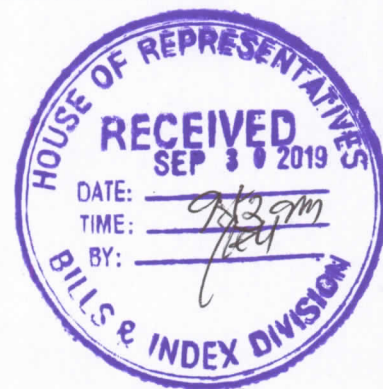


EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 4881

EXPLANATORY NOTE


Feeding the growing Philippine population now at 105 million is a primary and urgent concern of the national government and the local government units (LGUs). Along this, the country's 9.7 million hectares of agricultural lands for agricultural and fisheries production need to be maximized and fully developed to produced enough food for the Filipino people and livelihood for the farmers. The provision of adequate and responsive agricultural support services is vital and necessary for this endeavour.

Section 17 of the Local Government Code of 1991 have mandated local government units at the provincial, city, municipal and barangay levels to provide basic agricultural support services and facilities. To carry-out this task, Title V of the said Code prescribes appointive local officials common to cities, municipalities and provinces which include the appointment of Agriculturist as mandatory position in the provinces and optional in the cities and municipalities, and Veterinarian as mandatory in the provinces and cities, and optional in the municipalities.

These mandates of the LGUs were expanded with the enactment of R.A. No. 8435 (Agricultural and Fisheries Modernization Act), and R.A. No. 10601 (Agricultural and Fisheries Mechanization Law) which included small scale irrigation, post harvest facilities and farm mechanization. Correspondingly, Agricultural Engineering Divisions are being established at the Agriculturist Offices to support its implementation. However, these services are still lacking and limited in many LGUs.

Faced by the challenges on ASEAN integration where our agriculture sector needs to be competitive, these agricultural services must be strengthened, modernized and professionalized in accordance with the regulations of the practice of agriculturist (Section 75 of R.A. No. 8435 and PRC Resolution No. 2000-663), agricultural and biosystems engineer (R.A. No. 10915) and veterinarian (R.A. No. 9268).

In view of the foregoing, immediate approval of this measure is earnestly requested.


RUFUS B. RODRIGUEZ

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
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HOUSE OF REPRESENTATIVES

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AN ACT

TO STRENGTHEN, MODERNIZE AND PROFESSIONALIZE THE AGRICULTURAL SERVICES OF THE LOCAL GOVERNMENT UNITS, AMENDING FOR THIS PURPOSE CERTAIN PROVISIONS OF THE LOCAL GOVERNMENT CODE OF 1991

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

SECTION 1. Section 443 of Republic Act No. R.A. 7160 is hereby amended to read as follows :

“Section 443. *Officials of the Municipal Government.* -

(a) There shall be in each municipality a municipal mayor, a municipal vice-mayor, sangguniang bayan members, a secretary to the sangguniang bayan, a municipal treasurer, a municipal assessor, a municipal accountant, a municipal budget officer, a municipal planning and development coordinator, a municipal engineer/building official, a municipal health officer, [and] a municipal civil registrar; **A MUNICIPAL AGRICULTURIST, AND A MUNICIPAL AGRICULTURAL AND BIOSYSTEMS ENGINEER IN ALL FIRST CLASS TO THIRD CLASS LGUs. THE APPOINTMENT OF MUNICIPAL AGRICULTURIST AND MUNICIPAL AGRICULTURAL AND BIOSYSTEMS ENGINEER IS OPTIONAL IN ALL 4TH CLASS TO 6TH CLASS MUNICIPAL LGUs.**

SECTION 2. Section 454 of the same Act is hereby amended to read as follow:

Section 454. *Officials of the City Government.*

(a) There shall be in each city a mayor, a vice-mayor, sangguniang panlungsod members, a secretary to the sangguniang panlungsod, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, [and] a city general services officer; **A CITY AGRICULTURIST AND A CITY AGRICULTURAL AND BIOSYSTEMS ENGINEER IN ALL FIRST CLASS TO THIRD CLASS LGUs. THE APPOINTMENT OF CITY AGRICULTURIST AND CITY AGRICULTURAL AND BIOSYSTEMS ENGINEER ARE OPTIONAL IN ALL 4TH CLASS TO THIRD CLASS CITY LGUs.**

SECTION 3. Section 43 of the same Code is hereby amended to read as follows:

Section 463. *Officials of the Provincial Government.*

(a) There shall be in each province a governor, a vice-governor, members of the sangguniang panlalawigan, a secretary to the sangguniang panlalawigan, a provincial treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a provincial budget officer, a provincial planning and development coordinator, a provincial legal officer, a provincial administrator, a provincial health officer, a provincial social welfare and development officer, a provincial

general services officer, a provincial agriculturist, [and] a provincial veterinarian;
AND A PROVINCIAL AGRICULTURAL AND BIOSYSTEMS ENGINEER.

SECTION 4. Article Twelve and Section 482 of the same Act is hereby amended to read as follows :

"ARTICLE TWELVE
The Agriculturist

Sec. 482. *Qualifications, Powers, and Duties* - (a) No person shall be appointed agriculturist unless he is a citizen of the Philippines, a resident of the local government unit concerned, of good moral character, a holder of a college degree in agriculture or any related course from a recognized college or university, and a [first grade civil service eligible or its equivalent. He must have practiced his profession [in agriculture or acquired experience in related field for at least five (5) years in the case of the provincial or city agriculturist, and three (3) years in the case of the municipal agriculturist.

The position of an agriculturist shall be mandatory for the provincial **AND CITY** governments **AND IN ALL FIRST CLASS TO THIRD CLASS MUNICIPAL GOVERNMENTS**, and optional for the **4TH CLASS TO 6TH CLASS MUNICIPAL GOVERNMENTS AND IN HIGHLY URBANIZED CITIES AND MUNICIPALITIES.**

(b) The agriculturist shall take charge of the office for agricultural services and shall : XXX

(6) IN CASE OF PROVINCIAL AGRICULTURIST, EXERCISE TECHNICAL SUPERVISION OVER-ALL AGRICULTURAL OFFICES OF COMPONENT CITIES AND MUNICIPALITIES.

SECTION 5. Article Nineteen and Section 482 of the same Act is hereby amended to read as follows :

"ARTICLE NINETEEN
The Veterinarian

Section 489. *Qualifications, Powers and Duties.*

(a) No person shall be appointed veterinarian unless he is a citizen of the Philippines, a resident of the local government unit concerned, of good moral character, a licensed doctor of veterinary medicine. He must have practiced his profession for at least three (3) years in the case of provincial or city veterinarian and at least one (1) year in the case of the municipal veterinarian.

The appointment of a veterinarian is mandatory for the provincial, [and] city **AND IN ALL FIRST CLASS TO THIRD CLASS MUNICIPAL** governments, **AND OPTIONAL IN ALL FOURTH CLASS TO SIXTH CLASS CITY AND MUNICIPAL GOVERNMENTS.**

(b) The veterinarian shall take charge of the office for veterinary services and shall: XXX

(6) IN CASE OF PROVINCIAL VETERINARIAN, EXERCISE TECHNICAL SUPERVISION OVER-ALL VETERINARY OFFICES OF COMPONENT CITIES AND MUNICIPALITIES;

SECTION 6. Additional Articles and Sections are hereby added to Book 111, Title Five of R.A. 7160 to read as follows :

"ARTICLE TWENTY ONE

THE AGRICULTURAL AND BIOSYSTEMS ENGINEER

SEC. 491. QUALIFICATIONS, POWERS, AND DUTIES - (a) NO PERSON SHALL BE APPOINTED AGRICULTURAL AND BIOSYSTEM ENGINEER UNLESS HE IS A CITIZEN OF THE PHILIPPINES, OF GOOD MORAL CHARACTER AND A REGISTERED AND LICENSED AGRICULTURAL AND BIOSYSTEMS ENGINEER. HE MUST HAVE PRACTICED HIS PROFESSION FOR AT THREE (3) YEARS IN THE CASE OF THE PROVINCIAL AGRICULTURAL AND BIOSYSTEMS ENGINEER, AND ONE (1) YEAR IN THE CASE OF THE CITY AND MUNICIPAL AGRICULTURAL AND BIOSYSTEMS ENGINEERS.

THE POSITION OF AN AGRICULTURAL AND BIOSYSTEMS ENGINEER SHALL BE MANDATORY FOR THE PROVINCIAL GOVERNMENTS AND CITY GOVERNMENTS AND OPTIONAL IN 4TH CLASS TO 6TH CLASS CITY AND MUNICIPAL GOVERNMENTS.

(b) THE AGRICULTURAL AND BIOSYSTEMS ENGINEER SHALL TAKE CHARGE OF THE OFFICE FOR AGRICULTURAL ENGINEERING SERVICES AND SHALL :

- (1) FORMULATE MEASURES FOR APPROVAL OF THE SANGUNIAN AND PROVIDE TECHNICAL ASSISTANCE AND SUPPORT TO THE GOVERNOR OR MAYOR AS THE CASE MAYBE IN CARRYING OUT SAID MEASURES TO ENSURE THE DELIVERY OF BASIC SERVICES AND PROVISION OF ADEQUATE FACILITIES ON IRRIGATION, SOIL AND WATER CONSERVATION AND UTILIZATION, AGRICULTURAL, FISHERY AND BIOSYSTEMS MECHANIZATION, POST HARVEST AND AGRO-PROCESSING FACILITIES AND OTHER AGRICULTURAL AND BIOYSTEMS ENGINEERING PROGRAMS AND PROJECTS;
- (2) DEVELOP PLANS AND STRATEGIES AND UPON APPROVAL THEREOF BY THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, IMPLEMENT THE SAME, PARTICULARLY THOSE WHICH HAVE TO DO WITH PROGRAMS AND PROJECTS ON IRRIGATION, SOIL AND WATER CONSERVATION AND UTILIZATION, AGRICULTURAL AND BIOYSTEMS MECHANIZATION, POST HARVEST FACILITIES, AGRO-PROCESSING AND OTHER AGRICULTURAL AND BIOYSTEMS ENGINEERING ENDEAVORS WHICH THE GOVERNOR OR MAYOR IS EMPOWERED TO IMPLEMENT AND WHICH THE SANGUNIAN IS EMPOWERED TO PROVIDE UNDER THE LOCAL GOVERNMENT CODE;
- (3) THE FUNCTIONS AND RESPONSIBILITIES OF THE AGRICULTURAL ENGINEERING DIVISION/SECTION OF THE OFFICE OF THE PROVINCIAL, CITY AND MUNICIPAL AGRICULTURIST PRESCRIBED UNDER SECTION 29 OF R.A. NO. 10601 SHALL BE TRANSFERRED AND ASSUMED BY THE PROVINCIAL, CITY AND MUNICIPAL AGRICULTURAL AND BIOYSTEMS ENGINEERS.

4) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE AGRICULTURAL AND BIOSYSTEMS ENGINEER SHALL PROVIDE SERVICES AND RESPONSIBLE IN THE PLANNING AND IMPLEMENTATION OF LGU PROGRAMS AND PROJECTS ON COMPOSTING, FARM DEVELOPMENT PLANNING AND OTHER AGRICULTURAL AND BIOSYSTEMS ENGINEERING PROGRAMS AND PROJECTS.

(5) IN CASE OF PROVINCIAL AGRICULTURAL AND BIOSYSTEMS ENGINEER, EXERCISE TECHNICAL SUPERVISION OVER-ALL AGRICULTURAL AND BIOSYSTEMS ENGINEERS OF COMPONENT CITIES AND MUNICIPALITIES;

SECTION 7. Sec. 491 of Book 111, Title Six, Article I , R.A. 7160 is hereby renumbered Section 493 and all other succeeding sections (Section 492 to 536) are renumbered accordingly.

SECTION 8. Career Progression- There shall be instituted a Career Progression System in the Agriculturist, Agricultural and Biosystems Engineer and Veterinarian Office at the provincial, city and municipal levels. For this purpose, various level of Agriculturist, Agricultural and Biosystems Engineer and Veterinarian positions shall be created. Moreover, the existing Agricultural Technologist positions shall be upgraded or reclassified to various levels of Agriculturist, Agricultural and Biosystems Engineer and Veterinarian positions.

SECTION 9. The Department of Agriculture through its Regional Offices, Bureau of Animal Industry, Bureau of Agricultural and Fisheries Engineering and other concerned offices shall provide and augment the agricultural and fishery services and facilities of 4th Class to 6th Class LGUs.

SECTION 10. Funding – The funding necessary for the implementation of this Act shall be incorporated in the annual appropriations of the LGUs. For this purpose, the personnel services limitation imposed under Section 325 of the Local Government Code is hereby waived.

SECTION 11. Separability Clause. – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force effect.

SECTION 12. Repealing Clause. – All laws, presidential decrees, executive orders, ordinances, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 13. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,