

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **4123**



Introduced by **Representative LAWRENCE LEMUEL H. FORTUN** and
Representative MA. ANGELICA M. AMANTE-MATBA

EXPLANATORY NOTE

Article VI of the 1987 Constitution states:

xxx

Section 5. (1) The House of Representatives shall be composed of not more than two hundred and fifty members, unless otherwise fixed by law, who shall be elected from legislative districts apportioned among the provinces, cities, and the Metropolitan Manila area in accordance with the number of their respective inhabitants, and on the basis of a uniform and progressive ratio, and those who, as provided by law, shall be elected through a party-list system of registered national, regional, and sectoral parties or organizations.

xxx

(3) 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.

(4) Within three years following the return of every census, the Congress shall make a reapportionment of legislative districts based on the standards provided in this section.

There was only one Province of Agusan, with Butuan, which became a city in 1950, as the capital and provincial center, until the enactment of Republic Act 4979 in 1967. The law divided the Agusan province into two provinces, namely, Agusan del Norte and Agusan del Sur. Agusan del Norte then consisted of the Municipalities of Cabadbaran, Carmen, Nasipit, Buenavista, Tubay, Jabonga, Kitcharao, Las Nieves and the City of Butuan which became its capital.

Butuan City continued to be the capital of Agusan del Norte until it was reclassified into a High Urbanized City in 1985. Since then, Butuan City became separate and independent of the province. Cabadbaran City subsequently became the capital of Agusan del Norte.

Two years later, the 1987 Constitution was ratified. The Constitution apportioned legislative districts that would be represented in the House of Representatives. The Constitution, as provided under Article VI Section 5 Paragraph 3 thereof, requires that "*each city with a population of at least two hundred fifty thousand, or each province, shall have at least one representative.*" While Butuan City was already a High Urbanized City and separate and independent of Agusan del Norte, its population was less than two hundred fifty thousand, and hence, could not qualify as a legislative district. Thus, to meet the population requirement, the Municipality of Las Nieves, Agusan del Norte, was conjoined with Butuan City only for the

purpose of constituting a legislative district. Las Nieves remained a component of the province and Butuan retained its status as a Highly Urbanized City. The 1987 Constitution simply apportioned the legislative districts as follows:

1. First District of Agusan de Norte comprised by Butuan City and the Municipality of Las Nieves; and
2. Second District of Agusan del Norte comprised by Cabadbaran, Carmen, Nasipit, Buenavista, Tubay, Jabonga, Kitcharao, Magallanes, Santiago and Remedios T. Romualdez.

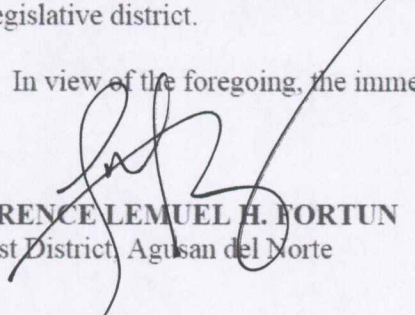
In 1995, by virtue of Republic Act No. 7901, the Caraga Region was created and Butuan City was declared the regional center. Being the region's gateway and center of governance, trade, education, transportation and communication, Butuan's population grew significantly over the years. In August 2015, the Philippine Statistics Authority reported its population at 337,063, 34.8% above the minimum population requirement for a legislative district. Agusan del Norte also had its considerable share of development in trade, agriculture, fisheries and tourism that also resulted in significant increase in its population reaching 354,503 in August 2015.

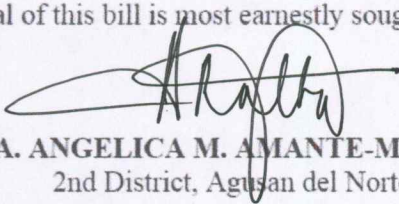
In the light of these developments, it has become imperative that the legislative districts in Agusan del Norte be reapportioned. Such reapportionment is consistent with sound management and governance and in keeping with the purpose and thrust of the above-cited provisions of the Constitution. Thus, this bill seeks the reapportionment of the abovementioned two districts into what shall be known as:

1. Lone District of Butuan City; and
2. Lone District of Agusan del Norte to be composed of the City of Cabadbaran and the Municipalities of Carmen, Nasipit, Buenavista, Tubay, Jabonga, Kitcharao, Magallanes, Santiago and Remedios T. Romualdez and Las Nieves.

Butuan City, as a Lone Legislative District, can better pursue its development goals and meet its needs peculiar to its status as a Highly Urbanized City and Regional Center of the Caraga Region. Also essentially, for purposes of ease of governance and organizational management, the Municipality of Las Nieves, which is under the administrative jurisdiction of the Province of Agusan del Norte, will be fully restored under the rightful jurisdiction of the province not only as a component thereof, but essentially, as an important part of the province's lone legislative district.

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


LAWRENCE LEMUEL H. FORTUN
1st District, Agusan del Norte


MA. ANGELICA M. AMANTE-MATBA
2nd District, Agusan del Norte

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House Bill No. _____

Introduced by **Representative LAWRENCE LEMUEL H. FORTUN** and
Representative MA. ANGELICA M. AMANTE-MATBA

AN ACT
FOR THE REAPPORTIONMENT OF THE FIRST LEGISLATIVE DISTRICT AND
SECOND LEGISLATIVE DISTRICT OF AGUSAN DEL NORTE INTO THE LONE
LEGISLATIVE DISTRICT OF BUTUAN CITY AND THE LONE LEGISLATIVE
DISTRICT OF THE
PROVINCE OF AGUSAN DEL NORTE

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

SECTION 1. *Legislative Districts.* – The First District and Second District of Agusan del Norte are hereby reapportioned to be called the Lone Legislative District of Butuan City and the Lone Legislative District of the Province of Agusan del Norte, respectively. The reapportioned districts will commence in the next national elections after the effectivity of this Act. Henceforth, Butuan City shall comprise the Lone Legislative District of Butuan City. The Municipalities of Las Nieves, Kitcharao, Jabonga, Santiago, Tubay, Remedios T. Romualdez, Magallanes, Buenavista, Nasipit, Carmen and Cabadbaran City shall comprise the Lone Legislative District of the Province of Agusan del Norte.

SEC. 2. *Rules and Regulations.* – The Commission on Elections shall issue the necessary rules and regulations to implement this Act.

SEC. 3. *Repealing Clause.* – All other laws, rules and regulations inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved.