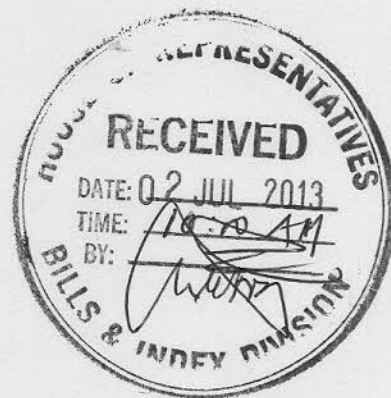


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Sixteenth Congress
First Regular Session



HOUSE BILL NO. 836

Introduced by Congressman BENJAMIN C. AGARAO, JR.,

EXPLANATORY NOTE

This bill seeks to create the Fifth District in the Province of Laguna by reapportioning the sixteen (16) municipalities comprising the Fourth Legislative District of the province.

Section. 5 (3), Article VI of the 1987 Constitution reads as follows:

“Each legislative district shall comprise, as far as practicable, contiguous, compact and adjacent territory. Each city with a population of at least two hundred fifty thousand, or each province shall have at least one representative.”

Congress is mandated by the Constitution to make a reapportionment of legislative districts within three (3) years following the return of every national census. This is to ensure that in case of an increase in population of a city or province, the increased of inhabitants are duly represented in Congress, at the ratio of a Representative for every 250 thousand inhabitants.

Presently, pursuant to the Ordinance appended to our 1987 Constitution, the apportionment of legislative districts in the province of Laguna, as provided by law, is as follows:

“LAGUNA with Four (4) Districts -- First District : Cities of San Pedro, Binan and Santa Rosa; Second District : Cities of Cabuyao and Calamba, municipalities of Bay and Los Banos; Third District : City of San Pablo, and the municipalities of Calauan, Alaminos, Rizal, Liliw and Victoria; Fourth District – Municipalities of Pila, Santa Cruz, Pagsanjan, Lumban, Cavinti, Majayjay, Luisiana, Magdalena, Kalayaan, Paete, Pakil, Pangil, Siniloan, Mabitac, Famy and Santa Maria.”

Since 1987, the population of the Province of Laguna and the Cities of San Pablo, San Pedro, Binan, Santa Rosa, Cabuyao and Calamba had tremendously increased to 2,669,847 persons as of May 1, 2010 as per annual population growth

rate of Laguna conducted by the National Statistics Office (NSO), necessitating a reapportionment of its legislative districts in order to give proper and adequate representation in the House of Representatives to all inhabitants of Laguna.

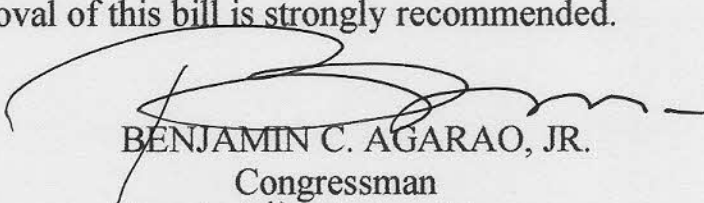
The reapportionment of legislative districts proposed in this Bill adheres to the standards prescribed in Section 5, paragraph (3), of Article VI of the Constitution, i.e. as far as practicable in contiguous, compact and adjacent territory.

While it may be true that the population in the proposed new Fifth Legislative District of Laguna may not reach 250,000 inhabitants. However, the Supreme Court in the decided case of "Aquino vs. Comelec" (G.R. No. 189793 - April 7, 2010), has ruled that a population of 250,000.00 is not a constitutional sine qua non or condition for the formulation of an additional legislative district in a province, whose population growth has increased beyond the 1986 numbers.

Under the same Supreme Court ruling, it provides that the number of inhabitants in the resulting additional district should not be considered. It further clarified that population is not the only factor but is just one of several other factors in the composition of the additional district.

Thus, to meet the increasing socio-economic demands of its people by means of representation, the need to reapportion is imperative. The magnitude task and troubles that beset the people in the area further show the compelling reasons to reapportion in the soonest time.

In view of the foregoing, approval of this bill is strongly recommended.



BENJAMIN C. AGARAO, JR.
Congressman
Fourth (4th) District of Laguna

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 836

Introduced by Congressman BENJAMIN C. AGARAO, JR.

AN ACT
CREATING THE FIFTH LEGISLATIVE DISTRICT IN THE PROVINCE OF
LAGUNA BY REAPPORTIONING THE FOURTH LEGISLATIVE DISTRICT
OF THE PROVINCE.

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

SECTION 1. *Reapportionment of the Fourth (4th) Legislative District of Laguna.* - There shall be created the Fifth Legislative District in the Province of Laguna by reapportioning the sixteen (16) municipalities comprising the Fourth Legislative District of the Province of Laguna.

SECTION 2. *Composition of the new Fifth Legislative District.* - The municipalities of Santa Cruz, Pila, Pagsanjan, Lumban, Cavinti, Magdalena, Luisiana and Majayjay shall continue to constitute the Fourth Legislative District, while the municipalities of the Kalayaan, Paete, Pakil, Pangil, Siniloan, Famy, Mabitac and Santa Maria shall constitute the new Fifth Legislative District.

The composition of the current First (1st), Second (2nd) and 3rd Third Legislative Districts of Laguna shall not be affected by the reapportionment mandated under by this Act.

SECTION 3. *Election of Representative.* - The election for the Representative of the Fifth Legislative District of the Province of Laguna as created under this Act shall take place during the next national and local elections after the effectivity of this Act and every three (3) years thereafter.

SECTION 4. *Sangguniang Panglalawigan.* - In accordance with the reapportionment mandated by this Act, there shall be elected in the next national and local elections after the effectivity of this Act, two (2) regular Sangguniang Panglalawigan members representing the new Fifth District of Laguna.

SECTION 5. *Implementing Rules and Regulations.* – The Commission on Elections shall issue the rules and regulations necessary for the effective implementation of this Act.

SECTION 6. *Repealing Clause.* – All laws, decrees, rules and regulations and other issuances or part thereof which are inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SECTION 7. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved.