



REPUBLIC OF THE PHILIPPINES
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Journal

SESSION NO. 75
Wednesday, March 15, 2017

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

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CALL TO ORDER

At 3:49 p.m., the Senate President, Hon. Aquilino “Koko” L. Pimentel III, called the session to order.

PRAYER

Sen. Franklin M. Drilon led the prayer, to wit:

Compassionate and loving God, we thank You for placing us in a position to make a difference in the lives of our countrymen.

We bear the burden and privilege of leadership and we ask for wisdom and fortitude to always decide according to Your will.

Help us to serve with sincerity and the purest of intentions.

Make us mindful of the power that is greater than all of us — the power from whom all things originate and through whom all work reaches completion.

May our love for country be stronger than any affiliation or ambition. Despite our differences, may we always be united by our desire to do good.

Father, direct us to a leadership that inspires hope and respect rather than instills fear and discord. Help us to serve in the ways of merciful justice and peace.

All these we ask in the Holy Name of Your Son Jesus Christ.

Amen.

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Lutgardo B. Barbo, called the roll, to which the following senators responded:

Angara, S.	Legarda, L.
Binay, M. L. N. S.	Pacquiao, E. M. D.
Drilon, F. M.	Pangilinan, F. N.
Ejercito, J. V. G.	Pimentel III, A. K.
Escudero, F. J. G.	Poe, G.
Gatchalian, W.	Recto, R. G.
Gordon, R. J.	Sotto III, V. C.
Honasan, G. B.	Trillanes IV, A. F.
Hontiveros, R.	Villanueva, J.
Lacson, P. M.	Villar, C. A.

With 20 senators present, the Chair declared the presence of a quorum.



Senator Zubiri arrived after the roll call.

Senator Cayetano was on official business as indicated in the letter of the senator's chief of staff dated March 15, 2017.

Senator Aquino was absent.

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

APPROVAL OF THE JOURNAL

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 74 (March 14, 2017) and considered it approved.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- Members of the Junior Chamber International, namely, Jun Sup Shin of Korea, Mr. Scott Greenlee of USA, Lars Haisslund of Denmark, Soeren Schulz of Denmark, and Dennis Cunanan of the Philippines;
- Local government officials from Sto. Tomas, Pampanga, namely, Vice Mayor Gloria Ronquillo, Councilors Naguit, Quiambao, Euperio, Kalaya, Tantango, David, Juarez and Tirasol;
- Students from Saint Jude Catholic School-Manila headed by Mr. Anthony de Lara;
- Members of the Network to Stop AIDS-Philippines, Pinoy Plus Association, One Positive Movement and Living with HIV; and
- Mayor Mary Jane Bayam of Northern Kabuntalan, Maguindanao Province.

Senate President Pimentel welcomed the guests to the Senate.

At this juncture, Senate President Pimentel relinquished the Chair to Senate President Pro Tempore Ralph G. Recto.

REFERENCE OF BUSINESS

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

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Letter from the House of Representatives, informing the Senate that on 8 March 2017, the House of Representatives passed the following House bills, in which it requested the concurrence of the Senate:

House Bill No. 4924, entitled

**AN ACT DIVIDING BARANGAY
MAGUGPO IN THE CITY OF
TAGUM, PROVINCE OF DAVAO
DEL NORTE INTO FIVE (5)
DISTINCT AND INDEPENDENT
BARANGAYS TO BE KNOWN AS
BARANGAY MAGUGPO POBLACION,
BARANGAY MAGUGPO EAST,
BARANGAY MAGUGPO WEST,
BARANGAY MAGUGPO NORTH
AND BARANGAY MAGUGPO
SOUTH;**

House Bill No. 4925, entitled

**AN ACT DIVIDING THE ONE-
BARANGAY MUNICIPALITY OF
DUMALNEG IN THE PROVINCE OF
ILOCOS NORTE INTO THREE (3)
DISTINCT AND INDEPENDENT
BARANGAYS TO BE KNOWN AS
BARANGAY KALAW, BARANGAY
CABARITAN AND BARANGAY
QUIBEL;**

House Bill No. 4934, entitled

**AN ACT CREATING A BARANGAY
TO BE KNOWN AS BARANGAY
SAN ISIDRO IN THE MUNICI-
PALITY OF TITAY, PROVINCE OF
ZAMBOANGA SIBUGAY;**

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;**

and House Bill No. 4941, entitled

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY RIZAL IN THE CITY OF MAKATI.

To the Committees on Local Government; and Electoral Reforms and People’s Participation

House Bill No. 4856, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF HINATUAN, PROVINCE OF SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR;

House Bill No. 4854, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF TAGKAWAYAN, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

and House Bill No. 4855, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF QUEZON, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR.

To the Committees on Agriculture and Food; and Finance

BILL ON FIRST READING

Senate Bill No. 1394, entitled

AN ACT STRENGTHENING THE HEALTH-CARE SYSTEM IN CULTURAL AND INDIGENOUS COMMUNITIES BY INSTITUTIONALIZING THE TRAINING AND EMPLOYMENT OF TRIBAL HEALTH WORKERS AND FOR OTHER PURPOSES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committees on Health and Demography; and Cultural Communities

RESOLUTIONS

Proposed Senate Resolution No. 328, entitled

A RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED VIOLATIONS BY SOME FUNERAL PARLORS IN COLLUSION WITH LAW ENFORCEMENT OFFICERS AGAINST FAMILIES OF VICTIMS OF DRUG-RELATED KILLINGS BY IMPOSING EXCESSIVE FEES FOR THEIR SERVICES

Introduced by Senator Paolo Benigno “Bam” Aquino IV

To the Committees on Trade, Commerce and Entrepreneurship; and Public Order and Dangerous Drugs

Proposed Senate Resolution No. 329, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE MEASURES BEING UNDERTAKEN, IF ANY, TO ARREST THE PHILIPPINES’ PREVALENT PLASTIC WASTES LEAKAGE INTO THE SEAS

Introduced by Senator Cynthia A. Villar

To the Committee on Environment and Natural Resources

COMMITTEE REPORTS

Committee Report No. 53, prepared and submitted jointly by the Committees on Health and Demography; and Social Justice, Welfare and Rural Development, on Senate Bill No. 1391 with Senators Legarda, Paolo Benigno “Bam” Aquino IV, Risa Hontiveros, Joel Villanueva and Recto as authors thereof, entitled

AN ACT PROVIDING FOR THE MANDATORY PHILHEALTH COVERAGE FOR ALL PERSONS WITH DISABILITY (PWDs), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR PERSONS WITH DISABILITY," AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 249, 356, 377, and 796.

Sponsors: Senators Joseph Victor Ejercito and Risa Hontiveros

To the Calendar for Ordinary Business

Committee Report No. 54, prepared and submitted by the Committee on Labor, Employment and Human Resources Development, on Senate Bill No. 1392, with Senator Joel Villanueva as author thereof, entitled

AN ACT PROVIDING FOR A REVISED NATIONAL APPRENTICESHIP PROGRAM, CLARIFYING THE STANDARDS FOR TRAINING AND ENGAGEMENT OF APPRENTICES AND ACCREDITATION OF APPRENTICESHIP PROGRAMS, REPEALING FOR THE PURPOSE CHAPTERS I AND II OF TITLE II, BOOK II OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 213.

Sponsor: Senator Joel Villanueva

To the Calendar for Ordinary Business

Committee Report No. 55, prepared and submitted jointly by the Committees on Urban Planning, Housing and Resettlement; and Local Government, on Senate Bill No. 1393, with Senators Joseph Victor Ejercito, Joel Villanueva, Risa Hontiveros, Grace Poe and Sonny Angara as authors thereof, entitled

AN ACT ESTABLISHING ON-SITE, IN-CITY, OR NEAR-CITY STRATEGY FOR INFORMAL SETTLER FAMILIES IN CONSIDERATION WITH A PEOPLE'S PLAN AND MANDATING LOCAL GOVERNMENT UNITS TO PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN RESETTLEMENT SITES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992,

recommending its approval in substitution of Senate Bill Nos. 331, 936, and 1216.

Sponsor: Senator Joseph Victor Ejercito

To the Calendar for Ordinary Business

Committee Report No. 56, prepared and submitted jointly by the Committees on Civil Service, Government Reorganization and Professional Regulation; and Finance, on Senate Bill No. 1395, with Senators Legarda, Sotto III, Zubiri, Honasan II and Trillanes IV as authors thereof, entitled

AN ACT RIGHTSIZING THE NATIONAL GOVERNMENT TO IMPROVE PUBLIC SERVICE DELIVERY AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 1162, 1167, 1337 and 1339.

Sponsor: Senator Legarda

To the Calendar for Ordinary Business

**PRIVILEGE SPEECH
OF SENATE PRESIDENT PIMENTEL**

Availing himself of the privilege hour, Senate President Pimentel reported on the Annual Parliamentary Hearing of the International Parliamentary Union (IPU) held on February 13 and 14 at the United Nations in New York which he attended, and his side trip in Tokyo where he discussed with Hon. Hirofumi Nakasone, a member of the House of Councilors of Japan, the country's concern with the Asia Pacific Parliamentary Forum (APPF).



Following is the full text of Senate President Pimentel's speech:

I rise to avail of my privilege to speak on a matter of public interest as well as what I call institutional interest, and give my report on the Annual Parliamentary Hearing of the International Parliamentary Union (IPU) held on February 13 to 14 in the United Nations in New York which I attended. I will also report on my side trip to Tokyo where I met with Hon. Hirofumi Nakasome, a member of the House of Councilors of Japan about our concern with the Asia Pacific Parliamentary Forum (APPF).

The IPU-UN Parliamentary Hearing

The Philippine Senate is a member of the IPU. The UN General Assembly has engaged the IPU "in organizing and integrating a parliamentary component of and contribution to major United Nations deliberative processes and the review of international commitments." In short, the UN wants the IPU to be involved in its major processes.

It was pursuant to this engagement by the UN General Assembly of the IPU that a "Parliamentary Hearing" was held last February, entitled "A World of Blue: Preserving the Oceans, Safeguarding the Planet, Ensuring Human Well-Being in the Context of the 2030 Agenda."

The Parliamentary Hearing was devoted to "oceans, seas and marine resources and its conservation and sustainable use, as well as the vast ramifications for economic, social and environmental policies, both nationally and globally."

The Ocean is vast. It covers 7/10 of our planet and represents 97% of all water on Earth. We learned from the conference that what we perceive as the endless vastness of the Ocean, if divided among all the people on Earth, will result in just 200 cubic meters of this Ocean, or roughly the size of a modest house, to provide each person with all the food and services that he or she gets from the Ocean.

We also learned that marine debris, which includes plastic and micro-plastic, is affecting all the oceans of our world. Human-made debris can be found even in the remotest areas, even trapped under sea ice, a place where no human being has ever lived. Some estimates even project that by 2050, there would be more plastic than fish in the oceans. Imagine what disaster this would be for our fisherfolk and all our countrymen who depend on the oceans and seas for livelihood and sustenance. This is especially

alarming because among all ocean-based industries, fisheries provide the largest employment.

Let me mention some more information I gathered from this parliamentary hearing:

- The Ocean has multiple uses like fishing, shipping, oil drilling, submarine cables, etc.;
- Fisheries have grown rapidly since 1945;
- Small-scale, artisanal fishing accounts for 50% of the catch but large-scale fishing is increasing its share;
- 1/3 of global crude oil is from offshore drilling;
- Seabed mining outside national jurisdictions would be one of the big problems of the future (note that 2/3 of the world's oceans lie beyond national jurisdictions or are in the so-called "high seas");
- The problems of the Oceans include (1) unsustainable fishing, (2) pollution, (3) warming, (4) acidification, (5) sea-level rise, (6) dead zones due to loss of oxygen, and according to experts, the first two "can be managed," while the others are "difficult to manage";
- Titanium dioxide in white paint is suspected to affect the marine ecosystem. The food chain is compromised due to pollution;
- Solid waste, if done badly, becomes marine pollution. To save the Oceans, we have to start on land as 80% of ocean pollution comes from land;
- Three biggest sources of marine pollution: (1) nutrients, (2) marine litter, and (3) waste water, although "microplastics" are now a big problem;
- We are eating plastic when we eat seafood;
- We need to increase our scientific knowledge about the Oceans, hence, we need good data collection;

As an aside, in order to catch the attention of our Energy Committee Chair, Sen. Win Gatchalian, I also learned that ocean energy generation is now possible and that there are ocean thermal energy conversion complexes already up in Hawaii, Okinawa and Halifax, Nova Scotia, Canada.

The Philippines is one of the 193 UN member-states which adopted the 2030 Agenda for Sustainable Development on September 25, 2015, in the United Nations General Assembly in New York. Seventeen (17) Sustainable Development Goals (SDGs) make up the Agenda. What

we talked about in the Parliamentary sharing was Goal 14 which aims to “conserve and sustainably use the oceans, seas, and marine resources for sustainable development.”

The UN General Assembly organized this IPU Parliamentary Hearing in order to inform its parliamentarians that there is going to be an Ocean Conference this June 5 to 9, 2017, in the UN in New York where member-states are expected to give their “national commitments” in pursuit of SDG 14.

The question to us parliamentarians is: Do we know or do we even have an idea of what our country will commit to in this upcoming conference?

I even asked the question: What is our national position on ocean governance?

This is a field, an area, or a gulf, where the Executive branch should work with the Legislative branch. Hence, before the actual holding of this Ocean Conference, the Philippine Senate should find out what the Executive branch intends to commit to therein and even participate in the formulation of our national commitments.

The preliminary Senate–Executive branch collaborative meeting will enable the Senate to prepare for all possible legislative support which these commitments will entail.

Let me remind everyone that during our session break, we are allowed to hold committee hearings and other activities related to our work. We can use this time to find out more about the Ocean Conference.

During the Parliamentary Hearing, I affirmed our full support for SDG 14, and I will mention it again so that we will be familiarized with this particular goal: “Conserve and sustainably use the oceans, seas, and marine resources for sustainable development.”

What can we do for SDG 14? We need to fight this “lack of urgency” in confronting Ocean issues. We can make sure that SDG 14 is clearly assigned to a specific committee. And, I think, even better, we should make sure each SDG has a committee assigned to it. We can also organize an environmental audit committee as we realize that “the ocean begins at the mountaintop.”

Ocean sustainability is a science-intensive issue. Hence, we have to make sure we have access to experts and that our library is well-stocked with relevant reference materials.

We can also enact laws and/or implement programs and conduct activities which will

contribute to raising awareness on “ocean conservation and sustainable use” at the policy-makers’ level and with the public at large.

I have recently filed a resolution calling for the support and active participation of the Senate in the observance of World Oceans Day on June 8 of every year. The resolution seeks to heighten public awareness and understanding of the vital role of the oceans in the survival of all life. Hopefully, we can encourage direct involvement among the citizens and instill in them the consciousness of their intergenerational responsibility in the conservation and sustainable use and management of the oceans.

I am also currently studying the desirability and feasibility of creating a Department of Water which will have jurisdiction over all matters affecting waters from the ridge to the ocean. Ridge to Ocean should be our approach from now on.

I believe that all water systems on this Earth are interconnected. The waste, the pollution, the poison that a person throws into a river in Mindanao, or even a creek in Mindanao, can and will, in due time, find its way to the waters of the Atlantic Ocean, and even to the Arctic Ocean.

I am sure you have other ideas on how to pursue SDG 14 most effectively.

I am hopeful that with our collective minds at the Senate, we can come up with relevant legislation which will avert the tragic loss of our marine resources. I call on you to let future generations of Filipinos experience the mystique of the ocean.

In his closing summary of the Parliamentary Hearing, IPU Secretary General Martin Chungong stressed the need for all stakeholders—governments, parliaments, the fishing industry and others—to work together to find a way to price marine resources in ways that factor the true economic and social costs of environmental exploitation.

According to our Secretary General in the IPU, climate legislation to impose carbon dioxide emission cuts which are “more ambitious” than those announced under the Paris Agreement should be the priority of parliaments because of the strong interrelationship between climate change and ocean sustainability. Let that be our food for thought.

The Meeting with APPF

From New York, I made a very brief stopover in Tokyo in order to meet with the Hon. Hirofumi Nakasone, a member of the House of Councilors



of Japan, regarding the possible hosting by the Philippines of the Asia Pacific Parliamentary Forum (APPF) in 2018.

The APPF is a loosely-structured and nonexclusive forum of national parliamentarians who participate either as delegates of their parliaments or in their personal capacities. This was founded by former Japanese Prime Minister Yasuhiro Nakasone. The APPF seeks to provide opportunities for national parliamentarians of the Asia Pacific region to identify and discuss matters of common concern and interest and to highlight them in a global context; and to deepen their understanding of policy concerns, interests and experiences of the countries of the region.

I sought an audience with Mr. Nakasone, the son of the former Prime Minister, to personally convey to him the willingness of the Philippine Senate to host the APPF in 2018. I was informed by Mr. Nakasone, however, that the APPF had already received an offer from Vietnam to host the APPF in 2018, which the Executive Committee had already formally responded to.

I was thereafter told that because the Philippines is a charter member of the APPF, our offer to host the APPF Annual Meeting will be warmly accepted by the APPF's Executive Committee. Given our long-standing good and warm relations with Japan, our Japanese colleagues look forward to our eventual hosting of this prestigious parliamentary conference in the near future.

I am supportive of efforts to maintain close relations with our fellow parliamentarians in other countries and have asked our Office of the International Relations and Protocol to submit to me a list of the parliamentary friendship groups which the Philippine Senate is a member of, so that we can monitor the activities of each group and make sure that we are actively involved in all of them.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Sotto, there being no objection, the privilege speech of Senator Pimentel was referred to the Committee on Environment and Natural Resources.

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of

Committee Report No. 52 on Senate Bill No. 1390 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 52 ON SENATE BILL NO. 1390

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1390 (Committee Report No. 52), 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.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Ejercito for the sponsorship.

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

MANIFESTATION OF SENATOR EJERCITO

Senator Ejercito manifested that he would yield the floor to Senator Hontiveros and allow her to sponsor Senate Bill No. 1390 under Committee Report No. 52, 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 'Philippines AIDS Prevention and Control Act of 1998,' and Appropriating Funds Thereof," being the chairperson of the Committee on Health and Demography when the bill was deliberated by the Committee.

SPONSORSHIP SPEECH OF SENATOR HONTIVEROS

Senator Hontiveros appealed to the Body to pass Senate Bill No. 1390 in response to and to reverse the rapid increase of AIDS and HIV in the country which greatly affect the health of vulnerable and marginalized Filipino youth.

Following is the full text of Senator Hontiveros' sponsorship speech:

This afternoon, I would like to bring to the attention of the highest policy-making body in this country a public health tragedy unfolding among Filipino youth and other vulnerable groups, rendered helpless by lack of access to correct information and publicly-funded services, silenced by stigma and shame.

The Filipino youth has become the unwilling target of an old epidemic. Amidst the glam and glitter of their Snapchat filters and artsy Instagram feeds, they also experience taking to social media goodbyes and grief for the passing of their friend or a friend of their friends succumbing to a treatable medical condition. These posts on Facebook have become so common, the pattern so obvious: the deceased, usually male in his 20s or 30s, openly or secretly gay, the cause of death was "hardcore pneumonia or tuberculosis," infections which bewilderingly should not have led to death.

As of 2017, *araw-araw may 27 na mga Filipino ang nada-diagnose na HIV-positive. Noong taong 2000, isa kada tatlong araw ang naire-report na HIV-positive. Noong 2008, one case per day; apat noong 2010; siyam noong 2012; at 17 noong 2014.*

Ngayon, 27 kada araw at ayon sa mga estimates, anim sa bawat sampung bagong HIV infections sa bansa ay mga kabataan na may edad na hindi tataas sa 24.

Based on the surveillance report released by the DOH, there were 9,264 new HIV/AIDS cases documented in 2016 and 844 new HIV/AIDS cases documented in January of 2017 alone. Twenty-two of the cases reported in 2016 were aged 15 years old and below.

The National Youth Commission, alarmed of this growing trend, has called it a "Youth Epidemic." "Gone too soon!" This is the usual comment from their friends when these young ones inexplicably die and their eulogies are done online.

What breaks my heart is that this is not the '80s anymore. HIV prevention and treatment strategies can already be designed to reverse HIV incidence and end the epidemic. Pharmacological advances in HIV treatment have transformed HIV into a manageable condition. There are also new HIV prevention approaches, ones that combine biomedical interventions and community-led and human rights-based strategies. These have informed new targets, one of our Sustainable Development Goals is to end the HIV epidemic by 2030.

No one has to die of opportunistic infections. The global trend in HIV epidemic is in fast decline. But the Philippines, our dear Philippines, is one of the only nine countries in the world that registered more than 25% increase in HIV incidence.

Moreover, the rapid increase in the last six years reflects an alarming landscape: the epidemic is expanding in urban centers, affecting disproportionately populations and communities that are marginalized and vulnerable: young Filipinos; gay and bisexual men; transgender people; and people who use drugs.

Despite all these, the coverage of HIV testing remains low: only about one out of two Filipinos living with HIV is aware of their HIV status. A third of those infected with HIV have no access to lifesaving treatment. Despite the fact that a vast majority of HIV new cases have been contracted through sexual transmission, evidence-based interventions to promote safer sex practices have been minimal.

Based on the estimates of the Department of Health, if no improvement is made in the HIV response, the number of Filipinos living with HIV will reach around 160,000 by 2022 and exceed half a million by 2030. Needless to say, this would require a bigger public health expenditure, both to guarantee access to HIV treatment and to prevent new infections. If unaddressed, the HIV epidemic will pose a serious challenge to efforts to scale up universal healthcare in the country and will prove to be catastrophic to many marginalized Filipinos.

For this year alone, the DOH projects more than 55,000 Filipinos will have HIV.

Thus, this emergency situation needs an emergency response. Senate Bill No. 1390 or the

“Philippine HIV and AIDS Policy Act”, the bill this humble Representation, together with the chairperson of the Committee on Health and Demography, Senator JV Ejercito, is sponsoring today, seeks to repeal Republic Act No. 8504 to introduce a legal framework that incorporates lessons from the current HIV response and introduces newer evidence-based, human rights-informed, and gender transformative strategies to prevent and treat the epidemic. It aims to:

- Reform the Philippine National AIDS Council as the main governance platform for the HIV response to guarantee efficiency and alignment with evidence-based approaches to address the HIV epidemic;
- Establish a national HIV program, with clear mechanisms for operationalization and implementation at the local level;
- Introduce evidence-based, human rights-informed, and gender transformative HIV prevention and treatment approaches;
- Improve access to HIV services, especially for key populations and vulnerable communities, and ensure social and financial risk protection for those who need to access these services;
- Enhance anti-discrimination protection to promote the human rights of Filipinos living with HIV, key populations and vulnerable communities, and providers of HIV services;
- Promote a more collaborative framework for the HIV response, especially to guarantee the meaningful participation and involvement of civil society, communities, and key populations;
- And last but not the least, guarantee sufficient investment for the HIV response.

Indeed, we need to reverse this epidemic and scale up our health services before HIV becomes a catastrophic public health threat. Every 53 minutes, one Filipino is reported to have HIV and I am afraid this data is still largely underreported. The time to be alarmed is now. The time to act is now: for the attainment of our Sustainable Development Goals, for the Filipino youth, for the vulnerable and the marginalized, for those young people who need not die.

MANIFESTATION OF SENATOR SOTTO

Senator Sotto stated that Senator Angara would likewise deliver a cosponsorship speech on the measure.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 4:28 p.m.

RESUMPTION OF SESSION

At 4:29 p.m., the session was resumed.

Upon resumption, Senator Sotto manifested that a copy of the cosponsorship speech of Senator Angara would be submitted later.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1390

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

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 55 on Senate Bill No. 1393 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 55 ON SENATE BILL NO. 1393

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1393 (Committee Report No. 55), entitled

AN ACT ESTABLISHING ON-SITE, IN-CITY, OR NEAR-CITY STRATEGY FOR INFORMAL SETTLERS FAMILIES IN CONSIDERATION WITH A PEOPLE'S PLAN AND MANDATING LOCAL GOVERNMENT UNITS TO PROVIDE OTHER BASIC SERVICES AND LIVELIHOOD COMPONENTS IN RESETTLEMENT SITES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7279, AS AMENDED, OTHERWISE KNOWN AS THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon

motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Ejercito for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR EJERCITO

Senatro Ejercito, on behalf of the Committees on Urban Planning, Housing and Resettlement and on Local Government, submitted to the Body for plenary consideration Senate Bill No. 1393, entitled "An Act Establishing On-Site, In-City, Or Near-City Strategy For Informal Settlers Families In Consideration With A People's Plan And Mandating Local Government Units To Provide Other Basic Services And Livelihood Components In Resettlement Sites, Amending For The Purpose Republic Act No. 7279, As Amended, Otherwise Known As The Urban Development And Housing Act Of 1992" under Committee Report No. 55, in substitution of Senate Bill Nos. 331, 936, and 1216 authored by Senators Risa Hontiveros, Grace Poe, Joel Villanueva, Sonny Angara, and himself.

The full text of Senator Ejercito's sponsorship speech follows:

The 1987 Constitution mandates the State to undertake a "continuing program for the provision of affordable, decent housing and basic services to our underprivileged and homeless citizens." This, however, has been one of the main challenges that our government faces every year with every change in administration.

Based on the Housing and Urban Development Coordinating Council (HUDCC) report, the total housing need of the country is at 5.55 million units. This comprises the accumulated need of 1.22 million, which include households in unacceptable housing and doubled-up households in acceptable housing, and future/recurrent need of 4.1 million.

As of October 2016, the total estimated housing need from 2016 to year 2022 will rise to 6.79 million units based on the Effective Housing Needs using Housing Accomplishments Projections reported by HUDCC. Considering the current rate of housing production, we will never be able to reduce the housing need. As such, there is an urgency to formulate new approaches to address the housing backlog.

The Philippine resettlement program has always been geared toward off-site resettlement.

Empirical studies conducted by the Presidential Commission for the Urban Poor (PCUP) in 18 resettlement sites from the year 2014 to the present, however, showed that off-site resettlement produced more problems. This includes substandard and lack of basic utilities and social services such as water, power, and schools; job loss or decrease in income and lack of livelihood opportunities; and substandard housing infrastructure, among others. Moreover, the majority of the resettlement sites were prone to landslide, soil erosion, and flooding. To borrow the words of the families living in off-site resettlements, they were relocated from "danger zone to death zone." Resettlers claim that after 10 to 20 years of living in off-site resettlements, poverty continues and their situation even grew worse.

It is high time that we considered shifting resettlement of our informal settler families off-site to on-site, if feasible, and within or near the place where the Informal Settler Families or ISFs are living. From the report of the PCUP, in-city resettlement results in "marginal economic and social shocks," minimal job displacement and better or faster access to water, power and other basic utilities.

This proposed legislation aims to institutionalize the On-site, In-city or Near-city Resettlement Program, amending Sections 3, 21, 23, 26, and 29 of the Urban Development and Housing Act of 1992.

An on-site, in-city or near-city resettlement program promotes the right of the people to access housing within the city as a preferred option and institutionalizes the peoples' planning process as a critical element in the implementation of housing projects.

This bill espouses the resettlement of ISFs within the jurisdiction of the local government unit where the affected ISFs are living or within the local government unit adjacent to the one having jurisdiction over the present settlements of the ISFs. Off-city resettlement shall be considered as the last resort, where on-site, in-city and near-city is not feasible. This legislation reinforces the concept of people's plan approach whereby the beneficiaries themselves participate in the planning and implementation of government housing programs, of which they are the beneficiaries, with the technical assistance of concerned government agencies.

The proposed legislation strengthens the obligation, accountability and participation of local government units in their role of providing socialized housing for the poor. Furthermore, this sanctions the signing of a Memorandum of

Agreement with the concerned local government units and the national government agencies in the provision of vital basic services and facilities in the resettlement areas such as health, education, communications, security, recreation, relief and welfare. The MOA will specify the duties and responsibilities of the local government units, concerned government agencies, and involved private sector. Most importantly, it will include a timetable for the completion of the basic services and facilities. This proposed amendment will address the issue on the delay of water, electricity and other utilities in resettlement areas.

In order to oversee, monitor and evaluate its implementation, a Congressional Oversight Committee is hereby proposed to be created.

There had been reservations in institutionalizing the on-site, in-city and near city settlement. One of their grounds is the lack of available land in Metro Manila.

To check the availability of lands in NCR for the implementation of in-city and near city resettlement, we requested the Land Registration Authority for the assistance in securing data and information on titled properties through their Land Registration Systems, Inc. (LARES) during last year's National Housing and Urban Development Summit spearheaded by both Houses of Congress. The report covers identification of all titled properties in the National Capital Region that fall within the demarcated areas provided by the Summit Secretariat and those that is within the National Capital Region, registered in the name of the local or national government agency, and has an area that is greater than one thousand (1000) square meters. It was reported that there are around 3,419 hectares of available government lands that are potential sites for in-city housing in Metro Manila alone. If we incorporate other lands such as unregistered or abandoned and idle lands, we would have sufficient lands to implement the on-site, in-city and near city resettlement.

Two of the current best practices of in-city housing are St. Josephville in San Juan City and Disiplina Village in Valenzuela City. Both housing projects have proven that with political will and a solid partnership between the National Housing Agencies, the local government units, and informal settler families as future homeowners, on-site, in-city housing is possible.

Likewise, I was able to witness also that in Iloilo, in the hometown of Senator Drilon in Barangay Lanit, Jaro, Iloilo City. They were able to build 1,000 units of in-city using the usufruct method.

This proposed legislation will give light to the spirit of the Urban Development and Housing Act, providing for a comprehensive and continuing urban development and housing program and uplifting the condition of the poor and homeless citizens by making available decent housing at affordable cost with basic services and employment opportunities.

On-site and in-city is possible! Let this bill be our step toward ending homelessness, providing affordable, resilient and decent socialized and low-cost housing to the poor and marginalized in our efforts to create liveable and safe urban areas and smart cities.

In light of the foregoing, I appeal to this august Body for the immediate passage of this bill.

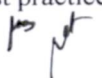
MANIFESTATION OF SENATOR DRILON

Senator Drilon expressed his support for the measure, saying that he had actual experience of the in-city housing practice mentioned by Senator Ejercito in his sponsorship speech. He recalled that the local government of Iloilo was able to build 1,000 units within the boundaries of the city to relocate 1,000 informal settlers from the rivers which had been cleaned and from the highways which had been expanded. He explained that the local government, performing its constitutional duty to provide shelter to the homeless, adopted a system of usufruct whereby housing units were awarded to those who were affected by the clean-up of the river and by the road expansion program. He said that the recipients were not required to pay for their housing, they could use it until they die but they could not sell nor rent out the property because they do not have the title to it.

He stated that what was important was that the relocation was undertaken in-city, the reason why there was no resistance from those affected and it gained support from the local government because the voters remained within the jurisdiction of the city and continued to be voters. He noted that sometimes, resistance from the local government happens when relocation is done outside the political unit because it would result in a reduction in the number of votes, a reality which has to be faced when undertaking relocation.

MANIFESTATION OF SENATOR GATCHALIAN

Senator Gatchalian thanked Senator Ejercito for including Valenzuela City as one of the best practices



in terms of in-city relocation. He pointed out that there is no one-size-fits-all solution to housing especially in the urban setting. For instance, he said that prices are not only expensive in urban areas like Metro Manila and Iloilo, even moving out families from urban centers to rural areas is a very big social problem for both the city and the new host municipality.

He believed that the bill is an innovative measure as it includes the participation of LGUs, and he agreed with Senator Drilon that it is important to get the LGUs involved because they play a very important role particularly when it comes to political will. He said that he was looking forward to the passage of the law as it would give the people decent housing in urban areas.

MANIFESTATION OF SENATOR EJERCITO

Thanking Senators Gatchalian and Drilon for their support, Senator Ejercito explained that he filed the measure primarily because for decades, the government has followed the off-site system of relocating settlers by undertaking socialized housing projects in the provinces because of the cheap cost of land. However, he lamented, these off-site resettlement areas have cost the government billions of pesos with only 15% to 20% of relocated families remaining there because most of them were displaced from their jobs and did not have access to sufficient utilities or facilities. He said that he wanted to legislate in-city housing to address the housing problem for informal settler families and to redevelop communities as well.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1393

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

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 56 on Senate Bill No. 1395 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 56 ON SENATE BILL NO. 1395

Upon motion of Senator Sotto, there being no

objection, the Body considered, on Second reading, Senate Bill No. 1395 (Committee Report No. 56), entitled

AN ACT RIGHTSIZING THE NATIONAL GOVERNMENT TO IMPROVE PUBLIC SERVICES DELIVERY AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Legarda for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR LEGARDA

Senator Legarda, on behalf of the Committees on Civil Service, Government Reorganization and Professional Regulation and Finance, submitted for plenary consideration, Senate Bill No. 1395, entitled "An Act Rightsizing The National Government To Improve Public Services Delivery And For Other Purposes," under Committee Report No. 56.

The full text of Senator Legarda's sponsorship speech follows:

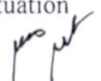
It is my honor as Chairperson of the Committee on Finance and the Sub-Committee on Senate Bill Nos. 1162 and 1167 to sponsor Senate Bill No. 1395 or "An Act Rightsizing the National Government to Improve Public Service Delivery and for Other Purposes."

At this juncture, Senate President Pimentel relinquished the Chair to Senator Ejercito.

This bill is a consolidation of Senate bills filed by Majority Leader, Sen. Vicente Sotto III, Senators Honasan II and Zubiri, and this humble Representation.

Said bills have been considered, studied and deliberated upon and took into consideration the inputs from different government agencies, resource persons and other stakeholders concerned.

Over the years, the government has grown into a system with the tendency for over-expansion and unnecessary self-perpetuation



in several sectors of the society. This resulted in different government agencies having overlapping, duplicative or redundant operations and functions, thus becoming ineffective and inefficient in the delivery of certain services. Furthermore, the overlapping structure also burdens the government with necessary costs.

In his Fiscal Year 2017 budget message, President Rodrigo Roa Duterte himself expressed concern over the size of our bureaucracy. Specifically, he noted that although the expansion of the bureaucracy is a response to the growing demand for public services, there is still fat in government that we must trim.

From 176 agencies in 2000, there are now 186 agencies in the national government. Moreover, the national government workforce currently stands at 1.6 million, compared to 1.1 million positions in 2000.

The increase in the number of government agencies, without doubt, has a significant impact on our budget. For 2017, 29.57% of our budget of P3.35 trillion (or P990.5 billion) is allocated for Personal Services (PS). This is an increase in the share of PS from 27.05% (P812 billion) in 2016 and 28.62% (P746 billion) in 2015.

Aside from these budgetary implications, a big bureaucracy has a negative impact on government performance and efficiency. For example, the overlapping jurisdictions and redundant functions of several agencies result in confusing regulatory rules, duplicating requirements, red tape, and inefficient delivery of public goods and services, which could be detrimental to the Filipino people. Moreover, to continue funding these redundant and outdated agencies is certainly a waste of our limited resources.

It is time we addressed the inefficiencies brought about by “the fat in government” by rationalizing and rightsizing the functions and organizational structure of the different agencies in the Executive branch.

With the passage of this bill, the national government will implement a rightsizing program that would further enhance the government’s institutional capacity, thereby giving more value to taxpayer’s money and be responsive to the changing demands of the public.

May we highlight that the program is a function-based effort, which means that it aims to refocus government efforts to the performance of its core and essential functions and to improve the delivery of services to the people.

This program will help agencies simplify

their respective systems and processes, as well as adopt productivity enhancement measures to reduce the processing time of transactions and to eliminate unnecessary regulatory requirements, thereby providing faster and high quality services to the public.

This bill will cover all agencies in the Executive branch, including departments, bureaus, offices, commissions, boards, councils, and all other entities attached to or under their administrative supervision, as well as Government-Owned and -Controlled Corporations (GOCCs) not covered by Republic Act No. 10149 or the GOCC Governance Act of 2011.

The Legislature, the Judiciary, Constitutional Commissions, Office of the Ombudsman and Local Government Units may, within their respective authorized appropriations and financial capability, likewise rightsize their respective offices, consistent with the principles and guidelines contained in the bill.

On the other hand, the Governance Commission for GOCCs will continue to exercise its authority under RA 10149 to reorganize, merge, streamline, abolish or privatize any GOCC, in consultation with the agency to which the GOCC is attached.

Specifically, this bill will provide the President of the Philippines with the authority to rightsize the Executive branch in accordance with the guiding principles, policies, standards and guidelines under this proposed legislative measure. The President will be empowered to:

1. Pursue the following functional shifts/modifications:
 - a. Strengthen functions of the agency which directly contribute to the targeted ultimate societal outcomes of the National Government or the targeted sector outcomes of the agency;
 - b. Scale down, phase out, eliminate or discontinue functions, programs or projects or activities that could be better carried out or undertaken by the private sector, or have already been devolved to LGUs; and
 - c. Transfer/integrate functions from one agency to another which could better perform the same.
2. The President may also undertake the following organizational actions:
 - a. Regularize *ad hoc* offices whose functions are vital and significant, thus

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must be continually undertaken by the government;

- b. Merge or consolidate agencies whose functions are unnecessarily overlapping or duplicating;
- c. Split agencies with multifarious functions which are deemed distinct but with equally important aspects of governance;
- d. Transfer offices to other agencies where their functions are more aligned; and
- e. Abolish agencies (i) whose functions are already redundant or no longer relevant or necessary, or could be better undertaken by another entity; (ii) which are no longer achieving the objectives and purposes for which they were originally created; (iii) which are not cost-effective since they do not generate the desired level or outputs and outcomes vis-à-vis the resource inputs; and/or (iv) which have already become non-operational or dormant or have outlived its purpose.

A Committee on Rightsizing the Executive Branch will be created to oversee the implementation of the Program, composed of the Executive Secretary as chairman, the Secretary of Budget and Management as co-chairman, with the Secretary of Socio-Economic Planning, chairperson of the Civil Service Commission (CSC), and the Head of the Presidential Management Staff, as members.

A Joint Congressional Oversight Committee to oversee, monitor and evaluate the implementation of this Act will likewise be created to be composed of five (5) members each from the Senate and the House of Representatives.

May I highlight that the implementation of the program shall not involve forced retirement or forced separation of affected regular employees. Regular personnel whose positions would be affected in the implementation of the program shall have the option to: (1) avail of retirement benefits and separation incentives; (2) be placed by the CSC in agencies needing additional personnel.

Given the changes in the economic and socio-political environment in our country, it is high time to rationalize or rightsize the organization and operations of the agencies of government to respond to the increasing public demand for faster, high quality and more effective and efficient delivery of services.

In light of the foregoing, I enjoin my colleagues to support this very important legislative measure.

COSPONSORSHIP SPEECH OF SENATOR SOTTO

Senator Sotto delivered his cosponsorship speech, as follows:

The Philippine government bureaucracy comprising a total of 186 departments, agencies and other offices has already bloated to some 1.5 million workers at present. These figures have tremendously increased over the years without properly managing its proper size in the workforce that led to duplications in functions and redundancy in the position. Hence, I filed Senate Bill No. 1167 which was considered in this measure and I wish to thank Senator Legarda for sponsoring the measure.

With the Personal Services (PS) eating up almost 30% of the entire pie of the national budget, the concept of rightsizing as coined in this measure is in line with the battle cry of the Duterte administration to operate the national government with optimal cost and efficient human resources.

The money that our government could save from the implementation of this measure can translate to better services, better service delivery and more infrastructure projects, just to name a few, for us, and, of course, our fellowmen.

While there might be eventual changes in the organizational structure and staffing in the affected offices, affected personnel, whether hired on a permanent, temporary, casual or contractual basis, shall be entitled to retirement benefits and separation incentives based on this measure.

So considering that this bill is in line with the directive of the President, the passage of the measure is earnestly requested.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1395

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

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of



Committee Report No. 54 on Senate Bill No. 1392 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 54
ON SENATE BILL NO. 1392**

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1392 (Committee Report No. 56), entitled

AN ACT PROVIDING FOR A REVISED NATIONAL APPRENTICESHIP PROGRAM, CLARIFYING THE STANDARDS FOR TRAINING AND ENGAGEMENT OF APPRENTICES AND ACCREDITATION OF APPRENTICESHIP PROGRAMS, REPEALING FOR THE PURPOSE CHAPTERS I AND II OF TITLE II, BOOK II OF PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES, AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

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

**SPONSORSHIP SPEECH
OF SENATOR VILLANUEVA**

On behalf of the Committee on Labor, Employment and Human Resources Development, Senator Villanueva presented to the Body for plenary consideration Senate Bill No. 1392 under Committee Report No. 54, entitled "An Act Providing For A Revised National Apprenticeship Program, Clarifying The Standards For Training And Engagement Of Apprentices And Accreditation Of Apprenticeship Programs, Repealing For The Purpose Chapters I And II Of Title II, Book II Of Presidential Decree No. 442, As Amended, Otherwise Known As The Labor Code Of The Philippines, And For Other Purposes," or "The Apprenticeship Training System Act of 2017."

Following is the full text of Senator Villanueva's sponsorship speech:

***The need to revise the current
Apprenticeship Law***

This is not the first time that the Senate Committee on Labor, Employment and Human Resources Development submitted this measure that seeks to reform the country's apprenticeship training system. In the 16th Congress, a similar proposal contained in Senate Bill No. 136 made its way here at the Senate plenary for Second Reading, while its counterpart measure, House Bill No. 5303, was approved by the House of Representatives on its Third and Final Reading in January 2016.

The results of the deliberations during the past Congress led by Sen. Jinggoy Estrada and eventually, Sen. Sonny Angara, and our parallel consultations with several organizations last year, manifest a very noble reason to pass this measure without further delay: to help our people get jobs and to help business flourish.

There is a need to repeal Chapters I and II of Title II of Presidential Decree No. 442, as amended, otherwise known as Labor Code of the Philippines, and to put in place a reformed apprenticeship training system because the world of work is changing rapidly; we need individuals who possess the competencies suited to the job and those who can deliver results.

Sa apprenticeship: ang skills na matutuhan, konektado sa aktwal na trabaho. Sa apprenticeship: may sweldo agad habang nagsasanay pa lamang, may pagkakataon pang matuto kahit ang mga out-of-school youth natin at ang mga unemployed. Sa apprenticeship: mas mataas ang posibilidad na ma-absorb ang mga apprentices pagkatapos ng training.

***State of apprenticeship training system
in the Philippines***

The Committee believes that a reformed apprenticeship system will improve our people, it will improve the business sector.

For the past six years, from 2010 to 2016, we produced more than 12 million tech-voc graduates. This number covers all the training delivery modes: institution-based, community-based and enterprise-based training that includes our National Apprenticeship Program.

Unfortunately, the number of graduates in our Apprenticeship Program represented only 5% or 474,962 out of 12,110,210 graduates in all delivery modes.



The small number of apprentices and the number of participating companies point to the need to institute reforms in our existing National Apprenticeship Training Program. We could not agree more to the Joint Foreign Chambers of the Philippines that such a small number indicates the importance of reforming and expanding the program to provide a route to long-term jobs for much larger number of young Filipinos.

The need for a work-based training

Base sa karanasan at sa mga datos na ating nakalap, basta't ginagawa ang pagsasanay sa loob ng mga pagawaan o sa loob mismo ng kumpanya, garantisadong akma ang skill sa trabaho.

Halimbawa po, sa training program ng TESDA at SEIPI or Semi-Conductor and Electronics Industries in the Philippines, halos lahat po ng mga trainees o 97%, nabigyan ng trabaho. Sa isa pang training program ng TESDA at IT-BPM o Business Process Management, umabot po sa 70% ng near-hires ang agad nabigyan ng trabaho. Dalawang halimbawa lamang po ito sa mahigit anim na raang (600) industry partnerships ng TESDA sa nagdaang anim na taon.

Indeed, work-based learning is the trend because jobs are fast evolving; jobs are becoming obsolete or replaced with new ones due to automation and new technologies that require new skills set that can be learned at real time at the workplace.

The Committee believes that the workplace is the best training institution today:

Halimbawa po ay si Dave Lawrence Pacanza, taga-Calamba, Laguna po siya at naging scholar ng Ampon Ni Don Bosco Foundation para sa 10-month Automotive Mechanic Course. Pagkatapos pong mag-training sa Don Bosco, napili po siya ng Porsche para sa service mecatronics course sa PGA cars dito po sa Mandaluyong. Sabi po niya, siyam na buwan po siyang nagko-commute mula Calamba hanggang Makati sa kagustuhan po niyang makumpleto ang training sa isang prestigious brand. Sa PGA cars, natutunan po ni Dave ang Porsche transmission and vehicle electronics involving fiber optics. At dahil po sa akmang training sa loob mismo ng Porsche, isa po si Dave sa mga napolis na mabigyan ng trabaho sa Porsche Center doon po sa Abu Dhabi.

Si Noema Flejoles naman po, siya na po ang nagsabi, dati po siyang tambay at over-age engineering graduate. Matagal na po siyang unemployed at halos mawalan na ng gana sa buhay dahil sa pagpanaw ng kanyang ama.

Kumuha po siya ng Automotive Servicing NC II sa TESDA Women Center (TWC) dito po sa Taguig, at pagkatapos ng kanyang on-the-job training sa Hyundai sa Pasig, na-absorb siya ng kumpanya, at ngayon, siya na ang Warranty Administrator doon. Mula noon, bumalik na po ang sigla sa buhay ni Noema at mabilis na na-promote sa kanyang trabaho.

Indeed, there is no substitute to the actual work-based learning which can allow young workers to learn from experienced workers or business people. I believe that the Revised Apprenticeship bill will enable Filipinos to learn from their Filipinos.

Salient Features of the Revised Apprenticeship Bill

The proposed apprenticeship law aims to increase employability of youth through responsive training at the workplace.

Let us say that a certain Juan dela Cruz wants to join the apprenticeship program. Under this proposed measure, Juan should be at least 15 years of age. He can enter any apprenticeable occupation that is specified by the Industry body and approved by the TESDA Board.

Kahit po out-of-school youth o unemployed si Juan, basta't kinse anyos pataas, puwede po siyang maging apprentice.

In the past, the period of apprenticeship covers a maximum of six months. Now, the apprenticeship period shall be based on the duration of training required in the Training Plan and on the complexity of the skills that Juan should learn as an apprentice. Let me stress that the training duration is based on set requirements in the training regulations, not as determined by law. The bill also removes from its coverage the skills that can be learned in six months, which can be learned through probationary employment.

Hindi po pare-pareho ang apprenticeable occupations kaya hindi po dapat limitahan sa anim na buwan ang training ng mga apprentices tulad ni Juan. Puwede po itong umabot ng isa o dalawang taon o higit pa. Ang training duration, dapat aprubado ng TESDA alinsunod po sa umiiral na curriculum o training regulation. Kailangan ding mapatunayan ng kumpanya na may sapat po silang kakayahan para ipatupad ang aprubadong training contract.

Under the revised apprenticeship program, Juan gets paid to learn as well. His wage should not be below 70% of the minimum wage, combining what the employer pays and what the

government may pay in order to attract more investors to the Philippines.

Halimbawa po, habang nagsasanay si Juan, kumikita na rin po siya at puwede nang makatulong sa kanyang pamilya at makapag-apon para sa kanyang kinabukasan.

However, Juan's enterprise can only engage apprentices equivalent to 20% of its regular employees or the apprentice shall be considered a regular employee. This will lessen the opportunity of his employer to commit abuses. As an apprentice, Juan will also benefit from a disability or accident insurance policy during his apprenticeship period.

Kasama po sa proteksyon ng karapatan ni Juan ang insurance policy na sasagutin ng kanyang kumpanya. Sinisiguro rin po natin na mananagot ang kumpanya kung may paglabag sa training contract at kung mapatunayang may paglabag nga, hindi na ito papayagang tumanggap pa ng mga apprentices.

The bill also installed assessment and certification system to ensure the quality of program delivery. Therefore, Juan will undergo competency assessments for qualifications within his apprenticeship period. He will be awarded National Certificate which will have equivalent credits in the formal system of education.

Pagkatapos po ng apprenticeship contract ni Juan at gusto niyang mag-enroll sa kolehiyo, layunin ng ating panukalang batas na ito na magamit niya ang kaniyang National Certificate mula sa kumpanya para ma-credit sa kursong gusto niya.

In return, the participating enterprise will get an additional deduction from the taxable income equivalent to one half (½) of the value of training expenses incurred for developing the productivity and efficiency of apprentices. This is an opportunity for the private sector to take an ever bigger role in nation-building by investing in our people.

Higit pa sa tax incentive, makatutulong po ang mga kumpanya sa pagbibigay ng akmang kasanayan sa ating mga kabataan.

Our experience in the past proves that apprenticeship system offers real work experience, allowing trainees to get an understanding of what a job is like. Let me emphasize: hands-on training is necessary to equip the workers with the required competencies. As Benjamin Franklin once said, "Tell me and I forget, teach me and I remember, involve me and I learn."

The Committee believes that the proposed apprenticeship system is reflective of the requirements of the 21st century education.

Providing opportunities for every Juan

By not reforming our apprenticeship system, employers will continue to turn their backs on young workers, graduates will continue to face challenging job search, and our economy will continue to experience a bumpy road ahead.

Reforming our apprenticeship system is a solution to youth unemployment and job-skill mismatch because the companies will have a hand in training the students with the skills they need for a particular job.

Noon, hinahanapan ng mga magulang ang kanilang anak ng magandang paaralan kasi ang nasa isip nila, makakuha agad ng magandang trabaho ang kanilang anak pagka-graduate. Ngayon po, pwede na ring humanap ng mga kumpanya kung saan ang training at trabaho ay pinagsanib na.

We can give to our young people the immense opportunities present in today's workplaces, outside our formal educational system, but only when alternative modes of learning like apprenticeship guarantee their rights and welfare.

Let us help our people get decent jobs and help businesses flourish. I hope and pray that my colleagues here will support and pass Senate Bill No. 1392.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1392

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

PROPOSED SENATE RESOLUTION NO. 330

Upon motion of Senator Sotto, there being no objection, the Body considered Proposed Senate Resolution No. 330, entitled

RESOLUTION AUTHORIZING ALL REGULAR STANDING COMMITTEES, OVERSIGHT COMMITTEES AND SPECIAL COMMITTEES OF THE SENATE TO CONDUCT HEARINGS, MEETINGS AND CONSULTATIONS DURING EVERY RECESS OF THE SENATE TO HAVE CONTINUITY IN THE PROCESS OF PASSING

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PENDING PROPOSED LEGISLATION
AND TO CONDUCT INVESTIGA-
TIONS ON ISSUES OF NATIONAL
INTERESTS TO AID IN CRAFTING
RELEVANT LEGISLATION.

Secretary Barbo read the text of the resolution,
to wit:

Resolved by the Senate of the Philippines, To authorize and encourage all Regular Standing Committees, Oversight Committees and Special Committees of the Senate to conduct hearings, meetings and consultations during every recess of Senate to have continuity in the process of passing pending proposed legislations and to conduct investigations on issues of national interests to aid in crafting relevant legislations.

Resolved, further, To authorize the committees to issue subpoena or subpoena *duces tecum* to any person, corporation, entity or its officers, to testify and/or produce such documents which may be needed in the meetings, hearings of consultations of the committees.

Resolved, furthermore, To encourage the committees to immediately file committee reports based on the outcome of its studies, hearings or investigations to the Senate in its regular and special sessions, and to regard all pending measures with utmost urgency for the consideration of its immediate passage by the Senate.

Resolved, finally, That this Resolution shall take effect on the date of its adoption and shall remain in force until amended or repealed.

MANIFESTATION OF SENATOR SOTTO

Senator Sotto said that Proposed Senate Resolution No. 330 is self-explanatory and that the Body has adopted similar resolutions numerous times. He said that the only difference was that in Proposed Senate Resolution No. 330, the last resolatory paragraph states that "this Resolution shall take effect on the date of the adoption and shall remain in force until amended or repealed," unlike in previous resolutions when the Body had to pass a resolution again.

INQUIRY OF SENATOR DRILON

Saying that he had no objection to the proposed measure, Senator Drilon asked whether the resolution would be effective Congress after Congress or only during the break of one Congress. Senator Sotto replied that the resolution would only be effective

during the break of one Congress so that in the 18th Congress, the Body would have to adopt another resolution.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 330

Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 330 was adopted by the Body.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 5:15 p.m.

RESUMPTION OF SESSION

At 5:56 p.m., the session was resumed with Senate President Pimentel presiding.

COMMITTEE REPORT NO. 31 ON SENATE BILL NO. 1306

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1306 (Committee Report No. 31), entitled

AN ACT CREATING THE PHILIPPINE
BOXING COMMISSION TO STRENGTHEN
THE BOXING INDUSTRY
AND PROMOTE THE SAFETY AND
WELFARE OF FILIPINO BOXERS,
AND PROVIDING FUNDS THEREFOR.

Senator Sotto stated that the status was the period of interpellations.

Thereupon, the Chair recognized Senator Pacquiao, sponsor of the measure, and Senator Drilon for his interpellations.

MANIFESTATION OF SENATOR PACQUIAO

Senator Pacquiao recalled that during the previous interpellation of Senator Drilon, he mentioned about the deaths of many boxers and that the Games and Amusement Board has been wanting, in terms of focus, in addressing the concerns of boxing. But he



clarified that he was not questioning the current leadership of GAB Chairman Abraham Mitra, and that he was simply underscoring the unique nature of boxing and other combat sports which requires undivided attention of a commission so that the safety and well-being of the athletes are properly taken care of.

INTERPELLATION OF SENATOR DRILON

At the outset, Senator Drilon stated that Senate Bill No. 1306 is the first measure that Senator Pacquiao is sponsoring; thus, he requested the other members of the Chamber to be on the floor, otherwise he would raise a question of quorum.

SUSPENSION OF SESSION

Upon motion of Senator Drilon, the session was suspended.

It was 5:59 p.m.

RESUMPTION OF SESSION

At 6:03 p.m., the session was resumed.

Upon resumption, Senator Drilon asked whether it is the Games and Amusement Board (GAB) that issues the permit authorizing a person or entity to hold, promote and engage in the conduct or operation of a professional boxing match, as well as the license to a professional boxer authorizing him/her to receive sums of money or other compensation as salary or prize money for fighting in a boxing match, and to a promoter primarily responsible for organizing, promoting, and producing a professional boxing match. Senator Pacquiao answered in the affirmative.

On whether the GAB has been inefficient in performing its functions in issuing such licenses, and whether he has heard of anomalies and malpractices in the issuance of the licenses, Senator Pacquiao answered in the negative.

That being so, Senator Drilon questioned why there is a need to create a boxing commission when the GAB has not been remiss in its functions, Senator Pacquiao explained that the purpose of the commission is to focus and supervise strictly the requirements, particularly in seeing to it that the boxer undergoes complete medical examinations and is certified to be physically fit before he/she climbs the ring. He stressed that the commission would solely focus on boxing and combat sports to ensure

the protection and safety of combatants who will be fighting in the ring.

Asked if the problem stemmed from the people manning the GAB and not the system itself, Senator Pacquiao replied that the problem really was that for a long time, the boxers have not been treated well, some of whom died in the ring because the agency failed to strictly enforce, among others, the rule that they must secure the required medical certificate or clearance before they enter the ring.

To Senator Drilon's suggestion that the rules on the issuance of medical certificates as well as licenses should be strictly enforced, Senator Pacquiao insisted that the failure of the GAB in focusing on the welfare and well-being of the boxers prompted him to seek the creation of a boxing commission.

To Senator Drilon's proposition that the welfare of the athletes could be well taken care of if the GAB is strengthened by giving it more funds and allowing it to hire more manpower so that the problem which has persisted in the last 20 years could be addressed, Senator Pacquiao maintained that it is not easy for one agency to simultaneously administer and manage more than 20 different sports. He pointed out that the sport of boxing has witnessed the death of many fighters.

Senator Drilon stated that he was not disputing the deaths that happened in boxing and martial arts and how indeed the sport could bring harm if not properly supervised. However, he took exception to the proposal to create a new boxing body when the GAB is there to do the task assigned to it, especially given Senator Pacquiao's admission that the GAB has not been remiss in its functions in issuing permits to professional boxers, the promoters and the officials. He said that Senator Pacquiao's admission was enough validation of his position that there is no need to create a new body.

Relative thereto, Senator Drilon also recalled that Senator Legarda has just sponsored Senate Bill No. 1395, or the National Government Rightsizing Act, and that in her sponsorship speech, she noted how "over the years, the government has grown into a system with the tendency for over-expansion and unnecessary self-perpetuation in several sectors of the society, which resulted in different government agencies having overlapping, duplicative or redundant operations and functions, thus becoming ineffective and inefficient in the delivery of certain services."

He further cited excerpts from the sponsorship speech, thus:

"In his Fiscal Year 2017 Budget Message, President Rodrigo Roa Duterte himself expressed concern over the size of our bureaucracy. Specifically, he noted that although the expansion of the bureaucracy is a response to the growing demand of public services, there is still fat in government that we must trim.

"From 176 agencies in 2000, there are now 186 agencies in the national government. Moreover, the national government workforce currently stands at 1.6 million, compared to 1.1 million positions in 2000.

"The increase in the number of government agencies, without doubt, has a significant impact on our budget. For 2017, 29.57% of our budget of P3.35 trillion (or P990.5 billion) is allocated for Personal Services (PS), an increase from 2016's 27.05% (P812 billion) and 2015's 28.62% (P746 billion)."

Senator Drilon pointed out that the general tack of Senate Bill No. 1162 is to downsize the oversized bureaucracy which is consistent with the thrust of the Committee on Finance and the DBM to regulate the increasing burden of the national coffers. On the contrary, he noted that while Senator Pacquiao's bill has very good intentions, it would expand the bureaucracy.

Senator Pacquiao maintained that there would be no duplicity of functions since the proposed Philippine Boxing Commission would only focus on boxing *per se*.

Asked on the number of major sports and activities under GAB's current jurisdiction, Senator Pacquiao stated that there were 22.

Thereupon, Senate President Pimentel asked Senator Pacquiao to enumerate the professional and other contact sports handled by GAB.

SUSPENSION OF SESSION

Upon motion of Senator Pacquiao, the session was suspended.

It was 6:19 p.m.

RESUMPTION OF SESSION

At 6:25 p.m., the session was resumed.

REQUEST OF SENATOR HONTIVEROS

Upon resumption, Senator Hontiveros stated that in the agenda, she and Senator Villanueva were queued for interpellation on another measure, and since Senator Villanueva would be leaving in a few minutes, she requested the Majority Leader, Senator Drilon and Pacquiao, if they were willing to suspend deliberations on Senate Bill No. 1306 in the meantime, and yield the floor to her and Senator Villanueva.

Senator Sotto said that he would not object to the request if the concerned senators would accede.

Senator Pacquiao stated that he would allow the request if there would be only one or two questions.

Noting that Senator Villanueva was not in the Senate hall, Senate President Pimentel said that he would act on the request once all the personalities are present. Senator Hontiveros thanked Senate President Pimentel as well as Senators Drilon and Pacquiao for their forbearance on her request.

INTERPELLATION OF SENATOR DRILON (Continuation)

Replying to the query of Senate President Pimentel, Senator Pacquiao stated that the GAB was under its jurisdiction the following major sports and activities, among which are: boxing; wrestling; karate; football; professional basketball; cockfighting; horse-racing; car racing; cycling; volleyball; judo; billiards; bowling; tennis; golf; jai-alai; and anti-illegal gambling.

Asked what sports would be taken away from GAB's jurisdiction in case his proposed measure becomes law, Senator Pacquiao stated that boxing and other combat sports like wrestling and karate would no longer be under the GAB, adding that there would be no overlap nor duplication of functions.

Senator Drilon maintained that while it seemed that there was no overlap inasmuch as the supervision on the said sports and activities would be taken out from the jurisdiction of GAB, the creation of a new bureaucracy such as the proposed boxing commission runs counter to the rightsizing program which, in effect, is a retrenchment program. Also, he noted that GAB has five divisions, including boxing and other combat sports. Thus, he stated that there should be no excuse that the GAB was not able to focus on boxing because clearly, supervision was

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adequate. He maintained that creating another bureaucracy was no longer necessary; otherwise, there could be forthcoming proposals to create new commissions for the other sports. He reiterated that Senator Pacquiao's bill, which would expand the bureaucracy, is contrary to the intent of another proposed measure to rightsize the bureaucracy, which was signed by majority of the senators.

Senator Pacquiao maintained that the creation of the Philippine Boxing Commission would give more focus on the need to ensure the safety, welfare and assistance of boxers and combat sports athletes. He noted that apparently, Senator Drilon does not understand the very dangerous and risky nature of boxing and combat sports. Senator Drilon replied that while he may not understand boxing in the manner that Senator Pacquiao understands it, certainly he understands what government is all about. He said that he cannot simply understand how the creation of a separate boxing commission would save lives.

To the statement that the GAB is capable enough to provide the focus and support needed in boxing, Senator Pacquiao asserted that focusing on only one sport, which involves risk to the lives of its athletes, is not easy especially since the GAB supervises more than 20 other sports and activities. However, Senator Drilon pointed out that all the members of the Chamber handle more than 20 bills and could focus on any one of them.

For his part, Senator Sotto noted that the Philippine Racing Commission was created for horse raising even though it is also being supervised by the GAB. Similarly, he said, a Philippine Boxing Commission was being proposed to focus on the needs of the boxers. On the other hand, he said that he understood the rightsizing issue raised by Senator Drilon by possibly abolishing the Philracom and leave horse racing under the jurisdiction of the GAB. Senator Drilon remarked that it could also be the other way around, with the GAB being abolished and separate commissions for each sport created in its stead.

At this juncture, Senate President Pimentel noted that even though there might be an impression of an overlap in functions in general terms, such a situation has been avoided considering that while the GAB and the Philracom both handle horse racing, the GAB handles the betting aspect of the sport while the Philracom does not. Senator Pacquiao agreed.

Senator Drilon noted that each body is assigned a different function so that no overlap occurs, but he maintained that such functions could be performed by one body.

For his part, Senate President Pimentel said that the policy to separate the regulation of these sports would be for the purpose of having a checking mechanism.

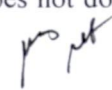
Senator Sotto noted that boxing is more complicated than other sports because it has both amateur and professional divisions, the reason why it is the PSC that handles the amateur boxers while GAB handles the professional boxers.

Senate President Pimentel clarified that he sought clarification on the jurisdiction of the GAB so that the Members would be made aware of its workload, and make the policy decision on whether it would be better to place boxing and combat sports under the jurisdiction of another agency. He said that during the time of interpellations on the rightsizing bill, he would ask whether "rightsizing" meant that these agencies could no longer specialize on a particular sport.

Senator Drilon pointed out that "rightsizing" actually means retrenchment because the intent is to achieve the right size or number of personnel for a particular agency. He pointed out that "rightsizing" is a term adopted by professionals in the field of human resource management to make the process more palatable even if it is in fact a retrenchment program. This, he said, would be the opposite of Senator Pacquiao's proposal to create a new body.

Senator Pacquiao commented that if Senator Drilon cannot be convinced to agree to his proposal for the creation of a boxing commission, the period of interpellations on the bill could be terminated. However, Senator Drilon pointed out that the Senate has no cloture rule. He asked whether Senator Pacquiao was suggesting that the period of interpellations be terminated even when the discussion was only on the second page of the bill. Senate President Pimentel clarified that Senator Pacquiao was merely making a comment and not a formal motion.

Asked whether the proposed Philippine Boxing Commission would be considered a GOCC, Senator Pacquiao replied in the negative, saying that the PBC would simply be a regulating body and does not do business.



Noting that the measure provides that the PBC would be "directly under the administrative supervision of the Office of the President (OP)," Senator Drilon asked how many offices are under the administrative supervision of the OP and why the PBC would be under its jurisdiction as well. Having been a former executive secretary in the OP, he explained how difficult it was for one office to supervise all the agencies under its wing because of their sheer number that he had to realign the reporting system so that all the agencies report to the Cabinet secretary where the functions of these agencies would be similar because the OP cannot supervise all of them; on the other hand, as a result of the GOCC Governance Act, hundreds of agencies being supervised by the OP were put under a commission. To ensure efficiency, he said that agencies ought to report to a level below the OP rather than directly to the President since these are not Cabinet departments anyway.

For his part, Senator Pacquiao maintained that the PBC should be under the OP since the President appoints the seven members of the commission. Senator Drilon, however, pointed out that the President appoints everyone in the bureaucracy unless such function is delegated to the department secretary or another official. He maintained that the fact that one is appointed by the President is not a justification for putting the agency under the OP. For instance, he said that the PBC could have its commissioners appointed by the President and be under the GAB for administrative supervision. Nevertheless, Senator Pacquiao maintained that like the GAB which is under the executive secretary, it would be for the best interest of the PBC to be under the President.

On whether the proposal to place the PBC under the OP was simply because the GAB is also under the supervision of the OP, Senator Pacquiao replied in the affirmative.

Asked why the PBC was being placed on the same level as the GAB insofar as reporting to the OP was concerned given the rationale that the PBC was being created precisely to focus on the sport of boxing because the GAB was too big an agency, Senator Pacquiao said that it would be the best format in terms of organization.

At this juncture, Senate President Pimentel surmised that Senator Pacquiao considered it to be justifiable for the PBC to be under the OP since it would also be taking functions from the GAB which

is also supervised by the OP. He pointed out that the functions of the new commission will no longer be the functions of the old GAB.

However, Senator Drilon believed that two wrongs do not make a right. He opined that the GAB should not be reporting directly to the President because it is currently an independent body that is not supervised by the OP. He said that the proposal would only worsen a bad situation wherein the Office of the President, which has administrative supervision over the GAB, would be further burdened by having another office added to its jurisdiction in terms of administrative supervision.

Senate President Pimentel believed that any problem with the model being followed could be cured by amending the relevant provisions of the measure. Senator Drilon said that even if he wanted to propose amendments to the proposed measure, the fact that his responses were not acceptable to Senator Pacquiao obviously means that his amendments along that line would also be rejected.

To the Chair's opinion that it would be too early for Senator Pacquiao to reject such proposals, Senator Drilon believed that the answers of the Sponsor already indicated his insistence on having the PBC under the administrative supervision of the OP. However, Senator Pacquiao said that he was willing to study the issue and would be open to an amendment at the appropriate time for as long it would not be a hindrance to the creation of the PBC.

Being only one of 24 members, Senator Drilon said that he was only one vote and was not in any position to stop the passage of the measure. He explained that his vote would be determined by whether the creation of the PBC would be consistent with or against the general principles that he had learned concerning the purpose of the measure.

Asked by Senator Drilon why boxing was called an industry under the bill, Senator Pacquiao said that it was called an industry because boxing is a livelihood or big business for so many people. Senator Drilon then asked why public funds would be spent for the retirement of professional boxers when they, according to Senator Pacquiao, are already in business.

Asked by Senator Drilon why seven members were being proposed to constitute the proposed



boxing commission, Senator Pacquiao said that it was to get more consensus. He added that the seven-member composition of the commission was patterned after the GAB.

SUSPENSION OF SESSION

Upon motion of Senator Drilon, the session was suspended.

It was 6:59 p.m.

RESUMPTION OF SESSION

At 7:08 p.m., the session was resumed.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1306

At this juncture, Senator Sotto manifested that there were still a number of pending resolutions and bills that have to be tackled and considering that it was the last day of session before the recess, he suggested that the interpellation on the measure be suspended for the meantime to be resumed in May after the recess.

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

COMMITTEE REPORT NO. 42 ON SENATE BILL NO. 1355

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1355 (Committee Report No. 42), entitled

AN ACT ADOPTING INNOVATION AS VITAL COMPONENT OF THE COUNTRY'S DEVELOPMENT POLICIES TO DRIVE INCLUSIVE DEVELOPMENT, PROMOTE THE GROWTH AND NATIONAL COMPETITIVENESS OF MICRO, SMALL AND MEDIUM ENTERPRISES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Senator Sotto stated that the parliamentary status of the bill was the period of interpellations.

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

TERMINATION OF THE PERIOD OF INTERPELLATIONS

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

TERMINATION OF THE PERIOD OF AMENDMENTS

There being no committee or individual amendment, upon motion of Senator Sotto, there being no objection, the Body closed the period of amendments.

APPROVAL OF SENATE BILL NO. 1355 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1355 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1355

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

COMMITTEE REPORT NO. 46

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration of Committee Report No. 46, Re:

Manifestation and Motion made by Majority Leader Vicente C. Sotto III on 07 November 2016 tasking the Committees on Public Order and Dangerous Drugs, and Justice and Human Rights to investigate and inquire, in aid of legislation, into the killing of Mayor Rolando Espinosa Sr. of Albura, Leyte.

Senator Sotto stated that the parliamentary status was the period of amendments.

Thereupon, the Chair recognized Senator Sotto, acting on behalf of the Sponsor of the report, and Senator Drilon for his amendments.

DRILON AMENDMENTS

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

Page 29

1. After the second paragraph, insert a new paragraph, to read as follows:

REFERENCE MUST ALSO BE MADE TO THE SUPREME COURT OFFICE OF THE COURT ADMINISTRATOR (OCA) CIRCULAR NO. 40-2106 ENTITLED *CONSTITUTIONAL REQUIREMENTS AND RULES IN THE ISSUANCE OF ARREST AND SEARCH WARRANTS* WHICH PROVIDES THAT THE HEADS OF THE NATIONAL BUREAU OF INVESTIGATION, THE PHILIPPINE NATIONAL POLICE, THE ANTI-CRIME TASK FORCE AND THE PHILIPPINE DRUG ENFORCEMENT AGENCY SHALL PERSONALLY ENDORSE OR AUTHORIZE ALL APPLICATIONS FOR SEARCH WARRANTS, INVOLVING ILLEGAL POSSESSION OF FIREARMS AND VIOLATIONS OF THE COMPREHENSIVE DANGEROUS DRUGS ACT, AMONG OTHERS. OCA CIRCULAR NO. 88-2016 PROVIDES FOR THE DELEGATION BY THE PNP CHIEF OF HIS AUTHORITY TO ENDORSE THE APPLICATIONS TO CERTAIN KEY OFFICERS IN THE PNP IN THEIR RESPECTIVE TERRITORIAL JURISDICTIONS. THERE IS NO INDICATION THAT THE APPLICATION FOR SEARCH WARRANTS, WHICH WERE LATER GRANTED BY JUDGES TARCELO SABARRE, JR. AND JANET CABALONA WERE PERSONALLY ENDORSED BY HEAD OF THE PDEA. MOREOVER, THERE IS ALSO NO INDICATION THAT THE APPLICATION FOR SEARCH WARRANT WAS ENDORSED BY ANY OF THE DELEGATED KEY OFFICERS OF THE PNP, SPECIFICALLY BY THEN CIDG REGIONAL CHIEF MARCOS;

2. On the third paragraph, after the word "urgency" and the period (.) insert the phrase WE DECRY THE DELAY IN THE CONDUCT OF THE APPROPRIATE DOJ INVESTIGATION;
3. Still on the third paragraph, after the word "we," replace the words "respectfully request" with STRONGLY URGE;

4. After the third paragraph, insert a new paragraph, to read as follows:

THE PNP AND THE DOJ SHOULD LIKEWISE CONDUCT A SWIFT INVESTIGATION AND IF WARRANTED, FILE THE APPROPRIATE CASES INVOLVING THE DEATHS OF PCI NAPOLES SON, EDGAR ALLAN "EGAY" ALVAREZ, FERNANDO "INTOY" BALAGBIS, ATTY. ROGELIO BATO AND ANNALOU LLAGUNO;

5. After the fourth paragraph, insert a new paragraph, to read as follows:

ON ANOTHER MATTER, THE MISSING CCTV RECORDINGS COULD HAVE BEEN ONE OF THE KEY EVIDENCE TO BE CONSIDERED IN THE DETERMINATION OF ANY IRREGULARITY IN THE OPERATION. AS RESPONSE THERETO, IN COORDINATION WITH THE PROPER AGENCIES SUCH AS THE PNP AND THE BUREAU OF CORRECTIONS, THE DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT) MUST DEVELOP AN AUTOMATIC SYSTEM OF STORING SURVEILLANCE / VICINITY DATA ESPECIALLY IN GOVERNMENT PREMISES (E.G. PRISONS) FOR PURPOSES OF CRIME PREVENTION, TRANSPARENCY AND SAFETY. THE STORED DATA SHOULD GO DIRECTLY TO A CENTRALIZED SYSTEM WHICH IS UNDER THE EXCLUSIVE CONTROL OF THE DICT. THAT WAY, THE PHYSICAL CCTV CAMERA AND RECORDS, EVEN IF STOLEN, CAN STILL BE RETRIEVED THROUGH THE SYSTEM;

6. On page 31, after the first paragraph, insert the following paragraphs, to read as:

UNDER SEC. 39 OF RA 8551 OR THE PNP REFORM AND REORGANIZATION ACT OF 1998, THE IAS SHALL HAVE THE POWER TO "FILE APPROPRIATE CRIMINAL CASES AGAINST PNP MEMBERS BEFORE THE COURT AS EVIDENCE WARRANTS AND ASSIST IN THE PROSECUTION OF THE CASE." ITS "RECOMMENDATIONS, ONCE FINAL, CANNOT BE REVISED, SET ASIDE OR UNDULY DELAYED BY ANY DISCIPLINING AUTHORITY WITHOUT JUST CAUSE." THE DISCIPLINING AUTHORITY WHO FAILS TO ACT OR ACTS WITH ABUSE OF DISCRETION SHALL BE MADE LIABLE FOR GROSS NEGLIGENCE OF DUTY. THE CHIEF PNP EXERCISES DISCIPLINARY

pk

JURISDICTION OVER MEMBERS OF THE POLICE FORCE FOR OFFENSES INVOLVING SUSPENSION TO DISMISSAL.

THE 30-DAY PERIODS FOR CONDUCTING CRIMINAL INVESTIGATIONS AND RESOLVING THE CASE MUST BE NON-EXTENDIBLE. AFTER RESOLUTION, THE IAS SHALL FILE THE COMPLAINT DIRECTLY WITH THE COURTS. UPON THE RELEASE BY IAS OF ITS FINDINGS THAT A POLICEMAN COMMITTED A CRIME OR OFFENSE, THE FILING OF A COMPLAINT MUST BE MINISTERIAL ON THE PART OF THE IAS.

THE IAS SHOULD BE A TRULY INDEPENDENT BODY. IT MUST BE ABLE TO ACT WITH DISPATCH, AND THE RELEASE OF ITS FINDINGS OR RESOLUTIONS MUST NOT BE DEPENDENT ON THE APPROVAL OF THE PNP CHIEF. IT IS NOTED THAT TO DATE, THE IAS' RESOLUTION ON THE CASE HAS NOT BEEN RELEASED, AS IT IS AWAITING SIGNATURE FROM THE CHIEF PNP. THE IAS WILL BE STRENGTHENED BY MODIFYING ITS COMPOSITION, SUCH THAT ITS MEMBERS ARE NOT UNDER THE JURISDICTION OF THE CHIEF PNP.

INQUIRY OF SENATOR GORDON

Senator Gordon asked if the proposals of Senator Drilon were amendments to a law, to a proposed bill or to a committee report. He said that he just wanted to make sure that the Senate was aware that he was also proposing amendments to a bill that he was going to file in connection with the extrajudicial killings.

Senate President Pimentel replied that the amendments of Senator Drilon were additional recommendations to be included in the committee report.

TERMINATION OF THE PERIOD OF AMENDMENTS

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

MOTION OF SENATOR SOTTO

Senator Sotto moved to adopt the findings and recommendations contained in Committee Report No. 46.

SUSPENSION OF SESSION

Upon motion of Senate President Pimentel, the session was suspended.

It was 7:24 p.m.

RESUMPTION OF SESSION

At 7:26 p.m., the session was resumed.

WITHDRAWAL OF MOTION

Upon resumption, Senator Sotto withdrew his motion to adopt the findings and recommendations contained in Committee Report No. 46.

CLEAN COPY

Senator Sotto requested the Secretariat to prepare a clean copy of the report, including the approved amendments introduced by Senator Drilon.

SUSPENSION OF CONSIDERATION OF COMMITTEE REPORT NO. 46

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of Committee Report No. 46.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 7:27 p.m.

RESUMPTION OF SESSION

At 7:28 p.m., the session was resumed.

COMMITTEE REPORT NO. 8 ON SENATE BILL NO. 1233

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1233 (Committee Report No. 8), entitled

AN ACT CREATING THE COCONUT FARMERS AND INDUSTRY TRUST FUND, PROVIDING FOR ITS

MANAGEMENT AND UTILIZATION, AND FOR OTHER PURPOSES.

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

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

PANGILINAN AMENDMENTS

Preliminarily, Senator Pangilinan informed the Body that it was agreed upon during the period of interpellations of the proposed measure that some of the senators may raise questions during the period of amendments as they propose their own individual amendments. He said that he has no intention of terminating the period of amendments after introducing his individual amendments that day. However, to facilitate the discussion, he said that the amendments would be made available during recess so that the other Members of the Body could study the measure and likewise introduce amendments when the session resumes on May.

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

Page 2

1. On line 2, change the acronym "ACS" to ASC, and replace the word "Arc" with A.R.C.;
2. On line 5, replace the word "Corp." with CORPS.
3. On lines 7, delete the definition of "CIIF SMC Block Shares" on lines 7 to 9;
4. Replace the definition of "Converted SMC Series 1 Preferred Shares" starting with the word "that" on line 10 up to the acronym "SMC" on line 12 with the following phrase, to read as: THE 753,848,312 PREFERRED SHARES OF STOCK IN SMC DECLARED OWNED BY THE GOVERNMENT, TOGETHER WITH ALL THE DIVIDENDS DECLARED, PAID OR ISSUED THEREON, AS WELL AS ANY INCREMENTS THERETO ARISING FROM, BUT NOT LIMITED TO, THE EXERCISE OF PREEMPTIVE RIGHTS;
5. Between line 12 and 13, insert a new subsection (e), to read as follows:

(E) "COCONUT FARMER" SHALL REFER TO:

- 1) AN OWNER OF A COCONUT FARM, THAT IS NOT MORE THAN FIVE HECTARES, WHO:
 - I) TILLS THE LAND (OWNER-CULTIVATOR), OR
 - II) DOES NOT TILL THE LAND BUT HAS CONTROL AND SUPERVISION OVER THE CULTIVATION OF THE COCONUT FARM;
- 2) A LEASE HOLDER OR TENANT WHO TILLS OR SUPERVISES THE CULTIVATION OF THE FARM; OR
- 3) A FARM WORKER OR LABORER, WHETHER SEASONAL OR ITINERANT, ENGAGED IN THE HARVESTING OF THE NUTS AND PROCESSING OF COPRA AS A MAJOR MEANS OF LIVELIHOOD;

Page 4

6. On line 5, after the word "companies," insert the phrase EQUITIES TRADED IN THE STOCK EXCHANGE;

Page 7

7. Delete lines 4 and 5;
8. After line 20, insert a new paragraph at the end of Section 8, to read as follows:

FOR PURPOSES OF THIS ACT, NOT MORE THAN FORTY PERCENT (40%) OF THE TRUST PRINCIPAL MAY BE MANAGED BY THE PRIVATE FUND MANAGERS;

Page 8

9. Between lines 2 and 3, insert a new paragraph to read as follows:

NOTHING HEREIN SHALL BE CONSTRUED AS REPLACING, DIMINISHING, OR OTHERWISE AFFECTING THE PROVISION OF SUFFICIENT BUDGET SUPPORT TO THE PROGRAMS, PROJECTS AND OPERATIONS OF THE PCA AS PROVIDED FOR IN THE GENERAL APPROPRIATIONS ACT.;

Page 10

10. On line 14, reword the sentence to read as follows:

ANY AMENDMENT OR REVISION TO THE PLAN SHALL REQUIRE THE APPROVAL OF THE PRESIDENT. THE COMMITTEE, AS PROVIDED UNDER

SECTION 12 OF THIS ACT, MAY INTRODUCE AMENDMENTS TO THE PLAN UPON A MAJORITY VOTE OF ITS MEMBERS. THE COMMITTEE MAY ALSO VOTE TO RECONSTITUTE THE AD HOC COMMITTEE TO CONDUCT A REVISION OF THE PLAN. NO AMENDMENT OR REVISION MAY BE INTRODUCED EARLIER THAN THREE (3) YEARS FROM THE APPROVAL OF THE EXISTING PLAN.; and

11. On line 19, between the word "President" and the period (.), insert the phrase FOR POLICY AND PROGRAM COORDINATION;

Page 12

12. On line 8, replace the word "administrator" with CHAIRMAN OF THE BOARD.

HONTIVEROS AMENDMENT

On page 8, line 21, as proposed by Senator Hontiveros and accepted by the Sponsor, there being no objection, the Body approved the insertion of the phrase AND ONE REPRESENTATIVE OF CIVIL SOCIETY ORGANIZATIONS PROVIDING SUPPORT TO COCONUT FARMERS.

CLEAN COPY

Senator Pangilinan requested that amended copy of the bill be given to the Members when the sessions resume on May.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1233

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

COMMITTEE REPORT NO. 30 ON SENATE BILL NO. 14 (Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 30 (Committee Report No. 14), entitled

AN ACT ADJUSTING THE AMOUNT INVOLVED, VALUE OF PROPERTY OR DAMAGE ON WHICH A PENALTY IS BASED, AND THE FINES UNDER ACT NO. 3815, AS

AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE.

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

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

MANIFESTATION OF SENATOR DRILON

Senator Drilon stated that Senator Lacson has interpellated extensively on the measure, as a result of which, he would introduce amendments which would be attributable to the points raised during the debates. He said that Senator Lacson has confirmed that the points he raised during the interpellations were reflected in the prepared amendments which they agreed to be introduced as the individual amendments of Senator Lacson.

For his part, Senator Sotto attested to the accuracy of the manifestation of Senator Drilon.

LACSON AMENDMENTS

In behalf of Senator Lacson, upon motion of Senator Drilon, there being no objection, the following amendments were accepted by the Body, one after the other:

1. On page 2, lines 18 and 19, replace "FORTY THOUSAND PESOS (P40,000) TO ONE HUNDRED THOUSAND (P100,000)" with TWENTY THOUSAND PESOS (P20,000) TO FIFTY THOUSAND PESOS (P50,000);

Rationale: The amendment would address the issue raised by Senator Lacson with regard to impossible crimes. Thus, using the test of reasonableness, the fine was lowered by applying the formula of multiplying by 100% the values used in adjusting the other provisions of the Revised Penal Code.

2. On page 15, line 16, replace "TWO MILLION PESOS (P2,000,000)" with ONE MILLION PESOS (P1,000,000);

Rationale: The amendment was proposed to rationalize the classification of penalties to make the fine and imprisonment imposable symmetrical.

3. On page 19, lines 18 and 19, replace "TWENTY THOUSAND PESOS (P20,000) TO

ONE HUNDRED THOUSAND PESOS (P100,000)" with FORTY THOUSAND PESOS (P40,000) TO TWO HUNDRED THOUSAND PESOS (P200,000);

Rationale: The amendment was proposed by Senator Lacson to rationalize the classification of penalties to make the fine and imprisonment imposable symmetrical.

4. On page 36, line 24, after the word "to," add the phrase NOT MORE THAN;

Rationale: The amendment was proposed to rationalize the classification of penalties to make the fine and imprisonment imposable symmetrical.

5. Starting from line 28 of on page 48 to line 16 of page 52, delete Sections 88 (*Other Forms of Arson*), 89 (*Cases of Arson Not Included in the Preceding Articles*) and 90 (*Arson of Property of Small Value*); and renumber the succeeding sections accordingly;

Rationale: The provision in the Revised Penal Code as regards arson has already been repealed by PD 1639 and PD 1744; however, the provision still stands but it was only be a matter of correction as regards the wording.

The session was suspended and was resumed shortly thereafter.

6. On page 54, line 25 to 27, replace "TWENTY THOUSAND PESOS (P20,000) TO SIX HUNDRED THOUSAND PESOS (P600,000)" with FORTY THOUSAND PESOS (P40,000) TO ONE MILLION TWO HUNDRED THOUSAND PESOS (P1,200,000);

Rationale: The amendment was proposed to rationalize the classification of penalties to make the fine and imprisonment imposable symmetrical.

7. On page 55, line 12, replace "TWO THOUSAND PESOS (P2,000)" with FORTY THOUSAND PESOS (P40,000)
8. On page 58, between lines 19 and 20, add a new Section 106 to read as follows:

SEC. 106. *CONSTRUCTION.* – NOTHING IN THIS ACT SHALL BE CONSTRUED AS REIMPOSING THE DEATH PENALTY.

Senator Drilon explained that the sections

containing the penalty of *reclusion perpetua* to death were being repealed but since the penalty of death was repealed by Congress in 2007, the Committee was just extra careful that the repetition of the penalty of *reclusion perpetua* to death should not be read as reimposing the death penalty because such was not the intention of the bill.

Senate President Pimentel suggested that the renumbering of the succeeding sections be made.

Asked by Senator Sotto on the effect of the provision to the pending bill which seeks the reimposition of the death penalty on drug trafficking that is pending before the Senate Committee on Justice and Human Rights, Senator Drilon replied that the death penalty is not reimposed by virtue of this proposed bill but by the bill that is pending before the Senate Committee on Justice and Human Rights. He said that Congress is only guarding against a construction which will mean a reimposition of the death penalty because the section which provided for death penalty was being reenacted.

Asked by Senate President Pimentel on the specific section that carries over the phrase mentioning the death penalty, Senator Drilon cited page 2, line 25.

Senate President Pimentel remarked that when a law is reiterated, it becomes the latest expression which might be interpreted as reimposing or allowing reimposition, thus the clarification.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 14 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 14 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 14

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

MANIFESTATION OF SENATOR HONTIVEROS

Senator Hontiveros thanked Senator Sotto for faithfully scheduling the deliberations of her Anti-Discrimination bill at least once every week. However, she observed that there were a number of session days wherein her bill was scheduled in the middle or towards the bottom of the day's agenda even if a senator was ready to continue with his/her interpellations on the measure, or has indicated that he/she would no longer repeat what was already asked by other senators, or was absent on session days when the deliberations of her bill had been scheduled.

Thereupon, she requested Senator Sotto and the Chamber to resolve how the situation would be managed for the benefit of the advocates who attend the plenary session and were waiting for the conclusion of the periods of interpellations and amendments and the vote on the bill.

MANIFESTATION OF SENATOR LEGARDA

Senator Legarda stated that she supports the anti-discrimination bill, noting that Senator Hontiveros' current situation could be likened to what happened during her first term when she sponsored the Ecological Solid Waste Management bill which took three years and the occurrence of the Payatas tragedy before it was enacted into law as RA 9003.

Consequently, she suggested making a deadline for the senators who are scheduled to interpellate on the measure and to ask that they attend the scheduled day of deliberations. She also assured Senator Hontiveros that she would speak to Senators Villanueva and Cayetano to find out if they could interpellate on May 2 or 3 so the period of interpellations on the Anti-Discrimination bill would be closed.

Senator Hontiveros expressed her gratitude to Senator Legarda.

MANIFESTATION OF SENATOR GORDON

Senator Gordon stated that he was also associating himself with the comments made by Senators Hontiveros and Legarda, saying that the business of legislation should not wait for no one and that the Sponsor of the measure should seek the commitment of the senators who will interpellate on

the measure so that when their turn comes, they are prepared unless a supervening event occurs. He recalled that in his maiden term in the Senate, he had to practically move for the closure of the debates because the senators who were scheduled to interpellate on the measure were not ready. He said that inasmuch as the Chamber is very forgiving and cooperative, the business of the Senate is important for the country. It is both a matter of niceties and a matter of duty, he said.

ADDITIONAL REFERENCE OF BUSINESS

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

RESOLUTIONS

Proposed Senate Resolution No. 331, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON NATIONAL DEFENSE AND SECURITY, AND OTHER APPROPRIATE COMMITTEE/S TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED AGREEMENT BETWEEN PRESIDENT RODRIGO DUTERTE WITH CHINA, ALLOWING CHINESE VESSELS TO CONDUCT SURVEILLANCE OPERATIONS IN THE BENHAM RISE AREA WITHIN THE COUNTRY'S EXCLUSIVE ECONOMIC ZONE (EEZ) WITH THE END IN VIEW OF COMING UP WITH REMEDIAL LEGISLATION TO UPHOLD THE COUNTRY'S TERRITORIAL INTEGRITY AND ASSERT ITS EXCLUSIVE SOVEREIGN RIGHTS OVER THE BENHAM RISE AREA

Introduced by Senator Trillanes IV

To the Committees on National Defense and Security; and Foreign Relations

Proposed Senate Resolution No. 332, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON URBAN PLANNING, HOUSING AND RESETTLE-

MENT TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED UNOCCUPIED SOCIALIZED HOUSING UNITS BUILT BY THE NATIONAL HOUSING AUTHORITY (NHA) WITH THE END VIEW OF CRAFTING LAWS, RULES AND REGULATIONS FOR AN EFFECTIVE AND EFFICIENT SOCIALIZED HOUSING PROGRAMS FOR THE MARGINALIZED SECTOR

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Urban Planning,
Housing and Resettlement**

Proposed Senate Resolution No. 333, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE 2017 *ANG DANGAL* AWARDEES FOR THEIR EXEMPLARY AND OUTSTANDING ARTISTIC ACHIEVEMENTS IN THE INTERNATIONAL ARENA

Introduced by Senator Legarda

To the Committee on Rules

COMMUNICATION

Letter from the Acting Executive Secretary of the Office of the President of the Philippines, transmitting to the Senate, the Declaration of the Government of the Republic of the Philippines in Relation to the Paris Agreement, signed by President Rodrigo Roa Duterte, which will be submitted together with the Instrument of Accession to the Paris Agreement, for the Senate's consideration.

To the Archives

COMMITTEE REPORT

Committee Report No. 57, prepared and submitted by the Committee on Justice and Human Rights, on Senate Bill No. 1397, with Senators Sotto III and Richard J. Gordon as authors thereof, entitled

AN ACT PENALIZING AND PREVENTING THE USE OF MOTORCYCLES OR SCOOTERS IN THE COMMISSION OF CRIMES THROUGH THE USE OF BIGGER PLATE NUMBERS AND IDENTIFICATION MARKS, REGULATION OF BACKRIDERS AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 221 and 1128.

Sponsor: Senator Richard J. Gordon

To the Calendar for Ordinary Business

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 57 on Senate Bill No. 1397 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 57
ON SENATE BILL NO. 1397**

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1397 (Committee Report No. 57), entitled

AN ACT PENALIZING AND PREVENTING THE USE OF MOTORCYCLES OR SCOOTERS IN THE COMMISSION OF CRIMES THROUGH THE USE OF BIGGER PLATE NUMBERS AND IDENTIFICATION MARKS, REGULATION OF BACKRIDERS AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

The Chair recognized Senator Gordon for the sponsorship.

**SPONSORSHIP SPEECH
OF SENATOR GORDON**

Senator Gordon stated Senate Bill No. 1397,

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otherwise known as the “Motorcycle Crime Prevention Act of 2017,” was an offshoot of the committee investigation on extrajudicial killings which, to him, was not of recent origin as the crime has been going on for a long time and has been called by different names. In fact, he noted that it was a metamorphosis of other crimes like salvaging and riding-in-tandem.

He disclosed that although the bill was filed earlier than the investigations, the Committee on Justice and Human Rights decided that the bill should be part of the cocktail of laws that also include not just riding-in-tandem perpetrators who commit crimes using a motorcycle but also the bill creating special police courts to avoid the delay in criminal proceedings considering that sometimes, the resolution of a simple administrative case could take as long as 15 years.

As regards the PNP Internal Affairs Service (IAS), he pointed out that aside from non-observance of proper police investigation, there was no accountability on the part of the provincial and city directors; hence, the rampant killings brought about by the war on drugs, got away with unsolved murders and vigilante killings.

Senator Gordon also stated that the PLEBs, which he lobbied for and submitted for plenary consideration, was part of the committee report which was sponsored a few months ago. Although there were many reservations on the bill, he said that he does not want it to die like the other committee reports which were never completely voted on, so he was happy that Senator Lacson’s bill was already in the period of amendments.

He stated that the Motorcycle Bill, which penalizes and prevents the use of motorcycles or scooters in the commission of crimes through the use of bigger plate numbers and identification marks and regulation of backriders, was also authored by Senator Sotto. Thereupon, he cited a few riding-in-tandem cases which were committed with impunity, to wit:

At this juncture, slides of news clippings were shown on the screen.

- On March 13, two men on a motorcycle shot *Remate* columnist, Joaquin Briones, four times in Bgy. Bacolod, Masbate;
- On March 13, 2007, at around 5:40 p.m., Rafael Bernabe was standing near his house when he was repeatedly shot by a gunman who escaped on board a motorcycle in Caloocan City;
- Still on March 13, theft incidents occurred in Manila, involving motorcycle-riding snatchers of bags to cellphones;
- On March 8, 2017, Roberto Bauyan was on his way home aboard a motorcycle when he was waylaid by a riding in tandem gunmen in Batangas at around 4:35 p.m.;
- On January 27, 2017, Rolando Muñoz and Alejandro Rogelio were on their way back to San Diego, Batangas when they were shot from the back of the motorcycle they were riding in;
- On January 22, Vincent Cambi, a tricycle driver, was killed while having a conversation in a store, the perpetrators escaping by using a motorcycle;
- On January 17, 2017, Jonathan De Guzman was shot in the head while delivering charcoal;
- On January 11, Bartolome Baynosa was shot three times in the head in Cebu City;
- On January 3, 2017, four unnamed individuals were killed inside a house in Caloocan by persons who fled using motorcycles which they parked outside;
- Michael Sharon, a pedicab driver, 30 years old was killed;
- Franklin Simbocot, 30 years old was also killed;
- Zenaida Luz, a peace advocate who was killed by two policemen and another pair of two riding in tandem motorcyclists all of whom were unheard of up to this day;
- Anthony Mendoza, a motorcycle rider, was killed in a road rage;
- And lastly, Tito Caldoza, 64 years old, a barangay chairman of Bgy. 206, Zone 8 in Tondo, Manila, who was killed on January 26, 2017.

Senator Gordon lamented that the riding-in-tandem criminals were relentless in killing with impunity, regardless of their victims’ status in life and irrespective of their gender, noting that every time the case goes unsolved, the confidence of the people drops and the government loses its credibility.

Based on records from the PNP, Senator Gordon informed the Body that 34,906 motorcycle crimes had been reported over the last several years, with such incidents rising steadily and averaging between 4,000 to 6,000 annually. He lamented that many

criminals got away with such crimes as evidenced by the fact that only 0.25% of cases of the 4,000 total number of riding-in-tandem incidents in 2016 have been solved, while 3,000 are still under investigation. He gave details on the report as follows:

<i>Period</i>	<i>Crimes on Board</i>	<i>Cases filed in court</i>
Jul 1, 2016 to March 12, 2017	1,907	174
July 1, 2016 to January 29, 2017	1,672	169
January 30, 2017 to March 5, 2017	214	3
March 6, 2017 to March 12, 2017	21	2

He said that such a situation is not only intolerable, scandalous and unacceptable, but that it also makes the government look like a wimp before the march of crime in the country.

Senator Gordon said that the bill increases the penalty for crimes committed on board motorcycles and punishes motorists that do not use or agree to have big plate numbers on their motorcycles. This, he said, aims to motivate citizens not only to report crimes committed on board motorcycles but also ensures that motorcycle owners would be held liable as well.

Pointing out that other countries such as Rome, Great Britain, India, Poland, Thailand, Russia, Singapore, the Netherlands and the United States utilize motorcycles bearing big plate numbers which are easily seen on all sides of the vehicle, Senator Gordon expressed hope that mandating such a change might act as a deterrent and even solve such crimes since criminals would have to think twice before carrying out their schemes.

He also pointed out that the availability of motor-cycles – with over six million motorcycles in the country and more than one million registered annually – has created an otherwise bigger effect on crime.

Senator Gordon also assured the Body that such a program could be undertaken as it had been effectively implemented and even helped minimize crime in Olongapo where the LTO-registered vehicles

had big, color-coded license plates and big body numbers.

Moreover, he said that the measure not only proposes the setting up of an LTO operations center that would be helpful in arresting perpetrators as it is where citizens can report the plate number of the vehicles involved in criminal activities but would also penalize motorists for making unregistered transfers of the ownership of their vehicles. He believed that such steps would take a big bite out of crime and minimize such incidents by making sure that people begin to be part of the process of law.

Under the bill, he said that any person who takes a life through the use of motorcycles could either be meted life imprisonment or the death penalty, and motorists who do not follow the regulations on the plate number size would also have to pay the corresponding fines.

Senator Gordon believed that the bill is one of a cocktail of laws that, alongside another bill which allows the immediate filing of such criminal cases in courts designated by the Supreme Court, and the bill which seeks to strengthen People's Law Enforcement Board (PLEB), would attempt to put a stop to these extrajudicial killings. He expressed confidence that such measures would be a very strong impetus towards having people fight crime with better laws that discipline the police and motorcycle riders. He urged the Members to approve this first legislation that can affect extrajudicial killings.

In closing, Senator Gordon pointed out that while there is no silver bullet to stop such crimes, having laws that will soften the ability of hardened criminals from carrying out their ill-will upon the people is a good step forward.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1397

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

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 8:27 p.m.

RESUMPTION OF SESSION

At 8:27 pm, the session was resumed.

COMMITTEE REPORT NO. 46

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body considered Committee Report No. 46, Re:

Manifestation and Motion made by Majority Leader Vicente Sotto III on 07 November 2016, tasking the Committees on Public Order and Dangerous Drugs and Justice and Human Rights to investigate and inquire, in aid of legislation, into the killing of Mayor Rolando Espinosa Sr., of Albuera, Leyte.

Senator Sotto informed the Body that he has received the clean copy of the Committee Report which included a faithful reproduction of the approved amendments of Senator Lacson.

ADOPTION OF COMMITTEE REPORT NO. 46

Upon motion of Senator Sotto, there being no objection, Committee Report No. 46 was adopted by the Body.

MANIFESTATION OF SENATOR GORDON

Having completed his sponsorship speech of the committee report submitted by the Committee on Justice and Human Rights, Senator Gordon expressed hope that it would be the first to be tackled by the Body once it resumes sessions in May so that the Body could act on the other pending measures as well.

ADDITIONAL REFERENCE OF BUSINESS

The Secretary of the Senate read Senate Bill No. 1396, which the Chair referred to the Committees

on Public Order and Dangerous Drugs; and National Defense and Security, entitled

AN ACT DECLARING AS UNLAWFUL THE MEMBERSHIP IN ANY PHILIPPINE COURT PRESCRIBED OR UNITED NATION SECURITY COUNCIL DESIGNATED TERRORIST ORGANIZATION AND PROVIDING PENALTIES THEREFORE

Introduced by Senator Honasan II

COMMITTEE VICE CHAIRPERSON

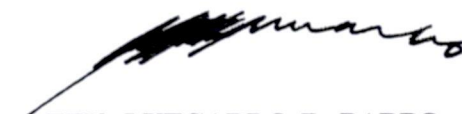
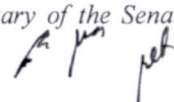
Acting on the request of Senator Ejercito, Senator Sotto manifested for the record the designation of Senator Hontiveros as the second vice chairperson of the Committee on Health and Demography.

ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Tuesday, May 2, 2017.

It was 8:30 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. LUTGARDO B. BARBO
Secretary of the Senate


Approved on May 2, 2017