

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



Sixteenth Congress
First Regular Session

House Bill No. **333** _____

Introduced by **REP. PANGALIAN M. BALINDONG**

EXPLANATORY NOTE

This Bill seeks the creation of a new province by dividing the presently existing Province of Lanao Del Sur into the province of Maranaw (corresponding to the present province's First Congressional District) and the Province of Lanao del Sur (covering the present province's Second Congressional District).

Lanao del Sur today is a province of the Philippines located within the Autonomous Region in Muslim Mindanao (ARMM). With a total land area of 12,051.9 square kilometers, its capital is Marawi City. The province borders Lanao del Norte to the north, Bukidnon to the east, and Maguindanao and Cotabato to the south. To the southwest lies Illana Bay, an arm of the Moro Gulf. Found in the interior of Lanao del Sur is Lake Lanao, the largest lake in Mindanao.

The Legislative Districts of Lanao del Sur, namely the First and Second Districts, are the representations of the province in the Philippine House of Representatives. The 2007 national census placed the province's total population at a little more than 1.13 Million, with some 633,627 residing in the First District, and 504,917 in the Second District.

Article X, Section 10 of the Constitution provides:

Section 10. No province, city, municipality, or barangay may be created, divided, merged, abolished, or its boundary substantially altered, except in accordance with the criteria established in the local government code and

subject to approval by a majority of the votes cast in a plebiscite in the political units directly affected.

The proposed division of the present Province of Lanao del Sur, and the subsequent creation of the Provinces of Maranaw and Lanao del Sur, satisfy the requisites of the Local Government Code of 1991 (LGC), particularly Sections 460 and 461 thereof, as amended by Republic Act (R.A.) No. 9009, which took effect on June 30, 2001, to wit:

SEC. 460. *Manner of Creation.* - A province may be created, divided, merged, abolished, or its boundary substantially altered, only by an Act of Congress and subject to approval by a majority of the votes cast in a plebiscite to be conducted by the Comelec in the local government unit or units directly affected. The plebiscite shall be held within one hundred twenty (120) days from the date of effectivity of said Act, unless otherwise provided therein.

SEC. 461. *Requisites for Creation.* - (a) A province may be created if it has an average annual income, as certified by the Department of Finance, of not less than Twenty million pesos (P=20,000,000.00) based on 1991 constant prices and either of the following requisites:

(i) a contiguous territory of at least two thousand (2,000) square kilometers, as certified by the Lands Management Bureau; or,

(ii) a population of not less than two hundred fifty thousand (250,000) inhabitants as certified by the National Statistics Office:

Provided, That, the creation thereof shall not reduce the land area, population, and income of the original unit or units at the time of said creation to less than the minimum requirements prescribed herein.

(b) The territory need not be contiguous if it comprises two (2) or more islands or is separated by a chartered city or cities which do not contribute to the income of the province.

(c) The average annual income shall include the income accruing to the general fund, exclusive of special funds, trust funds, transfers, and non-recurring income.

A growing metropolis, the Second District of the present Lanao del Sur province, from which this measure proposes to create the new Province of Lanao del Sur, is equipped with amenities of modern living like banking institutions, telecommunication systems, adequate roads, markets, hospitals, public transport systems, sports, and entertainment facilities.

The Second District plays strategic importance in the administrative and socio-economic life and development of Lanao and of the ARMM. Its establishment as a new province will certainly promote, invigorate, and reinforce the economic potential of Lanao, and accelerate the development of the region.

Malabang, the proposed capital of the new Province of Lanao del Sur, is considered the oldest settlement in mainland Mindanao and oldest municipality in the Philippines. T'bok, a barangay of Malabang, was the first seat of government of the Iranon Kingdom. Thus, the town is acknowledged as the center of all ethnolinguistic groups in mainland Mindanao and has been, for decades, the center of commerce in the Second District.

This proposal is neither new nor without basis. In 1971, Republic Act 6406, which sought to create the new Province of Maranaw out of eastern Lanao del Sur (now corresponding to the province's First Congressional District), was approved on October 4, 1971. The province was to consist of Marawi City (the capital) and the municipalities of Bubong, Ditsaan-Ramain (including what is now Buadiposo-Buntong), Kapai, Lumba-Bayabao (including what is now Maguing), Marantao, Masiu, Mulondo, Saguilaran, Piagapo, Poona Bayabao, Tamparan, Taraka and Wao (including what is now Bumbaran). Lanao del Sur was to retain the remaining municipalities, with Malabang serving as its new capital.

But Maranaw province remained unorganized due to the declaration of Martial Law in the Philippines on September 21, 1972, which disrupted the elections for 1973. Thus, without the political will or the resources to implement Republic Act 6406, the division of Lanao del Sur never took place.

A legacy of this unimplemented division is the existence of two ZIP code series for Lanao del Sur: the 93 series was retained by what were to be the remaining towns of the province (with Malabang, the new capital, being assigned the code 9300), while a new series (97) was assigned to what was supposed to be the province of Maranaw (with Marawi City getting the code 9700).

Today, the traditional arguments shaping the Mindanao conflict have changed, and there is need go beyond the original narrative of rebellion to shed light on changing political and economic conditions. The framework for development and empowerment in Lanao and the entire ARMM must be the outcome of active consultation with, and real participation of, the stakeholders. By legislating for the division of the Province of Lanao del Sur into the Provinces of Maranaw and Lanao del Sur, Congress upholds the very purpose of the LGC, *i.e.*, to make the local government units "enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals," which is the very mandate of the Constitution.

In view of these considerations, therefore, the approval of this measure is earnestly sought.



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House Bill No. **333** _____

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**AN ACT DIVIDING THE PROVINCE OF LANA DEL SUR INTO
TWO SEPARATE PROVINCES, NAMELY MARANAW AND LANA
DEL SUR**

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

SECTION 1. The Province of Lanao del Sur is hereby divided into two provinces to be known as Maranaw and Lanao del Sur, in the following manner: The Province of Maranaw shall consist of that portion of the present Province of Lanao del Sur which comprises the first congressional district with the municipalities of Buadiposo-Buntong, Bubong, Bumbaran, Ditsaan-Ramain, Kapai, Lumba-Bayabao, Maguing, Marantao, Masiu, Mulondo, Piagapo, Poona Bayabao, Saguiaran, Tagoloan II, Tamparan, Taraka, Wao and Marawi City.

The Province of Lanao del Sur shall consist of that remaining portion of the present Province of Lanao del Sur which comprises the second congressional district with the municipalities of Bacolod-Kalawi, Balabagan, Balindong, Bayang, Binidayan, Butig, Calanogas, Ganassi, Kapatagan, Lumbaca-Unayan, Lumbatan, Lumbayanague, Madalum, Madamba, Malabang, Marogong, Pagayawan, Picong, Pualas, Sultan Dumalondong, Tubaran and Tugaya.

SECTION 2. The capital of the Province of Maranaw shall be the City of Marawi, and that of the Province of Lanao del Sur shall be the Municipality of Malabang.

SECTION 3. The new provinces as provided in this Act shall be created upon approval by a majority of the votes cast by the voters of the present Province of Lanao del Sur in a plebiscite to be conducted and supervised by the Commission on Elections (COMELEC) within sixty (60) days from the date of the effectivity of this Act or on the immediately succeeding national elections, whichever comes first.

The amount necessary for the conduct of such plebiscite shall be charged against the unexpended portion of the current budget of the COMELEC.

SECTION 4. For purposes of the plebiscite mentioned in Section 4 hereof, the provincial board of canvassers of the present Province of Lanao del Sur shall act as the provincial board of canvassers for the provinces herein created.

SECTION 5. An ad hoc committee composed of the incumbent officials of the Province of Lanao del Sur, namely: the governor, the vice governor, the members of the sangguniang panlalawigan and the representatives of its two (2) congressional districts is hereby created to formulate the necessary rules for the effective implementation of this Act within sixty (60) days from its ratification. The ad hoc committee shall manage, supervise and administer any transfer, relocation or construction the law may entail. It shall also determine the budgetary requirements of such transfer, relocation or construction and to carry out such acts as may be necessary to implement this Act most effectively.

The committee shall cease to exist upon the assumption into office of the elected officials of the province of Maranaw created herein or upon the completion of its tasks, whichever comes earlier.

SECTION 6. The Province of Maranaw shall commence corporate existence upon the election and qualification of the governor, the vice governor and the majority of the members of the sangguniang panlalawigan.

SECTION 7. The first set of elective officials of the Province of Maranaw shall be elected in the next local election after the effectivity of this Act.⁴ The President of the Philippines shall appoint in the province herein created an interim governor, vice governor and members of the sangguniang panlalawigan who shall serve only until a new set of provincial officials have been elected and qualified.

The incumbent elective provincial officials and congressional representatives of the present Province of Lanao del Sur shall continue in office until the expiration of their terms of office.

SECTION 8. All provincial appointive positions in the Province of Maranaw shall be filled within sixty (60) days after the commencement of corporate existence of the province as provided in Section 7 hereof. This shall be done without prejudice to the officials and employees of the present Province of Lanao del Sur who may wish to serve in the Province of Maranaw.

SECTION 9. Upon the effectivity of this Act, the obligations, funds, assets and other properties of the present Province of Lanao del Sur shall, as much as possible, be divided equitably between Maranaw and Lanao del Sur. The President of the Philippines shall order such division upon the recommendation of the ad hoc committee which may avail of assistance from the Commission on Audit and other departments concerned.

The tax revenues from business enterprises principally located in one of the two provinces created herein but whose facilities or structures extend to the other such as, but not limited to, power generating plants shall be proportionally divided between the two provinces: Provided, That such enterprises shall not be subjected to a second tax in addition to what is already imposed by the province where they are principally located.

SECTION 10. The provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, and other laws as are applicable to provinces shall govern the provinces of Maranaw and Lanao del Sur insofar as they are not inconsistent with the provisions of this Act.

SECTION 11. If any part of this Act is declared invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

SECTION 11. This Act shall take effect fifteen (15) days upon its publication in at least two newspapers of general and local circulation.

Approved,