

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Thirteenth Congress
First Regular Session

HOUSE BILL NO. 3577



Introduced by Honorable Raul T. Gonzalez, Jr.

EXPLANATORY NOTE

Iloilo is one of the country's economic, commercial, industrial and political centers. Its population is about 1,415,022 (as of 1995) and majority belongs to the urban poor category. Thus, the implication for essential services such as education, health and medical services, housing, water resources, among others is declining. The nerve center of Iloilo City, The capital. It is highly urbanized with a population, as of last census of more or less 400,000. Four past growing municipalities surround the City of Iloilo. These are Leganes, Oton, Pavia and San Miguel. All these municipalities and the City of Iloilo itself are the center of economic, commercial, industrial, educational, political and religious activities, not to mention agriculture, transport and communication. With the four (4) municipalities added, Iloilo City and the four municipalities should have a population of more or less 600,000.

As population grows and industrialization continues, one emerging crises for the metropolis is the solid waste disposal management. At present, the problem indeed reaching crises proportion as the metropolis now needs a more effective and efficient waste disposal system to handle the increasing garbage accumulation.

As Metro Iloilo grows, its problems also grow in scale and complexity. This means it now has huge problems – as indeed indicated above.

It is therefore imperative that an effective and efficient system of governance and administration to be installed for metropolitan area.

This Bill, therefore proposes to strengthen such a governing body for metro Iloilo. Its key features include:

1. The governing body being proposed is a development authority. The Metro Iloilo Development Authority or MIDA for a development region, metro Iloilo.
2. The first Chairman of the MIDA council shall be the mayor of Iloilo City after which chair shall rotate, every six (6) months among the mayors of the member local government units.
3. The Chairman is the Chief Executive Officer, given substantial authority and link to the national government.
4. The Chairman upon confirmation of the council will now appoint the Executive Officer and lower level officials.
5. The functions and areas of operating responsibilities as between MIDA, the national government, and the local government units are more clearly delineated. The MIDA likewise is proposed to have implementing authorities and responsibilities for some programs and projects as indicated by national and local priorities.

6. The financing status of MIDA will be resolved as the sources are firmed up with the Council, at the same time, to be given some authority to levy some fees, charges and penalties, in addition to allocation from the national government.

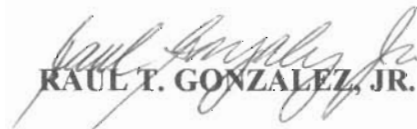
7. The linkages and coordination between national government agencies whose operations affect Metro Iloilo will be more effective with representations of such agencies in the MIDA Council, and vice versa, with MIDA representation in the boards and appropriate committees of such agencies and bodies.

8. The interface between MIDA and local government units is clarified and mechanism for complementation and coordination are better defined.

On the overall, therefore, under this proposed Bill, there would be strengthened and advantage Metro Iloilo governance, with a viable governing body, and the assurance that the Chairman will be well chosen and competent and that the subordinate executives of the authority will have the trust and confidence of the Council members.

Given then, the urgency of the problems that beset Metro Iloilo, (garbage, traffic and transport, basic services, housing and shelter services, and crime control, among others), and given the need to make Metro Iloilo continue to be viable economic, industrial, commercial, cultural, and political center of the country, it is imperative that the Metro Iloilo governance became an urgent priority for legislative enactment.

The early passage of this proposed Metro Iloilo development Authority bill is therefore urged.


RAUL T. GONZALEZ, JR.

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AN ACT
CREATING THE METRO ILOILO DEVELOPMENT AUTHORITY, DEFINING ITS
POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER
PURPOSES.

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

SECTION 1. Declaration of Policy – It is hereby declared to be the policy of the State to treat Metropolitan Iloilo as a special development and administrative region and certain basic services affecting or involving Metro Iloilo as metro-wide services more efficiently and effectively planned, supervised and coordinated by a development authority as created herein, without prejudice to the autonomy of the affected local government units.

Pursuant to this policy, Metropolitan Iloilo, as a public operation shall embrace the City of Iloilo, the municipalities of Oton, Pavia, Leganes and San Miguel is hereby constituted into a special development and administrative region subject to supervision of the Secretary of the Department of Interior and Local Government.

SECTION 2. Creation of the Metropolitan Iloilo Development Authority – The affairs of Metropolitan Iloilo shall be administered by the Metropolitan Iloilo Development Authority, hereinafter referred to as the MIDA.

The MIDA shall perform planning, monitoring and coordinative functions, and in the process exercise regulatory and supervisory authority over the delivery of metro-wide services within Metro Iloilo without diminution of the autonomy of the local government units concerning purely local matters.

SECTION 3. Scope of the MIDA Services – Metro-wide services under the jurisdiction of the MIDA are those services which have metro-wide impact and transcend local political boundaries or entail huge expenditures such that it would not be viable for said services to be provided by the individual local government units (LGUs) comprising Iloilo. These services shall include:

(a). Development planning which includes the preparation of medium and long-term development plans; the development, evaluation and packaging of projects, investments programming; and coordination and monitoring of plan, program and project implementation.

(b). Transport and traffic management which include the formulation, coordination, and monitoring of policies, standards, programs, and projects to rationalize the existing transport operations, infrastructure requirements, the use of thoroughfares, and promotions of safe and convenient movement of persons and goods; provision for the mass transport system and the institution of a system to regulate road users; administration and implementation of all traffic enforcement operations, traffic engineering services and traffic education programs, including the institution of a single ticketing system in Metropolitan Iloilo.

©. Solid waste disposal and management, which include formulation and implementation of policies, standards, programs and projects for proper and sanitary waste disposal. It shall likewise include the establishment and operation of sanitary land fill and related facilities and the implementation of other alternative programs intended to reduce, reuse and recycle solid waste.

(d). Flood control and sewerage management which include the formulation and implementation of policies, standards, programs and projects for an integrated flood control, drainage and sewerage system.

(e). Urban renewal, zoning and land use planning, and shelter services which include the formulation, adoption and implementation of policies, standards, rules, and relations, programs and projects to rationalize and optimize urban land use and provide direction to urban growth and expansion, the rehabilitation and development of slum and blighted areas, the development of shelter and housing facilities and the provision of necessary social services thereof.

(f). Health and sanitation, urban protection and pollution control which include the formulation and implementation of policies, rules and regulations, standards, programs and projects for the promotion and safeguarding of the health and sanitation of the region and for the enhancement of ecological balance and the prevention, control and abatement of environmental pollution.

(g). Public safety which includes the formulation and implementation of programs and policies and procedures to achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and disasters such as conflagrations, earthquakes, flood and tidal waves, and coordination and mobilization of resources and the implementation of contingency plans for the rehabilitation and relief operations in coordination with national agencies concerned.

(h). Plan and develop strategies to discourage mutual migration to the city in order to control unnecessary influx of people to the city which affects shelter facilities, thus, discouraging squatting.

SECTION 4. Metro Iloilo Council – The governing board and policy-making body of the MIDA shall be the Metro Iloilo Council, composed of the mayors of the City of Iloilo and four (4) municipalities enumerated in Section 1 hereof, the President of the Metro Iloilo ABC League of the four areas and the president of the Metro Iloilo Councilors League.

The Regional Directors of the Department of Transportation and Communications (DOTC), Department of Public Works and Highways (DPWH), Department of Tourism (DOT), Department of Budget and Management (DBM), Housing and Urban Development Coordinating Committee (HUDCC), and Philippine National Police (PNP) and the Department of Interior and Local Government (DILG) or their duly authorized representatives, shall attend meeting of the council as non-voting members.

A Chairman, who shall be rotated every six (6) months -- among the mayors, shall head the Council. The first Chairman shall be the Mayor of Iloilo City.

The Chairman shall be assisted by an Executive Officer, and Assistant Executive Officer for Finance and Administration, an Assistant Executive Officer for Planning and Assistant Executive Officer for Operations; all of whom shall be appointed by the Chairman with the consent and concurrence of the majority of the Council.

The Chairman and members of the Council shall be entitled to allowance and per diems in accordance with existing policies, rules and regulation on the matter.

SECTION 5. Functions and Powers of the Metro Iloilo Development Authority – The MIDa shall:

(a). Formulate, coordinate and regulate the implementation of medium and long term plans and programs for the delivery of metro wide services, land use and physical development within Metropolitan Iloilo, consistent with national development objectives and priorities;

(b). Prepare, coordinate and regulate the implementation of medium term investment programs for metro wide services which shall indicate sources and use of funds for priority programs and projects, and which shall include the packaging of projects and presentation to funding institution;

©. Undertake and manage on its own metro wide programs and projects for the delivery of specific services under its jurisdiction, subject to the approval of the Council. For this purpose, MIDa can create appropriate projects management offices;

(d). Coordinate and monitor the implementation of such plans, programs and projects in Metro Iloilo; identify bottlenecks and adopt solutions to problems of implementation;

(e). The MIDa shall see the policies concerning traffic in Metro Iloilo, and coordinates and regulate the implementation of all programs and projects concerning traffic management, especially pertaining to enforcement, engineering and education upon request, it shall be extended assistance and cooperation, including but not limited to, assignment of personnel, by all other government agencies and offices concerned;

(f). Install and administer a single ticketing system, fix, impose and collect fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non moving in nature, confiscate and suspend, or revoke drivers' licenses in the enforcement of such traffic laws and regulations, the provisions of RS 4136 and PD 1605 to the contrary notwithstanding. For this purpose, the Authority shall enforce all traffic laws and regulations in Metro Iloilo, through its traffic operations center and may deputize members of the PNP, traffic enforcers of local government units, duly licensed security guards, or members of non government organizations to whom may be delegated certain authority, subject to such conditions and requirements as the Authority may impose; and

(g). Perform other related functions required to achieve the objectives of the MIDa, including the undertaking of delivery of basic services to the local government units, when deemed necessary to prior coordination with and consent of the local government unit concerned.

SECTION 6. Functions of the Metro Iloilo Council –

(a). The Council shall be the policy-making body of the MIDa.

(b). It shall approved metro wide plans, programs and projects and issue rules and regulations and resolutions deemed necessary by the MIDa to carry out the purposes of this Act.

©. It may increase the rate of allowances and per diems of the members of the Council to be effective during the term of the succeeding Council, it shall fix the compensation of the officers and personnel of the MIDa, and approve the annual budget thereof for submission to the Department of Budget and Management (DBM).

(d) It shall promulgate rules and regulations and set policies and standards for metro wide application governing the delivery of basic services, prescribe and collect service and regulatory fees, and impose and collect fines and penalties.

SECTION 7. Functions of the Chairman – The Chairman shall:

(a). Appoint subject to civil service laws, rules and regulations, all subordinate officers and employees, who shall enjoy security of tenure may be removed only for cause in accordance

on full time or part time basis, as may be required in the performance of his functions and duties as maybe determined by him;

(b). Execute the policies and measure approved by the Metro Iloilo Council and responsible for the efficient and effective day to day management of the operations of the MIDA;

©. Prepare the annual budget for the operations of the MIDA for submission to the Council;

(d). Submit for consideration of the Council such other policies and measures as he may deem necessary to carry out the purposes and provisions of this Act;

(e). Subject to the guidelines and policies set by the Council, prepare the staffing pattern and fix the number of subordinate officials and employees of the MIDA; and exercise the power to discipline subordinate officials and employees under the provisions of law;

(f). Prepare an annual report on the accomplishments of the MIDA at the close of each calendar year for submission to the Council and to the President of the Philippines; and

(g). Perform such other duties as may be assigned to him by the President or by the Council.

SECTION 8. Functions of Executive Office – The Executive Officer shall:

(a). Assist the Chairman in the administration of the MIDA and supervision of subordinate personnel;

(b). Assist the Chairman in the supervision of the operation of the various operating centers and units of MIDA;

©. Assist the Chairman in review of plans and programs for the MIDA and for Metro Iloilo in the preparation of the annual report of activities and accomplishments of the MIDA; and

(d). Perform such other duties and functions as may be delegated or assigned by the Chairman from time to time.

SECTION 9. Institutional Linkages of the MIDA - The MIDA shall, in carrying out its functions, consult, coordinate and work closely with the LGUs, the National Economic and Development Authority (NEDA) and other national government agencies mentioned in Section 4 hereof, and accredited people's organizations (Pos), non-government organizations (NGOs), and the private sector operating in Metro Iloilo. The MIDA chairman or his authorized representative from among the Council members, shall be *ex officio* member of the boards of government corporations and committees of the departments and offices of government whose activities are relevant to the objectives and responsibilities of the MIDA which shall include but not limited to Metropolitan Iloilo Waterways Department (MIWD), DOTC, DPWH, HUDCC and Department of Interior and Local Government (DILG).

The MIDA Shall have a master plan that shall serve as the framework for the local development plans of the component LGUs.

The MIDA shall submit its development plans and investment programs to the NEDA for integration into the Medium Term Philippine Development Plan (MTPDD) and public investment program.

The implementation of the MIDA's plans, programs, and projects shall be undertaken by the LGUs, the concerned national government agencies, the Pos, NGOs and private sector and the MIDA itself where appropriate. For this purpose, the MIDA may enter into contracts, memoranda of agreement and other cooperative arrangements with these bodies for the delivery of the required services within Metropolitan Iloilo.

The MIDA shall, in coordination with the NEDA and the Department of Finance, interface with foreign assistance agencies for purposes of obtaining financing support, grants and donations in support of its programs and projects.

SECTION 10. Sources of Funds and Operating Budget of MIDA:

(a). To carry out the purposes of this Act, the amount of Fifty Million Pesos (50,000.00) is hereby authorize to be appropriated for the initial operation of the MIDA. Thereafter the annual expenditures including capital outlays of the MIDA shall be provided in the General Appropriations Act.

(b). The MIDA is likewise empowered to levy fines, and impose fees and charges for various services rendered.

©. Five percent (5%) of the total annual gross revenue of the preceding year, net of the internal revenue allotment, or each local government unit mentioned in Section 2 hereof, shall accrue and become payable monthly to the MIDA by each city or municipality. In case of failure to remit the said fixed contribution, the DBM shall cause the disbursement of the same to MIDA chargeable against the IRA allotment of the city or municipality concerned, the provisions of Section 286 of RA 7160 to the contrary notwithstanding.

SECTION 11. Repealing Clause – All other laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with or contrary to the provisions of this Act are hereby repealed or modified accordingly.

SECTION 12. Separability Clause – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

SECTION 13. Effectivity – This Act shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Approved.