

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

NINETEENTH CONGRESS
1st Regular Session

House Bill No. 2806



Introduced by Representative DANTE GARCIA

EXPLANATORY NOTE

The *Don Mariano Marcos Memorial State University* (DMMMSU) was created by virtue of Presidential Decree No. 1778, which was signed by President Ferdinand E. Marcos on January 15, 1981. It is the lone state university in La Union that offers quality and accessible world-class education to the residents of La Union and nearby provinces.

The DMMMSU College of Fisheries located in the municipality of Sto. Tomas, in La Union. For the past several years, the college has produced topnotchers in national board examinations in the field of Fisheries. However, even with its laurels, the college needs to be improved and updated to keep up with modern developments in the field and teach these updates to students.

This bill seeks to strengthen the College of Fisheries at the Don Mariano Marcos Memorial State University – South La Union Campus in the municipality of Sto. Tomas, La Union. This shall provide an opportunity for the College of Fisheries to re-capacitate and modernize, and provide better instruction to students by giving them the modern tools in the experiential study of fisheries. It will also allow the college to expand and offer more courses to students.

In view of the foregoing, approval of this bill is earnestly sought.


DANTE S. GARCIA
2nd District, La Union

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AN ACT

**STRENGTHENING THE DON MARIANO MARCOS MEMORIAL STATE
UNIVERSITY - SOUTH LA UNION CAMPUS COLLEGE OF FISHERIES, AND
APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. *General Mandate.* The Don Mariano Marcos Memorial State University (DMMMSU) - South La Union Campus (SLUC) College of Fisheries, shall primarily provide advance education, instruction and professional training in fisheries and other related fields of study. It shall also undertake research, extension services, and production activities in support of the socio-economic development of the Province of La Union and provide progressive leadership in its areas of specialization in the Province of La Union and in Region I.

SEC. 2. *Curricular Offerings.* The College shall offer short-term technical-vocational, undergraduate, graduate, and post-graduate courses within its areas of competency and specialization in the field of fisheries and other degree courses, as the DMMMSU Board of Regents, hereinafter referred to as the "Board", may deem necessary to carry out its objectives, and those which respond to meet the human resource development needs of the Province of La Union and Region I.

SEC. 3. *Governance.* Being an institution within the DMMMSU System, the governance of the College shall continue to be vested in the Board, whose powers are defined under Presidential Decree No. 1778, otherwise known as "Establishing the Don Mariano Marcos Memorial State University by Merging the Don Mariano Marcos Memorial State College; the Southern Ilocos Polytechnic State College, the La Union School of Arts and Trades and the La Union Community College and likewise Integrating the Sapilang Elementary School into the State University: Providing a Chapter for this Purpose and Appropriating Funds Thereof", and other applicable laws and regulations, unless otherwise provided or amended elsewhere in this Act.

SEC. 4. *Administration.* The administration of the College shall continue to be vested in the Chancellor of DMMMSU-SLUC insofar authorized by the Board and the President of the University.

SEC. 5. *The College Dean.* The College shall be headed by a Dean who shall be appointed by the Board, subject to its guidelines on qualifications and standards, and based on the recommendation by the University President, following a process of consultation with the constituents of the College. The Dean shall render full-time service, serve a term of three (3) years, and may be reappointed to another term.

The powers and duties of the Dean of the College, in addition to those specifically provided for in this Act, shall include those usually pertaining to the Office of the Dean of similar state universities and colleges and those delegated by the President and the Chancellor.

The salary of the Dean of the College shall be in accordance with Republic Act No. 11466 or the "Salary Standardization Law of 2019", and such other laws amendatory thereto, which may hereinafter be enacted, and shall be comparable to that being received by the Deans of similar educational institutions.

In case of a vacancy in the Office of the Dean by reason of death, compulsory retirement, resignation, removal for cause, or incapacity of the Dean to perform the functions of the office, the Board, upon the recommendation of the President, shall designate an Officer-in-Charge of the College, pending the appointment of a new Dean: *Provided, That the Officer-in-Charge shall serve only during the unexpired portion of the term.*

The Dean of the College shall be assisted by a College Secretary, who shall be appointed by the Board.

SEC. 6. *The Faculty.* The Board shall appoint, upon the recommendation of the Chancellor and the nomination of the President of the University, the faculty members of the College: *Provided, That no political belief, gender preference, cultural or community affiliation or ethnic origin, nor religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the College: Provided, further, That said appointment shall be subject to the guidelines, qualifications, and standards set by the Board: Provided, finally, That no member of the faculty shall teach for or against any particular church or religious sect.*

SEC. 7. *Scholarship Programs and Admission.* The College shall provide scholarships and other affirmative action programs to assist poor but deserving students who qualify for admission to the College.

No student shall be denied admission to the College by reason of gender, religion, cultural or community affiliation, physical disability, or ethnic origin.

SEC. 8. *Academic Freedom and Institutional Autonomy.* The College shall enjoy academic freedom and institutional autonomy, pursuant to paragraph 2, Section 5 of Article XIV of the Constitution.

SEC. 9. *Authority to Loan or Transfer Apparatus, Equipment or Supplies and Detail of Personnel.* Upon the recommendation of the Chancellor and the request of the Board, through the President of DMMMSU, the heads of the bureaus and offices of the national government may loan or transfer to the College such apparatus, equipment or supplies as may be needed by it, and detail employees for duty therein when, in the judgment of the head of bureau or office, the apparatus, equipment, supplies or services of such employees can be spared without serious detriment to public service.

The employees so detailed shall perform such duties as required of them by the Dean of the College, and the time so served shall be counted as part of their regular service.

SEC. 10. *Assets, Liabilities and Personnel.* All existing appropriations, assets, both real and personal, personnel, and records of the College, as its liabilities or obligations, shall continue to be titled or named after DMMMSU: *Provided*, That the positions, rights, and security of tenure of faculty members and personnel therein employed under existing laws prior to the enactment of this Act shall be respected: *Provided, further*, That the employees currently holding the said positions shall remain in the same status until otherwise provided by the Board: *Provided, finally*, That the College shall upgrade or increase its human resource component as may be deemed appropriate by the Board.

All parcels of land belonging the government occupied by the College shall be the property of DMMMSU, and shall be titled under its name: *Provided*, That should the College cease to exist or be abolished or should such aforementioned parcels of land be no longer needed by DMMMSU, the same shall revert to the concerned local government unit or to the Republic of the Philippines, as the case may be.

SEC. 11. *Duty and Tax Exemptions.* The importation by the College of books or publications, equipment or instruments which are for educational, laboratory or scientific purposes shall, upon certification by the Commission on Higher Education (CHED), be exempt from customs duties in accordance with the provisions of Republic Act No. 10863, otherwise known as the "Customs Modernization and Tariff Act (CMTA)".

All grants, bequests, endowments, donations, and contributions made to and used actually, directly and exclusively for educational purposes by the College, shall be exempt from donor's tax and the same shall be considered as allowable deduction from gross income for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

SEC. 12. *Suppletory Application.* The provisions of Republic Act No. 8292, otherwise known as the "Higher Education Modernization Act of 1997", shall form part of this Act.

SEC. 13. *Parity Clause.* All other powers, functions, and privileges, responsibilities, and limitations under existing laws shall be deemed granted to or imposed upon the College and its officials, whenever appropriate.

SEC. 14. *Appropriations.* The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SEC. 15. *Implementing Rules and Regulations.* Within sixty (60) days from the approval of this Act, the Board shall, in consultation with the CHED, issue the rules and regulations to fully implement the provisions of this Act.

SEC. 16. *Separability Clause.* If, for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected are in full force and effect.

SEC. 17. *Repealing Clause.* All laws, presidential decrees, executive orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are amended, repealed, or modified accordingly.

SEC. 18. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,