

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

FIFTEENTH CONGRESS
Third Regular Session



House Bill No. 6469

Introduced by Honorable Erico B. Aumentado

EXPLANATORY NOTE

The power of appropriation belongs to the domain of the Congress of the Philippines. Thus, Article VI, Section 29 (1), of the Constitution provides that **"no money shall be paid out of the Treasury except in pursuance of an appropriation made by law."**

According to Justice Isagani A. Cruz, a leading constitutional authority, that while "law" as here used may refer to constitutional appropriations like the grant of a P300,000.00 salary to the President, it is more often supposed to denote statutes enacted by the lawmaking body. Funds are always needed for the support of public projects; money is the motive force and lubricant of the machinery of government. **Hence, the power of the purse is one of the most important prerogative of the Congress.**

Incidentally, the power of appropriation originates from the House of Representatives. This is clearly provided for under Section 18, Article VI of the Constitution which provides:

"Sec. 18. All **appropriation**, revenue or tariff bills, bills authorizing increase of the public debt, bills of local application, and private bills, **shall originate exclusively in the House of Representatives**, but the Senate may propose or concur with amendments".

With the foregoing as the constitutional basis, this bill seeks to authorize and appropriate the funds for the Department of Public Works and Highways to craft a master plan for the flood control of the entire country with emphasis and prioritization of Metro Manila, Central Luzon and the CALABARZON areas.

The country becomes vulnerable to massive flooding during typhoons, monsoon rains and occurrence of low pressure areas. These floods have caused tremendous loses of lives and properties wasting billions of pesos worth of destruction, and more so, in economic loses.

With the reformist governance of Pres. Benigno S. Aquino III, and his political will to pursue a master plan against the devastating floods in the country, it is now time and opportune for the Congress of the Philippines to enact a public works flood control law to be implemented in a multi year basis up to the year 2040.

The DPWH intends to develop a safe society that is resilient to floods as the Aquino government's response to the massive destruction wrought by the floods whipped by typhoons Ondoy and Pepeng, and this month of August, by the *Habagat* monsoon rains with a wide swath of destruction in Metro Manila, Central Luzon and CALABARZON. The plan as envisioned for Metro Manila, Central Luzon and CALABARZON would entail an outlay of P352 billion.

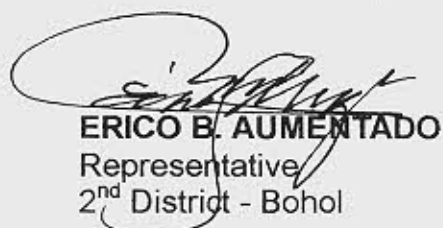
The country also remembers the tremendous loss of lives and properties in the Ormoc flood, in the Guinsaugon Southern Leyte flood and landslide, in the Cagayan De Oro City and the Iligan City floods as well as the CARAGA region floods and landslides. Western and Central Visayas also suffered destruction of lives and properties due to floods and landslides whipped by typhoons and monsoon rains.

Considering that destruction of lives and properties occurred also in the flood prone provinces of Northern Luzon, the Bicol region, the Visayas and Mindanao, there is, therefore, an imperative need for the DPWH, headed by visionary and well respected Secretary Rogelio Singson, to craft also a long-term flood control program for these regions. This way, a nationwide master plan shall be put in place by DPWH.

The estimated requirements of a nationwide flood control program in the ballpark figure of P600 billion can be sourced from the national treasury through a multi year appropriation. It can also be funded by the official development assistance of donor countries such as Japan, Korea, the United States of America, Australia, Great Britain, Canada, the European Union and even China. Lending institutions of concessional loans such as the Japan International Cooperation Agency (JICA), the Korean Economic Development Cooperation Fund – Eximbank, the World Bank, and the Asian Development Bank, among others, can also be tapped for the purpose of funding this ambitious program.

The Department of Public Works is the appropriate agency to implement this massive, nationwide flood control program.

In the light of the foregoing, it is most earnestly urged of this Congress to approve this bill.



ERICO B. AUMENTADO
Representative
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AN ACT

AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS MULTI-YEAR FLOOD CONTROL PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

Section 1. Short Title. This act shall be known as the "*Public Works Flood Control Act of 2012*".

Section 2. The Department of Public Works and Highways (DPWH) is hereby mandated to operate and maintain the flood control facilities in Metro Manila and the entire Philippines.

Section 3. Towards that end, DPWH shall prepare a master plan for effective and comprehensive flood management in the entire country up to 2040. The plan shall start for Metro Manila, Central Luzon, and the CALABARZON, where the Department has the plans thereof.

Section 4. The Department shall also craft a master plan of flood controls for the Northern Luzon, the Bicol region, the Visayas and Mindanao.

Section 5. The amount of Six Hundred Billion Pesos (P600,000,000,000) is hereby appropriated for the Public Works flood control program nationwide to be implemented on a multi year basis. The funds shall be incorporated in the General Appropriations Act annually, and as a complementary source, the Department shall tap the official development assistance (ODA) of the Philippines' donor countries and institutions for concessional loans on long term repayment basis.

Section 6. The Department of Public Works shall begin the soonest possible time its program to develop a safe society that is resilient to floods, and after seeking the approval thereof, by the National Economic and Development Authority Board, chaired by the President, shall proceed forthwith to start sourcing funding for the preparatory task of the design and implementation of the priority projects with a total cost of Three Hundred Fifty Two Billion Pesos (P352,000,000,000) in Metro Manila, Central Luzon and CALABARZON listed as follows:

- a. Marikina Large Dam plus improvement on the Pasig River, Napindan River and Marikina River embankments;
- b. The ring-road dike on the rim of Laguna de Bay, embankments and catch basins in the Marikina River watershed and an 8-kilometer dike and pumping stations in Camanava (Caloocan, Malabon, Navotas and Valenzuela) area;
- c. The West Laguna Lake shore land raising;
- d. The Manila core area drainage improvements;
- e. East Manggahan floodway and improvement in Cainta and Taytay rivers;
- f. Malabon-Tullahan river improvement;
- g. Meycauayan river improvement;
- h. Valenzuela-Obando-Meycauayan river improvement;
- i. Land raising for small cities around Laguna Lake and improvements of inflow rivers to Laguna Lake;
- j. South Paranaque-Las Pinas river improvements; and
- k. West Manggahan area drainage improvement.

Section 7. The Department of Public Works and Highways shall prioritize also the flood control projects in the rest of Luzon, the Visayas and Mindanao giving priority to the more flood prone areas therein.

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

Approved.