

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

3235

HOUSE BILL NO. _____



Introduced by REP. EDGAR MARY S. SARMIENTO

EXPLANATORY NOTE

The 1987 Constitution, under Article XIII, Section 5, states that the State shall recognize the right of farmers, farmworkers, and landowners as well as cooperatives, and other independent farmers' organizations to provide in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial production, marketing, and other support services.

Upon the enactment of the Local Government Code of 1991, the country has implemented a devolved system in terms of providing basic agricultural services. The responsibility of discharging basic agricultural services fell upon the local government units. This is based on the notion that local government officials would be in the best position to assess the needs of their constituents and to properly implement programs that would cater to the needs of the locality. Decentralization was supposed to empower LGUs and to strengthen their capabilities.

Our farmers have yet to experience the full benefit of the system. This bill aims to revert to the national government the discharge of basic agricultural services previously devolved to the local government units. The Department of Agriculture should be given full power to streamline its agricultural program and ensure its uniform implementation across the country.

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

EDGAR MARY S. SARMIENTO

A handwritten signature in black ink, consisting of a stylized, cursive script that appears to read "Edgar Mary S. Sarmiento". The signature is written over the printed name.

Republic of the Philippines
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EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3235

Introduced by REP. EDGAR MARY S. SARMIENTO

**AN ACT REVERTING TO THE NATIONAL GOVERNMENT THE DISCHARGE OF
BASIC AGRICULTURAL FUNCTIONS AND RESPONSIBILITIES DEVOLVED TO
LOCAL GOVERNMENT UNITS AND AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF
1991**

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

1 **Section 1. Title.** – This Act shall be known as the “Re-Nationalization of Basic
2 Agricultural Functions Act of 2019”

3 **Section 2. Re-nationalization.** – Section 17 of Republic Act No. 7160, otherwise known
4 as the Local Government Code of 1991, is hereby amended:

5 Section 1.1 The devolution of the basic services and facilities to the Barangay on
6 “Agricultural Support services which include planting materials distribution system and
7 operation of farm produce collection and buying station,” is hereby withdrawn from the
8 Barangay and reverted back to the National Government. This amends Section 17, item
9 (b), No. (1), Par. 1 of the Local Government Code of 1991.

10 Section 1.2 The devolution of the basic services and facilities to the Municipality
11 on “Extension and on-site research services and facilities related to Agriculture and
12 Fisheries activities which include dispersal of livestock and poultry, fingerlings and other
13 seedlings materials for aquaculture; palay, corn and vegetable seed farms; medicinal plant
14 gardens; fruit tree, coconut and other kinds of seedling nurseries; demonstration farms;
15 quality control of copra and improvement and development of local distribution channels,
16 preferable through cooperatives; inter-barangay irrigation system; water and soil resource

utilization and conservation projects; and enforcement of fishery laws in municipal waters including the conservation of mangroves” is hereby withdrawn from the Municipality and reverted back to the National Government. This amends Section 17, item (b), No. (2), Par. 1 of the Local Government Code of 1991.

Section 1.3 The devolution of basic services and facilities to the province on “Agricultural extension and on-site research services and facilities which include the prevention and control of pest and animal pet and diseases; dairy farms, livestock markers, animal breeding station and artificial insemination centers, and assistance in the organization of farmer’s and fishermen’s cooperative and other collective organizations, as well as the transfer of appropriate technology,” is hereby withdrawn from the Province and reverted back to the National Government. This amends Section 17, item (b), No. (3), Par. (1), of the Local Government Code of 1991.

Section 1.4 The devolution of the basic services and facilities to the City “as embodied in the same basic services and facilities for Municipality and Province,” Section 17, (Item (b), No. 1 and 3, Par. (1), is hereby withdrawn from the city and reverted back to the national Government. This amends Section 17, item (b), No. (4), Par. 1 of the Local Government Code of 1991.

Section 3. Transfer of assets - Accordingly, all personnel, technicians, facilities, and properties previously transferred to the Barangay, Municipalities, Provinces, and Cities shall be returned to the National Government.

Section 4. Appropriations. - The funds necessary to cover the implementation of these amendments should be appropriated for agriculture and shall be provided for in the current General Appropriations Act and the years after.

Section 5. Agriculture and Fisheries Review Panel. – For the purpose of this Act, an Agriculture and Fisheries Review Panel is hereby created to be composed of the following: the Secretary of Agriculture, as Chairman; the Secretary of Interior and Local Government, the Director of the Bureau of Fisheries and Aquatic Resources, and the Director of the Philippine Council for Agriculture and Fisheries, or their duly designated representatives, as members.

The Agriculture and Fishery Review Panel in consultation with concerned sectors in the field, shall identify the problems of the industry under the re-nationalization set-up and recommend measures to enhance the agriculture productivity.

Section 8. Repealing Clause. – All laws, presidential decrees, executive orders, and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

1 **Section 9. Separability Clause.** – if, for any reason, any section or provision of this Act
2 is held unconstitutional or invalid, the other sections or provisions thereof shall not be affected
3 thereby and shall remain in full force and effect.

4 **Section 10. Effectivity Clause.** – This Act shall take effect fifteen (15) days following its
5 publication in the Official Gazette or in any two (2) newspapers of national circulation.

6 *Approved,*