


TWELFTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'02 MAR -6 P4:20

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SENATE

COMMITTEE REPORT NO. 32

Submitted by the Committee on Finance on March 06, 2002.

Re : Senate Bill No. **2050**, prepared by the Committees on Constitutional Amendments Revision of Codes and Laws, and Local Government.

Recommending its approval.

Sponsors : Senators Angara, Osmeña (J.), Sotto III and Drilon.

MR. PRESIDENT :

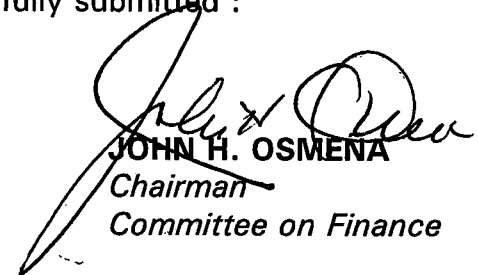
The Committee on Finance to which was referred Senate Bill No. **2050**, prepared by the Committees on Constitutional Amendments, Revision of Codes and Laws, and Local Government, entitled:

**"AN ACT
AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE
'LOCAL GOVERNMENT CODE OF 1991', AS AMENDED, RESETTING
THE ELECTIONS OF THE SANGGUNIANG KABATAAN OFFICIALS TO
THE FIRST MONDAY OF NOVEMBER, 2002, AND FOR OTHER
PURPOSES"**

has the honor to recommend its approval, fully endorsing Section 7 thereof which reads:

"SEC.7. Appropriation. - Such amounts necessary to undertake the special registration authorized under this Act is hereby appropriated for the purpose out of the savings under the present General Appropriations Act."

Respectfully submitted :


JOHN H. OSMENA
Chairman
Committee on Finance

Members:

JOKER P. ARROYO

RENATO L. COMPAÑERO CAYETANO

FRANCIS N. PANGILINAN

ROBERT Z. BARBERS

RAMON B. REVILLA

TERESA AQUINO-ORETA

BLAS F. OPLE

RODOLFO G. BIAZON

JUAN M. FLAVIER

RALPH G. RECTO

GREGORIO B. HONASAN

PANFILO M. LACSON

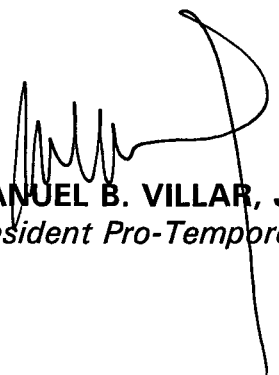
SERGIO OSMEÑA III

RAMON B. MAGSAYSAY, JR.

EDGARDO J. ANGARA

VICENTE C. SOTTO III

Ex - Officio Members :



MANUEL B. VILLAR, JR.
President Pro-Tempore

LOREN LEGARDA LEVISTE
Majority Leader




AQUILINO Q. PIMENTEL, JR.
Minority Leader

Hon. FRANKLIN M. DRILON
President
Senate of the Philippines
Pasay City

TWELFTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

02 MAR -6 P3:50

RECEIVED BY: 

SENATE

S. No. 2050

(In substitution of S. Nos. 1530, 2006, and 2028)

Prepared by the Committees on Constitutional Amendments, Revision of Codes and Laws and on Local Government with Senators Sotto III, Drilon, Angara, and Osmeña, J. as authors

AN ACT

AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991", AS AMENDED, RESETTING THE ELECTIONS OF THE SANGGUNIANG KABATAAN OFFICIALS TO THE FIRST MONDAY OF NOVEMBER, 2002 AND FOR OTHER PURPOSES

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

SECTION 1. Section 43 (c) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended, is hereby further amended to read as follows:

"SEC. 43. Term of Office.—

"(a) The term of office of all local elective officials elected after the effectivity of this Code shall be three (3) years, starting from noon of June 30, 1992 or such date as may be provided for by law, except that of elective *barangay* officials and members of the *sangguniang kabataan*:
Provided, That all local officials first elected during the local elections immediately following the ratification of the 1987 Constitution shall serve until noon of June 30, 1992.

"(b) No local elective official shall serve for more than three (3) consecutive terms in the same position. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in

1 the continuity of service for the full term for which the elective official
2 concerned was elected.

3 "(c) The term of *barangay* officials and members of the
4 *sangguniang kabataan* shall be for five (5) years, which shall begin after
5 the regular election of *barangay* officials on the second Monday of May,
6 1997: *Provided*, That the *sangguniang kabataan* members who were
7 elected in the May 1996, elections shall serve until the next regular
8 election of [*barangay* officials] THE SANGGUNIANG KABATAAN ON
9 THE FIRST MONDAY OF NOVEMBER, 2002."

10 **SEC. 2.** Section 428 of Republic Act No. 7160, otherwise known as the
11 Local Government Code of 1991, is hereby amended to read as follows:

12 "Section 428. *Qualifications.* – An elective official of the
13 *sangguniang kabataan* must be a citizen of the Philippines, a qualified
14 voter of the *katipunan ng kabataan*, a resident of the *barangay* for at least
15 one (1) year immediately prior to election, at least fifteen (15) years but
16 not more than twenty-one (21) years of age on the day of his election, able
17 to read and write Filipino, English, or the local dialect, [and] must not
18 have been convicted of any crime involving moral turpitude, AND MUST
19 NOT BE RELATED WITHIN THE SECOND DEGREE OF
20 CONSANGUINITY OR AFFINITY TO THE *PUNONG BARANGAY* OF
21 THE *BARANGAY* CONCERNED OR TO THE MAYOR OF THE CITY OR
22 MUNICIPALITY CONCERNED."

23 **SEC. 3.** Section 532 of Republic Act No. 7160, otherwise known as the Local
24 Government Code of 1991, is hereby amended as follows:

25 "Section 532. *Elections for the Sangguniang Kabataan.* – (a) The
26 first elections for the *sangguniang kabataan* to be conducted under this
27 Code shall be held thirty (30) days after the next local elections: *Provided*,
28 That, the regular elections for the *sangguniang kabataan* shall be held on

1 the first Monday of May, 1996 : *Provided, further*, That the [succeeding]
2 NEXT regular elections for the *sangguniang kabataan* shall be held ON
3 THE FIRST MONDAY OF NOVEMBER, 2002 AND every [three (3)]
4 FIVE (5) years thereafter: *Provided, finally*, That the national, special
5 metropolitan, provincial, city and municipal federations of the *sangguniang*
6 *kabataan* shall conduct the election of their respective officers thirty (30)
7 days after the May, 1996 *sangguniang kabataan* elections on dates to be
8 scheduled by the Commission on Elections.

9 "The conduct of the *sangguniang kabataan* elections shall be under
10 the supervision of the Commission on Elections."

11 "(b) The amount pertaining to the ten percent (10%) allocation for
12 the *kabataang barangay* as provided for in Section 103 of *Batas*
13 *Pambansa Blg. 337* is hereby re-appropriated for the purpose of funding
14 the first elections mentioned above. The balance of said funds, if there be
15 any after the said elections, shall be administered by the Presidential
16 Council for Youth Affairs for the purpose of training the newly-elected
17 *sangguniang kabataan* officials in the discharge of their functions.

18 "(c) For the regular elections of the *sangguniang kabataan*, funds
19 shall be taken from the ten percent (10%) of the *barangay* funds reserved
20 for the *sangguniang kabataan*, as provided for in Section 328 of this Code,
21 WHICH FUNDS THE DEPARTMENT OF BUDGET AND MANAGEMENT
22 (DBM) SHALL SET ASIDE FOR AUTOMATIC RELEASE TO THE
23 COMELEC.

24 "(d) All seats reserved for the *pederasyon ng mga sangguniang*
25 *kabataan* in the different *sanggunians* shall be deemed vacant until such
26 time that the *sangguniang kabataan* chairmen shall have been elected
27 and the respective *pederasyon* presidents have been selected: *Provided*,
28 That, elections for the *kabataang barangay* conducted under *Batas*

1 *Pambansa Blg. 337* at any time between January 1, 1988 and January 1,
2 1992 shall be considered as the first elections provided for in this Code.
3 The term of office of the *kabataang barangay* officials elected within the
4 said period shall be extended correspondingly to coincide with the term of
5 office of those elected under this Code."

6 **SEC. 4. *Special Registration.*** – For purposes of the November, 2002
7 *Sangguniang Kabataan* election provided under this Act, a special registration of voters
8 for the *Sangguniang Kabataan* shall be held not later than one hundred twenty (120)
9 days before the scheduled elections on such dates as may be determined by the
10 COMELEC.

11 **SEC. 5. *Hold-Over.*** – The incumbent *sangguniang kabataan* officials shall remain
12 in office unless sooner removed or suspended for cause, and until their successors
13 shall have been elected and qualified.

14 **SEC. 6. *Term of Office.*** – The term of office of the *sangguniang kabataan*
15 officials elected pursuant to this Act shall commence on January 1, 2003, and shall
16 expire on the first day of January five (5) years thereafter.

17 **SEC. 7. *Appropriation.*** – Such amounts necessary to undertake the special
18 registration authorized under this Act is hereby appropriated for the purpose out of the
19 savings under the present General Appropriations Act.

20 **SEC. 8. *Separability Clause*** – If any provision of this Act is declared
21 unconstitutional or invalid, such sections or parts not affected thereby shall remain in full
22 force and effect.

23 **SEC. 9. *Repealing Clause*** – All decrees, executive orders, rules and
24 regulations, or parts thereof, inconsistent with the provisions of this Act are hereby
25 repealed or modified accordingly.

26 **SEC. 10. *Effectivity Clause*** – This Act shall take effect fifteen (15) days after its
27 complete publication in two (2) newspapers of general circulation.

Approved,

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SENATE OF THE PHILIPPINES
BILLS AND INDEX DIVISION

LEGISLATIVE HISTORY

SBN 2050, entitled:

"AN ACT AMENDING REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED, RESETTING THE ELECTIONS OF THE SANGGUNIANG KABATAAN OFFICIALS TO THE FIRST MONDAY OF NOVEMBER, 2002, AND FOR OTHER PURPOSES"

S T A T U S

[First Regular Session, 12th Congress]

[2002]

- Mar. 6 - Prepared and submitted jointly by the Committee(s) on CONSTITUTIONAL AMENDMENTS, REVISION OF CODES AND LAWS; and LOCAL GOVERNMENT with Senators SOTTO III, DRILON, ANGARA, and OSMEÑA (J.) as authors per Committee Report No. 31, recommending its approval in substitution of SBNos. 1530, 2004 and 2028; and Committee Report No. 32, submitted by the Committee on FINANCE, recommending its approval, fully endorsing Section 7 thereof;
- Committee Report Calendared for Ordinary Business;
 - Sponsors: Senators Angara, Osmeña (J.), Sotto III, and Drilon;
 - Assigned for consideration by Special Order;
 - Sponsorship speech of Senator Angara;
 - Interpellation of Senators Arroyo, Biazon, Barbers, Recto, Villar, Jr., and Pangilinan;
 - Period of interpellation closed;
 - Period of committee amendment closed;
 - Period of individual amendments;
 - Period of individual amendments closed;
 - Approved on Second Reading with amendments;
 - Senator Biazon was made coauthor on motion of Senator Flavier;
 - Certified by the President of the Philippines Gloria Macapagal Arroyo for its immediate enactment on March 6, 2002;
 - Approved on Third Reading;
 - In favor : (10) Senators Angara, Aquino-Oreta, Barbers, Biazon, Drilon, Flavier, Lacson, Pangilinan, Pimentel, Jr., and Sotto III;
 - Against : (3) Senators Arroyo, Recto and Villar, Jr.;
 - Abstention: None;
 - Senate designated Senators Pimentel, Jr., Villar, Jr., Recto, Pangilinan, Lacson, Angara, and Osmeña (J.) as conferees;
- 11 - House of Representatives agreed to a conference on the disagreeing provisions of SBN-2050 and HBN-4456, designating Representatives Syjuco, Macias II, Teves, Locsin, Jr., Rosales, Ortega, Padilla, Jaraula, Suplico, Garcia, Jr., and Chipeco, Jr. as its conferees;
- Conference Committee Report submitted to the Senate recommending that SBN-2050, in consolidation with HBN-4456 be approved as reconciled;
 - Sponsorship speech of Senator Pimentel, Jr. on the Conference Committee Report;
 - Interpellation of Senators Arroyo, Cayetano and Osmeña (J.);
 - Conference Committee Report approved by the Senate;
- 13 - House of Representatives designated Representatives Macarambon, Jr., Barinaga, Sumulong, Cagas, De Guzman, Roco, and Defensor as additional conferees on March 7, 2002;
- Conference Committee Report approved by the House of Representatives;
- 15 - Enrolled copy of the consolidated version of SBN-2050 and HBN-4456, already signed by the Senate President

Franklin M. Drilon and Senate Secretary Oscar G. Yabes,
sent to the House of Representatives for the signature
of the Speaker and the Secretary General;

- 19 - Enrolled copy of consolidated version of SBN-2050 and
HBN-4456 presented to the President of the Philippines
through PLLD for Her approval;
 - 21 - Approved and signed into law by the President of the
Philippines Gloria Macapagal-Arroyo on March 19, 2002
and became
- REPUBLIC ACT NO. 9164.

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