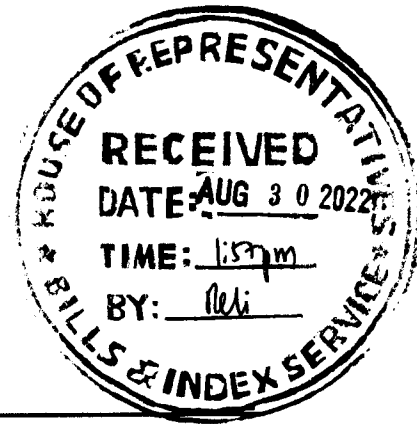


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 4222



Introduced by Representative **RUWEL PETER S. GONZAGA**

EXPLANATORY NOTE

This bill seeks to create a new municipality in the Province of Davao de Oro, to be known as the Municipality of Governor Vicente Duterte which shall be composed of seventeen (17) adjoined barangays, namely: Aguinaldo, Anitap, Concepcion, Datu Ampunan, Datu Davao, Doña Josefa, El Katipunan, Il Papa, Kidawa, Kiokmay, Malinao, Melale, New Bethlehem, Sabud, Sta. Emelia, San Antonio and Sisimon.

The seventeen barangays currently belong to the Municipality of Laak. Administratively, the Municipality of Laak is subdivided into forty (40) barangays. According to the 2015 census, Laak has a population of 73,874 residents. The total aggregate population of the aforementioned barangays that will comprise the proposed new municipality is 25,435 based on the same census conducted by the Philippine Statistics Authority. The above-mentioned barangays occupy a contiguous territory with a total area of 478.98 square kilometers or 47,898 hectares. Laak is currently considered as a huge locality composed of 947.06 square kilometers or 94,706 hectares of land. Unselfishly, it saw the need to cede some of its territory in the name of inclusive growth and development.

The creation of the separate Municipality of Governor Vicente Duterte is considered by the people and the leaders of the Municipality of Laak as a first step towards a new beginning that promises full development for the concerned barangays and a better life for its inhabitants, especially in the far-flung areas that need the full attention and services of the government. It is our belief that once its status as a municipality is granted it shall be given more powers, authority, responsibilities and resources that will have a positive and enduring impact on its future as a self-reliant, progressive and a proud municipality capable of delivering a broad range of services and effective governance to an empowered people.

Under Sec. 442 of Republic Act 7160 or the Local Government Code of 1991, for a new municipality to be created, the average annual income of a municipality must be at least 2.5 million pesos for the immediately preceding two consecutive years based on the 1991 constant prices, as certified by the provincial treasurer. Also, the population must be at least 25,000 inhabitants as certified by the National Statistics Office, and the proposed municipality must have a contiguous territory of at least 50 square kilometers as certified by the Land Management Bureau. The creation should not reduce the land area, population or income of the original municipality at the time of the creation to less than the minimum requirements. Based on the supporting documents and data submitted, the proposed municipality meets all the requirements set forth in the Local Government Code.

The vital role as an effective partner in the attainment of national goals envisioned for the creation of the Municipality of Governor Vicente Duterte is in keeping with the expressed desire of a significant majority for the realization of this proposed local government unit that will usher in genuine change thru economic growth and a much-improved standard of living for the people in these areas.

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


RUWEL PETERS. GONZAGA

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HOUSE BILL NO. 4222

Introduced by Representative **RUWEL PETER S. GONZAGA**

AN ACT
CREATING THE MUNICIPALITY OF GOVERNOR VICENTE DUTERTE IN THE
PROVINCE OF DAVAO DE ORO

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

SECTION 1. Creation. – There is hereby created a new municipality in the Province of Davao de Oro to be known as the Municipality of Governor Vicente Duterte

SECTION 2. Seat of Municipal Government. – The seat of government of the new municipality shall be in Barangay Aguinaldo.

SECTION 3. Territorial Boundaries. – The Municipality of Governor Vicente Duterte shall be composed of Barangays Aguinaldo, Anitap, Concepcion, Datu Ampunan, Datu Davao, Dona Josefa, El Katipunan, Il Papa, Kidawa, Kiokmay, Malinao, Melale, New Bethlehem, Sabud, Sta. Emelia, San Antonio and Sisimon, all in the Province of Davao de Oro.

The foregoing provision shall be without prejudice to the resolution by the appropriate agency or forum of any boundary dispute or case involving questions of territorial jurisdiction between the Municipality of Governor Vicente Duterte and the adjoining local government units (LGUs): Provided, That the territorial jurisdiction of the disputed area or areas shall remain with the LGU which has existing administrative supervision over said areas until the final resolution of the case.

SECTION 4. Plebiscite. – The Municipality of Governor Vicente Duterte shall acquire corporate existence upon the ratification by a majority of the votes cast by qualified voters in a plebiscite to be conducted in the Municipality of Laak, Province of Davao de Oro pursuant to Section 10 of RA 7160 or the Local Government Code of 1981 as amended within thirty (30) days after the approval of this Act.

The Commission on Elections (COMELEC) shall conduct and supervise the plebiscite.

SECTION 5. Officials of the Municipality of Governor Vicente Duterte. – Upon ratification of its creation by a majority of the votes cast by qualified voters in a plebiscite, the mayor, the vice-mayor, and the members of the sangguniang bayan shall be appointed by the President of the Republic of the Philippines, in consultation with the representative of the congressional district and the provincial governor, and shall serve until the new set of officials shall have been elected and qualified in the next local elections following the approval of this Act.

SECTION 6. Internal Revenue Allotment Shares. – During the first year of acquisition of its corporate existence, the Municipality of Governor Vicente Duterte shall receive from the Department of Budget and Management the Internal Revenue Allotment (IRA) shares of barangays as provided in Section 3 hereof. Thereafter, the Municipality of Governor Vicente Duterte and all the barangays comprising it shall be entitled to IRA shares pursuant to the provision of Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

SECTION 7. Appropriations. – The amount necessary to conduct the plebiscite provided for under this Act shall be borne proportionately by the Provincial Government of Davao de Oro, Municipality of Laak and the barangays comprising the new Municipality of Governor Vicente Duterte.

SECTION 8. Repealing Clause. – All laws, executive orders, rules, and regulations which are in consistent with provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 9. Effectivity. – This act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,