

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3718**



INTRODUCED BY HON. JOSEPH F. VIOLAGO

EXPLANATORY NOTE

The bill seeks to create the Fifth District in the Province of Nueva Ecija by reapportioning the two (2) cities and six (6) municipalities comprising the Second Legislative District of the province.

Under the 1987 Constitution, specifically Article VI, Section 5(3), it provides that "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 increase of inhabitants are duly represented in Congress, at the ratio of a representative for every 250,000 inhabitants.

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

"NUEVA ECIIJA with Four (4) Districts -- First District : Municipalities of Aliaga, Cuyapo, Guimba, Licab, Nampicuan, Quezon, Santo Domingo, Talavera and Zaragoza; Second District : Cities of San Jose and Muñoz, municipalities of Carranglan, Llanera, Lupao, Pantabangan, Rizal and Talugtug; Third District : Cities of Cabanatuan and Palayan, municipalities of Bongabon, Gabaldon, General Mamerto Natividad, Laur and Santa Rosa; Fourth District - City of Gapan, municipalities of Cabiao, General Tinio, Jaen, Peñaranda, San Antonio, San Isidro and San Leonardo."

Since 1987, the population of the Province of Nueva Ecija had tremendously increased to 1,955,373 persons as of May 1, 2010 as per 2.01% annual population growth rate of Nueva Ecija conducted by the National Statistics Office, necessitating a reapportionment of its legislative districts in order to give proper and adequate representation in the House Of Representatives to all inhabitants of Nueva Ecija.

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.

It may be true that the population in the proposed new Fifth Legislative District of Nueva Ecija may not reach 250,000 inhabitants. However, the Supreme Court in the case of "Aquino vs. COMELEC" (G.R. No. 189793 - April 7, 2010), has ruled that a population of 250,000 is not an indispensable requirement 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.

Accordingly, approval of this proposed measure, is strongly recommended.



JOSEPH F. VIOLAGO

Congressman

Second (2nd) District of Nueva Ecija

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**“AN ACT CREATING THE FIFTH LEGISLATIVE DISTRICT IN THE PROVINCE OF
NUEVA ECIJA BY REAPPORTIONING THE SECOND LEGISLATIVE DISTRICT OF
THE PROVINCE.”**

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

SECTION 1. *Reapportionment of the Second (2nd) Legislative District of Nueva Ecija* - There shall be created the Fifth Legislative District in the Province of Nueva Ecija by reapportioning the two (2) cities and six (6) municipalities comprising the Second Legislative District of the Province of Nueva Ecija.

SECTION 2. *Composition of the new Fifth Legislative District* - San Jose City and the municipalities of Carranglan, Lupao and Talugtug shall continue to constitute the Second Legislative District, while the Science City of Muñoz and the municipalities of Pantabangan, Rizal, and Llanera shall constitute the new Fifth Legislative District.

The composition of the current First (1st), Third (3rd) and Fourth (4th) Legislative Districts of Nueva Ecija shall not be affected by the reapportionment mandated under this Act.

SECTION 3. *Election of Representative* - The election for the Representative of the Fifth Legislative District of the Province of Nueva Ecija 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 Nueva Ecija.

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* - This Act shall take effect fifteen (15) days after its complete publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

APPROVED,