan namin ay hindi talaga puwede iyong printing na four to five months; iyong verification, iyong packaging, delivery, at saka verification na naman ng distributed balota sa mga local treasurers earlier than December 2022.

Kapag December, nakaapak na tayo ng six and a half months na pagitan, at iyon ang pinaka-compressed na time frame na pinag-usapan namin, pero kaya. Pero iyong October po, gahol sa panahon, masama pati iyong weather, at iyong printing and verification baka magkaloko-loko iyong mga listahan ng mga kandidato.

Senator Go. Mr. President, did the Comelec have a difficult time holding both the national and the barangay elections in the same year of 2010? *Kinaya naman po nila noong 2010.*

Ang akin lamang po rito, maaaring mainip na po ang bagong administrasyon o kung sino man po ang bagong presidente at ibang direksyon naman po ang gusto niyang gawin, katulad po ng nangyari kay Pangulong Duterte noong 2016. Ang dami pong mga barangay captains na involved sa drugs at inip na po si Pangulo na mapalitan ang mga bagong opisyal.

So, ito naman ay to give opportunity or chance to the new administration or to the new president po pagdating ng 2022, kung kaya naman po ng Comelec.

Senator Marcos. With all due respect po, iyong kahuli-hulihang panahon na same year ang ating barangay at iyong national ay iyong 2010 na talagang sinasabi ng Comelec na bulilyaso nga talaga at hirap sila. Marami pa ngang hindi nakaboto—kawawa naman. Pagkatapos noon, iyong next election natin was already 2013 na wala pa nga iyong SK. Walang problema noon. Higit sa lahat, dahil hiniwalay iyong 2018 na eleksyon sa national, maayos—zero iyong failure of elections unlike 2010.

Senator Go. Mr. President, I would like to thank the distinguished lady from Ilocos Norte for providing clarifications as regards to my query.

Again, I would like to manifest, as indicated in my bill, that the barangay and SK elections be moved to the second Monday of October 2022 or five months after the presidential elections. It may be difficult for Comelec, but I am of the opinion that they have ample time to prepare. This, most certainly, is possible.

That is my proposal, Mr. President, and I hope that the good sponsor would give way to my suggestion.

Thank you, Mr. President.

Senator Marcos. Thank you, Mr. President. And thank you to my coauthor and sponsor.

As we discussed earlier, I am very happy to change the date. It is the lack of material time that the Comelec is protesting.

Senator Zubiri. Mr. President.

The President. Majority Leader, Senator Tolentino is asking for the Floor.

Senator Tolentino. If the good gentlelady, my cosponsor, would yield for just some clarificatory questions.

Senator Marcos. Yes. Thank you very much.

Senator Tolentino. If we postpone the elections, which I support, to a later date, which is 2023, in effect, the barangay officials, specifically the barangay chairmen, would sit for five years, am I correct?

Senator Marcos. The next election, as we see it...

Senator Tolentino. As we propose.

Senator Marcos. ...as we propose, should be one year after the national elections, 2023; thereafter, 2026—three years *pa ang tuloy-tuloy*.

Senator Tolentino. So, in effect, it is plus three years.

Senator Marcos. In effect, they will have 2018 to 2023.

Senator Tolentino. So, that will be five years?

Senator Marcos. Five years.

Senator Tolentino. Mr. President, the line of my reasoning has reference to the ex officio city councilors, board members, municipal councilors, SK federation presidents who will sit as ex officio board members, councilors, *et cetera*.

Would the good gentlelady agree with me that the law provides that a councilor board member, a regular councilor board member should sit for three years?

Senator Marcos. That is correct, Mr. President. That is what the law says.

Senator Tolentino. So, with the postponement of the barangay elections, what would now happen to the sitting ABC presidents who are now city councilors, municipal councilors, and provincial board members, and SK federation presidents who are likewise city councilors and provincial board members?

Senator Marcos. As of today, Mr. President, I think the precedent stands that the ex officio representatives held their posts from 2013 to 2018. So, in terms of a preceding occurrence, *may nangyari na niyan at na-extend nga sila ng* five years.

Senator Tolentino. So, what this would entail, Mr. President, is that we are now tolerating the

extension of terms presumably in violation of existing laws wherein the ex officio city councilors are placed in a better position than regularly elected councilors, am I correct?

Senator Marcos. I think, as discussed during the hearings, Mr. President, and as proposed by the Minority Leader, Senator Drilon, the ex officio representatives will be carrying on in their holdover capacity in accordance with law.

Senator Tolentino. So, again, Mr. President, my presumption here is that we extended the terms of office of the barangay officials and at the same time, impliedly, we are extending the terms of office of the ex officio officers, which probably might conflict with existing laws that provide for a regular term of just three years. That is my only concern.

So, my suggestion, perhaps, during the amendment period, is that another round of election be held for federation presidents to comprise a new set of ABC presidents to sit as board members, municipal councilors, and city councilors to give the extended barangay officials a fresh chance to elect new ex officio officers with the fresh mandate. Will the gentlelady accept that perhaps in the period of amendments?

Senator Marcos. Well-taken, Mr. President.

I think the ABC and the SK can submit themselves to a fresh mandate upon the assumption of office of the new officials. And perhaps within the leagues and the federations, they can organize the second round for their ex officio representative. Well-taken *po at magandang* suggestion *po mula kay* Senator Tolentino.

Senator Tolentino. One last point, Mr. President.

I also foresee some circumstances wherein an extended SK president will be sitting as an ex officio beyond the age limit.

Senator Marcos. *Sigurado po iyon*, Mr. President, *dahil iyong iba sagad-sagad na iyong pag-upo*.

Senator Tolentino. Are we now tolerating again another violation of existing laws or should there be a proviso wherein underage — underage would mean those who will not be overage by 2023 or whatever date is selected by this Body—will be the one to assume by an implied law of succession, so to speak, Mr. President?

Senator Marcos. I think the prevailing rule that, in fact, the age at the date of the election will persist. *At kung talagang nasa edad pa naman iyong SK, pasok pa rin siya. Pagkatapos noon, holdover na po, kaya nasa pederasyon na lamang at sa liga kung ibig nilang palitan na naman iyong kanilang kinatawan.*

Senator Tolentino. Thank you, Mr. President; thank you, Senator Marcos.

Senator Marcos. *Maraming salamat, Senator Tolentino, for the valuable insight and experience.*

The President. The Majority Leader is recognized.

Senator Zubiri. Mr. President, our distinguished Minority Leader would like to ask a few questions.

The President. The Minority Leader, Sen. Franklin M. Drilon, is recognized.

Senator Drilon. Thank you, Mr. President.

Will the good sponsor yield for a few clarificatory questions?

Senator Marcos. Yes, thank you very much, gladly, Mr. President.

Senator Drilon. Mr. President, I think the consensus among the members of the Chamber is that there should be a postponement of the barangay election. The only issue is when it should be held. Is that a correct assumption, Mr. President?

Senator Marcos. I think we are in full agreement with the Minority Leader in reading the temper of the Chamber.

Senator Drilon. Yes. And I will proceed from where Senator Tolentino left. He was raising the issue of the ex officio members of the different local legislative bodies holding a term longer than that of the regularly elected members.

Senator Marcos. Three years.

Senator Drilon. Precisely, that is the stand of Senator Go and Senator Binay. Under Senate Bill No. 201 and Senate Bill No. 869, which propose that the election be held on October 2022, the problem will be avoided. Because by that time, if we have an election, those elected for the Barangay and SK will have a term of office of three years. Subsequent elections will already be, more or less, synchronized. Would you agree with that?

Senator Marcos. Mr. President and our good Minority Leader, I am afraid that if we tally the term of office from 2018, which is when they were elected and if we extend it to 2022, they will still be in excess by one year of the stipulated three years for other local candidates.

So, by making it earlier in 2022, we still do not avoid the issue of an extension of term. *Magiging four years po sila; lampas pa rin sa tatlong taon na itinakda ng batas.*

Senator Drilon. *Kung ini-extend pa beyond October of 2022 ay lalo pong lalagpas doon sa tatlong taon. It becomes worse.*

Senator Marcos. That is right. Which is why upon our urging, *tinanong ko po iyong Comelec, "Magtapatan po tayo. Sabi ninyo good soldiers kayo, ano ba talaga ang pinakamaaga?" At sabi nila, kaya naman daw kapag bandang December 1st or second week ng 2022 para hindi na mahabaan nang labis.*

Senator Drilon. Mr. President, now that we are on that issue, let me refer the good sponsor to the hearings conducted by the Committee on Finance on September 16, 2019.

Senator Marcos. September 16, 2019 po? Although I was not able to attend po.

Senator Drilon. Yes, Mr. President. During the budget hearing of the Commission on Elections, the Comelec admitted, upon my questioning, that they could hold the election within 2022.

SUSPENSION OF SESSION

Mr. President, may I request for a one-minute suspension.

The President. Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

It was 3:30 p.m.

RESUMPTION OF SESSION

At 3:30 p.m., the session was resumed.

The President. The session is resumed.

Senator Drilon. The principal reason, Mr. President, why the good committee of Senator Marcos has proposed May of 2023 is because of the opinion of the Comelec that they would

prefer having a one-year gap between the two elections. Is that correct?

Senator Marcos. That is correct, Mr. President. Thank you.

Senator Drilon. However, on September 16, 2019, the opinion of the executive director of Comelec, Mr. Tolentino, to use his words regarding the holding of the election earlier than May of 2023 is that the gap is too short. But as quoted also by the good sponsor, the Comelec said, “*Mahihirapan kami* but it does not mean that we cannot do it.” So, they can hold the election with less than one year of a gap.

Senator Marcos. *Kung magagawa, magagawa raw po kasi good soldier sila, pero makikita po natin na medyo mahirap dahil takot sila na maulit iyong nangyari sa 2010 na napakaraming failure of election na umabot sa halos dalawang milyon ang hindi nakaboto.*

Senator Drilon. So from the earlier answers of the good sponsor, she is amenable to an amendment which will hold the election in December of 2022. Is that a correct understanding, Mr. President?

Senator Marcos. Yes, that is correct, Mr. President. Because I, too, am not very keen to keep extending these terms forever.

Senator Drilon. So, at the appropriate time, the committee will propose as a committee amendment that the elections will be held in December 2022.

Senator Marcos. Thank you very much, Mr. President.

Senator Drilon. Now, let us go to the budget aspect of this. In the present National Expenditure Program, the Comelec has a budget of P5,774,958,000 for Barangay and SK elections. If we move the elections to December of 2022, it means that we can reduce the budget of the Comelec by this much.

Senator Marcos. Certainly, Mr. President. I think there would be no reason for the P5.8-billion election budget for barangay and SK elections if we postpone them to the following year.

Senator Drilon. All right, Mr. President. That is on record, we can reduce the budget of Comelec by P5.774 billion.

Senator Marcos. And if I may recommend, Mr. President, there are so many budgets that we are hearing that have been cut and among them are very important programs such as the Salary

Standardization V for government employees including the teachers and the Agrarian Reform Program, the distribution of which should end by 2022.

Senator Drilon. Thank you, Mr. President.

Considering that the present law would call for an election next year, would the present General Appropriations Act, to the knowledge of the good sponsor, carry items as a preparation for a barangay election next year?

Senator Marcos. As far as I understand, there are no items as yet.

Senator Drilon. There are no items. Are there actual appropriations in the present 2019 General Appropriations Act?

Senator Marcos. In the 2019 General Appropriations Act, there are none.

Senator Drilon. All right. That is our common belief, Mr. President. Let me, however, quote to the good sponsor the September 16, 2019 Committee on Finance hearing of the Comelec budget. According to Ms. Alarcon, let me quote it in verbatim.

The President. Who is Ms. Alarcon?

Senator Drilon. Director Alarcon of the Comelec, I think, is with the finance section of the Comelec but she is a Comelec resource person.

The President. All right.

Senator Drilon. Let me quote the pertinent transcript:

“Ms. Alarcon: Your Honor, the Sangguniang Kabataan and Barangay Election (SKBE) has a budget of P5,744,948,000. This provides for all necessary expenses for the 63 million registered voters. It has 177,000 cluster precincts out of the 389,000 established precincts. Now, Your Honor please, based on the current statement of allotment, obligations and balances of the Comelec, it still has a balance of P3.7 billion in its current budget but these are already earmarked as follows: P1 billion for the preparatory activities of the SK and barangay election.”

So, there is actually a P1 billion budget that they have allotted out of their savings of P3.7 billion.

Senator Marcos. My information, Mr. President, is that, in fact, the P1 billion is culled from the savings. It was not a separate item. However, as the Minority Leader rightly cited, P1 billion

was earmarked for early procurements involving the carbonless paper, ballot paper, other accountable and non-accountable forms, not a cent has yet been expended. I am guaranteed.

Senator Drilon. Very good. In that case, we can reduce further the proposed budget for 2020 of the Comelec by P1 billion because there is a P1 billion earmark for an election which will not take place.

Senator Marcos. That is correct, Mr. President, they are already resigned to that. As I spoke to them earlier, it should be decreased by P1 billion.

Senator Drilon. It is P1 billion more than the P5.7 billion.

Senator Marcos. That is correct, Mr. President, a total of P6.7.

Senator Drilon. With that understanding, Mr. President, I think this representation can terminate the interpellation and we will just await the committee amendments so that we can vote properly on this measure.

The President. Do I take it, Mr. Minority Leader, that for the 2019 budget, they indeed have already a budget if elections are going to be held this October 2019?

Senator Drilon. From the way we understand it, Mr. President, the Comelec has a savings of P3.7 billion more or less. Out of the P3.7 billion in the current appropriations budget, they have earmarked P1 billion for the barangay elections.

The President. This October 2019?

Senator Drilon. No, Mr. President, for 2020.

The President. But the elections were supposed to be held this October 2019, am I right?

Senator Drilon. No, Mr. President.

Senator Marcos. The elections are supposed to be held in May of next year.

Senator Drilon. May of next year and, therefore, as part of their preparation, they have earmarked P1 billion out of their savings of P3.7 billion for SK and barangay elections and another P5.775 billion in the National Expenditure Program next year. And, in fact, they were asking for additional P2 billion for next year in their presentation. So they were looking at almost P9 billion for the SK and the barangay elections, all of which now will be

available for realignments for other worthy projects, Mr. President.

And that is why it is very important that we pass this measure as early as we can so that there is no reason anymore for the Comelec to continue with the preparatory activities towards the holding of the election next year because they will involve spending of public funds which will be useless.

The President. All right. Senator Lacson is seeking the Floor here.

Senator Marcos. Thank you very much for the urgency and full support from the minority.

Senator Lacson. Thank you very much, Mr. President.

After hearing three interpellators, I do not think I heard one very basic question. And if the sponsor would care to yield to that one very basic question, why are we postponing?

Senator Marcos. We are postponing because we are in violation of the law. Both the Local Government Code as well as RA 9164 indicate that barangay officials as well as SK officials should have a term of three years. If we carry on and have the election earlier, we will, in fact, be giving them two years — less than two years.

Senator Lacson. If that is the reason, are we not also violating the law by giving that reason? There was a barangay election in May of 2018.

Senator Marcos. That is correct.

Senator Lacson. Why do we not just follow the regular term of office and hold the next election in May of 2021?

Senator Marcos. That is correct. That was the first discussion in the first hearing we had with the Minority Leader that May 2021 could be the next election.

Senator Lacson. So, are we violating the law if we hold the barangay election in May of 2021? And are we not violating the law if we will hold the election in October or May of 2023?

Senator Marcos. Firstly, I think, we will not be in violation if May 2021. However...

Senator Lacson. So, did I hear that clearly, there is no violation of the law if we hold it in May of 2021? So, why not hold it in May 2021?

Senator Marcos. There are a number of reasons.

Senator Lacson. That is why I am asking. *Ano ang reasons?*

Senator Marcos. A number of reasons, in fact. *Unang-una, dapat mauna ang national election sapagkat ang preparasyon noon ay two and a half years. Pagkatapos, iyong issue rin po na talagang pinoproblema, iyong procurement kasi and the bids and awards. Kapag nagsapaw-sapaw ay magkakaroon ng problema.* And thirdly, I think, there are precedents in fact of 2013, 2018 and so on.

Senator Lacson. I do not get it, Mr. President. Are there political considerations here? Meaning, if we allow or we hold the barangay election one year ahead of the national and local elections, *mas magastos kasi maraming manghihinging* barangay chairmen? *Ganoon ba iyong dahilan?*

Let us just be practical and I will yield, I will submit.

Senator Marcos. No, I think, in reality the sense was, there was no desire for a proxy war in the barangay level that would presage the national election. Instead, what we preferred was there would be a new mandate for whoever the national or local officials would be and therefore a neater, more effective governance would be instituted *kung pagkatapos na ng national election iyong barangay at SK.*

Senator Lacson. *Kasi kung praktikal iyong dahilan, papayag naman po kami. Kung mas magastos kung mauuna iyong barangay election kaysa sa local and national election, then let us call a spade a spade. Pero kung violation of the law na wala naman, the difference is the same, we are violating the law anyway. So, why do we not just follow the regular term of office of barangay officials and hold the elections in May of 2021? Hindi na tayo nag-uusap ng mag-o-overlap, mag-e-extend, mag-o-overage, wala na tayong pag-uusapang ganoon, Mr. President. Why are we complicating things?*

Senator Marcos. I do not think we are complicating things. As a matter of fact, we are probably simplifying them inasmuch as we are all set for the hybrid election, and we would like to prepare for that for 2022. *Ito, manual po ito.*

Another complication *kasi nga ay ibang-iba naman ang election na manual kaysa sa hybrid na bago at iyong existing automated.* So, *napakaraming gagawin* between now and then. And at the same time, *umaalma rin iyong ating* barangay officials *kasi bitin nga iyong kanilang termino.*

Senator Lacson. *Kung May 2021, mabibitin ang termino?* I do not think so.

Senator Marcos. Well, three years *po sila pero, iyon nga, ang nais nating lahat ay talagang bigyan ng fresh mandate ang sino mang national at local officials na papasok.*

And thereafter, *gawin nang regular lahat ng* barangay and SK elections, one year after the national and local *para hindi na papalit-palit, hindi na parati na lamang pino-postpone, at inaamyendahan ang batas katulad ngayon.*

Senator Lacson. *May binulong pa sa akin iyong staff ko, ano raw ang pagkakaiba kung one year before or one year after?*

Senator Marcos. *Malaking bagay po.*

Senator Lacson. *Ano po iyong bagay na malaki?*

Senator Marcos. One year before, as we saw in the past, it becomes a proxy war at the barangay level. *Nagte-testing lahat ng national, lahat ng mayor kung sino iyong mga bata-bata nilang barangay. At least pagkatapos po ay talagang mas maayos na at fresh mandate iyong mga bagong administrasyon.*

Senator Lacson. Anyway, I am not convinced but I will vote in favor of that measure.

Senator Marcos. Thank you very much. *Puwede na rin po, Mr. President.*

The President. The Majority Leader is recognized.

Senator Zubiri. Thank you, Mr. President.

Mr. President, we have one more interpellator, Sen. Ralph Recto, but he requested if he can interpellate on Monday.

The President. We leave it up to the Majority Leader.

Senator Zubiri. Yes, Mr. President. He is the Senate President Pro Tempore; he is my boss also. He is winking at me. So, it is on Monday.

SUSPENSION OF CONSIDERATION OF S. NO. 1043

Mr. President, I move that we suspend consideration of the bill of the honorable Sen. Imee Marcos, Senate Bill No. 1043.

The President. All right, but as long as the gentleman guarantees that Senate Bill No. 1055 will go first before the interpellation.

MONDAY, SEPTEMBER 23, 2019

ROLL CALL

OPENING OF THE SESSION

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

The President. The 25th session of the Senate in the First Regular Session of the Eighteenth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Sonny Angara.

Everybody rose for the prayer.

PRAYER

Senator Angara.

Panginoon, sa araw-araw ay iba't ibang pakikibaka ang kinakaharap ng sambayanan. Marami, lalo na ang mga kababayan nating salat sa buhay ay pinanghihinaan ng kalooban.

Dalangin po namin sa Inyo, Panginoon, na bilang mga lingkod-bayan ay palagi Ninyo kaming gabayan upang makatulong nang walang katumbas na anuman.

May this august Body be an instrument for solving some of the biggest challenges that envelope our country.

May we remember that our nation can face down any crisis—especially with Your unwavering love and compassion.

Sa kabila ng mga suliranin, kami po ay nagpapasalamat dahil nananatiling produktibo ang aming paglilingkod-bayan dahil sa Inyong tulong.

Muli, kami po ay nananalangin ng Inyong pagpapala sa aming mga kababayan.

Amen.

The President. Please remain standing for the singing of the national anthem.

The Adventist University of the Philippines' Little Singers will lead us in the singing of the national anthem. The group will also render another song entitled "*Alay*."

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

The President. The Secretary will please call the roll.

The Secretary, reading:

Senator Sonny Angara	Present
Senator Maria Lourdes	
Nancy S. Binay	Present
Senator Pia S. Cayetano	Present
Senator Leila M. De Lima	*
Senator Ronald "Bato"	
M. Dela Rosa	Present
Senator Franklin M. Drilon	Present
Senator Win Gatchalian	Present
Senator Christopher Lawrence	
T. Go	Present
Senator Richard J. Gordon	Absent**
Senator Risa Hontiveros	Present
Senator Panfilo "Ping" M. Lacson ...	Present
Senator Manuel "Lito" M. Lapid	Present
Senator Imee R. Marcos.....	Present
Senator Emmanuel "Manny"	
D. Pacquiao	Present
Senator Francis "Kiko"	
N. Pangilinan	Present
Senator Aquilino "Koko" L.	
Pimentel III.....	Absent
Senator Grace Poe	Present
Senator Ralph G. Recto	Present
Senator Ramon Bong Revilla Jr.	Present
Senator Francis "Tol" N. Tolentino...	Present
Senator Joel Villanueva	Present
Senator Cynthia A. Villar	Present
Senator Juan Miguel F. Zubiri	Present
The President	Present

The President. With 21 Senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

ACKNOWLEDGMENT OF GUESTS

Senator Zubiri. Thank you, Mr. President.

Mr. President, we have visitors in the gallery. We have the visitors of Sen. Christopher Lawrence T. Go: Rep. Jeffrey Khonghun of the 1st District of Zambales, together with Vice Gov. Jay Khonghun of Zambales.

We also have Gov. Miguel Luis Villafuerte of Camarines Sur, *kaibigan natin iyan* and my *tukayo*; Mr. Raymond Christopher Garrett,

* Unable to attend the session as she was under detention

** On account of illness

ACCESSIBLE PUBLIC TRANSPORTATION,
APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES

Introduced by Senator Pacquiao

The President. Referred to the Committees on Public Services; Public Works; and Finance

The Secretary. Senate Bill No. 1065, entitled

AN ACT ACCELERATING PUBLIC SECTOR
INVESTMENTS IN LOCAL
INFRASTRUCTURE, ESTABLISHING FOR
THE PURPOSE THE LOCAL BUILD, BUILD,
BUILD PROGRAM, PROVIDING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Recto

The President. Referred to the Committees on Local Government; Public Works; Ways and Means; and Finance

The Majority Leader is recognized

ACKNOWLEDGMENT OF GUEST

Senator Zubiri. Mr. President, we completely forgot to recognize the distinguished excellency, our ambassador and permanent representative to the UN, no other than Ambassador Rodolfo Robles, who will be up on Wednesday for confirmation.

The President. Welcome to the Senate.

BILL ON SECOND READING
**S. No. 1043—Postponing the May 2020
Barangay and Sangguniang Kabataan
Elections**
(Continuation)

Senator Zubiri. Mr. President, I move that we resume consideration of Senate Bill No. 1043 as reported out under Committee Report No. 4.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1043 is now in order.

Senator Zubiri. Mr. President, the parliamentary status of the measure is that we are in the period of interpellations.

May we recognize the sponsor, the distinguished Senator from Ilocos Norte, Sen. Imee Marcos; and to interpellate, the distinguished Senator from Batangas, Sen. Ralph Recto.

The President. The chairperson of the Committee on Electoral Reforms and People's Participation, Sen. Imee Marcos of Ilocos Norte and Leyte, is recognized; and the gentleman from Batangas, Sen. Ralph Recto, President Pro Tempore, is likewise recognized.

Senator Marcos. Thank you, Mr. President.

Senator Recto. Thank you, Mr. President; thank you, Majority Leader.

Will the distinguished lady Senator from Ilocos Norte yield for a few clarificatory questions?

Senator Marcos. Gladly, Mr. President.

Senator Recto. Thank you very much.

Mr. President, may I know from the distinguished sponsor what is so important in postponing the barangay elections?

Senator Marcos. What is so important is that the barangay and the SK officials are at the forefront in the delivery of goods and services in the smallest unit of our country and they are being deprived, against the law, of another year of their term of office. Given that the budget of last year was also delayed by six months, they have hardly any time to execute any of their plans and programs.

Senator Recto. All right. Is that the principal reason why we are postponing the barangay elections?

Senator Marcos. Yes, Mr. President. I think the principal reason is that we do not want to be in violation of the law which states that a three-year term be given to all barangay officials.

Senator Recto. But did Congress not decide on this previously and that is why the term of office of the barangay for this particular term is two years because in the previous Congress, it was also requested that we extend the term of office to four years instead of three?

Senator Marcos. That is correct, although I was not a member of the previous Congress. And, in fact, there have been consecutive postponements—six in the case of the barangay officials; seven in the case of SK.

Senator Recto. Yes, that is correct. And it would not be proper to say then that we are in violation of the law because it is an act of Congress, is that correct?

Senator Marcos. To that degree, it is possible that the case be made that it is not in violation,

but, in fact, it violates two laws. The Local Government Code in Section 43(c) is very clear that three years should be given to barangay officials similar to other local officials.

In addition, RA 9164, which regulates barangay and SK elections, also intends that three years be given to them.

But, as the gentleman said, in 2017, the determination was to set the elections to two years, meaning, May of 2020—under time, indeed.

Senator Recto. Now, the reason for the extension in the last Congress was because there was Martial Law. And that is why we postponed the election, and that is why the term of office is only two years.

Now, assuming we pass this measure based on the recommendations of the committee, would it not also violate the same law that the lady is saying because we are extending the term to five years.

Senator Marcos. No, Mr. President. I think the Constitution does not actually provide for a term for barangay officials. It is up to, as the gentleman said, the Congress to determine the said term. I suppose that an extension of term is more a custom at this point where we have had subsequent and consecutive postponements of these elections.

Senator Recto. So, it is good for us to extend it to five because it does not violate the law if it were five years, but if it is less than three, it violates the law, is that correct?

Senator Marcos. Mr. President, the recommendation is that we finally put a stop to these constant changes, make it predictable and reliable, establishing barangay and SK elections one year after the national elections in the future in all subsequent cases.

Senator Recto. All right. We will get to that later, Mr. President.

Senator Drilon. Mr. President, with the permission of Senator Recto.

The President. Yes, with the permission of the two senators on the Floor, the Minority Leader is recognized.

Senator Drilon. I just want to manifest that Congress cannot violate a law by amending the law. We can violate the Constitution if a proposed measure is contrary to the

Constitution. If it is an existing law, regardless what that law is, it is within the plenary powers of Congress to amend the law and to enact a law different from what is existing.

Thank you very much, Mr. President.

Senator Recto. That is my position, Mr. President, that is why I did not ask the questions yet.

Senator Marcos. Yes, thank you, Mr. President.

The Minority Leader is right that, in fact, we cannot be held in violation of the law but two laws actually stipulate the three-year term.

Senator Recto. That is correct. And that is the position of this representation as well, Mr. President, as enunciated by the Minority Leader that we are not in violation of the law.

Nevertheless, the important issue is this, Mr. President: May I find out from the sponsor of this measure how many times have we postponed national and local elections?

Senator Marcos. National elections, to my mind, have not been postponed, Mr. President.

Senator Recto. Have never been postponed, Mr. President.

Senator Marcos. However, Mr. President, barangay elections for the barangay captains have been postponed six times, while SK elections, seven times.

Senator Recto. That is correct, Mr. President. So, we have never postponed any national elections, but we have postponed regularly, in fact, in almost all administrations, barangay elections, is that correct?

Senator Marcos. That is correct, Mr. President, which is why the committee report seeks to regularize this and make it one year following every national election.

Senator Recto. But is it not correct as well, Mr. President, that in every Congress, every time we debate this measure, Congress, in effect, says we will postpone it the last time.

Senator Marcos. I suppose so, Mr. President, and we, indeed, insert, therefore, a holdover provision to cover that.

Senator Recto. All right. So, I have gone over the records of all the postponements, Mr. President, and that would appear to be the... In

every Congress, every time we postpone the election, everyone says, "This will be the last time." In fact, in the Seventeenth Congress, the first bill of the Seventeenth Congress was also postponing the elections. And the first bill being deliberated today by the Eighteenth Congress is postponing also the barangay elections, is it not correct?

Senator Marcos. That is correct, Mr. President, once again. It was Senator Angara at that time who was the chairman of the Local Government Committee.

Senator Recto. In fact, Mr. President, in the Seventeenth Congress, we postponed the elections twice.

Senator Marcos. Yes, Mr. President, not once but twice.

Senator Recto. And this should be the third time, Mr. President.

Senator Marcos. That is correct, Mr. President.

Senator Recto. And there is a saying, "Three times, you're out." [Laughter]

Senator Marcos. Strike. Yes, *po*.

Senator Recto. Stricken out.

Now, having said that, Mr. President, may I know from the distinguished sponsor, in the Batasang Pambansa, the first time we had a law on terms of barangay officials, how many years was the term of office of a barangay official?

Senator Marcos. Was it six years?

Senator Recto. That is correct.

Senator Marcos. Although we are all claiming to be too young to remember that.

Senator Recto. All right. In the Batasang Pambansa, the law creating elections for the barangay... Would the sponsor know when was the first elections for barangay officials? When did that occur?

Senator Marcos. Was it in 1982?

Senator Recto. That is correct, in 1982.

And the term of office was for six years, is that correct?

Senator Marcos. That is correct. It used to be six years.

Senator Recto. And the term would have been until 1988?

Senator Marcos. 1988?

Senator Recto. Yes, Mr. President.

Senator Marcos. Yes, that is correct, Mr. President.

Senator Recto. All right. And when was the first time we postponed the elections, Mr. President?

Senator Marcos. The barangay elections?

Senator Recto. Yes, Mr. President.

Senator Marcos. I think these are from May 1988 to November 1988; November 1988 to March 1989; May 2000 to July 2002; 2005...

Senator Recto. Let us just start with 1982 to 1988; and from 1988 to 1989. So, that is the first postponement?

Senator Marcos. Twice *pa noong* May 1988, *naging* November 1988 *at which naging* 1989 *pa*.

Senator Recto. That is correct. All right. And we extended the term by one year, in effect?

Senator Marcos. Yes, that is correct, Mr. President.

Senator Recto. And the term from six became seven years, is that correct?

Senator Marcos. *Opo*.

Senator Recto. What was the reason for postponing the election in 1988?

Senator Marcos. I do not think I recall as we were in exile at that point.

Senator Recto. Based on the record, Mr. President, the reasons then are very similar to the reasons today, and in all our debates previously. The reasons would be: *masyadong magastos*, election fatigue because we have the elections in 1987, the first elections under the new Constitution, and that there was insurgency. So, this was the first time we postponed the elections in 1988.

Now, the next elections should have been in 1994. So, six years, because the term of office then was six years. All right. And the second time that we had the barangay election was in what year? In 1989.

Senator Marcos. Yes, March of 1989, according to my record.

Senator Recto. March 1989 was our second election. So, the term was seven years, as we discussed earlier. And since the term of office of the barangay was six years, the next election then would have been in 1994, is that correct?

Senator Marcos. Yes, from 1988 to 1994 if the six-year term had been followed.

Senator Recto. And were there elections held in 1994?

Senator Marcos. From our records, no elections were held in 1994, instead, May 2000 was the scheduled election.

Senator Recto. Yes, let me correct the sponsor of this measure. There were elections in 1994. There were barangay elections held in 1994, it was...

Senator Marcos. I am sorry, I was still in exile.

Senator Recto. Yes, it was May 9, 1994 when we had the second barangay elections, and in 1992, because of the Local Government Code, we had SK elections in 1992.

Senator Marcos. Yes, that is correct. I am sorry, 1982, 1989, 1994, and 1997 were the elections on record.

Senator Recto. We will get into that, Mr. President.

We had elections in 1992, the first SK election, is that correct?

Senator Marcos. Yes, that is correct.

Senator Recto. All right. And at that time because we passed the Local Government Code, then the terms of office now changed from six years to three years. Three years *na iyang* terms of office of the barangay official and we have already SKs every three years, is that correct?

Senator Marcos. That is right.

Senator Recto. During that time, there is no synchronization.

Senator Marcos. It does not appear to have been synchronized.

Senator Recto. All right, Mr. President. That is why we would have a national election, then an SK election, and then a barangay election. It is not synchronized so *magastos ang* election, *taun-taon ay mayroon*.

Senator Marcos. Yes, Mr. President. That was the sense that every year, the whole country had an election.

Senator Recto. So, almost every year, we would have an election. In 1996, we had the SK elections; in 1997 we had the barangay elections; and then the first synchronized election in 2002, that is why we had postponements again to have a synchronized election. So, the first term was seven years, six years *iyong* term, *na-extend* by one *kaya naging* seven.

Senator Marcos. *Naging seven, tama po.*

Senator Recto. The second election, 1989 to 1994, is five years; the following was three years, then we extended the year again from three to five; on the fifth time, from 2002 to 2007, five years; and then in 2007 to 2010, that is three years; 2010 to 2013, that is three years; and on the eighth, 2013 to 2018, that is another five years.

Senator Marcos. Yes, Mr. President. I agree with the gentleman, *paiba-iba po*.

Senator Recto. Why? Because Congress kept on postponing the election *at ang dahilan* in most cases, if not all, *masyadong magastos ang halalan*.

Senator Marcos. *Parati nga po iyan ang naririnig natin.*

Senator Recto. Not only for the government but also for the politician, I suppose.

Senator Marcos. *Tama po iyon, talagang magastos sa ating lahat iyan.*

Senator Recto. Not only the barangay officials running for office, but those supporting the barangay officials.

Senator Marcos. *Opo*, Mr. President. Although, officially, nonpartisan *ang ating* barangay officials, *kunwari at kung minsan*.

Senator Recto. That is correct. But, Mr. President, I think the distinguished sponsor and I will agree that all elections are partisan. It is an election; it must be partisan.

Senator Marcos. It is clear that it is a political exercise, Mr. President. There is no need to quibble about partisan or nonpartisan, party or non-party based. At the end of the day, it is clearly a political exercise involving the division of power.

Senator Recto. That is correct, Mr. President. How many years have we had the barangay

since then—from 1982 to the present—that is about 36 years?

Senator Marcos. That is correct, Mr. President. If we count even previous to that, we had the Kabataang Barangay and the previous barrios and barangays.

Senator Recto. Yes, Mr. President, but I am just starting from 1982. And having said that, then the average term of the barangay would be more than three years, more than four years, almost close to five years.

Senator Marcos. That is correct, Mr. President. If we average it out, that would be the number.

Senator Recto. All right, Mr. President. In all these postponements, there must have been a cost to government because there is always preparation being undertaken.

Senator Marcos. That is right, Mr. President.

Senator Recto. And there is always a cost.

Senator Marcos. I think the cost was very, very evident in the last postponement when it was so close to the actual day.

Senator Recto. That is correct, Mr. President.

Senator Marcos. We are more fortunate this time because we are trying to do it a little bit earlier. The costs that have been expended so far are part of the regular budget of the Comelec in terms of the training where they have spent roughly P14.2 million and, I believe, for the satellite registration, another P13 million, all part of their regular GAA.

Senator Recto. So, as of today, how much has Comelec spent for the barangay and SK elections next year?

Senator Marcos. That would make a total of P27.2 million, but this is well within the regular MOOE and not a special item for elections. They were hoping, however, that their earmarked savings of P1 billion would be allocated for the early procurement of ballots, carbonless paper, and so on.

Senator Recto. But there is a cost.

Senator Marcos. There is always a cost to every exercise, the gentleman knows *po*.

Senator Recto. And every time we postpone, there is a cost as well?

Senator Marcos. That is correct.

Senator Recto. All right. Would the sponsor know what the costs were from the beginning? How much have we wasted since 1988, 1994, 1997, and every time? Would there be data?

Senator Marcos. I think, right now, the only data that we have is the cost of the actual election. I am sure some fraction of that would be expended in the postponement.

Senator Recto. I will not press the point, Mr. President. But the point here is, every time we postpone, there is a cost. All right?

And under this committee report, the term of the barangay officials today is two years, is that correct?

Senator Marcos. That is correct, yes. That is 2018 to 2020.

Senator Recto. All right. And under this committee report, we are extending their term by how many years?

Senator Marcos. We were originally saying that it should be May 2023 which would make their term five years. However, upon prodding and encouragement, the Comelec says that they can do it as early as December 2022 so that we do not have too much of an extension. Although that would stagger once again the terms of office but as the gentleman have said, this has happened often enough.

Senator Recto. Yes. Now, the term of office today is two years.

Senator Marcos. That is correct.

Senator Recto. All right. And under the committee report, what is the proposal holdover? How many years is the holdover?

Senator Marcos. The holdover that we were proposing was originally up to May 2023.

Senator Recto. Which is three years?

Senator Marcos. Three years—two plus three.

Senator Recto. So, the holdover is longer than the actual term of office?

Senator Marcos. Under 2017, that is right.

Senator Recto. All right. Now, in previous extensions, has the holdover been longer than the term of office?

Senator Marcos. I believe so because there was a point in which it was seven years.

Senator Recto. The term then was six years.

Senator Marcos. It was six years.

Senator Recto. So, there is only one year added.

Senator Marcos. I see. So, what has been discussed is how soon can the Comelec have it because we are all uncomfortable about extending it so lengthily. So, originally, Sen. Bong Go and Senator Binay had proposed that October 2022 should be the full extent of the postponement but given that there is an election, a national one in May 2022, the Comelec asked us to give them at least four and a half to five months to print the ballots, and thereafter, verify and distribute them which would bring us at the earliest date around December 10 of 2022.

Senator Recto. Is it not that in the previous Congress, there was a decision that we hold the elections in the month of May? And that is why that is found also in the current election today that the barangay elections are held May, during summer.

Senator Marcos. That is right, to make all the terms uniform.

Senator Recto. To make it uniform. Now, if we change it again to October to December, then that would not be uniform, is that correct?

Senator Marcos. That is correct.

Senator Recto. So, it is always better to leave it in May?

Senator Marcos. The committee report recommends that it should be in May of 2023?

Senator Recto. But the problem with that is that we are extending the term longer. The holdover will be longer than the term of office of the barangay officials.

Senator Marcos. *Ang haba-haba na nga po.*

Senator Recto. *Sobrang haba, ano?*

Senator Marcos. *Ang suwerte na nga nila.*

Senator Recto. All right.

Senator Marcos. Jackpot *na rin iyong mga* federation.

Senator Recto. I wanted to get to that point, Mr. President. Whenever we postpone barangay elections, who benefits?

Senator Marcos. I imagine it is the sitting officials.

Senator Recto. First, it will be the sitting officials because their term is extended. Now, how many voters are we talking about that are potentially disenfranchised?

Senator Marcos. In theory, the ideal would be that nobody is disenfranchised. Unfortunately, during the synchronized election of 2010, two million were actually disenfranchised.

Senator Recto. All right. Now, if we are talking about extending the term of office of barangay officials, and there are how many voters, 84 million?

Senator Marcos. Somewhere there, probably more because those are the old figures.

Senator Recto. Probably more. All right. They would not have the opportunity to vote next year, is that correct?

Senator Marcos. Yes, that would be correct and particularly in the case of the SK whose age would have changed by the time the elections are actually held.

Senator Recto. So, *ang makikinabang* with the extension is roughly 650,000?

Senator Marcos. That is correct, more *pa*, 673,000.

Senator Recto. Mr. President, 673,000 *at iyong madi-disenfranchise* is about 80 million who will not be able to vote next year.

Senator Marcos. But they will be able to vote in the consequent election.

Senator Recto. Yes, which is three years or four years from now—2023.

Senator Marcos. Mr. President, 2023, 2022, depending on what the Chamber decides.

Senator Recto. Yes, all right. So, that is the point, Mr. President.

Now, ideally, we do not postpone elections, is that correct?

Senator Marcos. Definitely. Regularity and predictability are among the elements of fairness.

Senator Recto. And here we have seen that we have always postponed barangay elections almost every administration.

Senator Marcos. That is correct. It has become a bad habit.

Senator Recto. It is a bad habit. And every time we do that, we say, "This will be the last time."

Senator Marcos. Yes, promises are made to be broken.

Senator Recto. All right. I think the Majority Leader is correct when he says, "Last time this year."

Senator Marcos. Sounds like the Commission on Appointments *po*.

Senator Recto. All right. Now, may I know what the savings to taxpayers will be *naman* assuming we postpone the barangay elections because under the committee report, we are postponing the elections under this administration and tossing it to the next, is that correct?

Senator Marcos. That is correct.

Senator Recto. And if we do that, what is the savings?

Senator Marcos. Well, in terms of the budget for 2020, there is a P5.7 billion allocated for the barangay elections which will no longer be necessary to my mind given that the...

Senator Recto. And the barangay election is a manual operation, is that correct?

Senator Marcos. Yes, it is manual. It is not automated.

Senator Recto. And how much do we spend for automated elections on national and local elections? It is P18 billion, I think, the last election?

Senator Marcos. Somewhere around that figure should be correct.

Senator Recto. So, *mas mahal pa iyang* national automated than a manual election *pala, ano*, three times more expensive? When automated should be cheaper.

Senator Marcos. The gentleman would have thought, P6 billion is the cost for the manual... No, the automated is now P6 billion or so they tell me.

Senator Recto. No, I think the barangay election is P6 billion but the last 2019 national election was P18 billion to P19 billion.

Senator Marcos. I think the budget officer of Comelec, having thought of the figures, now says, it is in fact P18 billion for the automated national election.

Senator Recto. That is what I just said, roughly P18 billion.

Senator Marcos. *Tama po kayo. Mali iyang sinabing* P6 billion.

Senator Recto. And the barangay election is roughly P6 billion?

Senator Marcos. That is correct, *mas mura iyang* manual.

Senator Recto. *Mas mura pa iyang* manual. All right. Precisely the point.

So, I just wanted to put that on record as well, Mr. President. When automated should be cheaper and faster. But it would appear, after going through this exercise, *mas mahal nga pala iyang* automated.

Senator Marcos. *Mas mahal iyang* automated at *ngayon, ang wino-workout po natin* with the new DICT, the DOST and all the rest *na magkaroon tayo ng* hybrid. *Hindi ko po alam kung mas lalo pang mamahal o magiging* mas affordable.

Senator Recto. I look forward to looking at the argument for that as well, Mr. President, at the appropriate time. But at this juncture, I was at the point wherein if we postpone the elections and move it to the next administration, what is the savings? Roughly P6 billion, is that correct?

Senator Marcos. Yes, that should be around that amount, Mr. President.

Senator Recto. All right. And going from historical data, it would appear that the average term of office of the barangay has been more than three years, less than six years.

Senator Marcos. Definitely more than three years, upward to five years.

Senator Recto. And the first time we had barangay elections, the term of office was six years.

Senator Marcos. *Dati po. Tama.*

Senator Recto. All right. So, why not just have barangay elections every six years?

Senator Marcos. *Mas bongga iyon. Gustung-gusto ng mga kapitan iyon. Magtitiis na lamang iyang mga kagawad na may ambisyon.*

Senator Recto. But the difference is this, Mr. President, if we decide to do that later for the savings, and if we are looking for more resources, and if we think every time *naman* we keep on postponing it.

Senator Marcos. *Totoo.*

Senator Recto. And, apparently, we do not want to have elections every three years. Why not make our minds up and use that savings to spend for... I think one of the priorities of the President is the magna carta for barangays.

Senator Marcos. Yes, Mr. President, and for which Senator Tolentino, Senator Go, and myself are scrambling around looking for financing.

Senator Recto. I already filed a bill looking for the financing, which did not even include the P7 billion yet, Mr. President, just in case.

Senator Marcos. *Matutuwa iyong kapitan kapag naging "barangay Senator" na sila, hindi na barangay kapitan.*

Senator Recto. Six-year term *na rin*.

Senator Marcos. *Kapag six years na sila.*

Senator Recto. *Pareho ng Presidente*, which incidentally, whether it is the President or the barangay captain, are all casuals.

Senator Marcos. That is correct, Mr. President.

Senator Recto. We have a six-year term, *hindi ba?*

Senator Marcos. That is correct, Mr. President.

Senator Recto. All right. Now, the difference is that today, is it not that the barangay officials have a contract with the people? Meaning to say, their term of office is two years.

Senator Marcos. Three years, Mr. President.

Senator Recto. No. Today...

Senator Marcos. As of 2017, *tama po*.

Senator Recto. It is only two because we extended it. *Iyong three, ginawang four kaya iyong natitirang three, naging two, right?*

Senator Marcos. *Tama po. Kaya lamang ang pagkaintindi nila, three years talaga.*

Senator Recto. *Hindi*, their contract with the voter is two years. Their contract today. When

they were elected, *maliwanag iyong batas*, two-year term.

Senator Marcos. *Ayon sa batas, tama iyon, pero iyong pagkaintindi nila at ng botante nila, tatlong taon sila maninilbihan.*

Senator Recto. *Pero ayon sa batas*, two years.

Senator Marcos. All right, Mr. President.

Senator Recto. All right.

Now, and just to enrich the record again, if the *kapitan* had a third term already today—when was he elected, in 2010, *hindi ba?* Would have been his first term?

Senator Marcos. Thereabouts, Mr. President.

Senator Recto. All right.

So, that *kapitan* would have had 13 years to finish three terms, right?

Senator Marcos. That is about right, Mr. President.

Senator Recto. And those elected in 2013 would also have 13 years to finish three terms, when their contract was only nine based on the three-term limit, *hindi ba?*

Senator Marcos. Jackpot *po sila. Tama po kayo.*

Senator Recto. All right.

And that is my point. All I am saying is that, why do we not decide, once and for all, if we think that three years is the best. Let us continue the elections next year, or postpone it by one year. And if the request is to have it after the national elections in 2022, then thereafter, every three years.

Now, if we look at the historical data, it appears that we do not want to give them three-year terms, but a longer term. And if we decide, "Let us do it six years," then there will be savings. And we can use that savings for many other things. But then, there is certainty in having elections.

But, in the meantime, let us respect the contract that our electorate have with the barangay officials. *Ang maliwanag ay two-year term sila ngayon. Parang hindi naman tama na we extend at ang holdover ay tatlong taon. Mas mahaba pa than the term that they were elected to serve. That is all the point I am trying to raise, Mr. President.*

Senator Marcos. I think these are valid points and certainly at the forefront of the delivery of goods and services, there is a case to be made for having a longer term upwards of three years, four years, five years by experience, and even six years. *Matutuwa po iyong kapitan niyan.* [Laughter]

Senator Recto. And I suppose, there will be certainty and at the same time, there will be savings that we can spend for the magna carta for barangays.

Senator Marcos. There we go, as well as the salary standardization, the completion of agrarian land reform, and so on and so forth.

Senator Recto. Yes, Mr. President.

So with that, as I promised, I will be brief and short in this interpellations. So thank you very much, Mr. President; and thank you to the distinguished sponsor for answering our clarifications.

Senator Marcos. Thank you very much.

The President. The Minority Leader is recognized.

Senator Drilon. Yes, Mr. President.

I was listening intently to the debate between the sponsor and Senator Recto. I have a proposal in mind which I will submit now to the sponsor for her to study whether or not it can be adopted as a committee amendment. The first premise is the statement repeated several times by the good sponsor *na ang pagkakaintindi ng ating mga punong barangay ay tatlong taon silang manunungkulan.*

Senator Marcos. *Tama po.*

Senator Drilon. Now, from that...

Senator Marcos. *Sa tama o mali, iyon ang pagkakaintindi.*

Senator Drilon. All right. That may be a reasonable term considering that all the other local officials have a term of three years. However, we are already here trying to set the next election.

May I submit the following for the consideration of the sponsor, let us set the election at least three years from the time they were first elected, and I underscore the word "at least." It can be May of 2021 which is three years, or December of 2022 which is three years and whatever.

Mr. President, may I suggest that to avoid all of these issues in the future: 1) that whatever date we set for the next election, we set a second date and that is three years from that time. For example, if we say it is in December of 2022, the next election should be in December of 2025. Let us already put that in the law. And we impose, subject to legal study, a qualified majority vote requirement in order to postpone these elections. We require a three-fourths vote of the entire membership of the Senate before Congress can postpone the next election so that we can have stability in the terms of office. Because as pointed out by the President Pro Tempore, we keep on postponing the election and in our wise judgment, we cannot be questioned because these are plenary powers. So, if there is nothing unconstitutional about setting the two elections which will fix it at three years, then any change will require a qualified majority as in three-fourths of all the members of the Senate.

That is something that I am submitting to the committee for its consideration; whether or not it is acceptable as a matter of policy and whether or not it is legally feasible under our Constitution. I think that system will provide stability. We will set it at three years *at hindi na natin... pagdating ng panahon, nagla-lobby na naman, ipo-postpone na naman natin.* So, by having a qualified majority, if three-fourths or more would say, yes postpone, then that is a matter of judgment. But it should be a qualified majority as in, for example, the ratification or giving a consent to the ratification of a treaty that requires a qualified majority.

Senator Marcos. Yes, thank you very much, Minority Leader, Senator Drilon. Certainly, to set the election in December 2022 would be acceptable to almost all the stakeholders as compared to May 2021. They would prefer instead that it should be after the national elections.

And as to the second point that we established, a second date, the committee report, as we may have noticed, contains as its final paragraph a setting of the next elections—three years, one year or less—after the national elections to provide stability and predictability.

Senator Drilon. So, the subsequent elections should be every three years for the barangay officials.

Senator Marcos. That is correct, Mr. President.

Senator Drilon. And I am proposing that to change the date of the election, we should have a qualified majority to amend it.

Senator Marcos. I am in full agreement that this bad habit of constantly changing the dates and postponing needs to be stopped. However, I am unclear if it is constitutionally viable to limit the power of the next Congress.

Senator Drilon. No, we are not removing from them the power. We are saying that to change it, more than a mere majority of the quorum should be able to change it.

Anyway, we are submitting this for the consideration of the committee so that if the judgment of the committee, this is viable, constitutionally and policy-wise, then we are, in its judgment, the committee may wish to adopt this subject to its consistency with the Constitution.

Senator Marcos. Thank you very much, Mr. President.

These are valid and important points that we will take into consideration.

The President. Senator Tolentino is recognized.

Senator Tolentino. Mr. President, I am in favor of this committee report, in fact, I am one of the cosponsors. But to highlight again my quest to find answers to the continuing paradox of the ex officio officers, let me highlight two points.

One, Mr. President, if, for instance, the ABC president of Badoc, Ilocos Norte, Barangay Captain Juan dela Cruz is a barangay captain of Poblacion Badoc, Ilocos Norte and is also the ABC president. He is also an ex officio municipal councilor of Badoc. Am I correct, Mr. President?

Senator Marcos. That is correct, Mr. President.

Senator Tolentino. So, if ABC President Juan dela Cruz, an ex officio municipal councilor, knowing that his term will be extended until May 2023, runs for election as a councilor, likewise of Badoc, in the regular elections of May 2022, and if Barangay Captain Juan dela Cruz fails to make it as a councilor of Badoc in the regular election, is it correct to say, Mr. President, that Barangay Captain Juan dela Cruz would still be a municipal councilor of Badoc, Ilocos Norte having lost the elections of May 2022?

Senator Marcos. I believe if his league does not call for another election, he would continue to be barangay captain.

Senator Tolentino. So, he is still an ex officio councilor by being the ABC president even if he

loses the regular elections come May 2022. He will still serve as a municipal councilor until May 2023, if that is the date. Am I correct, Mr. President?

Senator Marcos. My understanding is that, in fact, he will continue as barangay captain but as it is traditional every time a new term begins, there is an election among the leagues. So, perhaps, a new ABC election would be conducted and he may or may not be the representative ex officio to the municipal council.

Senator Tolentino. He is not deemed resigned, Mr. President. We have several precedents concerning this. And there is a DILG opinion, DILG Opinion No. 5, Series of 2017, and I quote: "Liga presidents running for higher office are not automatically resigned for being an elective official." If they do not win, they are still *punong barangay* after the elections and being an ex officio ABC president, he still maintains his position as a municipal councilor of Badoc, Ilocos Norte. That is my first paradox which I hope the good chairperson would find a proviso to resolve these incongruities/inconsistencies in the situation of ABC presidents.

Another paradox, Mr. President, although this has been resolved in part by the IRR of the Local Government Code, and I continuously oppose this because the IRR, the implementing rules, would now run in conflict with the Local Government Code. Let me quote Section 494:

Section 494. *Ex-Officio Membership in Sanggunians.* - The duly elected presidents of the liga at the municipal, city and provincial levels, including the component cities and municipalities of Metropolitan Manila, shall serve as ex-officio members of the sangguniang bayan, sangguniang panlungsod, sangguniang panlalawigan, respectively. They shall serve as such only during their term of office as presidents of the liga chapters, which in no case shall be beyond the term of office of the sanggunian concerned.

The sanggunian office concerned is three years. Similar to the Seventeenth Congress and the Eighteenth Congress, it expires by provision of law.

So, the second paradox, Mr. President—although this was clarified by the IRR—they can serve beyond the term of the sanggunian concerned. Probably, it would have to be rectified by this proposal to postpone the barangay and SK elections including thereby a provision that there has got to be another election for the ex

officio sanggunian members considering that the term of office of the sanggunian concerned is only three years. Am I correct?

Senator Marcos. Yes, Mr. President.

Certainly, as chairman of the Committee on Local Government, I will urge the gentleman's help and support to change the IRR so that these incongruities are avoided.

Senator Tolentino. I have no further questions, Mr. President. I thank the good lady from Ilocos Norte.

Senator Marcos. Thank you very much.

The President. I think it is also best to, as much as possible, include in the bill and the law that will be passed all the different concerns and issues instead of relying on the IRR. We have had many, many problems already with the IRR. They are the second house. They change the laws.

Senator Marcos. Yes, I agree, Mr. President. Indeed, the IRRs are unreliable and sometimes surprising. So, we will consider amending, to the best of our ability, so that these concerns are contained in the law itself.

The President. Thank you.

Senator Gatchalian is recognized.

Senator Gatchalian. Thank you, Mr. President.

I just have one question, Mr. President. In extending the term of office of the barangay captain, *kapag magaling po iyang* barangay captain, the constituents will not complain. In fact, they will probably support the extension. *Hindi po ba?*

Senator Marcos. *Sigurado iyon*, Mr. President. *Tama iyon.*

Senator Gatchalian. If the barangay captain is not performing, or is corrupt, or is not doing anything to the benefit...

Senator Marcos. *O may ambisyosong kagawad.*

Senator Gatchalian. I want to focus on the performance of the barangay captain. For example, he is corrupt, he is underperforming or corrupt barangays, Mr. President?

Senator Marcos. I think, that falls squarely under the DILG right now and the office of the mayor concerned.

Senator Gatchalian. So, the office of the mayor can investigate the barangay captains through the sangguniang bayan?

Senator Marcos. I believe so because that has occurred on several occasions in our province, for example.

Senator Gatchalian. So, the LGU, through the sangguniang bayan or panlungsod can investigate the barangay captains?

Senator Marcos. Yes, Mr. President. And I believe some barangay captains, like some mayors, have been suspended as a result.

Senator Gatchalian. Can they remove erring barangay captains? Can they remove underperforming barangay captains through the LGUs?

Senator Marcos. I am not certain if underperformance would qualify as a ground, but they certainly can remove barangay captains and it has occurred in the past.

Senator Gatchalian. If proven that a barangay captain is corrupt or has a...

Senator Marcos. I believe so. I think, there have been corruption cases and criminal cases and even incidents when they were included in the narco list.

Senator Gatchalian. Can the DILG investigate barangay captains by itself? And to continue, can the DILG remove erring barangay captains?

Senator Marcos. I think, with the Duterte administration's institution of the hotlines, no one is immune from investigations and all public officials can be reported and investigated accordingly, even by anonymous calls.

Senator Gatchalian. But can the DILG remove the barangay captain if proven that the barangay captain, for example, is embroiled in illegal drugs? Can the DILG, by itself, remove the barangay captain?

Senator Marcos. I think, an investigation and a court case will have to be initiated at which a conviction would probably have to occur.

Senator Gatchalian. How about the Office of the President, Mr. President? The Office of the President, I know, can investigate any local government unit, but can they remove a barangay captain?

The President. To the best of my recollection, they may suspend.

Senator Gatchalian. They may suspend.

Senator Marcos. They may suspend, but I do not recall.

The President. The DILG may suspend. Removal will have to undergo a...

Senator Marcos. A case.

The President. Yes.

Senator Gatchalian. A court action?

The President. A court action.

Senator Marcos. *Oo. Sa palagay ko, marami nang nasu-suspend, pero wala nga akong naririnig na tinanggal.*

Senator Gatchalian. How about the Ombudsman, Mr. President? Can they remove? They can suspend, obviously, but can they remove erring barangay captains?

Senator Marcos. *Sa palagay ko, kung may conviction, matatanggal sila.*

The President. A conviction, definitely. But, I think, the question of the gentleman is, if there is no conviction yet.

Senator Marcos. *Parang wala. Ang alam ko lamang ay preventive suspension, pagkatapos noon, masu-suspend. Pero iyong tinanggal nang permanente ay wala pa akong naririnig.*

Senator Gatchalian. So, *kailangan ng* court action in all cases, Mr. President.

Senator Marcos. *Iyon ang pagkakaalam ko kasi maski noong inanunsiyo iyong narco list bago mag-election, sabi nila, DILG will file the appropriate cases.*

Senator Gatchalian. All right. So, do the LGUs also need court action to remove? We identified four modes—the Office of the President, DILG, Ombudsman, and LGU. But can the LGU remove a corrupt barangay captain?

Senator Marcos. In my experience, it was suspension, but removal...

Senator Gatchalian. They also need to file a case, is that how it...

Senator Marcos. That is our general custom.

Senator Gatchalian. So, all four modes will lead to a filing of a case in order to remove a corrupt barangay captain.

Senator Marcos. That is my understanding. But, perhaps, there are extraordinary circumstances when other things have happened.

Senator Gatchalian. All right. I just want to spread into the *Record*, Mr. President, the mechanisms available for our constituents to avail in cases of corrupt barangay captains...

Senator Marcos. Given this long, long term.

Senator Gatchalian. That is correct. *Ang tagal ho.* We are talking about, maybe a possibility of five years.

Again, if the barangay captain is performing, well and good.

Senator Marcos. *Oo, walang problema kapag mababait lahat.*

Senator Gatchalian. *Kung underperforming na, corrupt pa, saan ho tatakbo ang taong-bayan?* I just want to be very clear that the remedies are available to our constituents so that *may tatakbuhan naman ho sila.*

Senator Marcos. *Ang alam kong nangyayari, sa karanasan natin, kapag na-suspend o nagkasakit o nagkaproblema ay talagang magtake over iyong first kagawad.*

Senator Gatchalian. That is correct. They are suspended, but sometimes, it warrants removal. *Kung talagang embroiled*, for example, in the narco trading, in the illegal drugs trading, then it warrants removal. But what is the mechanism to remove and *gaano ho kahaba pa iyong* process to remove because that also, in our cases, in our experience, the court action may take a little bit more time.

Senator Marcos. Yes, *po.* Unfortunately, *justiis talaga kung minsan itong mga kasong ito.* But as gleaned from the DILG's pronouncement before the elections, *talaga namang kailangan ng* court action *maski sa mayor. Malamang ganoon din para sa kapitan.*

Senator Gatchalian. *Sa* barangay captain.

I just want to spread that into the *Record*, Mr. President, and thank you very much for the answers.

Senator Marcos. Thank you, Senator Gatchalian.

The President. The Minority Leader again is recognized.

Senator Drilon. Yes, Mr. President, with the Chair's permission.

Anent our previous manifestation, Mr. President, we wish to withdraw that request as there is a case that we discovered, *Abbas vs. Senate Electoral Tribunal*, decided in 2012, which prohibits the imposition of a higher majority to amend or repeal a law. That was expressly stated and that is an interpretation by the Supreme Court of the Constitution and, therefore, we cannot amend that ruling of the Supreme Court.

We could do if it is just a matter of law or a matter of policy. But since it is an interpretation of the Constitution, we cannot do otherwise. We have to follow the decision of the court. We cannot impose a qualified majority, although desirable, in this particular case.

Senator Marcos. Thank you very much, Minority Leader, for the citation.

I recalled earlier having read something to that effect but was not certain about the title of the case. Thank you *po*.

The President. The Majority Leader is recognized.

Senator Zubiri. Thank you, Mr. President.

If the sponsor is ready with her committee amendments, we can close the period of interpellations today, Mr. President. Is the sponsor ready with the committee amendments?

Senator Marcos. I think given the number of points raised, we will need a little time perhaps until tomorrow to finalize and tie up the amendments and points discussed.

The President. Well said.

The Majority Leader is recognized.

Senator Zubiri. With that, Mr. President, I move that we suspend consideration of Senate Bill No. 1043 under Committee Report No. 4 until tomorrow to allow the committee chair to come up with her committee amendments.

The President. Is the Majority Leader not closing the period of interpellations?

Senator Zubiri. Yes, Mr. President, I move that we close the period of interpellations.

The President. Therefore, the Majority Leader is withdrawing the previous motion.

Senator Zubiri. I am withdrawing the previous motion, Mr. President.

The President. Withdrawing the previous motion and the motion is to terminate the period of interpellations.

Senator Zubiri. Yes, Mr. President.

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

SUSPENSION OF CONSIDERATION OF S. NO. 1043

Senator Zubiri. With that, I move that we suspend consideration of Senate Bill No. 1043.

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

SUSPENSION OF SESSION

Senator Zubiri. Mr. President, I move that we suspend the session for a few minutes.

The President. Is there any objection? *[Silence]*
There being none, the session is suspended for a few minutes.

It was 4:08 p.m.

RESUMPTION OF SESSION

At 5:06 p.m., the session was resumed.

The President. The session is resumed.

The Majority Leader is recognized.

MOTION OF SENATOR ZUBIRI (Referral of Senate Bill No. 65 to the Committee on Sustainable Development Goals, Innovation and Futures Thinking as the Secondary Committee)

Senator Zubiri. Thank you, Mr. President.

Mr. President, before we adjourn, with the consent of the Body, I move that we refer Senate Bill No. 65 to the Committee on Sustainable Development Goals, Innovation and Futures Thinking as the secondary committee. It was primarily referred to the Committee on Urban Planning, Housing and Resettlement.

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

TUESDAY, SEPTEMBER 24, 2019

OPENING OF THE SESSION

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

The President. The 26th session of the Senate in the First Regular Session of the Eighteenth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Maria Lourdes Nancy S. Binay.

PRAYER

Senator Binay.

Panginoon, amin pong ipinagpapasalamat ang mga biyayang aming natanggap at tatanggapin pa mula sa Inyong wagas na pagmamahal. Dalangin po namin na kami ay Inyong patuloy na basbasan at patnubayan upang magampanan namin sa araw-araw ang aming mga tungkulin at mga responsibilidad sa bayan at sa aming kapwa.

Sa Iyong mapagmahal na kamay, matamo sana namin ang kasaganahan. Maranasan sana namin ang kapayapaan, at maghari nawa ang kalayaan at katarungan sa aming bansa.

Nagsusumamo kami sa Inyo rito sa Senado na kami ay Inyong bigkisin at pag-isahin bilang instrumento sa pagpapaunlad ng mga biyayang Inyong iginawad sa amin, nang aming lubusang maihatid ang ginhawa ng Inyong pagmamahal para sa bawat Pilipino.

Ito po ay aming hinihiling sa ngalan ng Inyong anak na si Hesus.

Amen.

The President. Amen.

ROLL CALL

The Secretary will please call the roll.

The Secretary, reading:

Senator Sonny Angara	Present
Senator Maria Lourdes Nancy S. Binay	Present
Senator Pia S. Cayetano.....	Present
Senator Leila M. De Lima	*

* Unable to attend the session as she was under detention

Senator Ronald “Bato”

M. Dela Rosa	Present
Senator Franklin M. Drilon	Present
Senator Win Gatchalian	Present
Senator Christopher Lawrence	

T. Go	Present
Senator Richard J. Gordon	Absent
Senator Risa Hontiveros	Present
Senator Panfilo “Ping” M. Lacson ...	Present
Senator Manuel “Lito” M. Lapid	Present
Senator Imee R. Marcos.....	Present
Senator Emmanuel “Manny”	

D. Pacquiao	Present**
Senator Francis “Kiko”	

N. Pangilinan	Present
Senator Aquilino “Koko” L.	

Pimentel III.....	Present**
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Senator Grace Poe	Present
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Senator Ralph G. Recto	Present**
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Senator Ramon Bong Revilla Jr.	Present
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Senator Francis “Tol” N. Tolentino...	Present**
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Senator Joel Villanueva	Present
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Senator Cynthia A. Villar	Present
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Senator Juan Miguel F. Zubiri	Present
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The President	Present
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The President. With 18 Senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

THE JOURNAL

Senator Zubiri. Thank you, Mr. President.

Mr. President, I move that we dispense with the reading of the *Journal* of the 25th session, Monday, September 23, 2019, and consider it approved.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

ACKNOWLEDGMENT OF GUESTS

Senator Zubiri. Mr. President, we have special guests here with us today in the VIP area of the gallery, particularly the former Supreme Court Justice and now the governor of Marinduque, Gov. Presbitero Velasco Jr., together with Gov. Melchor Diclas of Benguet and our former colleague in the House of Representatives, now governor of Eastern Samar, Gov. Ben Evardone.

We also have with us Mayor Shameem Mastura of Sultan Kudarat, Maguindanao, and other political leaders from Aklan, namely: Vice Mayor

** Arrived after the roll call

PAGHILOM” FOR ROAD CRASH VICTIMS,
SURVIVORS, AND FAMILIES

Introduced by Senator Poe

The President. Referred to the Committee on
Public Services

The Secretary. Senate Bill No. 1070, entitled

AN ACT ESTABLISHING THE RULES AND
POLICIES ON THE DOMESTIC
ADMINISTRATIVE ADOPTION PROCEEDING
OF FILIPINO AND FOR OTHER PURPOSES

Introduced by Senator Poe

The President. Referred to the Committees on
Women, Children, Family Relations and Gender
Equality; Social Justice, Welfare and Rural
Development; and Finance

The Secretary. Senate Bill No. 1071, entitled

AN ACT PROFESSIONALIZING PARALEGAL
PRACTICE IN THE PHILIPPINES, CREATING
FOR THIS PURPOSE A PROFESSIONAL
REGULATORY BOARD OF PARALEGALS,
APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES

Introduced by Senator Zubiri

The President. Referred to the Committees on
Civil Service, Government Reorganization and
Professional Regulation; and Finance

RESOLUTIONS

The Secretary. Proposed Senate Resolution No.
141, entitled

RESOLUTION HONORING AND COMMENDING
BATCH SAKABYAS: THE PHILIPPINE
CONTINGENT TO THE 46TH SHIP FOR THE
SOUTHEAST ASIAN AND JAPANESE YOUTH
PROGRAM (SSEAYP)

Introduced by Senator Angara

The President. Referred to the Committee on
Rules

The Secretary. Proposed Senate Resolution No.
142, entitled

RESOLUTION HONORING AND COMMENDING
THE FILIPINO TEACHERS FOR THEIR HARD
WORK AND COMMITMENT TO SHAPING
THE LEARNERS OF ALL GENERATIONS

Introduced by Senator Revilla

The President. Referred to the Committee on
Rules

The Secretary. Proposed Senate Resolution No.
143, entitled

A RESOLUTION GETTING THE SENSE OF THE
SENATE IN SUPPORTING THE YOUTH
STRIKE FOR CLIMATE ON SEPTEMBER 20-
27, 2019, ITS CALLS, AND ITS SUCCEEDING
STEPS TOWARDS CLIMATE ACTION

Introduced by Senator Hontiveros

The President. Referred to the Committee on
Rules

We have an unfinished business. The Majority
Leader is recognized.

Senator Zubiri. Thank you, Mr. President.

ACKNOWLEDGMENT OF GUEST

We also have a guest with us, Justice Franklin
Demonteverde, who will be with us tomorrow in
the Commission on Appointments for the
position in the JBC as a representative.

The President. Yes, we welcome Justice
Demonteverde.

BILL ON SECOND READING

S. No. 1043—Postponing the May 2020 Barangay and Sangguniang Kabataan Elections (Continuation)

Senator Zubiri. Mr. President, I move that we
resume consideration of Senate Bill No. 1043 as
reported out under Committee Report No. 4.

The President. Is there any objection? [Silence]
There being none, the resumption of
consideration of Senate Bill No. 1043 is now in
order.

Senator Zubiri. This is an Act Postponing the
May 2020 Barangay and Sangguniang Kabataan
Elections.

Mr. President, the parliamentary status of the
measure is that we closed the period of
interpellations yesterday.

I move that we open the period for amendments.

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

Senator Zubiri. May we recognize the sponsor, Sen. Imee Marcos, for the period for committee amendments.

The President. Sen. Imee Marcos is recognized.

MARCOS AMENDMENTS

Senator Marcos. Thank you, very much, Mr. President, Majority Leader.

Following the vigorous and enlightening debates on the past few days and submitting to the greater wisdom of this Chamber, I will no longer be introducing committee amendments, but instead, be proposing the following individual amendments, as recommended by our members, the matters of which arose during the period of interpellations:

Firstly, page 2, line 2, delete the date “October 23, 2017”, and replace it with the words THE SECOND MONDAY OF MAY 2020.

On the same page, line 3, delete the phrase “the second Monday of 2018” and replace it with the date DECEMBER 5, 2022.

On page 2, line 5, delete the phrase “SECOND MONDAY OF MAY, 2023...”

The President. Wait, Senator Marcos. Let us start with...

Senator Marcos. One by one. All right.

The President. If these are individual amendments and our colleagues have proposed amendments also, let us start with page 1.

Senator Marcos. All right.

The President. On page 1. Any amendments on page 1? Except for the title, of course.

Hearing none, we will proceed to page 2.

Senator Marcos. All right. My apologies. I was told to go page by page, but there are several individual amendments on the different pages.

On page 2, line 2, delete the date “October 23, 2017”, and replace it with the words THE SECOND MONDAY OF MAY 2020.

The President. SECOND MONDAY OF MAY 2020.

Senator Drilon. Mr. President.

The President. The Minority Leader is recognized.

Senator Drilon. With the indulgence of the good sponsor, we find difficulty following the amendments. If it is not inconvenient, can we have written copies of the amendments?

The President. Before we go into the page by page.

Senator Drilon. Yes, Mr. President.

The President. All right. Let us provide the members. In the meantime...

Senator Marcos. My apologies, Mr. President, Minority Leader. I was under the impression that the pages had distributed the written version, but I will follow up and make sure they give them to the members now.

SUSPENSION OF SESSION

The President. In the meantime, with the permission of the Body, we suspend the session for one minute, if there is no objection. *[There was none.]*

It was 3:13 p.m.

RESUMPTION OF SESSION

At 3:19 p.m., the session was resumed.

The President. The session is resumed.

Senator Marcos is recognized. Continue on page 2 on the period of individual amendments.

Senator Marcos. Thank you very much, Mr. President.

For purposes of clarity, I repeat, on page 2, line 2, delete the date “October 23, 2017” and replace it with the words THE SECOND MONDAY OF MAY 2020.

I so move, Mr. President.

The President. Is there any objection? *[Silence]*
There being none, the amendment is approved.

Senator Marcos. On the same page, line 3, we delete the phrase “the second Monday of May 2018” and replace it with the date DECEMBER 5, 2022.

The President. December 5, 2022.

Senator Marcos. December 5, 2022 shall be the date of the next barangay and SK elections.

I so move, Mr. President.

The President. Is there any objection? *[Silence]*
There being none, the amendment is approved.

Senator Marcos. On page 2, line 5, we delete the phrase "SECOND MONDAY OF MAY 2023" and replace it with the phrase FIRST MONDAY OF DECEMBER 2025 and every three (3) years thereafter.

As recommended by the Minority Leader and other members, we seek to regularize the elections of the barangay and the SK, no longer postponing it habitually.

I so move, Mr. President.

The President. Is there any objection? *[Silence]*
There being none, the amendment is approved.

Senator Marcos. On page 2, once again, line 6, we remove the open and close brackets ([]) of the phrase "three (3) years".

I so move, Mr. President.

The President. Is there any objection? *[Silence]*
There being none, the amendment is approved.

Senator Marcos. On the same page, line 14, we replace "MAY 2023" once again with the same date of the next elections, DECEMBER 5, 2022.

I so move, Mr. President.

The President. Is there any objection? *[Silence]*
There being none, the amendment is approved.

Senator Marcos. On the same page, finally, line 15, we delete the words "June 30" and in lieu thereof, insert the words JANUARY 31 as the assumption into office of the barangay officials.

I so move, Mr. President.

The President. All right. the Minority Leader is recognized.

Senator Drilon. Mr. President, will the good sponsor accept the following amendment to her amendment? Instead of JANUARY 31, we propose that it be JANUARY 1 because the election is on December 5 and there is no reason for a very long gap between the election and the assumption of office. We propose an amendment

that instead of JANUARY 31 as the date of the assumption, it should be JANUARY 1.

The President. What does the sponsor say?

Senator Marcos. Mr. President, this was the date that we first recommended, January 1, but as it is usually in the middle of the holiday and it is a holiday itself, it may be difficult.

What is the gentleman's pleasure?

Senator Drilon. There is no difficulty especially that this is only a barangay. This is the smallest unit of governance. There is no need for a very lengthy turnover period and for symmetry, it is better that we do it on January 1 so that the term of office starts on January 1. So for three years...

The President. Every three years.

Senator Drilon. Every three years, Mr. President.

We so move, Mr. President. We submit it to the sponsor.

Senator Marcos. Mr. President, with all due respect, January 1 is usually the date following much revelry, drinking, and carousing. The barangays and the SKs urge that we can meet midway at January 15.

Senator Drilon. I cannot understand, Mr. President, the resistance. Anyway, I have a motion, an amendment to the amendment. I think the procedure should be, if the good sponsor so rejects it, I appeal to the Floor. I will ask for a vote.

The President. The proposed amendment of the sponsor is that it be January 31. As of now, she is amenable to January 15. Do I take it that the good sponsor's proposal now really is for this amendment to be January 15?

Senator Marcos. I think January 15 is quite reasonable so there will not be an extended period between proclamation and assumption.

The President. All right. The Minority Leader is proposing that it be January 1. Is the good sponsor willing to accept the proposal to the amendment?

Senator Marcos. There is a great deal of resistance to January 1, Mr. President. It was my proposal in the beginning because many of the officials concerned will be coming from fiestas and other far, far away barrios and may not be in the best condition to commence office.

The President. So, the amendment of the Minority Leader is unacceptable to the sponsor.

What is the gentleman's pleasure?

Senator Drilon. I appeal to the Floor.

The President. The gentleman appeals to the Floor. The Majority Leader is recognized.

Senator Zubiri. I ask for a one-minute suspension, Mr. President.

The President. Yes.

Senator Zubiri. I ask for a one-minute suspension.

The President. Session is suspended.

Yes, Senator Lacson is recognized.

Senator Lacson. What time on January 1 or January 15? Is it noon time or 0001?

The President. 12:00 noon of January.

Senator Marcos. *Kung noon time, siguro naman...*

Senator Lacson. Noon time.

Senator Drilon. Yes, we can insert the phrase noon time of January 1.

The President. *Mahirap iyong noon time, 12:00 noon na.*

Senator Drilon. 12:00 noon, *sige.*

The President. Noon time could be 1:00 p.m.

Senator Drilon. *Sige*, Mr. President, 12:00 noon. I am sorry.

The President. Twelve noon of January 1, that is the gentleman's proposal. What does the sponsor say, unacceptable?

Senator Zubiri. May I ask for a one-minute suspension.

Senator Marcos. All right. We therefore amend to the amendment—the new date of January 1, on or before noon.

The President. *Huwag mo nang i-on* or before 12:00 noon. Will assume office at 12:00 noon.

Senator Marcos. AT NOON TIME OF JANUARY 1.

I so move.

The President. *Iyan.*

Senator Zubiri. So, there is no conflict, Mr. President?

The President. No more conflict.

Senator Zubiri. The sponsor agrees to the amendment of the Minority Leader.

The President. Yes. The wording to the amendment is 12:00 NOON OF JANUARY 1 and every three years thereafter also.

Senator Zubiri. No need to divide the House.

The President. The amendment is 12:00 NOON OF JANUARY 1.

Is there any objection? *[Silence]* There being none, the motion is approved.

Senator Marcos may proceed, subject to style.

Senator Marcos. For the sixth amendment, on the same page, line 18...

The President. Senator Marcos.

Senator Marcos. Yes, Mr. President.

The President. Before we proceed, there is a request by the Secretariat for you to read how it will appear now, the entire Section 1 and Section 2.

Senator Marcos. All right. The entire Section 1 shall read as follows:

"Section 1. Date of Election. – There shall be synchronized barangay and sangguniang kabataan elections, which shall be held on July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October 2007 and every three (3) years thereafter: *Provided*, That the barangay and sangguniang kabataan elections on THE SECOND MONDAY OF MAY 2020 shall be postponed to DECEMBER 5, 2022. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the FIRST MONDAY OF DECEMBER 2025 and every three (3) years thereafter."

That is Section 1.

The President. So, it has practically deleted the one year following the national election thereafter. You are no longer...

Senator Marcos. Yes, we are no longer insisting on the one-year gap between the national and

barangay elections given that the Comelec said that they can live with close to seven months.

The President. All right. So, period. Now, Section 2, as proposed.

Senator Marcos. All right.

“Section 2. Section 4 of Republic Act No. 9164, as amended, is hereby further amended to read as follows:

Section 4. Assumption of Office. – The term of office of the barangay and sangguniang kabataan officials elected under this Act shall commence at noon of June 30 next following their election: *Provided, however,* That the term of office of the barangay and sangguniang kabataan officials elected in the DECEMBER 5, 2022 elections and subsequently thereafter, shall commence at noon of JANUARY 1 next following their election.”

I so move if that is acceptable to the Minority Leader and the other members.

The President. At 12:00 noon?

Senator Marcos. Yes.

The President. “At noon” *na lamang. Iyon ang nasa* Constitution—“at noon.”

All right, at noon; remove the “12”.

Senator Marcos. To repeat and reiterate, shall commence at noon of JANUARY 1 next following their election.

Is that correct, Mr. President?

The President. Yes, it is correct and clear. Now, we can proceed with the next amendment, still on page 2.

Senator Marcos. The eighth amendment on the same page, line 18, after the word “barangay”, may we please add the words AND SANGGUNIANG KABATAAN.

I so move, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. On the same page, line 19, after the word “barangay”, may we please add once again the words AND SANGGUNIANG KABATAAN.

I so move, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. On the same page, line 21, we seek to delete the comma (,) after the word “Panlalawigan”.

I so move, Mr. President, a mere matter of style.

The President. Editorial amendment, yes.

Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. On the same page and line, we delete the phrase “as the case may be,” no longer being relevant, I so move, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. On page 2, line 22, let us replace the phrase “the next barangay election” with JUNE 30, 2020.

I so move, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. On page 2, line 23, after the word “Barangay”, may we please add AND THE PEDERASYON NG SANGGUNIANG KABATAAN.

I so move, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. And on the same page, lines 23 and 24, let us replace the date “July 31, 2023” with JUNE 30, 2020.

I so move, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. On the same page, line 24, we insert a period (.), a matter of style, after the word “Sanggunians”.

The President. Is there any objection? *[Silence]* There being none, the amendment is approved.

Senator Marcos. On the same page, lines 24 and 25, we delete the phrase “under the supervision of the Department of Interior and Local Government”.

I so move, Mr. President.

The President. Is there any objection?

Senator Tolentino is recognized.

Senator Tolentino. May we know from the sponsor the rationale behind the deletion of the phrase “under the supervision of the Department of Interior and Local Government”?

Considering that it is the action emanating from the DILG provincial officers, DILG city, local government officers, and even DILG regional officers that would trigger the actual conduct of federation elections, and without whose actions probably, the local government officials specifically, the governors, the mayors would not move specifically as it would entail additional Comelec “neutral work” for the conduct of such federation election, Mr. President. May we know the rationale behind the deletion of the phrase?

Senator Marcos. Mr. President, following consultation with the Comelec as well as the DILG, the word “supervision” could be confusing inasmuch as both the barangay and the SK have their own electoral mechanisms. The role of the DILG would simply be to monitor the same and not directly supervise the exercise of voting.

Senator Tolentino. Mr. President, would the sponsor agree that the calling, the timing, the venue, as well as the mechanics, have been historically and traditionally conducted by the Department of the Interior and Local Government?

Senator Marcos. I think, Mr. President, it is the SK that has established its own electoral mechanism and the DILG does not directly supervise the elections any longer. The barangay is the same; it has its own mechanism. And they enjoin us that we delete “under the supervision of the Department of Interior and Local Government”.

Senator Tolentino. So, Mr. President, as long as the mechanics would be laid down under, perhaps, the IRR of this law, I think the DILG should have a direct participation in all of these federation elections.

Senator Marcos. All right. I think the IRR would be the proper location for said mechanics as well as they implement the existing laws that govern the same.

Senator Tolentino. Because, Mr. President, usually it is the MLGOO, CLGOO, and the provincial counterparts who would initiate the conduct of the elections. But with the explanation coming from the sponsor, I think I

accept the rationale for the deletion of the said phrase.

Thank you, Mr. President.

Senator Marcos. Thank you very much, Senator Tolentino. And we shall simply, at this point, remind the DILG as well as the Comelec to indicate the precise role of the DILG following the intent of the Barangay and SK Reform Acts.

Senator Zubiri. May we recognize the Senate President Pro Tempore, Mr. President?

The President. Senator Ralph Recto is recognized.

Senator Recto. Thank you, Mr. President.

Just an inquiry, Mr. President. What stage are we in right now? Is this a committee amendment or...

The President. Period of individual amendments.

Senator Recto. And I understand that we are already on page 2, Mr. President?

The President. Yes.

Senator Recto. And I understand that we have already approved that the election will be held on December 5, 2022, is that correct, Mr. President?

The President. Yes.

Senator Recto. And therefore, there will be two elections in 2022, Mr. President?

The President. Yes.

Senator Recto. We will have the presidential in May, and the barangay elections in December?

The President. Yes.

Senator Recto. And when we had this in the past, Mr. President, as I mentioned yesterday, two elections in one year, chances are, this will be postponed again. Because the Comelec has said, even during the hearings, that they would prefer a separate year for the barangay elections.

Senator Marcos. Mr. President.

The President. Yes, Senator Marcos.

Senator Marcos. To clarify on Senator Recto’s query—we have consulted with the Comelec—having reservations about extending their terms

so long already as indicated by the good gentleman from Batangas yesterday. And upon consultation with the Comelec, they said that no failure of election and other such problems has occurred in 2010 would repeat if they were given more than six months. It is the printing, distribution, and verification of ballots phases that take over four and a half months. In this case, we have given six and a half months, which they consider sufficient time.

The President. And this is manual?

Senator Marcos. That is correct, Mr. President. It is manual; it is not hybrid. So, the long period of developing the source codes will no longer be required.

Senator Recto. But it will be easier for the Comelec if they were to conduct the elections a year after or a year before, is that correct?

Senator Marcos. That is correct, Mr. President.

I actually offered in my bill one whole year, also rendering simultaneous all the terms of office. However, the concern of many of our members, including our Minority Leader, was that the extension of term would be so long.

Senator Recto. Yes, but the difference is only five or six months. Because the original bill was May of 2023, and there is a reasonable chance of having that election not postponed because it is a year after.

Senator Marcos. Yes. We are giving them close to seven months, Mr. President. So, there is a difference of five months.

Senator Recto. Yes. My fear, Mr. President, is that if we conduct the elections for the barangay in December of 2022, there would be two national elections held in that year — one in May, one in December. The future President, whoever that may be, will come back to Congress and we are not finding a permanent solution here in this case, and ask again for a postponement of the barangay election. So, the initial fear that we are giving too long an extension period will probably be even worst at that point in time when they will request for an extension again of the term of office of barangay.

Senator Marcos. Yes, Mr. President.

Senator Recto. So, when we had this in the past, normally, if it is within one year, we ask for a postponement. That has been the history. So, I would have preferred May 2023 or May 2021, Mr. President.

The President. The May 2023 was the original committee report but our colleagues, particularly the Minority Leader, suggested six months instead because they have been in office for too long.

Senator Marcos. Yes. Mr. President, Senator Recto, Majority Leader, as the gentlemen may have read, the original committee report as well as my own bill indicated May 2023. However, upon prodding, both during the hearings for the Comelec budget as well as in consideration of our members' concern, that the extension was excessive if it reached May 2023, we have come up with the work program that starts October 21 working backwards and it brought us at the earliest date of December 2022.

So, six and a half months or so, apparently, is a short period. The Comelec will be pressed for time but they claim that they can do it without undue failure of elections and other problems.

Senator Zubiri. To add to the discussion, with the permission of the two Senators, it was a compromise because, initially, some of the bills that were filed were October of 2022, and it was too close to May of 2022. And, therefore, there was another proposal that it will be made on May of 2023, but many of us felt that it would have been too long of a term. It would have been almost close to seven years seated as a barangay chair.

Senator Recto. Mr. President, I will no longer prolong the issue or prolong this point. But, let it not be said that I did not put into *Record* that there is a higher probability of postponing again this election for the next administration when they get to power after May of 2022.

With that, thank you, Majority Leader; thank you, Mr. President.

The President. All right. So, are we still on page 2, sponsor?

Senator Marcos. Yes, Mr. President.

The President. The motion is to delete lines 24 to 25 from the word "under" up to the word "Government;".

Senator Marcos. I so move, Mr. President.

The President. Is there any objection? [*Silence*] There being none, the amendment is approved.

Senator Marcos. Yes. For purposes of recording and for clarity with our Secretariat, may I read the entire Section 3 on Hold Over once again.

“Until their successors shall have been duly elected and qualified, all incumbent barangay AND SANGGUNIANG KABATAAN officials,—that is the first amendment in that section—shall remain in office, unless sooner removed or suspended for cause: *Provided*, That barangay AND SANGGUNIANG KABATAAN officials who are *ex officio* members of the Sangguniang Bayan, Sangguniang Panlungsod, or Sangguniang Panlalawigan shall continue to serve as such members in the Sanggunian concerned until JUNE 30, 2020. — This is another amendment referring to the previous Act and the term. — The Liga ng mga Barangay AND THE PEDERASYON NG SANGGUNIANG KABATAAN at the municipal, city, and provincial levels shall, not later than JUNE 30, 2020, conduct election for *ex officio* positions in the Sanggunians.”

I so move, Mr. President.

The President. Yes, it is already amended and accepted.

All right. Is there any other amendment?

Senator Marcos. With that, Mr. President and Majority Leader, I have no further amendments.

Thank you.

Senator Zubiri. Mr. President, before we close the period of amendments, may we request the sponsor, together with the Secretariat, to give us clean copies of the measure.

The President. As amended.

Senator Zubiri. As amended, Mr. President.

May we ask for a one-minute suspension, Mr. President.

The President. The Minority Leader is recognized before the suspension.

Senator Drilon. Point of inquiry, Mr. President.

Are we going to approve this this afternoon, Mr. President?

The President. Hopefully. [*Stricken off the record*]

SUSPENSION OF SESSION

Senator Zubiri. Mr. President, I move that we suspend the session for one minute to prepare the clean copy.

The President. I do not think one minute is enough to prepare a clean copy.

Senator Zubiri. One Senate minute, Mr. President.

The President. One Senate minute is enough.

Senator Zubiri. Yes, Mr. President.

The President. Is there any objection? [*Silence*] There being none, the session is suspended.

It was 3:46 p.m.

RESUMPTION OF SESSION

At 5:31 p.m., the session was resumed.

The President. The session is resumed.

The Majority Leader is recognized.

Senator Zubiri. Actually, Mr. President, before we suspended, the parliamentary status of the measure is that we are in the period of amendments. We already have a clean copy of the amendments done by Senator Marcos.

We would like to ask our colleagues if they are all right with the amendments so that we can close the period of amendments.

Mr. President, I ask that we recognize Sen. Ralph G. Recto.

The President. Sen. Ralph G. Recto is recognized.

MANIFESTATION OF SENATOR RECTO

Senator Recto. Thank you very much, Mr. President.

Mr. President, this is just a manifestation since I was late entering the hall earlier. If the chairperson was not yet in the point in time of introducing her individual amendments, I would have proposed certain amendments.

Mr. President, just to put on the record, I would have proposed this:

On page 1, line 1, replace the entire Section 1 with the following:

“Section 1. Section 1 of Republic Act No. 9164, as amended, is hereby further amended to read as follows:

SECTION 1. Date of Election. – There shall be synchronized barangay and sangguniang

kabataan elections, which shall be held on July 15, 2002. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the last Monday of October 2007 and every three (3) years thereafter: *Provided*, That the barangay and sangguniang kabataan elections on October 23, 2017 shall be postponed to the second Monday of May 2018. Subsequent synchronized barangay and sangguniang kabataan elections shall be held on the SECOND MONDAY OF MAY 2023 and every SIX (6) YEARS thereafter.”

It would have been my first amendment, Mr. President. Meaning to say, the term of barangay would be six years.

Senator Marcos. Mr. President, *bakit magiging* six years?

Senator Recto. No, that would have been my proposed amendment, Mr. President.

The President. That would have been your proposal, and then?

Senator Recto. So that we fix the problem, Mr. President. *Hindi na lamang iyong tuwing* administration, we keep on postponing the elections.

Mr. President, my second amendment would have been to insert a new Section 2 to read as follows:

“Sec. 2. Section 2 of Republic Act No. 9164, as amended, is hereby further amended to read as follows:

SECTION 2. *Term of Office.* – The term of office of all barangay and sangguniang kabataan officials after the MAY 2023 ELECTIONS shall be SIX (6) years: *PROVIDED, THAT* No barangay elective official shall serve for more than TWO (2) consecutive terms in the same position.”

I would have been open to an amendment to one term.

“*PROVIDED, FURTHER, THAT THE SANGGUNIAN KABATAAN ELECTIVE OFFICIALS SHALL HOLD OFFICE FOR ONE (1) TERM. Provided, FINALLY,* That the term of office shall be reckoned from 2013 barangay elections FOR BARANGAY ELECTIVE OFFICIALS AND 2018 BARANGAY AND SANGGUNANG KABATAAN ELECTIONS FOR SANGGUNANG KABATAAN ELECTIVE OFFICIALS. Voluntary renunciation of office for any length of time shall not be considered as an interruption in the continuity of service for the full term for which the elective official was elected.”

Mr. President, I would have proposed this so that there would be no future postponements, a six-year term, two consecutive terms, may be open to the idea of a one term for the barangay officials, Mr. President.

So, it is just a manifestation.

Thank you, Mr. President.

Senator Marcos. Thank you, Mr. President.

We appreciate that. There will be a bicam. As we have heard that the House has just passed its own version. And, certainly, the extension of terms not only for barangay officials, but for other local officials—mayors and governors—is a position that I, too, maintain.

Senator Zubiri. Thank you, Mr. President.

Since no other member wishes to amend the measure, I move that we close the period of amendments, Mr. President.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

APPROVAL OF S. NO. 1043 ON SECOND READING

Senator Zubiri. Mr. President, I move that we vote on Second Reading on Senate Bill No. 1043 under Committee Report No. 4, as amended.

The President. Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 1043, as amended.

As many as are in favor of the bill, say *aye*.

Several Members. *Aye*.

The President. As many as are against the bill, say *nay*. *[Silence]*

Senate Bill No. 1043, as amended, is approved on Second Reading.

SUSPENSION OF CONSIDERATION OF S. NO. 1043

Senator Zubiri. Thank you, Mr. President.

I move that we suspend consideration of Senate Bill No. 1043.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

MONDAY, SEPTEMBER 30, 2019

OPENING OF THE SESSION

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

The President. The 28th session of the Senate in the First Regular Session of the Eighteenth Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Ronald “Bato” M. dela Rosa.

Everybody rose for a prayer.

PRAYER

Senator Dela Rosa. *Let us pause for a moment in the silence of our hearts. Let us recognize the holy presence of the Lord in our midst and pray for His blessings.*

Almighty God, the source of life and creator of all things. We come to You today asking for Your guidance and wisdom. Send Your spirit of compassion to dwell in our midst and help us engage in meaningful discussions. Allow us to grow closer as a group and fill us with Your grace as we make decisions and arrive to a conclusion. Altogether, we also pray for those who suffered from physical abuse due to hazing or maltreatment, especially to those who lost their lives; may Your divine mercy grant them eternal peace in Your heavenly kingdom.

Likewise, we also entrust into Your divine care the grieving parents of all hazing victims; may they find comfort and strength in Your most loving heart. Above all, our most merciful God, we fervently pray that by Your divine will, may the bad practice of hazing would finally cease among all our academic and training institutions.

Lastly, please continue to remind us that all that we should do here today, all that we must accomplish, shall be for the pursuit of truth and absolute goodness. May our actions and attitudes please You that we shall merit Your grace as we continue to glorify You in the service of our dear country, in the service of Your people.

All these we ask in Your Most Mighty Name,

Amen.

The President. Amen.

The Senate Choir will lead us in the singing of the Philippine national anthem.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

ROLL CALL

The President. The Secretary will please call the roll.

The Secretary, reading:

Senator Sonny Angara	Present
Senator Maria Lourdes	
Nancy S. Binay	Present
Senator Pia S. Cayetano	Present
Senator Leila M. De Lima	*
Senator Ronald “Bato”	
M. Dela Rosa	Present
Senator Franklin M. Dilon	Present
Senator Win Gatchalian	Present
Senator Christopher Lawrence	
T. Go	Present
Senator Richard J. Gordon	Present**
Senator Risa Hontiveros	Present
Senator Panfilo “Ping” M. Lacson ...	Present
Senator Manuel “Lito” M. Lapid	Present**
Senator Imee R. Marcos	Present
Senator Emmanuel “Manny”	
D. Pacquiao	Present
Senator Francis “Kiko”	
N. Pangilinan	Present**
Senator Aquilino “Koko” L.	
Pimentel III	Present
Senator Grace Poe	Present
Senator Ralph G. Recto	Present**
Senator Ramon Bong Revilla Jr.	Present
Senator Francis “Tol” N. Tolentino ...	Present
Senator Joel Villanueva	Present
Senator Cynthia A. Villar	Present
Senator Juan Miguel F. Zubiri	Present
The President	Present

The President. With 19 Senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

ACKNOWLEDGMENT OF GUESTS

Senator Zubiri. Thank you, Mr. President.

* Unable to attend the session as she was under detention

** Arrived after the roll call

Mr. President, we have here in the gallery some very important people, particularly the Deputy Speaker, Bro. Eddie Villanueva, the better version of Sen. Joel Villanueva, the original Villanueva [Laughter], together with the JIL Regional and Area Churches and Pastors.

We also have with us, Mr. President, Justice Georgina Hidalgo of the Sandiganbayan, together with Ms. Gemma Posadas, Chief Judicial Staff Officer of Budget and Finance Division of the Sandiganbayan.

The President. We welcome all our guests to the Senate.

Thank you for the visit.

Senator Zubiri. Mr. President, we have a bill for Third Reading. May I ask our colleagues to settle down so that we can vote.

The President. Yes, but what about the *Journal*?

THE JOURNAL

Senator Zubiri. Mr. President, I move that we dispense with the reading of the *Journal* of the 27th session, Wednesday, September 25, 2019, and consider it approved.

The President. Is there any objection? [Silence] There being none, the motion is approved.

Senator Zubiri. Do we need to act on the Reference of Business or we go on Third Reading? I recommend, Mr. President, that we go first on Third Reading.

The President. That is correct.

BILL ON THIRD READING S. No. 1043—Postponing the May 2020 Barangay and Sangguniang Kabataan Elections

Senator Zubiri. Mr. President, I move that we vote on Third Reading on Senate Bill No. 1043. Copies of the bill were distributed to the members on September 25, 2019.

The President. Is there any objection? [Silence] There being none, voting on Third Reading on Senate Bill No. 1043 is now in order.

The Secretary will please read only the title of the bill.

The Secretary. 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.

The President. We shall now vote on the bill and the Secretary will call the roll.

The Secretary. Senators

Angara	Yes
Binay	Yes
Cayetano	Yes
De Lima	
Dela Rosa	Yes
Drilon	Yes
Gatchalian	Yes
Go	Yes
Gordon	
Hontiveros	Yes
Lacson	Yes
Lapid	
Marcos	Yes
Pacquiao	Yes
Pangilinan	Yes
Pimentel III	Yes
Poe	Yes
Recto	Yes
Revilla Jr.	Yes
Tolentino	Yes
Villanueva	Yes
Villar	Yes
Zubiri	Yes
The President	Yes

APPROVAL OF S. NO. 1043 ON THIRD READING

The President. With 21 affirmative votes, no negative vote, and no abstention, Senate Bill No. 1043 is approved on Third Reading.

Senator Zubiri. Thank you, Mr. President.

CONSIDERATION OF P. S. RES. NO. 147 (Recognizing and Congratulating Jesus is Lord Church for Celebrating Its 41st Founding Anniversary)

Mr. President, I move that we consider Proposed Senate Resolution No. 147, taking into consideration Proposed Senate Resolution No. 148, as reported out by the Committee on Rules.

The President. Is there any objection? [Silence] There being none, the motion is approved.

MONDAY, NOVEMBER 11, 2019

OPENING OF THE SESSION

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

The President. The 34th session of the Senate in the First Regular Session of the Eighteenth Congress is hereby called to order.

Let us bow our heads for a minute of silent prayer.

Everybody rose for the prayer.

PRAYER

The President. Please remain standing for the singing of the national anthem. The AUP Mu Gamma Chi Choir will lead us in the singing of the Philippine national anthem, and the group will also render a song entitled *Pagkakaisa Medley*.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

ROLL CALL

The President. The Secretary will please call the roll.

The Secretary, reading:

Senator Sonny Angara	Present
Senator Maria Lourdes	
Nancy S. Binay	Present
Senator Pia S. Cayetano.....	Present
Senator Leila M. De Lima	*
Senator Ronald “Bato”	
M. Dela Rosa	Present
Senator Franklin M. Drilon	Present
Senator Win Gatchalian	Present
Senator Christopher Lawrence	
T. Go	Present
Senator Richard J. Gordon	Present**
Senator Risa Hontiveros	***
Senator Panfilo “Ping” M. Lacson ...	Present
Senator Manuel “Lito” M. Lapid	***
Senator Imee R. Marcos	Present**

* Unable to attend the session as she was under detention

** Arrived after the roll call

*** On official business, but arrived after the roll call

Senator Emmanuel “Manny”

 D. Pacquiao

Senator Francis “Kiko”

 N. Pangilinan

Senator Aquilino “Koko” L.

 Pimentel III.....

Senator Grace Poe

Senator Ralph G. Recto

Senator Ramon Bong Revilla Jr.

Senator Francis “Tol” N. Tolentino...

Senator Joel Villanueva

Senator Cynthia A. Villar

Senator Juan Miguel F. Zubiri

The President

The President. With 17 Senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

THE JOURNAL

Senator Zubiri. Thank you, Mr. President.

Mr. President, I move that we dispense with the reading of the *Journal* of the 33rd session, Wednesday, November 6, 2019 and consider it approved.

The President. Is there any objection? [*Silence*] There being none, the *Journal* is hereby approved.

ACKNOWLEDGMENT OF GUESTS

Senator Zubiri. Mr. President, we have several VIP guests in the gallery today.

We have with us the secretary of the Department of Finance, Sec. Carlos Dominguez III, together with the secretary of the Department of Budget and Management, Sec. Wendel E. Avisado. We also have the men and women of the DOF and the DBM, together with their undersecretaries and assistant secretaries.

We also have with us members of the NEDA family headed by Usec. Rosemarie G. Edillon.

We also have with us members of the BIR family; the Bangko Sentral ng Pilipinas, and the Bureau of Treasury. There are several names, and to cut it short, all the men and women of these departments.

And we also have with us, Mr. President, Zonta Club of Makati-Ayala, headed by Ms. Nini Layug.

** Arrived after the roll call

Six, it promotes and expands the use of alternative methods of procurement under already existing laws. To address the crisis, it presents a novel solution which proposes shorter completion for a premium.

Seven, this bill expedites acquisition of rights-of-way and other projects, but in a manner that is targeted, not speculative; pinpointed in location and not real estate plays that impose predatory prices.

Eight, this bill supports the need for a modernized public transport with social mechanisms that will not leave our PUV sector wanting. Full assistance shall be given by the State in order to create a safer, more comfortable, and environmentally sustainable good public transport system.

Nine, this bill seeks the route rationalization of PUVs, in consultation with the LGUs affected, as the basis for the modification, suspension or revocation of franchises issued by the LTFRB. And I thank, in particular, Senator Tolentino for sharing with us the work that he has already done previously and the experiences that he has had so that a bus consortium and, at least, the rationalization of routes will be implemented.

Finally, this bill addresses the technical deficit in our traffic management know-how. By capacitating our agencies to handle present and upcoming challenges, we are future-proofing this important sector.

Mr. President, while there are many things that this bill is about, there are equally many things that it is not. It is not the sole handbook to fix our traffic problems. It is not. It is but one of many. For example, laying more railway tracks and running more trains on them is a guaranteed traffic-buster; land use plan is another.

There are also solutions on the demand-side which are outside the ambit of this bill. The foremost of which is decongesting Metro Manila by dispersing development across the regions, and with jobs available there, foreclose the need for people to migrate to the national capital.

For as long as development remains limited to the metro, our people will continue to flee a countryside lacking in opportunities only to crowd into a problematic megapolis. The requirements of not just moving them around, but of housing them, educating them will spiral upward in the years to come. That is a bigger crisis which we must all solve soon.

Thank you very much.

The President. The Majority Leader is recognized.

SUSPENSION CONSIDERATION OF S. NO. 1157

Senator Zubiri. Thank you, Mr. President.

To allow our colleagues to study the measure further, I move that we suspend consideration of Senate Bill No. 1157.

The President. Is there any objection? *[Silence]* There being none, the motion is approved.

Senator Zubiri. Yes. We beg the indulgence of Senator Bato, he will be taken up right away. It is just that the ratification of bicameral conference committee report, Mr. President, is of utmost importance. If it is okay with Senator Bato, this will only take two minutes.

CONFERENCE COMMITTEE REPORT ON S. NO. 1043/H. NO. 4933 (Postponing the May 2020 Barangay and Sangguniang Kabataan Elections)

Mr. President, we are in receipt of the Bicameral Conference Committee Report on the Disagreeing Provisions of Senate Bill No. 1043 and House Bill No. 4933. This is the Postponement of the May 2020 Barangay and Sangguniang Kabataan Elections.

With the permission of the Body, may we recognize the chairperson of the Senate panel, Sen. Imee Marcos, to give us the highlights of the conference committee report.

The President. Sen. Imee Marcos is recognized.

REPORT OF SENATOR MARCOS

Senator Marcos. Yes. Thank you very much, Mr. President.

The Conference Committee on the Disagreeing Provisions of Senate Bill No. 1043 and House Bill No. 4933, having duly met and discussed the differences, hereby reports through a Joint Explanation of the Conference Committee on the Disagreeing Provisions, and I request that this be inserted into the *Record*.

Thank you, Mr. President.

APPROVAL OF CONFERENCE COMMITTEE
REPORT ON S. NO. 1043/H. NO. 4933

Senator Zubiri. Mr. President, we thank Sen. Imee Marcos for the report.

I move that we approve the Bicameral Conference Committee Report on the Disagreeing Provisions of Senate Bill No. 1043 and House Bill No. 4933.

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

MOTION OF SENATOR ZUBIRI
**(Insertion of the Joint Explanation
of the Conference Committee Report
on the Disagreeing Provisions
of S. No. 1043/H. No. 4933)**

Senator Zubiri. Mr. President, as requested by the sponsor, Senator Marcos, I move that the text of the Joint Explanation of the Conference Committee on the Disagreeing Provisions of Senate Bill No. 1043 and House Bill No. 4933 be inserted into the *Record of the Senate*.

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

The full text of the Joint Explanation of the Conference Committee Report on the Disagreeing Provisions of S. No. 1043 and H. No. 4933 is annexed at the end of this session date.

SPECIAL ORDER

Senator Zubiri. Mr. President, with the permission of the Body, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders Committee Report No. 19 on Senate Bill No. 1155, entitled

AN ACT FIXING THE VALIDITY PERIOD OF LICENSE TO OWN AND POSSESS, PERMIT TO CARRY OUTSIDE OF RESIDENCE OR PLACE OF BUSINESS AND REGISTRATION OF FIREARMS, AMENDING FOR THE PURPOSE SECTIONS 7 AND 19 OF REPUBLIC ACT NO. 10591, OTHERWISE KNOWN AS THE "COMPREHENSIVE FIREARMS AND AMMUNITION REGULATION ACT."

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

BILL ON SECOND READING
**S. No. 1155—Fixing the Validity Period
of the License to Own, Permit to Carry
and Registration of Firearms**

Senator Zubiri. Mr. President, I move that we consider Senate Bill No. 1155, as reported out under Committee Report No. 19.

The President. Is there any objection? *[Silence]*
There being none, the motion is approved.

Consideration of Senate Bill No. 1155 is now in order.

The Secretary. Senate Bill No. 1155, entitled

AN ACT FIXING THE VALIDITY PERIOD OF LICENSE TO OWN AND POSSESS, PERMIT TO CARRY OUTSIDE OF RESIDENCE OR PLACE OF BUSINESS AND REGISTRATION OF FIREARMS, AMENDING FOR THE PURPOSE SECTIONS 7 AND 19 OF REPUBLIC ACT NO. 10591, OTHERWISE KNOWN AS THE "COMPREHENSIVE FIREARMS AND AMMUNITION REGULATION ACT"

Editorial Note: A copy of Senate Bill No. 1155 is annexed at the end of this session date.

Senator Zubiri. Mr. President, to sponsor the measure, I ask that we recognize the distinguished gentleman from Davao del Sur, no other than Sen. Ronald "Bato" M. dela Rosa.

The President. Sen. Ronald M. dela Rosa is recognized.

SPONSORSHIP SPEECH
OF SENATOR DELA ROSA

Senator Dela Rosa. Thank you, Mr. President.

Mr. President, my dear colleagues, I stand before this august Body to sponsor Committee Report No. 19, containing Senate Bill No. 1155, "An Act Fixing the Validity Period of the License to Own and Possess, Permit to Carry Outside of Residence or Place of Business and Registration of Firearms, Amending for the Purpose Sections 7 and 19 of Republic Act No. 10591, Otherwise Known as the Comprehensive Firearms and Ammunition Regulation Act."

What do the United States, Mexico, and Guatemala have in common? In these countries, Mr. President, owning a gun is a constitutional