



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 34
Wednesday, November 14, 2018

SEVENTEENTH CONGRESS
THIRD REGULAR SESSION

SESSION NO. 34
Wednesday, November 14, 2018

CALL TO ORDER

At 3:00 p.m., the Senate President, Hon. Vicente C. Sotto III, called the session to order.

PRAYER

Sen. Panfilo "Ping" M. Lacson led the prayer, to wit:

Almighty and eternal God,
We raise Thy Name as You call us
to serve Thy people
Make us a vessel of Thy everlasting grace
Help us seek to be worthy of Thy eternal love.
This we ask in the Name of our Lord,
Jesus Christ.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 3:00 p.m.

RESUMPTION OF SESSION

At 3:03 p.m., the session was resumed.

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Myra Marie D. Villarica, called the roll, to which the following senators responded:

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| Binay, M. L. N. S. | Pacquiao, E. M. D. |
| Drilon, F. M. | Pangilinan, F. N. |
| Ejercito, J. V. G. | Pimentel III, A. K. |
| Gatchalian, W. | Sotto III, V. C. |
| Honasan, G. B. | Villanueva, J. |
| Hontiveros, R. | Villar, C. A. |
| Lacson, P. M. | Zubiri, J. M. F. |

With 14 senators present, the Chair declared the presence of a quorum.

Senators Angara, Escudero, Legarda, Poe, Recto and Trillanes arrived after the roll call.

Senator Gordon was unable to attend the session as "he was attending the 10th Asian Pacific Regional Conference (ASPAC) of the International Red Cross and Red Crescent Societies (IFRC) hosted by the Philippines," as indicated in the November 13, 2018 letter of the Senator's chief of staff.

Senator Aquino was absent.

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Senator De Lima was unable to attend the session as she was under detention.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Zubiri acknowledged the presence in the gallery of the following guests:

- Gov. Jose Chaves Alvarez, governor of Palawan, together with Mayor Lucena Demaala of Narra, Palawan and Mayor Mary Jean Feliciano of Brooke's Point, Palawan;
- Students from the Pamantasan ng Lungsod ng Maynila (PLM);
- Barangay captains and officials of Bongabong, Oriental Mindoro;
- Miss Turismo-Pilipina candidates headed by CEO Rexner Rubio;
- Barangay officials from Valenzuela City; and
- Pastors, guests of Senator Pacquiao.

Senate President Sotto welcomed the guests to the Senate.

APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journal of Session No. 33 (November 13, 2018) and considered it approved.

REFERENCE OF BUSINESS

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives adopted the following:

Senate Bill No. 1766 as an amendment to House Bill No. 7525, entitled

AN ACT INCREASING THE MONTHLY PENSION OF SENIOR VETERANS, THEREBY AMENDING REPUBLIC ACT NO. 6948, AS AMENDED; and

Senate Bill No. 1270 as an amendment to House Bill No. 7544, entitled

AN ACT DECLARING THE LAST MONDAY OF JANUARY OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN OBSERVANCE OF "NATIONAL BIBLE DAY"

To the Archives

Letter from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives concurred with the Senate amendments to House Bill No. 6620, entitled

AN ACT INCREASING THE BED CAPACITY OF ST. ANTHONY MOTHER AND CHILD HOSPITAL IN CEBU CITY FROM TWENTY-FIVE (25) TO ONE HUNDRED (100), AND APPROPRIATING FUNDS THEREFOR

To the Archives

Letters from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives ratified the Conference Committee Reports on the disagreeing votes on the following:

House Bill No. 6740, entitled

AN ACT UPGRADING THE LABUAN PUBLIC HOSPITAL IN ZAMBOANGA CITY INTO A LEVEL II HOSPITAL TO BE KNOWN AS THE LABUAN GENERAL HOSPITAL, INCREASING ITS BED CAPACITY FOR GENERAL CARE SERVICES TO ONE HUNDRED (100), AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 5780, entitled

AN ACT RENAMING THE DON HONORIO VENTURA TECHNOLOGICAL STATE UNIVERSITY (DHVTSU) IN THE MUNICIPALITY OF BACOLOR, PROVINCE OF PAMPANGA AS THE DON HONORIO VENTURA STATE UNIVERSITY (DHVSU), AND

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EXPANDING ITS CURRICULAR OFFERINGS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9832, ENTITLED "AN ACT CONVERTING THE DON HONORIO VENTURA COLLEGE OF ARTS AND TRADES IN THE MUNICIPALITY OF BACOLOR, PROVINCE OF PAMPANGA INTO A STATE UNIVERSITY TO BE KNOWN AS THE DON HONORIO VENTURA TECHNOLOGICAL STATE UNIVERSITY (DHVTSU) AND APPROPRIATING FUNDS THEREFOR";

House Bill No. 6065, entitled

AN ACT RENAMING THE NAVAL STATE UNIVERSITY (NSU) IN THE MUNICIPALITY OF NAVAL, PROVINCE OF BILIRAN, AS THE BILIRAN PROVINCE STATE UNIVERSITY (BILSU) AND REMOVING THE PROHIBITION ON THE APPOINTMENT OF THE UNIVERSITY PRESIDENT AND PRIVATE SECTOR REPRESENTATIVES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9718, ENTITLED "AN ACT CONVERTING THE NAVAL INSTITUTE OF TECHNOLOGY IN THE MUNICIPALITY OF NAVAL, PROVINCE OF BILIRAN INTO A STATE UNIVERSITY TO BE KNOWN AS THE NAVAL STATE UNIVERSITY, INTEGRATING THEREWITH THE BILIRAN NATIONAL AGRICULTURAL COLLEGE IN THE MUNICIPALITY OF BILIRAN AND APPROPRIATING FUNDS THEREFOR";

House Bill No. 6741, entitled

AN ACT CONVERTING THE ZAMBOANGA CITY STATE POLYTECHNIC COLLEGE INTO A STATE UNIVERSITY TO BE KNOWN AS THE ZAMBOANGA PENINSULA POLYTECHNIC STATE UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 6030, entitled

AN ACT INTEGRATING THE CEBU

CITY MOUNTAIN EXTENSION CAMPUS AS A SATELLITE CAMPUS OF THE CEBU TECHNOLOGICAL UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9744, OTHERWISE KNOWN AS "AN ACT CONVERTING THE CEBU STATE COLLEGE OF SCIENCE AND TECHNOLOGY SYSTEM IN THE CITY OF CEBU AND ALL ITS SATELLITE CAMPUSES LOCATED IN THE PROVINCE OF CEBU INTO A STATE UNIVERSITY TO BE KNOWN AS THE CEBU TECHNOLOGICAL UNIVERSITY (CTU) AND APPROPRIATING FUNDS THEREFOR"; and

House Bill No. 6465, entitled

AN ACT CONVERTING THE NORTHWESTERN MINDANAO STATE COLLEGE OF SCIENCE AND TECHNOLOGY (NMSCST) IN THE CITY OF TANGUB, PROVINCE OF MISAMIS OCCIDENTAL INTO A STATE UNIVERSITY TO BE KNOWN AS THE UNIVERSITY OF NORTHWESTERN MINDANAO (UNM) AND APPROPRIATING FUNDS THEREFOR.

To the Archives

Letter from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives ratified the Conference Committee Report on the disagreeing provisions of House Bill No. 6617, entitled

AN ACT STRENGTHENING THE PHILIPPINE COMPREHENSIVE POLICY ON HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) PREVENTION, TREATMENT, CARE AND SUPPORT, AND ESTABLISHING THE PHILIPPINE NATIONAL HIV AND AIDS PLAN AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8504, OTHERWISE KNOWN AS THE "PHILIPPINE

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AIDS PREVENTION AND CONTROL ACT OF 1998"; and

Senate Bill No. 1390, entitled

AN ACT STRENGTHENING THE PHILIPPINE COMPREHENSIVE POLICY ON HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) PREVENTION, TREATMENT, CARE, AND SUPPORT, AND ESTABLISHING THE PHILIPPINE NATIONAL AIDS COUNCIL (PNAC), REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8504, OTHERWISE KNOWN AS THE 'PHILIPPINE AIDS PREVENTION AND CONTROL ACT OF 1998,' AND APPROPRIATING FUNDS THEREFOR.

To the Archives

Letter from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives ratified the Conference Committee Report on the disagreeing provisions of House Bill No. 2158, entitled

AN ACT RATIONALIZING AND EXPANDING THE POWERS AND DUTIES OF THE SOCIAL SECURITY COMMISSION AND THE SOCIAL SECURITY SYSTEM, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 1161, AS AMENDED BY REPUBLIC ACT NO. 8282, OTHERWISE KNOWN AS THE "SOCIAL SECURITY ACT OF 1997"; and

Senate Bill No. 1753, entitled

AN ACT RATIONALIZING AND EXPANDING THE POWERS AND DUTIES OF THE SOCIAL SECURITY COMMISSION TO ENSURE THE LONG-TERM VIABILITY OF THE SOCIAL SECURITY SYSTEM, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 1161, AS AMENDED BY REPUBLIC ACT NO. 8282, OTHERWISE KNOWN AS THE "SOCIAL SECURITY ACT OF 1997."

To the Archives

Letter from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives ratified the Conference Committee Report on the disagreeing provisions of House Bill No. 5745, entitled

AN ACT ESTABLISHING THE COCONUT FARMERS AND INDUSTRY DEVELOPMENT TRUST FUND AND PROVIDING FOR ITS MANAGEMENT AND UTILIZATION; and

Senate Bill No. 1233, entitled

AN ACT CREATING THE COCONUT FARMERS AND INDUSTRY TRUST FUND, PROVIDING FOR ITS MANAGEMENT AND UTILIZATION, AND FOR OTHER PURPOSES.

To the Committee on Rules

Letter from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives ratified the Conference Committee Report on the disagreeing provisions of House Bill No. 7442, entitled

AN ACT PROVIDING FOR THE SPECIAL PROTECTION OF CHILDREN IN SITUATIONS OF ARMED CONFLICT AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF; and

Senate Bill No. 2023, entitled

AN ACT PROVIDING SPECIAL PROTECTION OF CHILDREN IN SITUATIONS OF ARMED CONFLICT AND PROVIDING PENALTIES THEREOF.

To the Archives

Letter from the House of Representatives, informing the Senate that on 10 October 2018, the House of Representatives ratified the Conference Committee Report on the disagreeing provisions of House Bill No. 6775, entitled

AN ACT CREATING THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, DEFINING ITS MANDATE, POWERS

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AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR; and

Senate Bill No. 1578, entitled

AN ACT CREATING THE DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, DEFINING ITS MANDATES, POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

To the Archives

BILLS ON FIRST READING

Senate Bill No. 2087, entitled

AN ACT TO ORDAIN THE NEW BUILDING CODE OF THE PHILIPPINES

Introduced by Senator Grace Poe

To the Committees on Public Works; and Local Government

Senate Bill No. 2088, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT, TESTING AND EVALUATION OF STRATEGIC PLANNING AND PERFORMANCE MEASUREMENT IN THE GOVERNMENT

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Civil Service, Government Reorganization and Professional Regulation

Senate Bill No. 2089, entitled

AN ACT REQUIRING HEALTH CARE PROVIDERS TO REPORT CASES OF ANTIMICROBIAL RESISTANT INFECTIONS

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Health and Demography

Senate Bill No. 2090, entitled

AN ACT DECLARING MARCH 1 OF EVERY YEAR AS A SPECIAL NON-WORKING HOLIDAY IN THE CITY OF DAVAO TO BE KNOWN AS THE "ARAW NG DABAW," REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7551 AND REPUBLIC ACT NO. 7685

Introduced by Senator Sonny Angara

To the Committee on Rules

Senate Bill No. 2091, entitled

AN ACT DECLARING THE PROVINCE OF CATANDUANES AS THE ABACA CAPITAL OF THE PHILIPPINES

Introduced by Senator Sonny Angara

To the Committee on Agriculture and Food

RESOLUTION

Proposed Senate Resolution No. 939, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE(S) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED IMPORTATION OF PLASTIC WASTE FROM SOUTH KOREA

Introduced by Senator Aquilino "Koko" Pimentel III

To the Committees on Environment and Natural Resources; and Foreign Relations

ADDITIONAL REFERENCE OF BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that on 12 November 2018, the House of Representatives passed the following House bills in which it requested the concurrence of the Senate:

House Bill No. 8453, entitled

AN ACT INSTITUTING REFORMS IN REAL PROPERTY VALUATION AND ASSESSMENT IN THE PHILIPPINES, REORGANIZING THE BUREAU OF LOCAL GOVERNMENT FINANCE, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Ways and Means; Local Government; and Finance

House Bill No. 8217, entitled

AN ACT ESTABLISHING A CONSOLIDATED POVERTY DATA COLLECTION SYSTEM AND APPROPRIATING FUNDS THEREFOR

To the Committees on Social Justice, Welfare and Rural Development; Local Government; and Finance

House Bill No. 1700, entitled

AN ACT GRANTING THE OVERSEAS FILIPINO WORKERS THE RIGHT TO EQUAL PROTECTION ON MONEY CLAIMS, AMENDING FOR THE PURPOSE THE FIFTH PARAGRAPH OF SECTION 10 OF REPUBLIC ACT NO. 8042, AS AMENDED BY REPUBLIC ACT NO. 10022

To the Committees on Labor, Employment and Human Resources Development; and Foreign Relations

House Bill No. 8110, entitled

AN ACT MANDATING THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA) TO DEVELOP, PUBLISH, DISSEMINATE AND UPDATE A HANDBOOK ON THE RIGHTS AND RESPONSIBILITIES OF MIGRANT WORKERS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8042, OTHERWISE KNOWN AS THE "MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995," AS AMENDED BY REPUBLIC ACT NO. 10022

To the Committee on Rules

House Bill No. 8204, entitled

AN ACT REDEFINING THE CRIME OF GAME-FIXING AND PRESCRIBING STIFFER PENALTIES THEREFOR

To the Committees on Justice and Human Rights; and Sports

House Bill No. 8244, entitled

AN ACT EXPANDING THE DEFINITION OF SEXUAL HARASSMENT, STRENGTHENING THE MECHANISMS TO MONITOR COMPLIANCE WITH POLICIES AGAINST SEXUAL HARASSMENT IN THE WORKPLACE AND IN EDUCATIONAL AND TRAINING INSTITUTIONS, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 7877, ALSO REFERRED TO AS THE "ANTI-SEXUAL HARASSMENT ACT OF 1995"

To the Committees on Labor, Employment and Human Resources Development; and Civil Service, Government Reorganization and Professional Regulation

House Bill No. 7820, entitled

AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE DEPENDENT CHILDREN OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT, CIVIL SERVICE COMMISSION, COMMISSION ON ELECTIONS, AND THE OMBUDSMAN, WHO IS A SOLO PARENT, OR THE SURVIVING PARENTS OR NOMINATED PERSONS OF SUCH DECEASED RETIREE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10084, ENTITLED, "AN ACT GRANTING SURVIVORSHIP BENEFITS TO THE SURVIVING LEGITIMATE SPOUSE OF A DECEASED RETIRED MEMBER OF THE COMMISSION ON AUDIT,

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CIVIL SERVICE COMMISSION,
COMMISSION ON ELECTIONS AND
THE OMBUDSMAN, AND FOR
OTHER PURPOSES”

**To the Committees on Civil Service,
Government Reorganization and Professional
Regulation; and Finance**

House Bill No. 7823, entitled

AN ACT GRANTING INCENTIVES TO
FILIPINO FILMMAKERS WHO
WERE GRANTED HONORS IN
NOTABLE INTERNATIONAL FILM
FESTIVALS AND APPROPRIATING
FUNDS THEREFOR

**To the Committees on Public Information
and Mass Media; and Finance**

House Bill No. 7849, entitled

AN ACT PROVIDING FOR A FREE
AND CULTURE-SENSITIVE CIVIL
REGISTRATION SYSTEM FOR
INDIGENOUS PEOPLES

**To the Committees on Cultural Communi-
ties; and Ways and Means**

House Bill No. 7927, entitled

AN ACT INTEGRATING LABOR EDUCA-
TION INTO THE SOCIAL SCIENCE
SUBJECTS IN THE HIGHER
EDUCATION CURRICULUM

**To the Committees on Education, Arts and
Culture; and Labor, Employment and Human
Resources Development**

House Bill No. 8186, entitled

AN ACT REDUCING THE MINIMUM
MEMBERSHIP REQUIREMENT FOR
REGISTRATION OF UNIONS OR
FEDERATIONS, AND STREAMLINING
THE PROCESS OF REGISTRATION,
AMENDING FOR THIS PURPOSE
PRESIDENTIAL DECREE NO. 442, AS
AMENDED, OTHERWISE KNOWN
AS THE LABOR CODE OF THE
PHILIPPINES

**To the Committee on Labor, Employment
and Human Resources Development**

House Bill No. 8239, entitled

AN ACT PROMOTING POSITIVE
AND NON-VIOLENT DISCIPLINE,
PROTECTING CHILDREN FROM
PHYSICAL, HUMILIATING OR
DEGRADING ACTS AS A FORM OF
PUNISHMENT AND APPROPRIAT-
ING FUNDS THEREFOR

To the Committee on Rules

House Bill No. 8374, entitled

AN ACT PROVIDING FOR THE
REVISED CORPORATION CODE OF
THE PHILIPPINES

To the Committee on Rules

House Bill No. 8400, entitled

AN ACT ESTABLISHING THE FISCAL
REGIME FOR THE MINING INDUSTRY

To the Committee on Ways and Means

House Bill No. 8282, entitled

AN ACT DECLARING THE PROVINCE
OF CATANDUANES AS THE ABACA
CAPITAL OF THE PHILIPPINES

To the Committee on Agriculture and Food

House Bill No. 8423, entitled:

AN ACT CREATING THE METRO
BATAAN DEVELOPMENT AUTHOR-
ITY, DEFINING ITS POWERS AND
FUNCTIONS, AND PROVIDING
FUNDS THEREFOR

**To the Committees on Government Corpora-
tions and Public Enterprises; Economic Affairs;
and Finance**

House Bill No. 6382, entitled

AN ACT ESTABLISHING AN INTE-

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GRATED SCHOOL IN BARANGAY MAUWAY, CITY OF MANDALUYONG, TO BE KNOWN AS THE SENATE PRESIDENT NEPTALI A. GONZALES INTEGRATED SCHOOL AND APPROPRIATING FUNDS THEREFOR

To the Committees on Education, Arts and Culture; and Finance

House Bill No. 6687, entitled

AN ACT ESTABLISHING A REGULAR DISTRICT OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE MUNICIPALITY OF MORONG, PROVINCE OF RIZAL, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8365, entitled

AN ACT RATIONALIZING THE MANAGEMENT OF THE NATURAL RESOURCES IN THE CAMOTES ISLANDS, PROVINCE OF CEBU, AMENDING FOR THE PURPOSE PROCLAMATION NO. 2152 DATED DECEMBER 29, 1981, ENTITLED "DECLARING THE ENTIRE PROVINCE OF PALAWAN AND CERTAIN PARCELS OF THE PUBLIC DOMAIN AND/OR PARTS OF THE COUNTRY AS MANGROVE SWAMP FOREST RESERVES"

To the Committee on Environment and Natural Resources

House Bill No. 8420, entitled

AN ACT ESTABLISHING A LICENSING BRANCH OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE CITY OF PARAÑAQUE AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8426, entitled

AN ACT AMENDING SECTION 10(b) OF REPUBLIC ACT NO. 10160 OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF BACOR

To the Committee on Local Government

House Bill No. 8434, entitled

AN ACT UPGRADING THE GOVERNOR CELESTINO GALLARES MEMORIAL HOSPITAL IN TAGBILARAN CITY, PROVINCE OF BOHOL, INTO A MEDICAL CENTER TO BE KNOWN AS THE GOVERNOR CELESTINO GALLARES MEMORIAL MEDICAL CENTER, INCREASING ITS BED CAPACITY FROM TWO HUNDRED TWENTY FIVE (225) BEDS TO FIVE HUNDRED TWENTY FIVE (525) BEDS, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Health and Demography; and Finance

House Bill No. 8435, entitled

AN ACT UPGRADING THE EVERSLEY CHILDS SANITARIUM HOSPITAL IN MANDAUE CITY, PROVINCE OF CEBU, INTO A GENERAL HOSPITAL TO BE KNOWN AS THE EVERSLEY CHILDS SANITARIUM AND GENERAL HOSPITAL, INCREASING ITS BED CAPACITY FROM FIFTY (50) BEDS TO TWO HUNDRED (200) BEDS AND APPROPRIATING FUNDS THEREFOR

To the Committees on Health and Demography; and Finance

House Bill No. 8437, entitled

AN ACT ESTABLISHING A REGULAR DISTRICT OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE CITY OF TANAUAN, 3RD DISTRICT OF BATANGAS

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AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8438, entitled

AN ACT ESTABLISHING A SATELLITE OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE MUNICIPALITY OF GUIMBA, PROVINCE OF NUEVA ECIJA AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8439, entitled

AN ACT ESTABLISHING A SATELLITE OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN SAN JOSE DEL MONTE CITY, PROVINCE OF BULACAN AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8441, entitled

AN ACT DECLARING THE BALANGA WETLAND AND NATURE PARK LOCATED IN BARANGAY TORTUGAS, CITY OF BALANGA, PROVINCE OF BATAAN AS A RESPONSIBLE, COMMUNITY-BASED ECOTOURISM ZONE AND APPROPRIATING FUNDS THEREFOR

To the Committees on Environment and Natural Resources; Tourism; and Finance

House Bill No. 8442, entitled

AN ACT ESTABLISHING AN EXTENSION OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE MUNICIPALITY OF INFANTA, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8443, entitled

AN ACT CONVERTING THE QUEZON LICENSING CENTER OF THE LAND TRANSPORTATION OFFICE (LTO) IN LUCENA CITY, PROVINCE OF QUEZON INTO A REGULAR LICENSING CENTER TO BE KNOWN AS THE "LUCENA CITY LICENSING CENTER" AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8444, entitled

AN ACT ESTABLISHING A DISTRICT BRANCH OF THE LAND TRANSPORTATION OFFICE IN THE MUNICIPALITY OF MARAMAG, PROVINCE OF BUKIDNON AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8445, entitled

AN ACT ESTABLISHING A SATELLITE OFFICE OF THE LAND TRANSPORTATION OFFICE (LTO) IN THE MUNICIPALITY OF KIBAWA, PROVINCE OF BUKIDNON AND APPROPRIATING FUNDS THEREFOR

To the Committees on Public Services; and Finance

House Bill No. 8449, entitled

AN ACT INCREASING THE BED CAPACITY OF THE MARIVELES MENTAL HOSPITAL IN MARIVELES, PROVINCE OF BATAAN, FROM FIVE HUNDRED (500) BEDS TO SEVEN HUNDRED (700) BEDS, RENAMING IT AS THE MARIVELES MENTAL WELLNESS AND GENERAL HOSPITAL, UPGRADING ITS

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SERVICES TO INCLUDE THE OPERATION OF A LEVEL 1 GENERAL WARD WITH ONE HUNDRED (100) BED CAPACITY, AND APPROPRIATING FUNDS THEREFOR

To the Committees on Health and Demography; and Finance

Letter from the House of Representatives, informing the Senate that on 12 November 2018, the House of Representatives reconsidered the ratification of the Conference Committee Report on the disagreeing provisions of House Bill No. 4113, entitled

AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED (100) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND IN THE PRIVATE SECTOR, AND GRANTING AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY; and

Senate Bill No. 1305, entitled

AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED TWENTY (120) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND THE PRIVATE SECTOR WITH AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY, PROVIDING A PARENTAL LEAVE PERIOD FOR ADOPTIVE PARENTS, AND GRANTING AN ADDITIONAL THIRTY (30) DAYS FOR SOLO MOTHERS, AND FOR OTHER PURPOSES.

To the Committee on Rules

Letter from the House of Representatives, informing the Senate that on 12 November 2018, the House of Representatives designated Herrera-Dy, Cayetano, Lagman, Go, De Jesus, Ty and Antonio as conferees to the Bicameral Conference Committee on the disagreeing provisions of House Bill No. 4113, entitled

AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED

(100) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND IN THE PRIVATE SECTOR, AND GRANTING AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY; and

Senate Bill No. 1305, entitled

AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED TWENTY (120) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND THE PRIVATE SECTOR WITH AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY, PROVIDING A PARENTAL LEAVE PERIOD FOR ADOPTIVE PARENTS, AND GRANTING AN ADDITIONAL THIRTY (30) DAYS FOR SOLO MOTHERS, AND FOR OTHER PURPOSES

To the Committee on Rules

Letter from the House of Representatives, informing the Senate that on 12 November 2018, the House of Representatives concurred with the Senate amendments to House Bill No. 4935, entitled

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY DON ALBINO T. TARUC IN THE MUNICIPALITY OF SOCORRO, PROVINCE OF SURIGAO DEL NORTE

To the Archives

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Zubiri acknowledged the presence in the gallery of Gov. Imee Marcos and Tony Fernandes, founder of AirAsia.

COMMITTEE REPORT NO. 490 ON HOUSE BILL NO. 8055

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of House Bill No. 8055 (Committee Report No. 490), entitled

AN ACT DIVIDING THE PROVINCES OF PALAWAN INTO THREE (3) PROVINCES, NAMELY: PALAWAN DEL NORTE, PALAWAN ORIENTAL AND PALAWAN DEL SUR.

Senator Zubiri stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Angara, sponsor of the measure, and Senator Hontiveros, for her interpellation.

**INTERPELLATION
OF SENATOR HONTIVEROS**

At the outset, Senator Hontiveros said that she was all for the speedy delivery of government service especially in the province which is said to register a 55% poverty incidence, given that it is a basic right that must be enjoyed by all Filipinos. She said that she would also leave the final decision to the people of Palawan whether or not their province should be divided through a plebiscite should House Bill No. 8055 become a law.

Senator Hontiveros then asked who were invited to the public hearing on the proposed measure conducted on September 13 and to the technical working group meeting held on September 27, whether there was opposition to the bill, and if representatives from nongovernmental organizations (NGOs) were present. Senator Angara replied that present in the public hearing were provincial officials of Palawan like Governor Alvarez, Vice Governor Socrates, some mayors, members of Sanggunian Panlalawigan, members of Sanggunian Bayan, national government officials from the local DILG, DOF, DBM and Comelec, representatives of the various leagues, and Representatives Alvarez and Abueg, the authors of the bill. He said that no NGO representatives were present and no hearings were held in the province.

Senator Hontiveros lamented the absence of representatives from the NGOs in the public hearing even as the Save Palawan Movement and the Palawan NGO Network have voiced their opposition to the division of Palawan. Senator Angara said that the Committee had not received any communications from them but he would be happy to communicate and hear them out. Senator Hontiveros said that she would relay Senator Angara's invitation and openness to the NGO oppositors.

On whether the proposed measure would take into account the various environmental laws and policies that could affect Palawan, the country's last frontier and the only LGU that is governed by a specific framework on sustainable development through Republic Act No. 7611 or the Strategic Environmental Plan (SEP) for Palawan, the same law that led to the creation of the Palawan Council for Sustainable Development (PCSD), and whether it would effectively amend RA 7611, Senator Angara opined that the measure is not inconsistent with RA 7611, but he acknowledged that there may be an implication on the composition of the *ex-officio* membership of the PCSD, like the governor of Palawan, the mayor of Puerto Princesa and other officials; thus the law, assuming it would be passed, would probably have to be amended later on. However, he believed that there would be no substantial amendment to existing environmental laws as they would still be enforced and in effect for the whole province and for the provinces to be created. Thus, he pointed out that each province would have its own environmental officer.

Senator Angara further believed that the high poverty rate in Palawan, which is considered as one of the largest provinces in the country, is partly due to its size, making it difficult for the local government officials to effectively service each and every constituent. This, he said, is one of the reasons for dividing the province.

Asked about the requirements for the creation of the provinces as provided for in the Constitution vis-a-vis the requirements for the creation of legislative districts, Senator Angara replied that although the proposed three provinces, Palawan de Norte, Palawan Oriental and Palawan del Sur, do not meet the population requirement, they all meet the income and land area requirements as provided for in the Local Government Code. He believed that they would meet the optional population requirement in a matter of time.

As regards the need for the designation of a mother province, Senator Angara replied that under the Local Government Code, the reason for the designation of a mother province is that there are requirements for compliance, specifically the land area and non-diminution of income of the province.

Asked which of the new provinces would have jurisdiction over a territory in the West Philippine Sea

yes yes

and whether this was taken into consideration in the subdivision of the province, Senator Angara replied that Palawan del Sur would have the jurisdiction of upholding the Philippine sovereignty in the area once the proposed measure is passed into law and ratified by the citizens of the province of Palawan.

As to the effect of the division on the bureaucracy of the province, Senator Angara replied that there would be an increase of employees in the three provinces which would mean better delivery of essential government services to the constituents.

Adverting to Section 48 (*The Provincial Jail Service*), which was being proposed to be amended, Senator Hontiveros sought clarification on the temporary incarceration of mentally-ill persons in district jails as it seems to run counter to the intent and spirit of the recently approved RA 11036 or the Mental Health Law. She said that one of the basic rights provided for patients suffering from mental illness is informed consent to treatment and where involuntary treatment or restraint is applied, it shall be strictly in accordance with the guidelines by the authorities and to be reviewed by the Institutional Review Board created under Section 13(d) of that law.

Senator Angara replied that such provision was lifted from the Local Government Code and was suggested by the Bureau of Jail Management and Penology (BJMP). He said that he would welcome amendments that is more attuned to current development and the recently enacted Mental Health Law. Senator Hontiveros said that she would propose an amendment at the appropriate time to remove the mention of mentally-ill person from that section.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 3:39 p.m.

RESUMPTION OF SESSION

At 3:42 p.m., the session was resumed.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 8055

Upon motion of Senator Zubiri, there being no

objection, the Body suspended consideration of the bill.

COMMITTEE REPORT NO. 440 ON SENATE BILL NO. 1998 (Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1998 (Committee Report No. 440), entitled

AN ACT REPLACING THE QUANTITATIVE IMPORT RESTRICTIONS ON RICE WITH TARIFFS, LIFTING THE QUANTITATIVE EXPORT RESTRICTIONS ON RICE, AND CREATING THE RICE COMPETITIVENESS ENHANCEMENT FUND, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8178, AS AMENDED BY REPUBLIC ACT NO. 9496, AND AS FURTHER AMENDED BY REPUBLIC ACT NO. 10848, AND FOR OTHER PURPOSES.

Senator Zubiri stated that the parliamentary status was the period of individual amendments.

Thereupon, the Chair recognized Senator Villar, sponsor of the measure.

Senate President Sotto informed the Body that a clean copy of the bill dated November 13, 2018 would be used as basis for the amendments.

VILLAR AMENDMENTS

As proposed by Senator Villar and accepted by the Body, there being no objection, the following amendments were approved by the Body, one after the other:

1. On page 12, lines 34 to 35, replace the words "AS FOLLOWS" with AND INCLUDED IN THE GENERAL APPROPRIATIONS ACT OF THE FOLLOWING YEAR; and
2. On page 10, reword the proviso on lines 13 to 18, to read as follows:

"THE SECRETARY OF AGRICULTURE SHALL BE ACCOUNTABLE AND RESPONSIBLE FOR THE RICE FUND IN COORDINATION WITH OTHER GOVERNMENT AGENCIES."

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DRILON AMENDMENTS

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the following amendments were approved by the Body, one after the other:

1. Delete the whole of Section 5 on lines 26 to 35 of page 4 up to lines 1 to 8 of page 5.
2. On page 5, line 14, in the title of Section 5, after the word "RICE," insert the phrase FOR THE SOLE PURPOSE OF ENSURING FOOD SAFETY;
3. On the same page, line 18, after the word REGULATIONS and the colon (:), insert the proviso: *PROVIDED*, THAT THE CLEARANCE SHALL NOT PROVIDE FOR IMPORT VOLUME AND TIMING RESTRICTIONS;
4. On the same page and line, after the word "*PROVIDED*," insert the word FURTHER and a comma (,);
5. On the same page, line 28, insert a new sentence to read as follows:

THE FOOD SAFETY REGULATORY FUNCTION OF THE NFA UNDER ITEM (1), SECTION 16 OF REPUBLIC ACT NO. 10611, OTHERWISE KNOWN AS THE FOOD SAFETY ACT OF 2013, IS HEREBY TRANSFERRED TO THE BPI.;

6. Delete the whole of Section 7, starting from lines 32 to 36 on page 6 up to lines 1 to 26 on page 7 and replace with the following:

SEC. 7. POWER OF THE PRESIDENT TO CHANGE THE TARIFF RATES OF RICE.
 – THE PRESIDENT, WHEN CONGRESS IS NOT IN SESSION, UPON RECOMMENDATION OF THE TARIFF COMMISSION AND THE NEDA, MAY:

- A. REDUCE THE APPLIED RATE ON A SPECIFIED VOLUME OF IMPORTED RICE IN CASE OF AN IMPENDING RICE SHORTAGE, AS DETERMINED BY AN INTER-AGENCY TECHNICAL COMMITTEE AND CONFIRMED BY THE NFA COUNCIL; AND
- B. INCREASE THE TARIFF EQUIVALENT REFERRED TO UNDER SECTION 6C BEYOND ONE HUNDRED PERCENT (100%), THE PROVISION OF SECTION 1608, PARAGRAPH A.1 OF THE CMTA TO THE CONTRARY NOTWITHSTANDING.

ANY ORDER ISSUED BY THE PRESIDENT ADJUSTING THE TARIFF RATES AND/OR SPECIFYING THE VOLUME AND THE PRESCRIBED PERIOD OF IMPORTATION SHALL TAKE EFFECT IMMEDIATELY.

THE POWER HEREIN DELEGATED TO THE PRESIDENT MAY BE WITHDRAWN OR TERMINATED BY CONGRESS THROUGH A JOINT RESOLUTION.

Senator Villar accepted the amendment except that the mention of the NFA Council should be removed, so that subsection (A) of Section 7 would read: REDUCE THE APPLIED RATE ON A SPECIFIED VOLUME OF IMPORTED RICE IN CASE OF AN IMPENDING RICE SHORTAGE, AS DETERMINED BY AN INTER-AGENCY TECHNICAL COMMITTEE.

Senator Recto recalled that the specific section was put to a vote the previous session day and that he would pose no objection if it would be amended further to make the provision clearer.

Senator Drilon agreed with Senator Recto that the amendment was put to a vote, but he assumed that the Body suspended the *Rules* to allow the introduction of further amendments.

Senator Recto then sought clarification on the intent of the amendment, particularly on the powers of the President as specified in Section 7(A), (B) and (C). Specifically, he pointed out that under paragraph (A), the President was empowered to "increase, reduce, revise, or adjust existing rates of imports duty up to the bound rate committed by the Philippines under the WTO Agreement on Agriculture and under the ATIGA, including any necessary change in classification, applicable to importation of rice; *Provided*, That power herein delegated to the President shall only be exercised when the Congress is not in session; *Provided, Further*, that any order issued by the President adjusting the applied tariff rates shall take effect fifteen (15) days after publication."

Senator Drilon replied that there is a provision in the CMTA which mandates that the revision of tariff rates can be done only when Congress is not in session, and because the power to fix tariff rates is basically a function of Congress, any delegation must be clear and limited. Besides, he pointed out that as a practical matter, when the President would want to revise import duty and Congress is in session,

Congress can always accommodate such request by adjourning the session for that period to enable the President to revise import duties.

Senator Recto agreed, but he asked whether the intention of the amendment is to repeal paragraph (B) which empowers the President for a limited period in case there are forecasted shortage requiring government intervention. Senator Drilon answered in the affirmative. He said that he would propose amendments in lieu of such provisions.

At this juncture, Senator Recto asked for a copy of the proposed amendments of Senator Drilon, to which the later obliged.

SUSPENSION OF SESSION

With the permission of the Body, the session was suspended.

It was 3:59 p.m.

RESUMPTION OF SESSION

At 4:04 p.m., the session was resumed.

Upon resumption, Senator Drilon disclosed that after discussing with Senator Recto, the original proponent of the amendments on pages 6 and 7, he was withdrawing his amendments.

RECONSIDERATION OF THE APPROVAL OF THE DRILON AMENDMENT

Upon motion of Senator Drilon, there being no objection, the approval of his amendment on page 6, line 29 up to page 7, line 26 was reconsidered.

DRILON AMENDMENTS

(Continuation)

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the following amendments were approved by the Body, one after the other:

1. On page 6, line 36, after the word "AUTHORITY," insert the phrase SUBJECT TO THE PROVISIONS OF THE CMTA;
2. On page 7, line 20, delete the word "EVEN";
3. On page 7, line 21, before the word "IN," insert the word NOT;

PROPOSED AMENDMENT OF SENATOR VILLAR

On page 7, line 23, Senator Villar proposed to replace the word "OUT-QUOTA" with APPLIED which is used in the Tariff Code.

Senator Recto pointed out that the two terms have different meaning, as he maintained that "out-quota" is more appropriate because it refers to Section 6(c) on page 6 which is about "out-quota tariff rate" on rice imports originating from non-ASEAN WTO member-states.

Thereupon, Senator Villar withdrew her amendment.

DRILON AMENDMENTS

(Continuation)

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the following amendments were approved by the Body, one after the other:

1. On page 7, line 27, insert the sentence to read as follows: THE POWER HEREIN GRANTED TO THE PRESIDENT MAY BE WITHDRAWN OR TERMINATED BY CONGRESS THROUGH A JOINT RESOLUTION.
2. Amend the title of the bill, as follows:

AN ACT LIBERALIZING THE IMPORTATION, EXPORTATION AND TRADING OF RICE, LIFTING FOR THE PURPOSE THE QUANTITATIVE IMPORT RESTRICTION ON RICE, AND FOR OTHER PURPOSES.

Senator Drilon explained that the amendment would ensure that the bill not to violate the "one title, one subject rule."

VILLAR AMENDMENTS

As proposed by Senator Villar, there being no objection, the following amendments were approved by the Body, one after the other:

Page 12

1. A modified by Senate President Sotto, on line 20, insert a new proviso, to read as follows: *PROVIDED, THAT THE*

PERCENTAGE ALLOCATION WILL BE REVIEWED ON THE THIRD YEAR OF THE EFFECTIVITY OF THIS ACT FOR POSSIBLE REVISIONS SHOULD INTERVENTION PRIORITIES CHANGE;

2. On line 21, after the word "PROVIDED," insert the word FURTHER; and
3. On line 30, after the word "PROVIDED," insert the word FURTHERMORE.

PIMENTEL AMENDMENT

At this juncture, Senator Pimentel suggested deleting Section 1 which, he noted, amends the title of an existing law. He pointed out that amending the title of the existing law would change the historical records, and he maintained that the title of an existing law need not be amended.

Senator Drilon concurred with the statement of Senator Pimentel. He explained that even if the title of RA 8178 is not amended, it is deemed amended by the passage of Senate Bill No. 1998 which, in effect, would replace the quantitative import restrictions or QIRs on rice. He also noted that the phrase "FURTHER amended" found on line 9 of Section 2 was a correct amendment because it assumes that RA 8178 was previously amended.

On page 1, as proposed by Senator Pimentel, and accepted by the Sponsor, there being no objection, the Body approved the deletion of lines 1 to 7.

DRILON AMENDMENT

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the renumbering of the succeeding sections.

SUSPENSION OF SESSION

With the permission of the Body, the session was suspended.

It was 4:23 p.m.

RESUMPTION OF SESSION

At 5:03 p.m., the session was resumed.

PANGILINAN AMENDMENTS

As proposed by Senator Pangilinan and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

1. On page 10, line 11, after the period (.), insert a new sentence to read as follows: THE COCAFM SHALL UTILIZE THE INCREASE OR DECREASE IN FARMERS' INCOMES AS A PRIMARY BENCHMARK IN DETERMINING THE EFFECTIVENESS OF THE INTERVENTIONS UNDER THE PROGRAM AND ITS POSSIBLE EXTENSION.; and
2. On page 12, line 28, after the period (.), insert a new sentence to read as follows: THE INCREASE OR DECREASE OF FARMERS' INCOMES SHALL BE THE PRIMARY BENCHMARK IN GRANTING THEIR INTERVENTIONS.

Senator Pangilinan emphasized that the interventions should lead to better incomes of the farmers, and the best determinant of their effectiveness is that the farmers are earning more.

PROPOSED AMENDMENT OF SENATOR VILLANUEVA

On page 5, line 14, after the word "RICE" in the title, Senator Villanueva proposed the insertion of the phrase AND OTHER PERMITS FOR RICE IMPORTATION.

Senator Villar stated that she cannot allow more permits because precisely, the intent is to streamline the importation process. She pointed out the need to simplify the importation process because making it difficult would be a source of graft.

Besides, Senate President Sotto also noted that Senator Drilon had amended the same line previously which now reads: "ISSUANCE OF SANITARY AND PHYTOSANITARY IMPORT CLEARANCE FOR RICE FOR THE SOLE PURPOSE OF ENSURING FOOD SAFETY."

Thereupon, Senator Villanueva withdrew his proposed amendment.

PROPOSED AMENDMENTS OF SENATOR HONTIVEROS

On page 13, line 35, Senator Hontiveros proposed the insertion of a new item "5," on "Decoupled Rice Safety Nets," that would address the potential loss of income to rice farmers. She stated that the RCEF was designed to provide input subsidies to minimize production cost and increase yield. However, she noted that there was some mismatch as setting the RCEF may take years while the income loss would be immediate once the law is in place. She proposed, for "decoupled payments," a rate of P5,500 per hectare per planting, cut at two hectares, which would cost the government P10.6 billion annually.

Senator Villar expressed her dissent to the proposal because, first, the Body had already approved the four uses for the excess revenue that would be collected — Rice Farmer Financial Assistance, Titling of Agricultural Lands, Expanded Crop Insurance Program on Rice, and Crop Diversification Programs; and second, she doubted if the P10 billion more in excess tariff would be raised. She said that it is difficult to put the amount as it would create false hope to rice farmers. She nevertheless expressed willingness to accept the proposal provided there would be no specific amount, because the excess revenue is still unknown.

Asked by Senate President Sotto on the purpose of decoupled safety nets, Senator Hontiveros clarified that it would offset the negative impact of the transition to tariffication on rice farmers. She recalled that Senator Recto had mentioned that there would be about P87 billion losses even to highly productive rice farmers simply from the transition from quantitative restrictions to rice tariffication. She said that her proposed amendment would be like a conditional cash transfer which would help the poorest farmers, like those farming two hectares who may or may not continue rice farming because of the negative effects of the shift to tariffication. Senator Villar agreed that Rice Farmer Financial Assistance is like conditional cash transfer, except that the amount is not specified.

Senator Hontiveros maintained that there is a need to prioritize the compensation for the income loss of farmers tilling two hectares and below regardless of whether or not they would continue farming, and to include the amount because 42,000 farming families would fall into poverty. She noted that the tables that she had earlier submitted to the

Committee showed how many families would fall into poverty with the different levels of tariffication. She then proposed that half of the excess of the P10 billion be allocated to the Rice Farmer Financial Assistance, and farming families of two hectares and below would be prioritized.

At this juncture, Senate President Sotto relinquished the Chair to Senate President Pro Tempore Recto.

SUSPENSION OF SESSION

With the permission of the Body, the session was suspended.

It was 5:21 p.m.

RESUMPTION OF SESSION

At 5:23 p.m., the session was resumed.

HONTIVEROS AMENDMENT

On page 13, line 4, between the words "FARMERS" and "AS," as proposed by Senator Hontiveros and modified by Senator Villar, there being no objection, the Body approved the insertion of the phrase WHO ARE FARMING TWO HECTARES AND BELOW REGARDLESS OF WHETHER THEY CONTINUE FARMING RICE OR NOT.

Senate President Pro Tempore Recto pointed out that there was also an item for crop diversification program. Senator Hontiveros explained that it is an additional reassurance that they would receive additional assistance through the Crop Diversification Program.

PROPOSED AMENDMENT OF SENATOR HONTIVEROS

Senator Hontiveros proposed a new paragraph after Item 4 on page 13, line 35, to read as follows:

IN THE BEGINNING OF 2023, NEDA, DA, AND THE OFFICE OF THE NAPC FARMER SECTORAL REPRESENTATIVE SHALL CAUSE INDEPENDENT, INTERAGENCY EVALUATION OF RCEF TO BE CONDUCTED AND COMPLETED WITHIN THAT YEAR IN TIME FOR THE BUDGET CALL FOR 2025.

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Senator Villar pointed out that there was already a provision in the bill which provides for a three-year review and another review after six years.

Senator Hontiveros did not insist on her proposed amendment.

Senator Hontiveros put on record her submission of a proposal to Senator Villar to insert, for flexibility's sake, the words "UP TO" in all percentages referring to the allocation of the RCEF for the items under letters A to D. She clarified that she was not proposing to delete the original percentages but was merely introducing language that would allow flexibility in the assignment of percentages given that such may require adjustments year-on-year.

Senator Villar believed that there was no need to insert the words "UP TO" because the law would already assure the grant of the share of farmers. In case of underspending, she said that the funds would revert to the General Fund or to the provision on excess tariff collection. She said that placing the words "up to" would mean that the P10 billion could not be spent, which is not possible, given that there are 57 provinces and 1,100 towns to benefit from mechanization. She said that the Committee has enumerated and attached the names of the provinces and towns which are the intended beneficiaries of the fund, and that in case the money could not be spent by the government, it would not go to waste as it would go to the excess funds and be used for other purposes. She said that the proposed amendment would only create confusion and the impression that the government is not bent on spending the P10 billion to help the farmers.

Asked by Senator Villar on the rationale for her proposal, Senator Hontiveros said that the reason was to provide wide flexibility or space for adjustment in the roadmap which could incorporate other items so that there would still be the percentages as the indicative percentages.

Senator Villar said that the percentages provided in the RCEF are specific and not indicative: 50% for mechanization, 30% for seeds, 10% for credit and 10% for rice extension services. She reiterated that the proposal to insert the words "UP TO" was unnecessary, adding that the amount might not even be enough to give to the 1,001 rice-producing towns in the Philippines.

At this juncture, Senator Villanueva relinquished the Chair to Senate President Sotto.

Senator Hontiveros said that in addition to the flexibility aspect which she retained under item (A) on Rice Farmer Financial Assistance, she was proposing an additional item (E) to read as follows:

- (E) UP TO 40% FOR FINANCING OTHER COMPETITIVENESS ENHANCEMENT PROGRAMS TO BE DETERMINED BY THE RICE INDUSTRY ROAD MAP.

She said that she was proposing the insertion of the words "up to" to allow the the indicative percentages of 50, 30, 10 and 10 based on the roadmap to be adjusted year-on-year to include other competitiveness enhancement programs.

Senator Villar said that she could not accept the amendment because the Committee had studied the matter very well and had agreed on rice mechanization, rice seed development, rice credit assistance and rice extension services as the areas for allocation of the Rice Fund based on a PIDS study. Senator Hontiveros requested Senator Villar to provide her a copy of the study.

Senator Villar said that the PIDS study discussed the reasons why the farmers are not competitive and not profitable, including the lack of financial literacy, mechanization, technology and access to cheap credit. Senator Hontiveros disclosed that she also used the PIDS study as one of her bases for formulating her proposed amendments.

HONTIVEROS AMENDMENTS

As proposed by Senator Hontiveros and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

1. On page 10, line 21, after the word "ACT," insert the phrase, BASED ON THE OBJECTIVES AND PLANS OF THE RICE INDUSTRY ROADMAP;
2. On page 14, line 34, after the word "INCLUDING," replace "RICE FARMER REPRESENTATIVES" with NATIONAL ANTI-POVERTY COMMISSION (NAPC) FARMER SECTORAL REPRESENTATIVE;
3. On page 15, line 27, after the word

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“RESPONSIBLE,” insert the word PARTICIPATORY;

4. On the same page, line 29, insert an item no. 7, to read as follows: ADDRESS IMPACT OF INCOME LOSS CAUSED BY RICE TARIFFICATION;
5. Still on the same page, after item no. 7, add another paragraph:

THE RICE INDUSTRY ROADMAP SHALL BE IMPLEMENTED THROUGH A COMPLEMENTATION OF THE DEPARTMENT OF AGRICULTURE’S RICE SECTOR PROGRAMS AS FUNDED BY THE GAA, AND THE RICE ENHANCEMENT FUND FUNDED BY THIS ACT;

6. On page 6, line 17, after the word “RATE,” insert the phrase IS 180% FOR TARIFF ON THE EQUIVALENT;

Senator Hontiveros recalled that during the period of interpellations, she indicated that she would propose an amendment on transition to publicly regulated buffer stocks. However, she said that she might not have to propose it because Senator Villar repeatedly said that the NFA should not import rice anymore. She wondered how the NFA could secure its buffer stock when the domestic supply is not enough, as she assumed that it would be through open bidding involving both domestic and foreign suppliers. Senator Villar said that there would be no more bidding since rice importation has been liberalized. She clarified that the NFA would only buy rice from the local farmers and that they could import only during emergencies.

Senate President Sotto clarified that under the proposed measure, the NFA would no longer be allowed to import rice. Senator Villar affirmed, saying that the NFA should just concentrate on buying rice from the local farmers.

Asked to specify the provision on the bill where the NFA may not import rice even for the buffer stocking or for emergency purposes, Senator Villar adverted to page 8, Section 8 (*Maintenance of Rice Buffer Stock*), which states that the NFA shall, in accordance with the rules, regulations and procedures to be promulgated, maintain sufficient rice buffer stock.

Senator Hontiveros remarked that there was nothing in the bill which prohibited the NFA to import for buffer stocking. Senator Villar replied that the

intent is to make it easier for the NFA to buy from the local farmers instead of importing rice unless there is really an emergency.

On page 8, Section 10, on *Maintenance of Rice Buffer Stock*, Senator Hontiveros proposed an amendment on a transition to publicly regulated private buffer stocks which would read as follows:

THE NFA SHALL BE ALLOWED TO IMPORT RICE STOCKS TO BUILD UP A MANDATORY BUFFER STOCK AS DETERMINED BY THE NEDA SECRETARY: *PROVIDED*, THAT LOCAL TRADERS SHALL BE ALLOWED TO BID FOR THE SUPPLIES PROPOSED TO BE SECURED DIRECTLY BY NFA FROM FOREIGN SUPPLIERS THROUGH A SWISS CHALLENGE. THE FOREIGN SUPPLIERS MAY MATCH SUCH BIDS BY DOMESTIC TRADERS.

WITHIN TWO MONTHS OF THE PASSAGE OF THIS ACT, THE NFA SHALL ISSUE ITS INSTRUCTIONS TO ITS PROCUREMENT UNIT TO OPERATIONALIZE THE PROCEDURES FOR THIS SWISS CHALLENGE.

Senator Villar did not accept the proposed amendment as she agreed with Senate President Sotto that the bill seeks to clip the NFA of its power to import because this has been the source of confusion and corruption.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no other individual amendment, upon motion of Senator Zubiri, there being no objection, the Body closed the period of individual amendments.

APPROVAL OF SENATE BILL NO. 1998 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1998 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1998

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.



COMMITTEE REPORT NO. 490
ON HOUSE BILL NO. 8055
(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of House Bill No. 8055 (Committee Report No. 490), entitled

AN ACT DIVIDING THE PROVINCES
 OF PALAWAN INTO THREE (3)
 PROVINCES, NAMELY: PALAWAN
 DEL NORTE, PALAWAN ORIENTAL
 AND PALAWAN DEL SUR.

Senator Zubiri stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Angara, sponsor of the measure, and Senator Trillanes for his interpellation.

INTERPELLATION OF SENATOR TRILLANES

Preliminarily, Senator Trillanes asked on the rationale behind the division of the province of Palawan into three provinces. Senator Angara explained that the bill seeks to create three new provinces by dividing Palawan, which is even bigger than the CALABARZON Region, into Palawan Del Norte, Palawan Oriental and Palawan Del Sur in order to improve the delivery of basic services and quality of life of the Palaweños, given their 55% poverty incidence rate.

On whether he was saying that Palawan is too vast to be handled by one provincial government, and that three provincial governments would better address the problems of the province, Senator Angara replied in the affirmative, as he explained that the province is an archipelago of 1,800 islands where the northernmost island is visible from Mindoro province and the southernmost island is near Sabah in Malaysia. Its mainland, he said, is 500 kilometers long, which is the distance from Manila to Tuguegarao, Cagayan.

As to how the division of Palawan would affect the other provinces in relation to their Internal Revenue Allotment (IRA), Senator Angara replied that there would be a net decrease for Isabela in the amount of P1.12 million and for Batanes, P14.6 million. He clarified, however, that the decreases did not take into account the increase in the pie because the IRA pie is increasing by 11% every year.

Asked if the people of Isabela and Batanes would not be negatively affected by the decrease in their IRA, Senator Angara gave the assurance that there would be no diminution of the IRA in the barangays, municipalities and cities. He said that even the League of Provinces of the Philippines issued a statement of support for the passage of the proposed measure.

Asked on the actual benefits the Palaweños would receive relative to the division of the province, Senator Angara replied that in addition to the more efficient delivery of services, it would be easier for the constituents within the three provinces to be created to have access to their local officials and their respective provincial governments, especially for those coming from remote barangays. He said that ratio of government employees to constituents would also increase, which would translate to better delivery of basic government services to Palaweños.

On whether the Palaweños are in favor of the division, Senator Angara believed so since the three district representatives of Palawan as well as the provincial and municipal officials were unanimous in their desire to create the three provinces. However, he said that the true test would be the plebiscite which would be held after the measure is approved into law.

Asked if the division would affect the environmental concerns of Palawan, Senator Angara replied that the division would have a positive result because the provincial government would be better able to police or protect the environment given the smaller scope of their jurisdiction and the increase of personnel of the provincial governments as compared to just one provincial government covering the entire island of Palawan. He pointed out that there would be three provincial governments, each with their own foot soldiers, including the Provincial Environment and Natural Resources Office (PENRO) that could cover or supervise the protection of the environment.

Asked where to draw the line in terms of dividing provinces considering that some provinces in the future may take the initiative to try to divide themselves, Senator Angara replied that the division would still be determined by the Local Government Code and the minimum requirements for creating or dividing provinces under the law: for income, P20 million; for population, 250,000 inhabitants; and for land area, 2,000 square kilometers. He said that the policy implications must also be considered on

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a case-to-case basis. In the case of Palawan, he said that it is even bigger than Cavite, Batangas, Quezon and Rizal combined; thus, there is a strong case for its division. However, in other places, he said that for as long as they complied with the law and the other factors, then it would merit consideration.

Senator Trillanes then congratulated and thanked Senator Angara for enlightening him.

At this juncture, Senate President Sotto relinquished the Chair to Senator Villanueva.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no further interpellation, upon motion of Senator Zubiri, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

COMMITTEE AMENDMENTS

As proposed by Senator Angara, there being no objection, the following Committee amendments were approved by the Body, one after the other:

1. On page 1, line 9, after the word "Sur" and a period (.), insert a new sentence to read: THE PROVINCE OF PALAWAN DEL SUR SHALL BE THE MOTHER PROVINCE;

At this juncture, Senator Villanueva relinquished the Chair to Senate President Sotto.

2. On page 3, line 5, after the word "Palawan," delete the succeeding sentences up to line 24;
3. On page 6, line 3, after the word "until," delete the phrase "the expiration of their term of offices" and in lieu thereof, insert the phrase NEW REPRESENTATIVES SHALL HAVE BEEN DULY ELECTED, QUALIFIED AND ASSUMED OFFICE;
4. On the same page, line 11, after the word "jurisdiction," delete the entire sentence up to line 18;
5. On page 8, delete lines 19 to 26;
6. On page 10, after line 5, insert a new paragraph, to read as follows:

ELECTIVE AND APPOINTIVE PROVINCIAL OFFICIALS SHALL RECEIVE SUCH COMPENSATION, ALLOWANCES AND

OTHER EMOLUMENTS AS MAY BE DETERMINED BY LAW OR ORDINANCE, SUBJECT TO THE BUDGETARY LIMITATIONS ON PERSONAL SERVICES PRESCRIBED UNDER TITLE V, BOOK II OF THIS CODE: *PROVIDED*, THAT, NO INCREASE AND COMPENSATION SHALL TAKE EFFECT UNTIL AFTER THE EXPIRATION OF THE FULL TERM OF ALL THE ELECTIVE OFFICIALS APPROVING SUCH INCREASE.

7. On the same page, delete lines 14 to 21;
8. On page 19, delete lines 20 to 26;
9. On page 26, after line 18, insert a new provision to read as follows:
 - (B) THE REGULAR MEMBERS OF THE SANGGUNIANG PANLALAWIGAN AND THE SECTORAL REPRESENTATIVES SHALL BE ELECTED IN THE MANNER AS PROVIDED FOR BY LAW AND SHALL RECEIVE A MONTHLY COMPENSATION CORRESPONDING TO SALARY GRADE 27 AS PRESCRIBED UNDER THE REVISED COMPENSATION AND POSITION CLASSIFICATION ACT OF 1989, AS AMENDED, AND THE IMPLEMENTING GUIDELINES ISSUED PURSUANT THERETO.;
10. On page 27, line 1, after the word "include," insert the phrase BUT SHALL NOT LIMITED TO;
11. On the same page, line 2, replace the word "environment" with ENVIRONMENTAL;
12. On the same page, line 24, replace the word "their" with the phrase HIS OR HER;
13. On page 28, line 4, change the word "stocks" to STOCK;
14. On page 30, lines 17 to 27, after the Section title, delete the entire paragraph and replace with a new paragraph to read as follows:
 - (A) EVERY ORDINANCE ENACTED BY THE SANGGUNIANG PANLALAWIGAN SHALL BE PRESENTED TO THE PROVINCIAL GOVERNOR. IF THE PROVINCIAL GOVERNOR APPROVES THE SAME, HE SHALL AFFIX HIS SIGNATURE IN EACH AND EVERY PAGE THEREOF, OTHERWISE, HE SHALL VETO IT AND RETURN THE SAME WITH HIS OBJECTIONS TO THE SANGGUNIAN WHICH MAY PROCEED TO RECONSIDER THE

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SAME. THE SANGGUNIAN MAY OVER-RIDE THE VETO OF THE PROVINCIAL GOVERNOR BY TWO-THIRDS (2/3) VOTE OF ALL ITS MEMBERS THEREBY MAKING THE ORDINANCE OR RESOLUTION EFFECTIVE FOR ALL LEGAL INTENTS AND PURPOSES.;

15. On page 32, line 2, after the word "governor," delete the phrase "Provided, that in case of the former's" and in lieu thereof, insert the phrase OR IN CASE OF HIS OR HER;
16. On the same page, line 7, after the word "governor," delete the phrase "Provided, That in case of the former's permanent incapacity," and in lieu thereof insert the phrase OR IN CASE OF HIS OR HER PERMANENT DISABILITY;
17. On page 38, line 15, after the word "university," insert the phrase A DULY REGISTERED AND LICENSED REAL ESTATE SERVICE PRACTITIONER AS PROVIDED FOR IN SECTION 30 OF REPUBLIC ACT NO. 9646, OR THE REAL ESTATE SERVICES ACT OF THE PHILIPPINES.;
18. On page 41, after line 18, insert a new paragraph to read as follows:

THE INCUMBENT CHIEF ACCOUNTANT IN THE OFFICE OF THE TREASURER SHALL BE GIVEN PREFERENCE IN THE APPOINTMENT TO THE POSITIONS OF ACCOUNTANT.;
19. On page 42, after line 25, insert a new paragraph to read as follows:

(D) THE APPROPRIATIONS FOR PERSONAL SERVICES OF THE BUDGET OFFICER PROVIDED UNDER THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL, UPON EFFECTIVITY OF THIS CODE, BE TRANSFERRED TO THE LOCAL GOVERNMENT CONCERNED. THEREAFTER, THE APPROPRIATIONS FOR PERSONAL SERVICES OF THE BUDGET OFFICER SHALL BE PROVIDED FOR IN FULL IN THE BUDGET OF THE LOCAL GOVERNMENT UNIT.
20. On page 43, line 5, after the word "university," insert the phrase A DULY REGISTERED AND LICENSED ENVIRONMENTAL PLANNER, AS PROVIDED FOR IN SECTION 34 OF REPUBLIC ACT 10587 OR THE ENVIRONMENTAL PLANNING ACT OF 2013.

21. On page 69, delete the entire Section 48 on lines 6 to 25 and replace it with the following:

SECTION 48. *THE JAIL SERVICE* – THERE SHALL BE ESTABLISHED AND MAINTAINED IN THE PROVINCE WITHIN TWO (2) MONTHS UPON THE COMMENCEMENT OF THE CORPORATE EXISTING OF THE NEW PROVINCE BY THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG), THROUGH THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP) A SECURE, CLEAN, ADEQUATELY EQUIPPED AND SANITARY DISTRICT JAIL FOR THE CUSTODY AND SAFEKEEPING OF PRISONERS AND A FUGITIVE FROM JUSTICE OR PERSON DETAINED AWAITING INVESTIGATION OR TRIAL AND/OR RETRANSFERRED TO THE NATIONAL PENITENTIARY AND/OR VIOLENT, MENTALLY ILL PERSON WHEN HIMSELF OR THE SAFETY OF OTHERS, DULY CERTIFIED AS SUCH BY THE PROPER MEDICAL HEALTH OFFICER PENDING THE TRANSFER TO A MENTAL INSTITUTION. THE PROVINCIAL GOVERNMENT SHALL PROVIDE THE NECESSARY LAND OR SITE FOR THE ESTABLISHMENT OF DISTRICT JAILS.;

22. On page 71, line 4, replace year "2022" with "2020; and
23. On the same page, line 6, replace the word "COMELEC" with PROVINCE OF PALAWAN.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no other committee amendment, upon motion of Senator Zubiri, there being no objection, the Body closed the period of committee amendments and proceed to the period of individual amendments.

HONTIVEROS AMENDMENT

On the new Section 48, as proposed by Senator Hontiveros, and accepted by the Sponsor, there being no objection, the Body approved the deletion of the phrase "VIOLENT MENTALLY ILL PERSON WHO ENDANGERS HINSELF OR THE SAFETY OF OTHERS, DULY CERTIFIED AS SUCH BY THE PROPER MEDICAL HEALTH OFFICER, PENDING THE TRANSFER TO A MENTAL INSTITUTION." She explained that her amendment

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would make the bill consistent with the Mental Health Law.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no other individual amendment, upon motion of Senator Zubiri, there being no objection, the Body closed the period of individual amendments.

APPROVAL OF HOUSE BILL NO. 8055 ON SECOND READING

Submitted to a vote, there being no objection, House Bill No. 8055 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 8055

Upon motion of Senator Zubiri, there being no objection, the Body suspended consideration of the bill.

COMMITTEE REPORT NO. 440 ON SENATE BILL NO. 1998

(Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1998 (Committee Report No. 440), entitled

AN ACT REPLACING THE QUANTITATIVE IMPORT RESTRICTIONS ON RICE WITH TARIFFS, LIFTING THE QUANTITATIVE EXPORT RESTRICTIONS ON RICE, AND CREATING THE RICE COMPETITIVENESS ENHANCEMENT FUND, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8178, AS AMENDED BY REPUBLIC ACT NO. 9496, AND AS FURTHER AMENDED BY REPUBLIC ACT NO. 10848, AND FOR OTHER PURPOSES.

PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, Senate Secretary Villarica read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 1998, to wit:

HON. VICENTE C. SOTTO III
Senate President
The Philippine Senate
Pasay City

Mr. Senate President:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1998, entitled:

AN ACT REPLACING THE QUANTITATIVE IMPORT RESTRICTIONS ON RICE WITH TARIFFS, LIFTING THE QUANTITATIVE EXPORT RESTRICTIONS ON RICE, AND CREATING THE RICE COMPETITIVENESS ENHANCEMENT FUND, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8178, AS AMENDED BY REPUBLIC ACT NO. 9496, AND AS FURTHER AMENDED BY REPUBLIC ACT NO. 10848, AND FOR OTHER PURPOSES,

to address the urgent need to improve availability of rice in the country, prevent artificial rice shortage, reduce the prices of rice in the market, and curtail the prevalence of corruption and cartel domination in the rice industry.

Best regards.

Very truly yours,

(Sgd.) RODRIGO ROA DUTERTE

APPROVAL OF SENATE BILL NO. 1998 ON THIRD READING

In view of the Presidential Certification, upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1998.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Zubiri, there being no objection, Secretary Villarica read only the title of the bill, to wit:

AN ACT LIBERALIZING THE IMPORTATION, EXPORTATION AND TRADING OF RICE, LIFTING FOR THE PURPOSE THE QUANTITATIVE IMPORT RESTRICTIONS ON RICE, AND FOR OTHER PURPOSES.

Secretary Villarica called the roll for nominal voting.

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RESULT OF THE VOTING

The result of the voting was as follows:

In favor

| | |
|------------|------------|
| Angara | Legarda |
| Binay | Recto |
| Drilon | Sotto |
| Ejercito | Trillanes |
| Gatchalian | Villanueva |
| Hontiveros | Villar |
| Lacson | Zubiri |

Against

None

Abstention

None

With 14 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1998 approved on Third Reading.

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 1305
AND HOUSE BILL NO. 4113**

Upon motion of Senator Zubiri, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 1305, entitled

AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED TWENTY (120) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND THE PRIVATE SECTOR WITH AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY, PROVIDING A PARENTAL LEAVE PERIOD FOR ADOPTIVE PARENTS, AND GRANTING AN ADDITIONAL THIRTY (30) DAYS FOR SOLO MOTHERS, AND FOR OTHER PURPOSES.

and House Bill No. 4113, entitled

AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED

(100) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND IN THE PRIVATE SECTOR, AND GRANTING AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAYAN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED (100) DAYS FOR FEMALE WORKERS IN THE GOVERNMENT SERVICE AND IN THE PRIVATE SECTOR, AND GRANTING AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY

The Chair recognized Senator Hontiveros to sponsor the report.

**SPONSORSHIP REMARKS
OF SENATOR HONTIVEROS**

Senator Hontiveros submitted to the Body the Conference Committee Report on the disagreeing provisions of Senate Bill No. 1305 and House Bill No. 4113 or the 105-Day Expanded Maternity Leave Law. She said that the Bicameral Conference Committee agreed to delete the provision exempting maternity leave benefit from income tax (Section 6) and the appropriations provision (Section 20). Aside from the two provisions, she said that the rest of the provisions were maintained.

**JOINT EXPLANATION
OF THE CONFERENCE COMMITTEE**

Upon motion of Senator Hontiveros, there being no objection, the Body approved the insertion of the Joint Explanation of the Conference Committee into the Record of the Senate.

Following is the full text of the Joint Explanation of the Conference Committee:

**JOINT EXPLANATION
OF THE BICAMERAL CONFERENCE
COMMITTEE ON THE DISAGREEING
PROVISIONS OF SENATE BILL NO. 1305
AND HOUSE BILL NO. 4113**

The Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1305 and House Bill No. 4113 after having met and having fully discussed the said provisions, hereby report to their respective Houses the following, that:

1. The conferees agreed to consolidate Section 1 of Senate Bill No. 1305 and House Bill No. 4113 which shall read as:

SECTION 1. *Short Title.* – This Act shall be known as the “105-Day Expanded Maternity Leave Law”.

2. Section 2 of the House version was adopted to be Section 2 (Declaration of Policy) of the Reconciled Bill;
3. Section 3 of the Senate and the House versions were consolidated and adopted as Section 3 of the Reconciled Bill which shall read as:

SEC. 3. *Grant of Maternity Leave.* – All covered female workers in government and the private sector, including those in the informal economy, regardless of civil status or the legitimacy of her child, shall be granted one hundred five (105) days maternity leave with full pay and an option to extend for an additional thirty (30) days without pay: *Provided,* That in case the worker qualifies as a solo parent under Republic Act No. 8972, or the “Solo Parents’ Welfare Act”, the worker shall be granted an additional fifteen (15) days maternity leave with full pay.

Enjoyment of maternity leave cannot be deferred but should be availed of either before or after the actual period of delivery in a continuous and uninterrupted manner, not exceeding one hundred five (105) days, as the case may be.

Maternity leave shall be granted to female workers in every instance of pregnancy, miscarriage or emergency termination of pregnancy, regardless of frequency. *Provided,* That for cases of miscarriage or emergency termination of pregnancy, sixty (60) days maternity leave with full pay shall be granted.

4. Section 4 of the Senate and the House versions were consolidated and adopted as Section 4 of the Reconciled Bill which shall read as:

SEC. 4. *Maternity Leave for Female Workers in the Public Sector.* – Any pregnant female worker in the government service, regardless of employment status, in National Government Agencies (NGAs), Local Government Units (LGUs), Government-Owned or –Controlled Corporations (GOCCs), or State Universities and Colleges (SUCs), shall be granted a maternity leave of one hundred five (105) days with full pay regardless if the delivery was normal or

caesarian: *Provided,* That, in case the employee qualifies as a solo parent under Republic Act No. 8972, or the “Solo Parents’ Welfare Act”, the employee shall be paid an additional maternity benefit of fifteen (15) days. An additional maternity leave of thirty (30) days, without pay, can be availed of, at the option of the female worker: *Provided, further,* That, the head of the agency shall be given due notice, in writing, at least forty-five (45) days before the end of her maternity leave: *Provided, finally,* That no prior notice shall be necessary in the event of a medical emergency but subsequent notice shall be given to the head of the agency.

Maternity leave of sixty (60) days, with full pay shall be granted for miscarriage or emergency termination of pregnancy.

5. Section 5 of the Senate and the House versions were consolidated and adopted as Section 5 of the Reconciled Bill which shall read as:

SEC. 5. *Maternity Leave for Female Workers in the Private Sector.* – Any pregnant female worker in the private sector shall be granted a maternity leave of one hundred five (105) days with full pay, regardless of whether she gave birth via caesarian section or natural delivery, while maternity leave of sixty (60) days with full pay shall be granted for miscarriage or emergency termination of pregnancy.

- (a) A female SSS member who has paid at least three (3) monthly contributions in the twelve-month period immediately preceding the semester of her childbirth, miscarriage, or emergency termination of pregnancy shall be paid her daily maternity benefit which shall be computed based on her average monthly salary credit for one hundred five (105) days, regardless of whether she gave birth via caesarian section or natural delivery, subject to the following conditions:

- (1) That the female worker shall have notified her employer of her pregnancy and the probable date of her childbirth, which notice shall be transmitted to the Social Security System (SSS) in accordance with the rules and regulations it may provide;
- (2) That the full payment shall be advanced by the employer within thirty (30) days from the filing of the maternity leave application;

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- (3) That payment of daily maternity benefits shall be a bar to the recovery of sickness benefits provided under Republic Act No. 1161, as amended, for the same period for which daily maternity benefits have been received;
- (4) That the SSS shall immediately reimburse the employer of one hundred percent (100%) of the amount of maternity benefits advanced to the female worker by the employer upon receipt of satisfactory and legal proof of such payment; and
- (5) That if a female worker should give birth or suffer a miscarriage or emergency termination of pregnancy without the required contributions having been remitted for her by her employer to the SSS, or without the latter having been previously notified by the employer of the time of the pregnancy, the employer shall pay to the SSS damages equivalent to the benefits which said female member would otherwise have been entitled to.

In case the employee qualifies as a solo parent under Republic Act No. 8972, or the "Solo Parents' Welfare Act", the employee shall be paid an additional maternity benefit of fifteen (15) days.

- (b) An additional maternity leave of thirty (30) days, without pay, can be availed of, at the option of the female worker: *Provided*, That the employer shall be given due notice, in writing, at least forty-five (45) days before the end of her maternity leave. *Provided, further*, That no prior notice shall be necessary in the event of a medical emergency but subsequent notice shall be given to the head of the agency.
- (c) Workers availing of the maternity leave period and benefits must receive their full pay. Employers from the private sector shall be responsible for payment of the salary differential between the actual cash benefits received from the SSS by the covered female workers and their average weekly or regular wages, for the entire duration of the maternity leave, with the following exceptions, subject to the guidelines to be issued by the Department of Labor and Employment (DOLE):

- 1) Those operating distressed establishments;
- 2) Those retail/service establishments and other enterprises employing not more than ten (10) workers;
- 3) Those considered as micro-business enterprises and engaged in the production, processing, or manufacturing of products or commodities including agro-processing, trading, and services, whose total assets are not more than Three million pesos (P3,000,000.00); and
- 4) Those who are already providing similar or more than the benefits herein provided.

Provided, That said exemptions shall be subject to an annual submission of a justification by the employer claiming exemption for the approval of the DOLE.

- 6. Section 6 of the Senate version was adopted as Section 6 of the Reconciled Bill with some modifications which shall read as:

SEC. 6. *Allocation of Maternity Leave Credits.* – Any female worker entitled to maternity leave benefits as provided for herein may, at her option, allocate up to seven (7) days of said benefits to the child's father, whether or not the same is married to the female worker: *Provided*, That in the death, absence, or incapacity of the former, the benefit may be allocated to an alternate caregiver who may be a relative within the fourth degree of consanguinity or the current partner of the female worker sharing the same household, upon the election of the mother taking into account the best interests of the child: *Provided, further*, That written notice thereof is provided to the employers of the female worker and alternate caregiver: *Provided, furthermore*, That this benefit is over and above that which is provided under Republic Act No. 8187, or the "Paternity Leave Act of 1996"; *Provided, finally*, That in the event the beneficiary female worker dies or is permanently incapacitated, the balance of her maternity leave benefits shall accrue to the father of the child or to a qualified caregiver as provided above.

- 7. Section 6 of the House version was adopted to be Section 7 (Maternity Leave for Women Regardless of Civil Status) of the Reconciled Bill;

8. Section 7 of the House version was adopted to be Section 8 of the Reconciled Bill with some modifications which shall read as:

SEC. 8. *Maternity Leave With Pay in Case of Childbirth, Miscarriage, or Emergency Termination of Pregnancy After the Termination of an Employee's Service.*

– Maternity leave with full pay shall be granted even if the childbirth, miscarriage, or emergency termination of pregnancy occurs not more than fifteen (15) calendar days after the termination of an employee's service, as her right thereto has already accrued: *Provided*, That such period is not applicable when the employment of the pregnant woman worker has been terminated without just cause, in which case the employer will pay her the full amount equivalent to her salary for one hundred five (105) days for childbirth and sixty (60) days for miscarriage or emergency termination of pregnancy based on her full pay, in addition to the other applicable daily cash maternity benefits that she should have received had her employment not been illegally terminated.

9. Section 8 of the House version was adopted to be Section 9 (Maternity Leave Credits) of the Reconciled Bill;
10. Section 9 which is similar in both the Senate and House versions was adopted to be Section 10 (Maternity Leave Benefits for Women in the Informal Economy and Voluntary Contributors to the SSS) of the Reconciled Bill;
11. Section 10 of the Senate version which is similar to Section 11 of the House version was adopted to be Section 11 of the Reconciled Bill with some modifications which shall read as:

SEC. 11. *Maternity Benefits for Female Workers Who are Non-members of the SSS.*

– Female workers who are neither voluntary nor regular members of the SSS shall be governed by the Philippine Health Insurance Corporation (PhilHealth) Circular No. 022-2014 or the “Social Health Insurance Coverage and Benefits for Women About to Give Birth”.

12. Section 10 of the House version was adopted to be Section 12 (Maternity Leave of a Female Worker With Pending Administrative Case) of the Reconciled Bill;
13. Section 11 of the Senate version was adopted to be Section 13 of the Reconciled Bill with some modifications which shall read as:

SEC. 13. *Maternity Leave for Female National Athletes.* – In the event a national athlete becomes pregnant, she will be referred to the team physician or an accredited physician of the Philippine Sports Commission (PSC) or an obstetrician-gynecologist to determine her fitness to continue training. She will be allowed to participate in all team-related activities, unless the physician advises that participation is not medically safe or should be limited. Upon medical advice, she shall go on maternity leave until cleared to return to training. She shall continue receiving her allowance and be entitled to the same benefits while on maternity leave prior to childbirth and up to six (6) months after, unless she can resume sooner as advised by her physician, in which case, she will be entitled to the allowance and benefits she had prior to pregnancy. *Provided*, That a female national athlete employed in the public sector shall not receive double compensation or benefits.

14. Section 12 of the House version was adopted to be Section 14 (Non-Diminution of Benefits) of the Reconciled Bill;
15. Section 12 of the Senate version which is similar to Section 13 of the House version was adopted to be Section 15 of the Reconciled Bill with some modifications which shall read as:

SEC. 15. *Security of Tenure.* – Those who avail of the benefits of this Act, whether in the government service or private sector, shall be assured of security of tenure. As such, the exercise of this option by them shall not be used as basis for demotion in employment or termination. The transfer to a parallel position or reassignment from one organizational unit to another in the same agency or private enterprise shall be allowed: *Provided*, That it shall not involve a reduction in rank, status, salary, or otherwise amount to constructive dismissal.

16. Section 14 of the House version was adopted to be Section 16 (Non-Discrimination) of the Reconciled Bill;
17. Section 13 of the Senate version was consolidated with Section 15 of the House version and adopted to be Section 17 of the Reconciled Bill with some modifications which shall read as:

SEC. 17. *Periodic Review.* – The Civil Service Commission (CSC), the DOLE, the SSS, and the Gender Ombud of the

Commission on Human Rights (CHR), in consultation with trade unions, labor organizations, and employers' representatives shall within one month after the effectivity of this Act conduct a review of the maternity leave benefits of female workers in the government service and the private sector, respectively. Thereafter, they shall include maternity leave benefits in their valuation report conducted every four (4) years for the SSS and the DOLE and every three (3) years for the CSC, or more frequently as may be necessary, with the end in view of meeting the needs of pregnant women and newly-born infants, and improving their welfare.

18. Section 14 of the Senate version was adopted as Section 18 of the Reconciled Bill with some modifications which shall read as:

SEC. 18. *Penalties.* – Whoever fails or refuses to comply with the provisions of this Act shall be punished by a fine of not less than Twenty thousand pesos (P20,000.00) nor more than Two hundred thousand pesos (P200,000.00), and imprisonment of not less than six (6) years and one (1) day nor more than twelve (12) years or both. If the act or omission penalized by this Act shall be committed by an association, partnership, corporation, or any other institution, its managing head, directors, or partners shall be liable to the penalties provided in this Act for the offense.

Failure on the part of any association, partnership, corporation, or private enterprise to comply with the provisions of this Act shall be a ground for non-renewal of business permits.

19. Section 15 of the Senate version was consolidated with Section 17 of the House version and adopted as Section 19 of the Reconciled Bill with some modifications which shall read as:

SEC. 19. *Implementing Rules and Regulations.* – The CSC, the DOLE, and the SSS shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days from the effectivity of the same.

20. Section 16 of the Senate version was consolidated with Section 18 of the House version and adopted as Section 20 of the Reconciled Bill which shall read as:

SEC. 20. *Separability Clause.* – If, for any reason, any provision or part hereof is declared unconstitutional or otherwise invalid,

other provisions not affected thereby shall remain in full force and effect.

21. Section 17 of the Senate version was adopted as Section 21 (Repealing Clause) of the Reconciled Bill;
22. Section 18 of the Senate version which is similar to Section 20 of the House version was adopted as Section 22 (Effectivity) of the Reconciled Bill;
23. For the title of the Reconciled Bill, the title of the Senate version was consolidated with the title of the House version which shall read as:

AN ACT INCREASING THE MATERNITY LEAVE PERIOD TO ONE HUNDRED FIVE (105) DAYS FOR FEMALE WORKERS WITH AN OPTION TO EXTEND FOR AN ADDITIONAL THIRTY (30) DAYS WITHOUT PAY, AND GRANTING AN ADDITIONAL FIFTEEN (15) DAYS FOR SOLO MOTHERS, AND FOR OTHER PURPOSES.

In case of conflict between the statements/amendments stated in this Joint Explanation and that of the provisions of the consolidated bill in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

APPROVAL OF THE CONFERENCE COMMITTEE REPORT

Upon motion of Senator Zubiri, there being no objection, the Body approved and ratified the Conference Committee Report on the disagreeing provisions of Senate Bill No. 1305 and House Bill No. 4113.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Zubiri acknowledged the presence in the gallery of 30 barangay captains of Rosario, Batangas, headed by their ABC president Isagani Larua.

Senate President Sotto welcomed the guests to the Senate.

SENATE CONFEREES

Upon nomination by Senator Zubiri, there being no objection, the following senators were designated

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to constitute the Senate panels in the Bicameral Conference Committee on the disagreeing provisions of the following bills herein indicated:

- Senate Bill No. 1749 and House Bill No. 1725
(*Land Transportation Terminal Stations*)

Chair : Poe
Members : Recto
Ejercito
Escudero
Aquino

- Senate Bill No. 1971 and House Bill No. 6938
(*Child Safety in Motor Vehicles Act*)

Chair : Poe
Members : Ejercito
Recto
Villanueva
Hontiveros

ADJOURNMENT OF SESSION

Upon motion of Senator Zubiri, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, November 19, 2018.

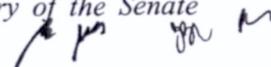
It was 6:18 p.m.

I hereby certify to the correctness of the foregoing.



ATTY. MYRA MARIE D. VILLARICA

Secretary of the Senate



Approved on November 19, 2018