

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

COMMITTEE REPORT NO. 679

**Submitted by the Committee on Suffrage and Electoral
Reforms on 02 MAR 2011**

Re : House Bill No. 4307

**Recommending its approval in substitution of House Bill
No. 2722**

**Sponsors : Representatives Elpidio F. Barzaga, Jr., Rufus
B. Rodriguez and Maximo B. Rodriguez, Jr.**

Mr. Speaker:

The Committee on Suffrage and Electoral Reforms, to which was referred House Bill No. 2722, introduced by Reps. Rufus B. Rodriguez and Maximo B. Rodriguez, Jr, entitled:

**"AN ACT
PROVIDING FOR EARLY VOTING
FOR THE NATIONAL AND LOCAL ELECTIONS"**

has considered the same and recommends that the attached House Bill No. 4307 entitled:

**"AN ACT
PROVIDING FOR EARLY VOTING
FOR THE NATIONAL AND LOCAL ELECTIONS"**

be approved in substitution of House Bill no. 2722 with Reps. Rufus B. Rodriguez and Maximo B. Rodriguez, Jr. as authors thereof.

Respectfully submitted:

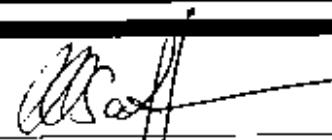
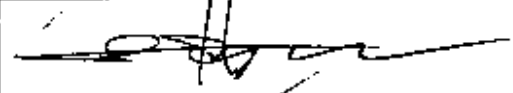
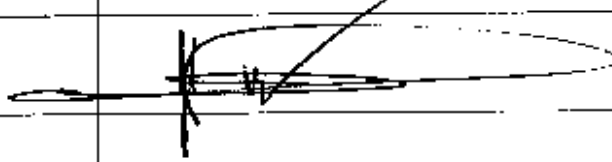
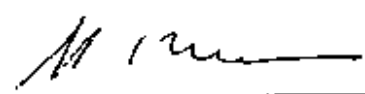
HON. ELPIDIO F. BARZAGA, JR.
Chairman
Committee on Suffrage and
Electoral Reforms

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

THE COMMITTEE REPORT OF THE COMMITTEE ON SUFFRAGE AND
ELECTORAL REFORMS, ON HOUSE BILL NO. , ENTITLED,

“AN ACT
PROVIDING FOR EARLY VOTING
FOR THE NATIONAL AND LOCAL ELECTIONS”

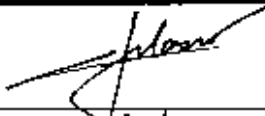
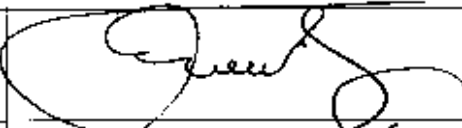
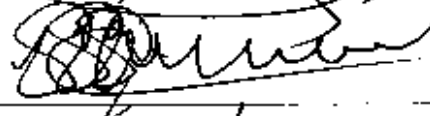
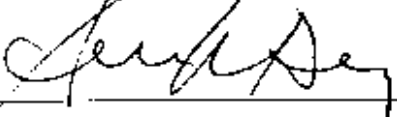
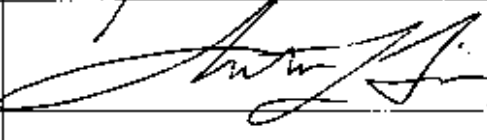
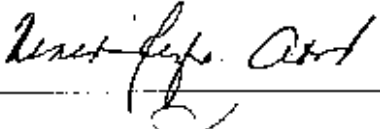
FOR THE MAJORITY:

NO.	NAME OF MEMBER	SIGNATURE
1.	HON. SALVACION, ANDRES, JR. D.	
2.	HON. ORTEGA, FRANCISCO EMMANUEL R.	
3.	HON. FERRER, ANTONIO A.	
4.	HON. COLMENARES, NERI J.	
5.	HON. AMANTE-MATBA, MA. ANGELICA M.	
6.	HON. TEODORO, MARCELINO R.	
7.	HON. AGGABAO, GIORGIDI B.	
8.	HON. GATCHALIAN, REXLON T.	
9.	HON. . GO, ANA CRISTINA S.	
10.	HON. PRIMICIAS-AGABAS, MARLYN L.	

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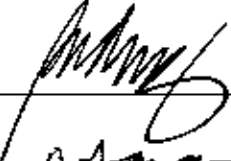
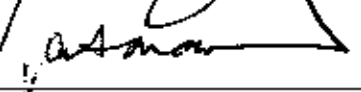
FOR THE MAJORITY:

NO.	NAME OF MEMBER	SIGNATURE
11.	HON. VELASCO, LORD ALLAN Q.	
12.	HON. NOGRALES, KARLO ALEXEI B.	
13.	HON. DEFENSOR, ARTHUR, JR. R.	
14.	HON. MARCOLETA, RODANTE D.	
15.	HON. ROMUALDO, PEDRO P.	
16.	HON. DIAZ, ANTONIO M.	
17.	HON. BELLO, WALDEN F.	
18.	HON. LOPEZ, CAROL JAYNE B.	
19.	HON. TINIO, DANTE ANTONIO L.	
20.	HON. GOLEZ, ROILO S.	
21.	HON. ABAD, HENEDINA R.	
22.	HON. APOSTOL, SERGIO AF	

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FOR THE MAJORITY:

NO	NAME OF MEMBERS	SIGNATURE
23.	HON. COSALAN, RONALD H.	
24.	HON. RODRIGUEZ, RUFUS B.	
25.	HON. MALIKSI, ERINEO S.	
26.	HON. UMALI, REYNALDO V.	
27.	HON. GULLAS, EDUARDO R.	
28.	HON. EMANO, YEVGENY VICENTE B.	

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FOR THE MINORITY:

NO	NAME OF MEMBERS	SIGNATURE
29.	HON. DATUMANONG, SIMEON A.	
30.	HON. ORTEGA, VICTOR F.	
31.	HON. FUA, ORLANDO B.	
32.	HON. AUMENTADO, ERICO B.	

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FOR THE EX-OFFICIO MEMBERS:

NO	NAME OF MEMBERS	SIGNATURE
1.	HON. FELICIANO BELMONTE, JR. Speaker	
2.	HON. RAUL A. DAZA Deputy Speaker	
3.	HON. LORENZO R. TANADA III Deputy Speaker	
4.	HON. PABLO P. GARCIA Deputy Speaker	
5.	HON. ANTONIO A. DEL ROSARIO deputized by ARNULFO P. FUENTEBELLA Deputy Speaker	
6.	HON. JÉSUS CRISPIN C. REMULLA Deputy Speaker	
7.	HON. IRVIN M. ALCALA deputized by MARIA ISABELLE G. CLIMACO Deputy Speaker	
8.	HON. NEPTALI M. GONZALES II Majority Leader	
9.	HON. JANETTE L. GARIN Deputy Majority Leader	
10.	HON. ROMAN T. ROMULO Deputy Majority Leader	

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"AN ACT
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FOR THE EX-OFFICIO MEMBERS:

NO	NAME OF MEMBERS	SIGNATURE
11.	HON. RODOLFO C. FARINAS Deputy Majority Leader	
12.	HON. MAR-LEN ABIGAIL S. BINAY, Deputy Majority Leader	
13.	HON. MAGTANGGOL T. GUNIGUNDO I, Deputy Majority Leader	
14.	HON. DAISY A. FUENTES Deputy Majority Leader	
15.	HON. JORGE JOHN B. BANAL, JR. Deputy Majority Leader	
16.	HON. ROMERO FEDERICO S. QUIMBO Deputy Majority Leader	
17.	HON. EDCEL C. LAGMAN Minority Leader	
18.	HON. DANILO E. SUAREZ Deputy Minority Leader	
19.	HON. AUGUSTO L. SYJUCO, JR. Deputy Minority Leader	
20.	HON. CARLOS M. PADILLA Deputy Minority Leader	

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FOR THE EX-OFFICIO MEMBERS:

NO	NAME OF MEMBERS	SIGNATURE
21.	HON. FERDINAND MARTIN G. ROMUALDEZ deputized by HON. MA. AMELITA C. VILLAROSA Deputy Minority Leader	
22.	HON. MARC DOUGLAS C. CAGAS IV Deputy Minority Leader	
23.	HON. FLORENCIO G. NOEL Chairperson Committee on Accounts	

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES

}

First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. 4307
(in substitution of House Bill No. 2722)

Introduced by Representatives Rufus B. Rodriguez and Maximo B. Rodriguez, Jr.

**AN ACT PROVIDING FOR EARLY VOTING FOR THE NATIONAL AND LOCAL
ELECTIONS**

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

1 **SECTION 1. Declaration of Policy.** It is hereby declared the policy of the
2 State to make voting convenient to people by giving them the option to vote
3 earlier than the date set for the election.

4 **SEC. 2. Early Voting.** For national and local elections, there shall be
5 early voting where a voter may choose to appear at the polling place within
6 fourteen (14) working days before the date set for the election and vote in a booth
7 as one would on the date of the election or at the Office of the City or Municipal
8 Election Registrar where one is registered.

9 **SEC. 3. Appropriations.** The amounts necessary to fund early voting for
10 the national elections shall be included in the General Appropriations Act for the
11 corresponding fiscal year.

12 **SEC. 4. Applicability of Other Laws.** The provisions of the Omnibus
13 Election Code, Republic Act. No. 7166 and other election laws not inconsistent
14 herewith shall be applied to early voting.



1 **SEC. 5. Rules and Regulations.** The Commission on Elections shall
2 issue rules and regulations to implement this Act which shall be published in at
3 least two (2) national newspapers of general circulation.

4 **SEC. 6. Separability Clause.** Should any provision of this Act or any
5 part thereof is declared invalid, the other provisions, so far as they are
6 separable, shall remain in full force and effect.

7 **SEC. 7. Repealing Clause.** All laws, orders, issuances, rules and
8 regulations or parts thereof inconsistent with this Act are hereby repealed or
9 modified accordingly.

10 **SEC. 8. Effectivity.** This Act shall take effect fifteen (15) days after its
11 complete publication in at least two (2) newspapers of general circulation.

12 **Approved,**

FIFTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
FIRST REGULAR SESSION

HOUSE OF REPRESENTATIVES

Introduced by Honorable Rufus B. Rodriguez and
Honorable Maximo B. Rodriguez, Jr.

2722

House Bill No. _____

EXPLANATORY NOTE

Many states in America now allow early voting, in which ballots are cast prior to Election Day. The primary argument in favor of early voting is that it increases turnout by making it easier to vote. A research shows that in the 24 states in America with no excuse absentee voting, turnout increased in 2004 in the aggregate by 6.7 percent, whereas it increased 6.2 percent for the other states. In the 11 states that had early voting in both 2002 and 2004, turnout increased by an aggregate average of 7.2 percentage points as opposed to 6.2 in states without early voting.

In addition to the statistical evidence, early voting is advocated by voting rights groups whose primary concern is making voting as convenient as possible for voters, because it gives them significantly more time to complete their ballots or go to the polls.

Some election administrators also prefer early voting because it allows them more time to process ballots, relieves some of the strain on voting systems that occurs on Election Day, cuts down long lines, and reduces the number of poll workers needed.

This bill seeks to provide for early voting in the Philippines for the 2010 National Elections. In view of the foregoing, the approval of this bill is earnestly sought.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

FIFTEENTH CONGRESS
REPUBLIC OF THE PHILIPPINES
FIRST REGULAR SESSION

HOUSE OF REPRESENTATIVES

Introduced by Honorable Rufus B. Rodriguez and
Honorable Maximo B. Rodriguez, Jr.

House Bill No. 2722

AN ACT
PROVIDING FOR EARLY VOTING FOR THE NATIONAL AND LOCAL
ELECTIONS

*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 policy of the State to make voting convenient to people by giving them option to vote earlier than election day proper.

Section 2. Early Voting. For National and Local Elections, there shall be early voting where a voter may choose to appear at the polling place before Election Day and vote in a booth exactly as he or she would on the day of the election.

Section 3. Applicability of Other Laws. The provisions of the Omnibus Election Code, Republic Act No. 7166 and other election laws not inconsistent herewith shall be applied to early voting.

Section 4. Rules and Regulations. The Commission on Elections shall issue rules and regulations to implement this Act. Said rules shall be published in at least two (2) national newspapers of general circulation.

Section 5. Appropriation. - The amounts necessary to fund subsequent early voting for the national elections shall be included in the General Appropriations Act for the corresponding fiscal year.

Section 6. Separability Clause. - Should any provision of this Act or any part thereof be declared invalid, the other provisions, so far as they are separable from the invalid ones, shall remain in full force and effect.

Section 7. Repealing Clause. - All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Section 8. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved.

COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS
15th Congress

MINUTES OF THE MEETING

November 23, 2010, Tuesday, 1:30 PM
Conference Rooms 1 & 2, RVM Bldg.,
House of Representatives, Batasan Complex

I. CALL TO ORDER

The meeting was called to order 2:05 PM.

II. ROLL CALL

Upon the duly seconded motion of Rep. Fua, the calling of the roll was dispensed with.

III. READING AND APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2010 MEETING

Upon the duly seconded motion of Rep. Fua, the minutes of the November 17, 2010 were approved. The reading of the same was dispensed with.

IV. ACKNOWLEDGMENT OF MEMBERS, GUESTS AND RESOURCE PERSONS

The Chair acknowledged the members of the committee in attendance. Representatives from the Commission on Elections (COMELEC), the Department of Justice (DOJ), the Parish Pastoral Council for Responsible Voting (PPCRV), the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) were likewise present.

V. MEETING PROPER

a) ON EARLY VOTING

- For qualified members of the media

- (i) HB 1510 by Rep. Teodoro and
- (ii) HB 1960 by Reps. Casiño, Colmenares, Ilagan, Mariano, Palatino, De Jesus and Tinio

- For national and local elections

- (i) HB 2722 by Reps. (R) Rodriguez and (M) Rodriguez

COMELEC Director Pizana informed the body that the early voting bills are doable. She explained the process of local absentee voting identifying all the steps involved. This privilege, she said, is extended to members of the Special Board of Election Inspectors, AFP, PNP, district supervisors, COMELEC, DFA and other officials that are assigned in different parts of the country during election day. "But it will be easier to implement if they will vote only for national positions," she added.

At this point, Vice-Chairman Colmenares presided over the meeting.

Director Rafanan commented on the early voting for qualified members of the media. He stated that, "The easiest way to accomplish this is to insert in the existing EO for local absentee voting the word "media" in the categories that enjoy the privilege." He proposes further that the term "local absentee voting" be amended to "domestic absentee voting" to differentiate it from "overseas absentee voting." "The word "local" is misconstrued as not including national positions for voting," he explained.

Presiding Officer Colmenares gave a summary of Director Pizana's pronouncements. He stated that the Executive Order governing local absentee voting excludes local positions. "It would be better if they can vote for local positions," he furthered. He likewise expressed his apprehensions on how to go about early voting or local absentee voting for media as they come from private entities. Director Rafanan sees no problem in implementing the law even if media practitioners do not come from the government.

The Presiding Officer emphasized on the point that even if it is easier on the part of the COMELEC to exclude local positions in local absentee voting, it will be better that those who have the privilege will be able to vote for all positions as they, in the first place, will vote in their respective places of registration. Director Rafanan said that the suggestion is very feasible.

Rep. Fua stated that it may fall under class legislation if the members of the media will be allowed to vote for local positions and the others who enjoy local absentee voting privileges cannot.

Director Rafanan answered that everyone who enjoys the said privilege, not only the members of the media, shall be allowed to vote for local positions.

Director Rafanan put his opinion forward on the overseas absentee voting law being more effective if it operates on proxy voting. Presiding Officer Colmenares reacted that the director's pronouncements are not supposed to be a part of the discussions. "A meeting on the OAV will be scheduled very soon; maybe those points could be integrated there," the Presiding Officer added.

At this point, Rep. Rodriguez emphasized on the need to institutionalize early voting in the country citing long lines, low voter turn-out and the discomfort in voting as reasons. He informed the body that the biggest states in the US practice early voting. He then moved for the approval of his bill.

Director Rafanan gave his comments. He is apprehensive that the long lines on election day will transfer to the lines or queues in early voting unless the privilege is extended only to those who really need it.

Rep. Fua stated that he was able to observe firsthand the elections in California. "It is as if there is no election going on, how can we do it like that," he asked.

Dr. Serrano of PPCRV is concerned on trending, cheating tactics and security risks that early voting may unintentionally encourage. "A select group is more manageable than the general public," he stated.

Presiding Officer Colmenares then said that, "This will be more work for COMELEC, yes. But this is strengthening the exercise of the right to suffrage."

Rep. Rodriguez' motion to approve early voting for national and local elections was carried. House Bill No. 2272 is approved subject to amendments. He then moved for the approval of the two bills on early voting for qualified members of the media subject to substitution. The same was likewise carried and House Bill Nos. 1510 and 1960 were approved. } /

b) ON STIFFER PENALTIES ON ELECTION-RELATED VIOLENCE

(i) HB 584 by Reps. (R) Rodriguez and (M) Rodriguez

At this point, Chairman Barzaga presides.

Rep. Rodriguez stated that he filed House Bill No. 2514 in the 14th Congress and was transmitted to the Senate but it did not act on it. For the present 15th Congress, he re-filed the same bill on stiffer penalties on election-related violence. House Bill No. 584 seeks to impose harsher penalties on violence connected to elections. He then moved for its approval.

Before acting on the motion, the Chair gave the opportunity for the invited resource persons to make their positions on the matter manifest.

The representatives of the PNP and AFP fully support the imposition of harsher penalties on election-related violence to deter future offenders.

Atty. Cuevas of the DOJ informed the body that insofar as preliminary investigations on election-related case are concerned, they are exclusively lodged with the COMELEC.

Director Rafanan reacted by saying that jurisdiction is now concurrent with COMELEC and the DOJ. "RA 9369 Section 43 amends Section 265 of the Omnibus Election Code.

The Chair directed Atty. Cuevas to submit a position paper on the matter.

Rep. Rodriguez' motion to approve his bill on stiffer penalties on election-related violence is carried. House Bill No. 584 was approved without amendments.

c) ON STRENGTHENING THE POLITICAL PARTY SYSTEM

(i) HB 49 by Reps. (R) Rodriguez and (M) Rodriguez

(ii) HB 403 by Rep. Angara

For lack of time, the discussions on the bills on strengthening the political party system were deferred for the next meeting.

VI. ADJOURNMENT

The meeting was adjourned at 3:25 PM.

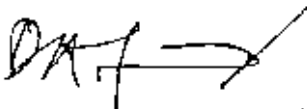
Prepared by:



CARLA MAY F. BAUTISTA

SLSO-II

Certified correct by:



DEBBIE ANNE F. SORIANO-GARCIA
Committee Secretary

Approved by:

ELPIDIO F. BARZAGA, JR.
Chairman

FACT SHEET

House Bill No. _____
(in substitution of House Bill No. 2722)

AN ACT PROVIDING FOR EARLY VOTING FOR THE NATIONAL AND LOCAL ELECTIONS

*Introduced by: HON. RUFUS B. RODRIGUEZ and
HON. MAXIMO B. RODRIGUEZ, JR.*

*Committee Referral: Committee on Suffrage and Electoral Reforms
Committee Chairperson: HON. ELPIDIO F. BARZAGA, JR.*

OBJECTIVES:

- To provide for early voting in the Philippines to make voting more convenient as it gives more time to process ballots, relieves some of the strain on voting systems that occurs on Election Day, cut down long lines and reduce the number of poll workers needed.

KEY PROVISIONS:

- Mandates an early voting for the national and local Elections where a voter may choose to appear at the polling place before Election Day and vote in a booth exactly as he would on the day of the election.
- Provides that the provisions of the Omnibus Election Code, Republic Act No. 7166 and other election laws not inconsistent herewith shall be applied to early voting.

RELATED LAWS:

- Republic Act No. 7166
- Omnibus Election Code