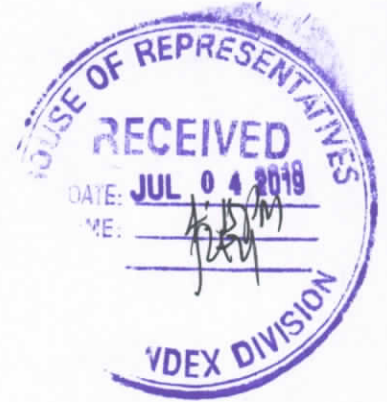


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 1484



Introduced by Honorable Joaquin M. Chipeco, Jr.

EXPLANATORY NOTE

The special administrative entity known as Metropolitan Manila was created by virtue of Presidential Decree (P.D.) No. 824 as a response to the finding that the rapid growth of population and the increase of social and economic requirements in the areas covered demand a call for simultaneous and unified development; that the public services rendered by the respective local governments could be administered more efficiently and economically if integrated under a system of central planning. Administered by a Metro Manila Commission (MMC) under PD 824, Republic Act No. 7942 constituted the Metro Manila Development Authority (MMDA) to replace the MMC.

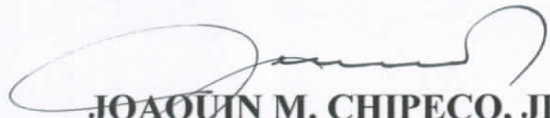
The conditions prevailing when Metro Manila was created now exist in the Province of Laguna, at least in the First and Second Congressional District which are most proximate or suburban area to the National Capital Region. Consisting of the cities of San Pedro, Binan (now a separate congressional district), Sta. Rosa, Cabuyao and Calamba (also a separate congressional district by virtue of RA 11078) and the municipalities of Bay and Los Banos, these local governments have experienced rapid population growth and marked increase in their social and economic requirements.

When the 1987 Philippine Constitution conceptualized "special metropolitan" subdivisions, the idea was not to confine the same to the National Capital Region or to the mega-cities of Cebu and Davao. While Section 8 of Article XVIII thereof was made specifically applicable to the Metropolitan Manila area, Sec. 11 of Art. X was couched in a language broad enough as to cover any metropolitan area.

In any case, in order to ensure its constitutionality, this bill has considered the rulings of the Supreme Court in the so-called "MMDA cases", namely, [1] Social Justice Society v. Atienza (GR 156052, Feb. 13, 2008); [2] MMDA v. Viron Transpo., Co., Inc. (GR 170656, Aug. 15,

2007); [3] Filinvest v. Homeowners of Meritville Alliance (GR 165955, Aug. 10, 2007); [4] Francisco v. Fernando (GR 166501, Nov. 16, 2006); [5] MMDA v. Garin (GR 130230, Apr. 15, 2005); [6] MMDA v. Bel-Air Village Association (GR 135962, Mar. 27, 2000); [7] Solicitor General v. MMA and the Municipality of Mandaluyong (GR 102782, Dec. 11, 1991); and [8] Metro Traffic Command, West Traffic District v. Gonong (GR 91023, July 13, 1990).

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



JOAQUIN M. CHIPECO, JR.
Representative
Lone District, Calamba City

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

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 1484

Introduced by Honorable Joaquin M. Chipeco, Jr.

AN ACT
ESTABLISHING THE METROPOLITAN LAGUNA AREA AND
CREATING THE METRO LAGUNA DEVELOPMENT
AUTHORITY (MLDA) AS ITS ADMINISTERING AGENCY,
DEFINING THE AGENCY'S POWERS AND FUNCTIONS,
PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* – It is hereby declared to be the policy of the State to treat the First and Second Districts of Laguna, as well as the Lone District of Binan, as a special development and administrative region and certain basic services affecting or involving these areas as metro-wide services more efficiently and effectively planned, supervised and coordinated by a development authority as created herein, without prejudice to the autonomy of the affected local government units.

SEC. 2. *Establishment of the Metropolitan Laguna.* – There is hereby established a special development and administrative region to be known as the Metropolitan Laguna embracing the cities of San Pedro, Binan, Sta. Rosa, Cabuyao and Calamba, and the municipalities of Bay

and Los Banos, subject to direct supervision of the President of the Philippines.

SEC. 3. *Creation of the Metropolitan Laguna Development Authority.* – The affairs of Metropolitan Laguna shall be administered by the Metropolitan Laguna Development Authority, hereinafter referred to as the MLDA.

The MLDA shall perform planning, monitoring and coordinative functions, and in the process exercise regulatory and supervisory authority over the delivery of metrowide services within Metro Laguna without diminution of the autonomy of the local government units concerning purely local matters.

SEC. 4. *Scope of MLDA Services.* – Metro-wide services under the jurisdiction of the MLDA are those services which have metro-wide impact and transcend local political boundaries or entail huge expenditures such that it would not be viable for said services to be provided by the individual local government units (LGUs) comprising Metropolitan Laguna. These services shall include:

(a) Developmental planning which includes the preparation of medium and long-term development plans, the development, evaluation and packaging of projects, investments programming, and coordination and monitoring of plan, program and project implementation.

(b) Transport and traffic management which include the formulation, coordination, and monitoring of policies, standards, programs and projects to rationalize the existing transport operations, infrastructure requirements, the use of thoroughfares, and promotions of sale and convenient movement of persons and goods; provision for the mass transport system and the institution of a system to regulate road users; administration and implementation of all traffic enforcement

operations, traffic engineering services and traffic education programs, including the institution of a single ticketing system in Metro [Manila] Laguna.

(c) Solid waste disposal and management which include formulation and implementation of policies, standards, programs and projects for proper and sanitary waste disposal. It shall likewise include the establishment and operation of sanitary landfill and related facilities and the implementation of other alternative programs intended to reduce, reuse and recycle solid waste.

(d) Flood control and sewerage management which include the formulation and implementation of policies, standards, programs and projects for an integrated flood control, drainage and sewerage system.

(e) Urban renewal, zoning, and land use planning, and shelter services which include the formulation, adoption and implementation of policies, standards, rules and regulations, programs and projects to rationalize and optimize urban land use and provide direction to urban growth and expansion, the rehabilitation and development of slum and blighted areas, the development of shelter and housing facilities and the provision of necessary social services thereof.

(f) Health and Sanitation; urban protection and pollution control which include the formulation and implementation of policies, rules and regulations, standards, programs and projects for the promotion and safeguarding of the health and sanitation of the region and for the enhancement of ecological balance and the prevention, control and abatement of environmental pollution.

(g) Public safety which includes the formulation and implementation of programs and policies and procedures to achieve public safety, especially preparedness for preventive or rescue operations during times of calamities and disasters such as conflagrations, earthquakes, flood and tidal waves, and coordination and mobilization of

resources and the implementation of contingency plans for the rehabilitation and relief operations in coordination with national agencies concerned.

SEC. 5. *Metro Laguna Council.* – The governing board and policy making body of the MLDA shall be the Metro Laguna Council, composed of the mayors of the five (5) cities and two (2) municipalities enumerated in Section 2 hereof, the president of the Laguna Vice Mayors League and the President of the Laguna Councilors League.

Duly authorized representatives of the Department of Transportation (DOT), Department of Public Works and Highways (DPWH), Department of Tourism (DoT), Department of Budget and Management (DBM), Housing and Urban Development Coordinating Council (HUDCC), and the Philippine National Police (PNP) shall attend meetings of the Council as non-voting members.

The Council shall be headed by a chairperson, who shall be appointed by the President and who shall continue to hold office at the discretion of the appointing authority, He shall be vested with rank, rights, privileges, disqualifications, and prohibitions of a cabinet member.

The chairperson shall be assisted by a general manager, an assistant general manager for finance and administration, an assistant general manager for planning and assistant general manager for operations, all of whom shall be appointed by the President with the consent and concurrence of the majority of the Council, subject to civil service laws, rules and regulations. They will enjoy security of tenure and may be removed for cause in accordance with law.

The assistant general manager for planning must have not less than five (5) years extensive experience in development and planning or must hold a master's degree in urban planning or similar disciplines.

The chairperson and members of the Council shall be entitled to allowance and per diems in accordance with existing policies, rules and regulations on the matter.

SEC. 6. Functions and Powers of the Metro Laguna Development Authority. – The MLDA shall:

(a) Formulate, coordinate and regulate the implementation of medium and long-term plans and programs for the delivery of metro-wide services, land use and physical development within Metropolitan Laguna, consistent with national development objectives and priorities;

(b) Prepare, coordinate and regulate the implementation of medium-term investment programs for metro-wide services which shall indicate sources and uses of funds for priority programs and projects, and which shall include the packaging of projects and presentation of funding institutions;

(c) Undertake and manage on its own metro-wide programs and projects for the delivery of specific services under its jurisdiction, subject to the approval of the Council. For this purpose, the MLDA can create appropriate project management offices;

(d) Coordinate and monitor the implementation of such plans, programs and projects in Metro Manila; identify bottlenecks and adopt solutions to problems of implementation;

(e) The MLDA shall set policies concerning traffic in Metro Laguna, and shall coordinate and regulate the implementation of all programs and projects concerning traffic management, specifically pertaining to enforcement, engineering and education. Upon request, it shall be extended assistance and cooperation, including but not limited to, assignment of personnel, by all other government agencies and offices concerned:

(f) Install and administer a single ticketing system, fix, impose and collect fines and penalties for all kinds of violations of traffic rules and regulations, whether moving or non-moving in nature, and confiscate and suspend or revoke driver's licenses in the enforcement of such traffic laws and regulations, the provisions of RA 4136 and PD 1605 to the contrary notwithstanding. For this purpose, the Authority shall enforce all traffic laws and regulations in Metro Laguna, through its traffic operation center, and may deputize members of the PNP, traffic enforcers of local government units, duly licensed security guards, or members of non-governmental organization to whom may be delegated certain authority, subject to such conditions and requirements as the Authority may impose; and

(g) Perform other related functions required to achieve the objectives of the MLDA, including the undertaking of delivery of basic services to the local government units, when deemed necessary subject to prior coordination with and consent of the local government unit concerned.

SEC. 7. Functions of the Metro Laguna Council. –

(a) The Council shall be the policy-making body of the MLDA.

(b) It shall approve metro-wide plans, programs and projects and issue rules and regulations deemed necessary by the MLDA to carry out the purposes of this Act.

(c) It may increase the rate of allowances and per diems of the members of the Council to be effective during the term of the succeeding Council. It shall fix the compensation of the officers and personnel of the MLDA, and approve the annual budget thereof for submission to the Department of Budget and Management (DBM).

(d) It shall promulgate rules and regulations and set policies and standards for wide application governing the delivery of basic services,

prescribe and collect service and regulatory fees and impose and collect fines and penalties,

SEC. 8. Functions of the Chairman. – The Chairman shall:

(a) Appoint, subject to civil service laws, rules and regulations, all subordinate officers and employees, who shall enjoy security of tenure and may be removed only for cause in accordance with law. The chairman is hereby authorized to engage the services of experts/consultants either on full time or part-time basis, as may be required in the performance of his functions and duties as may be determined by him;

(b) Execute the policies and measures approved by the Metro Laguna Council and be responsible for the efficient and effective day-to-day management of the operations of the MLDA;

(c) Prepare the annual budget for the operations of the MLDA for the submission to the Council;

(d) Submit for consideration of the Council such other duties and measures as he may deemed necessary to carry out the purposes and provisions of this Act;

(e) Subject to the guidelines and policies set by the Council, are the staffing pattern and fix the number of subordinate officials and employees of the MLDA, and exercise the power to discipline subordinate officials and employees under the provisions of law.

(f) Prepare an annual report on the accomplishments of the MLDA at the close of each calendar year for submission to the Council and to the President of the Philippines, and;

(g) Perform such other duties as may be assigned to him by the President or by the Council.

SEC. 9. *Functions of the General Manager.* - The general manager shall:

(a) Assist the chairman in the administration of the MLDA and supervision of subordinate personnel;

(b) Assist the chairman in the supervision of the operation of the various operating centers and units of MLDA;

(c) Assist the chairman in the review of plans and programs for the MLDA and for Metro Laguna in the preparation of the annual report of activities and accomplishments of the MLDA; and

(d) Perform such other duties and functions as may be lawfully delegated or assigned by the chairman from time to time.

SEC. 10. *Institutional Linkages of the MLDA.* - The MLDA shall, in carrying out its functions, consult, coordinate and work closely with the LGUs, the National Economic and Development Authority (NEDA) and other national government agencies mentioned in Section 4 hereof, and accredited people's organization (POs), nongovernmental organizations (NGOs), and the private sector operating in Metro Laguna. The MLDA chairman or his authorized representative from among the Council members, shall be *ex officio* member of the boards of government corporations and committees of the departments and offices of government whose activities are relevant to the objectives and responsibilities of the MLDA which shall include but not limited to DOTC, DPWH, HUDCC and Department of the Interior and Local Government (DILG)

The MLDA shall have a master plan that shall serve as the framework for the local development plans of the component LGUs.

The MLDA shall submit its development plans and investments programs to the NEDA for integration into the Medium-Term Philippine Development Plan (MTPDD) and public investment program.

The implementation of the MLDA's plans, programs, and projects shall be undertaken by the LGUs, the concerned national government agencies, the POs, NGOs and the private sector and the MLDA itself where appropriate. For this purpose, the MLDA may enter into contracts, memoranda of agreement and other cooperative agreements with these bodies for the delivery of the required services within Metropolitan Laguna.

The MLDA shall, in coordination with the NEDA and the Department of Finance, interface with the foreign assistance agencies for purposes of obtaining financing support, grants and donations in support of its programs and projects.

SEC. 11. Sources of Funds and the Operating Budget of MLDA:

(a) To carry out the purposes of this Act, the amount of One Billion Pesos (P1,000,000,000) is hereby authorized to be appropriated for the initial operation of the MLDA. Thereafter, the annual expenditures including capital outlays of the MLDA shall be provided for in the General Appropriations Act.

(b) The MLDA is likewise empowered by levy fines, and impose fees and charges for various services rendered.

(c) Five percent (5%) of the total annual gross revenue of the preceding year, net of the internal revenue allotment, of each local government unit mentioned in Section 2 hereof shall accrue and become payable monthly to the MLDA by each city or municipality. In case of failure to remit the said fixed contribution, the DBM shall cause the disbursement of the same to MLDA chargeable against the IRA allotment of the city or municipality concerned, the provisions of Section 286 of RA 7160 to the contrary notwithstanding.

SEC. 12. *Rules and Regulations.* – The Office of the President shall issue the necessary rules and regulations to implement this Act within thirty (30) days after its effectivity.

SEC. 13. *Repealing Clause.* – All laws, rules and regulations which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 14. *Separability Clause.* – If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

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

Approved,