

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3151



Introduced by Representative Ambrosio "Boy" C. Cruz, Jr.

EXPLANATORY NOTE

Section 25 Article II of the Constitution provides that the "State shall ensure autonomy of local governments."

It is also the policy of the State that the "territorial and political subdivisions of the State shall enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals. Toward this end, the State shall provide for a more responsive and accountable local government structure instituted through a system of decentralization whereby local government units shall be given more powers, authority, responsibilities, and resources. The process of decentralization shall proceed from the national government to the local government units" according to Section 2 (a) of the Local Government Code.

Meanwhile, Section 16 of the same Code provides that "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants."

Metropolitan Manila was created in 1975 through Presidential Decree No. 824 in order to manage the rapid growth of population and the increase of social and economic requirements in the area, among other conditions (*MMDA vs. Bel-air Village Association, Inc.*, G.R. No. 135962, March 27, 2020).

Metropolitan Manila has not stopped developing since then. In fact, it has seen a massive economic growth, which spurred a population boom, over the last fifty (50) years.

The continuous and massive development of Metropolitan Manila has spilled over such that the economic and social conditions that used to exist only in Metropolitan Manila are now present in nearby provinces.

In fact, the search for cheaper and bigger real estate has caused the migration of workers out of Manila, and into the suburban and rural areas in the Greater Manila Area, including the Province of Bulacan, particularly the Cities of Meycauayan, San Jose Del Monte, and Malolos, and the Municipalities of Obando, Marilao, Bocaue, Sta. Maria, Balagtas, Bulakan, and Guiguinto (Metropolitan Bulacan).

The growth of the manufacturing and agricultural sectors have also prompted migration and increased economic activity in these areas of Bulacan. More recently, recreational activities such as sporting events and concerts have been held more frequently in Bulacan, in light of the construction of the Philippine Arena. Furthermore, an airport is expected to rise in the Municipality of Bulakan, further increasing the flow of people and jobs into the province.

These conditions necessitate the creation of an agency that will map out the trajectory of Metropolitan Bulacan's growth, to ensure proper land utilization, management, and sustainability. This bill seeks to create the Metropolitan Bulacan Development Authority, which will coordinate local government actions towards a development plan that will ensure the proper land utilization, management, and sustainability.

Considering the foregoing, urgent passage of this bill is earnestly sought.



AMBROSIO "BOY" C. CRUZ, JR.
Representative, Fifth District of Bulacan

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**AN ACT ESTABLISHING THE METROPOLITAN BULACAN AREA AND CREATING
THE METROPOLITAN BULACAN DEVELOPMENT AUTHORITY (MBDA) 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 Cities of Meycauayan, San Jose Del Monte, and Malolos, and the Municipalities of Obando, Marilao, Bocaue, Sta. Maria, Balagtas, Bulakan, and Guiguinto, as a special development and administrative unit (SDAU) 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 Bulacan.* – There is hereby established a special development and administrative unit (SDAU) to be known as the Metropolitan Bulacan embracing the Cities of Meycauayan, San Jose Del Monte, and Malolos, and the Municipalities of Obando, Marilao, Bocaue, Sta. Maria, Balagtas, Bulakan, and Guiguinto, subject to direct supervision of the President of the Philippines, through the Department of the Interior and Local Government.

SEC. 3. *Creation of the Metropolitan Bulacan Development Authority.* – The affairs of the SDAU (Metropolitan Bulacan) shall be administered by the Metropolitan Bulacan Development Authority, hereinafter referred to as the MBDA.

The MBDA shall perform planning, monitoring and coordinative functions, and in the process exercise regulatory and supervisory authority over the delivery of metro-wide services

within Metro Bulacan without diminution of the autonomy of the local government units concerning purely local matters.

SEC. 4. *Scope of MBDA Services.* - Metro-wide services under the jurisdiction of the MBDA 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 the SDAU. 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 Bulacan.

(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 Bulacan Council.* – The governing board and policy making body of the MBDA shall be the Metro Bulacan Council, composed of the mayors of the cities and municipalities enumerated in Section 2 hereof, the president of the Bulacan Vice Mayors League and the President of the Bulacan 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 elected by a majority vote 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 Bulacan Development Authority.* - The MBDA 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 Bulacan, 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 MBDA 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 MBDA shall set policies concerning traffic in the SDAU, 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 Bulacan, 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 MBDA, 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 Bulacan Council.* – (a) The Council shall be the policy-making body of the MBDA.

(b) It shall approve metro-wide plans, programs and projects and issue rules and regulations deemed necessary by the MBDA 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 MBDA, 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 Bulacan Council and be responsible for the efficient and effective day-to day management of the operations of the MBDA;

(c) Prepare the annual budget for the operations of the MBDA 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 MBDA, 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 MBDA 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 MBDA and supervision of subordinate personnel;

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

(c) Assist the chairman in the review of plans and programs for the MBDA and for Metro Bulacan in the preparation of the annual report of activities and accomplishments of the MBDA; 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 MBDA.* - The MBDA 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 Bulacan. The MBDA 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 MBDA which shall include but not limited to DOTC, DPWH, HUDCC and Department of the Interior and Local Government (DILG).

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

The MBDA 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 MBDA'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 MBDA itself where appropriate. For this purpose, the MBDA may enter into contracts, memoranda of agreement and other cooperative agreements with these bodies for the delivery of the required services within Metropolitan Bulacan.

The MBDA 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 MBDA:*

(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 MBDA. Thereafter, the annual expenditures including capital outlays of the MBDA shall be provided for in the General Appropriations Act.

(b) The MBDA 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 MBDA 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 MBDA 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,