

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.