

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. 939



Introduced by REP. JUDY J. SYJUCO

EXPLANATORY NOTE

The proposed special zone for tourism and ecological enterprises of known as the "Bucari Area" in the Province of Iloilo consists of fourteen (14) contiguous barangays in the Municipality of Leon, namely: Bucari, the so-called "three sisters" (i.e. Camandag, Bulwang and Bobon), Bacolod, Maliao, Cabunga-an, Lampaya, Danao, Ingay, Cabolo-an, Tagsing, and Igcadios and the seven (7) adjoining barangays in the Municipality of Alimodian – the so-called "Seven Cities" (i.e. Manasa, Lico, Dao, Uningan, Tabug, Cabacanan-Propor and Cabacanan-Rizal).

These 21 mountain barangays share a common topography (average altitude: 600 meters above sea level and gradually rising towards the majestic Baloy-Madjaas Range), climate, soil classification (Alimodian clay loam; ph range: 5.8 to 7.6), flora and fauna as well as culture and traditions. These barangays also share vast areas of forests consisting mainly of pine trees.

Through the generations, the area has earned the descriptive appellation: "Little Baguio". Perhaps, it can be developed to the stage where it can boast of the title – "BUCARI: The Alternative Summer Capital of the Philippines".

Is there a need for an alternative summer capital?
Consider the following:

- A tourist in Manila, whether local or foreign needs a minimum of five (5) hours to motor his way up to Baguio. Air travel to Baguio is not reputed for comfort and safety. It is oftentimes cancelled due to low visibility. The same tourist can fly to Iloilo City in 50 minutes, motor leisurely to Poblacion Leon in 30 minutes and go up to the Bucari Area in another 30 to 40 minutes (20 minutes by motorcycle). In 2 hours or less, our tourist can be "away from it all."
- Baguio City is as urban as they come. A tourist needs to go further afield to get the feel of being "far from maddening crowd". Bucari is wonderfully rustic in every way.
- Baguio City and its environs are affected by seismic activity. Bucari is not.

- Baguio City is a concrete city. In Bucari, one can walk short distances to a number of waterfalls, springs, streams and natural swimming pools.

But Bucari is not all scenery. In fact, it can be described as a place "where nature, legend, myth and history meet". Oral tradition has it that the Bornean Datus (Datu Sumakwel is well remembered) used to cross the area as a short-cut from one side of Panay Island to another. There still exists a well in Bucari known as "Bubon ni Sumakwel" (Sumakwel's well). Historically, the area has served as a refuge for Filipino patriots in our resistance to the tyranny of Spain, the United States, Japan and even the dictatorship. It is a matter of record that the only civil resistance government that did not fall to Japanese hands - the Free Government of Panay and Romblon was established by the statesman Tomas Confesor in the Bucari area on May 8, 1942.

The potentials of the area for ecological enterprises are virtually limitless. It is ideal for agro-forestry, especially with the use of the "Sloping Agricultural Land Technology" (SALT). All the flower and vegetable varieties that grow in Baguio grow in Bucari. And considering the fact that a tourist can reach Bucari from Manila in about 2 hours, the cutflowers, the strawberries, asparagus, and all assorted vegetables and fruits can reach Manila fresh - also in 2 hours.

As in the case of Baguio, Bucari is also ideal for camping, trekking, hiking, mountain climbing, horseback and mountain bike riding, or plain and simple meditation. But unlike Baguio, Bucari is close enough to the famous beaches and resorts of Boracay and those in Northern and Southern Iloilo - and even of Guimaras - that the attractions of mountains and seas can be readily combined in one irresistible tourism package.

Considering all these potentials, the Bucari Area must be preserved and protected, enhanced, developed and promoted as a priceless jewel among the abundant treasures of our nation.


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Introduced by REP. JUDY J. SYJUCO

AN ACT CREATING THE BUCARI ECO-TOURISM AUTHORITY AND VESTING THE AUTHORITY WITH POWER TO ADMINISTER AND OPERATE THE BUCARI ECO-TOURISM AREA AND TO DECLARE BARANGAYS BUCARI, CAMANDAG, BULWANG, BOBON, BACOLOD, MALIAO, CABUNGA-AN, LAMPAYA, DANAOS, INGAY, CABOLO-AN, TAGSING AND IGCADIOS IN THE MUNICIPALITY OF LEON, PROVINCE OF ILOILO AND BARANGAYS MANASA, LICO, DAO, UMINGAN, TABUG, CABACANAN-PROPER AND CABACANAN-RIZAL IN THE MUNICIPALITY OF ALIMODIAN, PROVINCE OF ILOILO COLLECTIVELY AS A SPECIAL ZONE FOR TOURISM AND ECOLOGICAL ENTERPRISES.

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

SECTION 1. Title . - This act shall be known and cited as the "Charter of the Bucari Eco-Tourism Zone Authority."

SEC. 2. Creation of the Bucari Eco-Tourism Authority. - There is hereby established a body corporate to be known as the Bucari Eco-Tourism Authority which shall be hereinafter referred to as "BETA"

SEC. 3. Composition. - Barangays Bucari, Camandag, Bulwang, Bobon, Bacolod, Maliao, Cabunga-an, Lampaya, Cagay, Danao, Ingay, Cabolo-an, Tagsing, and Igcadios in the Municipality of Leon, Province of Iloilo and Barangays Manasa, Lico, Dao, Umingan, Tabug, Cabacanan-Propor and Cabacanan-Rizal in the Municipality of Alimodian, Province of Iloilo are hereby collectively declared as a special zone for tourism and ecological enterprises and shall henceforth be known as the "Bucari Area" which shall be administered by the Bucari Eco-Tourism Authority, and shall be accorded priority development by the Department of Tourism, the Department of Trade and Industry, the Department of Public Works and Highways, the Department of Agriculture and the Department of Environment and Natural Resources and shall be subject to the rules and regulations governing the development of tourism and ecological enterprise zones.

SEC. 4. Powers and Functions of the Bucari Eco-Tourism Authority - The BETA shall have the following powers an functions:

- (1) To act as the lead implementing agency in the implementation of the projects of the Department of Tourism, Department of Public Works and Highways, the Department of Agriculture, the Department of Environment and Natural Resources, the Department of Trade and Industry and other concerned agencies of the government, in consultation and coordination with all the local government units whose areas are included in the "Bucari Area" and interested non-governmental organizations;
- (2) To screen, accept and approve any local or foreign investment, business, enterprise or industry, which would affect and disturb the preservation of the Bucari Area as an Eco-Tourism Area, subject only to such rules and regulations to be promulgated by the Bucari Eco-Tourism Authority and in conformity with the existing laws and the laws enacted by the local government units whose area belongs to the coverage of the BETA;
- (3) To undertake and regulate the establishment, operation and maintenance of utilities, other services and infrastructure in the Bucari Area;
- (4) To construct, acquire, own, lease, operate and maintain on its own or through contract, franchise and license permits bulk purchase from the private sector and build-operate-transfer scheme or joint venture the required utilities and infrastructure in coordination with local government units and appropriate government agencies concerned with existing applicable laws therefor;
- (5) To adopt, alter and use a corporate seal;
- (6) To contract, lease sell, dispose, acquire, and own properties;
- (7) To sue and be sued in its own name in order to carry out its duties and functions as provided for in this Act and to exercise the power of eminent domain for public use and public purpose;
- (8) Within the limitations provided for by law, to raise and/or borrow the necessary funds from local and international financial institutions and to issue bonds, promissory notes, and other securities for that purpose and to secure the same by guarantee, pledge, mortgage, deed of trust, or assignment of its properties held for the purpose of financing its projects and programs within the framework and limitations of this Act;
- (9) To operate directly or indirectly or license tourism-related activities subject to priorities and standards set by the BETA including games and amusements, except horse racing, dog racing, and casino gambling which shall continue to be licensed by the Philippine Amusement and Gaming Corporation (PAGCOR) upon recommendation of the BETA;
- (10) To maintain and preserve the forested areas as a national park;
- (11) To authorize the establishment of appropriate educational and medical institutions;
- (12) To protect, maintain and develop the virgin forests within the Area which will be proclaimed as national parks and subject to a permanent total log ban, and for this purpose, the rules of the Department of Environment and Natural Resources and other government agencies directly involved in the above functions shall be implemented concurrently by the BETA;

(13) To adopt and implement measures and standards for environmental pollution control of areas within its territory, including but not limited to all bodies of water and to enforce the same. For which purpose, the BETA shall create an Ecology Center;

(14) and to exercise such powers as may be essential, necessary or incidental to the powers granted to it hereunder as well as to carry out the policies and objectives of this Act;

SEC. 5. Board of Directors - The powers of the BETA shall be vested in and exercised by a Board of Directors, hereinafter referred to as the Board, which shall be composed of fifteen (15) members, to wit:

- (a) The Mayor or in his behalf, a representative of the local government unit or municipality that comprises the area of the BETA;
- (b) The Regional Director of the Department of Tourism as ex-officio member;
- (c) The Regional Director of the Department of Trade and Industry as ex-officio member;
- (d) The Regional Director of the Department of Public Works and Highways as ex-officio member;
- (e) The Regional Director of the Department of Agriculture as ex-officio member;
- (f) The Regional Director of the Department of Environment and Natural Resources as ex-officio member;
- (g) One (1) representative from the private sector;
- (h) The remaining balance to complete the Board shall be composed of representatives from the business and investment sector;

The Chairman and the other members of the Board shall be appointed by the President to serve a term of six (6) years unless sooner removed for cause except for the representatives of the local government units who shall serve for a term of three (3) years. In case of removal for cause, resignation, death, or permanent incapacity, the replacement shall only serve only the unexpired portion of the term.

No person shall be appointed as member of the Board unless he is a Filipino citizen, of good moral character, and of recognized competence in relevant field including but not limited to economics, management, international relations, law, or engineering. Preference in the appointment shall be given to resident within the BETA Area.

Members of the Board shall receive a *per diem* of not more than Two Thousand Pesos (P2,000.00) for every Board meeting: Provided, however, That the per diem collected per month does not exceed the equivalent of four (4) meetings: Provided, further, That the amount of *per diem* may be increased by the President: Provided, finally, That the amount of *per diem* shall not be increased within two (2) years after its last increase.

SEC. 6. *Chairman/Administrator.* - The President shall appoint a professional manager as administrator of the BETA with a compensation to be determined by the Board subject to the approval of the Secretary of Budget.

SEC. 7. *Capitalization/Funding.* - The National Government shall allocate up to P_____ billion over a period of _____ years as its initial funding.

SEC. 8. *Relationship with the Local Government Units and the Departments* -

- (a) The provisions of existing laws, rules, and regulations to the contrary notwithstanding, the BETA shall exercise administrative powers, rule making and disbursement of funds over the BETA Area;
- (b) In case of conflict between the BETA and the local government units concerned on matters affecting the BETA Area, other than defense, the decision of the BETA shall prevail.

SEC. 9. The Department of Tourism in coordination with the BETA as the lead implementing agency to be assisted by the Department of Public Works and Highways, the Department of Agriculture, the Department of Environment and Natural Resources, The Department of Trade and Industry and other concerned agencies of the government, in consultation and coordination with all the local government units whose areas are included in the "Bucari Area" and interested non-governmental organizations, shall, upon the approval of this Act, immediately prepare a master development plan involving the construction, installation and/or maintenance of such appropriate facilities and infrastructure as well as social economic, health, sanitation, security and ecological programs and projects and shall enhance tourism and ecological enterprises in the area. Provided, that said development plan shall ensure the preservation of the natural beauty and historical significance of the area as well as integrity of the social, moral and economic well-being of the residents of the area.

SEC. 10. The Department of Tourism, the Department of Trade and Industry, the Department of Public Works and Highways, the Department of Agriculture and the Department of Environment and Natural Resources shall take immediate steps to implement said master development plan which shall be incorporated in their respective agency development programs for the ensuing years. . .

SEC. 11. The Department of Tourism, the Department of Trade and Industry, the Department of Public Works and Highways, the Department of Agriculture and the Department of Environment and Natural Resources, in consultation and coordination with all affected local government units and interested non-governmental organizations shall jointly promulgate the necessary rules and regulations for the proper implementation of this Act.

SEC. 12. *Legal Counsel* - Without prejudice to the hiring of an outside counsel, the Government Corporate Counsel shall be the *ex officio* legal counsel of the BETA, and for this purpose he may designate a full time representative whose compensation shall be approved by the Board.

SEC. 13. *Auditor* - The Commission on Audit shall appoint a representative who shall be the full time auditor of the BETA, and such personnel as may be necessary to assist the said representative in the performance of his duties. He is mandated to render a full report to Congress every three (3) months. The salaries of the auditor and his staff shall be approved by the Board.

SEC. 14. *Separability Clause.* - If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 15. *Effectivity Clause.* - This Act shall take effect upon its publication in at least one (1) newspaper of general circulation.

Approved.