Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 1228

Introduced by: HON. FELIX R. ALFELOR, JR.

EXPLANATORY NOTE

This bill was filed with the 12th Congress as House Bill No. 2604 with the following explanatory note:

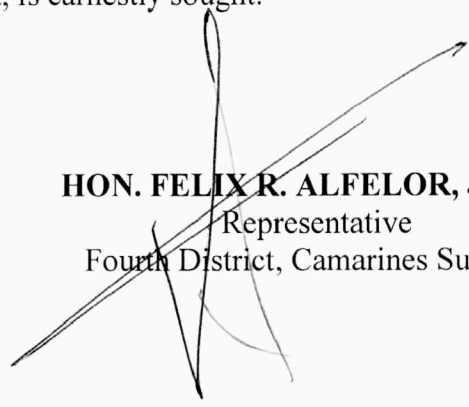
"In advanced countries where environmental standards are high and resources for effective management adequate, wastes are handled through various methods including reclamation, treatment, incinerations, storage and disposal. The hierarchy of waste management options in these countries includes, waste reduction at source, waste recycling and reuse, recovery of raw materials and/or the energy of the content of the wastes, treatment- physical, chemical, biological, thermal (e.g. incineration, pyrolysis, plasma destruction, thermal oxidation) process to convert waste to a form that permits disposal, and disposal residues from treatment usually through land filling is the last option.

While all options have to be availed of, it cannot be denied that land filling has been and continues to be one of the modes adopted by the government to address the waste problem particularly that of Metro Manila.

The closure of the Payatas landfill and the resistance of the people and local officials of San Mateo and Carmona, both hosting a landfill, have virtually converted the metropolis into a giant waste bin. Without downplaying the need to ensure that environmental safeguards are in place, it is however submitted that the sad facts remains that solutions have to be arrived to address the garbage problem. The urgency is shown by the fact that two years ago, Metro Manila alone generates around 6,000.00 metric tons of solid waste per day or 2.2 million per year.

This bill therefore, seeks to address one aspect of the problem and that is to encourage local government units to host landfill facilities by increasing the Internal Revenue Allotment (IRA) share of the province, municipality or city, and barangay hosting such landfill.

In view of the foregoing reasons, the approval of this bill was filed before the 12th Congress but was not acted upon its adjournment, is earnestly sought.



HON. FELIX R. ALFELOR, JR.
Representative
Fourth District, Camarines Sur

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AN ACT
GRANTING INCENTIVE TO LOCAL GOVERNMENT UNITS HOSTING A SANITARY LANDFILL FOR THE NATIONAL CAPITAL REGION'S WASTE MATERIALS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AND FOR OTHER PURPOSES.

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

SECTION 1. Section 285 of Republic Act No. 7160 otherwise known as the Local Government Code of 1991 is hereby amended to read as follows:

"**SECTION 285**. Allocation to Local Government Units.- The share of local government units in the internal revenue allotment shall be allocated in the following manner:

(a) Provinces	-	Twenty-three percent (23%)
(b) Cities	-	Twenty-three percent (23%)
(c) Municipalities	-	Thirty-four percent (34%)
(d) Barangays	-	Twenty percent (20%)

Provided, however, that the share of each province, city and municipality shall be determined on the basis of the following formula:

(a) Population	- Fifty-three percent (50%)
(b) Land Area	- Twenty-five percent (25%; and
(c) Equal Sharing	- Twenty-five percent (25%)

PROVIDED, FURTHER, THAT IN THE COMPUTATION OF SHARES UNDER THIS SECTION, THERE SHALL BE ADDED TO THE SHARE OF EACH PROVINCE, CITY OR MUNICIPALITY, AND BARANGAY, TEN PERCENT (10%) AS INCENTIVE FOR LOCAL

GOVERNMENT UNITS HOSTING A LANDFILL FOR THE WASTE MATERIALS OF THE NATIONAL CAPITAL REGION WITH A CAPACITY OF NOT LESS THAN 2,000 METRIC TONS PER DAY AND A LAND AREA OF AT LEAST FIVE HUNDRED (500) HECTARES DEVOTED OR TO BE DEVOTED FOR THE LANDFILL AND ITS COMPONENT STRUCTURE AS DETERMINED BY THE SOLID WASTE COMMISSION.

PROVIDED, HOWEVER, THAT SUCH INCENTIVE SHALL BE ENJOYED BY THE PROVINCE, CITY OR MUNICIPALITY, AND BARANGAY WHILE THE LANDFILL IS IN OPERATION AND FOR TWO YEARS THEREAFTER IN CASES WHERE THE LANDFILL HAS BEEN IN OPERATION FOR AT LEAST TWO YEARS.

Provided, further, that the share of each Barangay with a population of not less one hundred (100) inhabitants shall not be less the Eighty thousand Pesos (P80,000.00) per annum chargeable against the twenty percent (20%) share of the barangay from the internal revenue allotment, and the balance to be allocated on the basis of the following formula:

(a) On the first year of the effectivity of this Code:
    (1) Population- Forty percent (40%) and
    (2) Equal Sharing- Sixty percent (60%)

(b) On the second year
    (1) Population- Fifty percent (50%); and
    (2) Equal sharing- Fifty percent (50%)

(c) On the third year and thereafter:
    (1) Population- Sixty percent (60%); and
    (2) Equal Sharing- Forty percent (40%)

Provided, finally, that the fiscal requirements of barangays created by local government units after the effectivity of this Code shall be the responsibility of the local government unit concerned."

SECTION 2. The Sangguniang Panlalawigan shall determine and approve the dumpsite or landfill area within its jurisdiction. Provided, however, that, in no case shall each province host more than one (1) landfill.

SECTION 3. The solid Waste Commission shall, issue necessary rules and regulations to implement the provision of this Act.

SECTION 4. This Act shall take effect upon its approval.

Approved,