

**REPUBLIC OF THE PHILIPPINES**

**S e n a t e**

**Pasay City**

# **Journal**

**SESSION NO. 65**

Thursday, February 8, 2007

**THIRTEENTH CONGRESS  
THIRD REGULAR SESSION**

**SESSION NO. 65**  
Thursday, February 8, 2007

**CALL TO ORDER**

At 12:36 a.m., the Senate President, Hon. Manny Villar, called the session to order.

**PRAYER**

The Body observed a minute of silent prayer.

**ROLL CALL**

Upon direction of the Chair, the Secretary of the Senate, Oscar G. Yabes, called the roll, to which the following senators responded:

|                      |                      |
|----------------------|----------------------|
| Angara, E. J.        | Lacson, P. M.        |
| Arroyo, J. P.        | Madrigal, M. A.      |
| Biazon, R. G.        | Magsaysay Jr., R. B. |
| Cayetano, C. P. S.   | Osmeña III, S. R.    |
| Drilon, F. M.        | Pangilinan, F. N.    |
| Ejercito Estrada, J. | Pimentel Jr., A. Q.  |
| Enrile, J. P.        | Recto, R. G.         |
| Flavier, J. M.       | Roxas, M.            |
| Gordon, R. J.        | Villar, M.           |

With 18 senators present, the Chair declared the presence of a quorum.

Senators Ejercito Estrada (L), Lim and Revilla arrived after the roll call.

Senators Defensor Santiago and Lapid were absent.

**DEFERMENT OF APPROVAL OF THE JOURNALS**

Upon motion of Senator Pangilinan, there being no objection, the Body deferred the consideration and approval of the Journals of Session Nos. 61 (January 31, 2007), 62 (February 5, 2007), 63 (February 6, 2007), and 64 (February 7, 2007).

**REFERENCE OF BUSINESS**

The Secretary of the Senate read Committee Report No. 270, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2598, with Senators Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING A SPECIAL  
ECONOMIC ZONE IN THE  
PROVINCE OF EASTERN SAMAR,  
CREATING FOR THE PURPOSE THE  
EASTERN SAMAR SPECIAL  
ECONOMIC ZONE AUTHORITY,  
APPROPRIATING FUNDS THERE-  
FOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of House Bill No. 5308.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

**DEFERMENT OF THE REFERENCE OF BUSINESS**

At the instance of Senator Pangilinan, there being no objection, the Body deferred the rest of the Reference of Business to a later hour.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 12:39 a.m.*

**RESUMPTION OF SESSION**

At 12:40 a.m., the session was resumed. *AS*  
*PS*

**APPROVAL OF SENATE BILL NO. 2591  
ON THIRD READING**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2591, printed copies of which were distributed to the senators on February 5, 2007.

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

AN ACT GRANTING ADDITIONAL RETIREMENT BENEFITS TO MEMBERS OF THE JUDICIARY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 910, AS AMENDED, AND FOR OTHER PURPOSES.

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|          |            |
|----------|------------|
| Angara   | Lacson     |
| Arroyo   | Madrigal   |
| Biazon   | Magsaysay  |
| Cayetano | Osmeña     |
| Drilon   | Pangilinan |
| Enrile   | Recto      |
| Flavier  | Roxas      |
| Gordon   | Villar     |

*Against*

None

*Abstention*

None

With 16 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2591 approved on Third Reading.

**APPROVAL OF SENATE BILL NO. 2589  
ON THIRD READING**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2589, printed copies of which were distributed to the senators on February 5, 2007.

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

AN ACT TO IMPROVE EFFICIENCY IN THE DELIVERY OF GOVERNMENT SERVICE TO THE PUBLIC BY REDUCING BUREAUCRATIC RED TAPE, PREVENTING GRAFT AND CORRUPTION, AND PROVIDING PENALTIES THEREFOR.

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|                      |            |
|----------------------|------------|
| Angara               | Lacson     |
| Arroyo               | Madrigal   |
| Biazon               | Magsaysay  |
| Cayetano             | Osmeña     |
| Drilon               | Pangilinan |
| Ejercito Estrada (J) | Recto      |
| Enrile               | Roxas      |
| Flavier              | Villar     |
| Gordon               |            |

*Against*

None

*Abstention*

None

With 17 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2589 approved on Third Reading.

**APPROVAL OF HOUSE BILL NO. 5934  
ON THIRD READING**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, House Bill No. 5934, printed copies of which were distributed to the senators on February 5, 2007.

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

ps

AN ACT CREATING FOUR ADDITIONAL METROPOLITAN COURT BRANCHES IN THE CITY OF MARIKINA, NATIONAL CAPITAL REGION, AMENDING FOR THE PURPOSE SECTION 27 OF BATAS PAMBANSA BLG.129, OTHERWISE KNOWN AS THE JUDICIARY ORGANIZATION ACT OF 1980, AS AMENDED, AND APPROPRIATING FUNDS THEREFOR.

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|                      |            |
|----------------------|------------|
| Angara               | Lacson     |
| Arroyo               | Madrigal   |
| Biazon               | Magsaysay  |
| Cayetano             | Osmeña     |
| Drilon               | Pangilinan |
| Ejercito Estrada (J) | Pimentel   |
| Enrile               | Recto      |
| Flavier              | Roxas      |
| Gordon               | Villar     |

*Against*

None

*Abstention*

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5934 approved on Third Reading.

**APPROVAL OF SENATE BILL NO. 2581 ON THIRD READING**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2581, printed copies of which were distributed to the senators on February 5, 2007.

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

AN ACT TO REGULATE THE PRACTICE OF DENTISTRY, DENTAL

HYGIENE AND DENTAL TECHNOLOGY IN THE PHILIPPINES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 4419, OTHERWISE KNOWN AS "AN ACT TO REGULATE THE PRACTICE OF DENTISTRY IN THE PHILIPPINES AND FOR OTHER PURPOSES," AND REPUBLIC ACT NO. 768, OTHERWISE KNOWN AS "AN ACT TO REGULATE THE PRACTICE OF DENTAL HYGIENISTS IN THE PHILIPPINES AND FOR OTHER PURPOSES," AND APPROPRIATING FUNDS THEREFOR.

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|                      |            |
|----------------------|------------|
| Angara               | Lacson     |
| Arroyo               | Madrigal   |
| Biazon               | Magsaysay  |
| Cayetano             | Osmeña     |
| Drilon               | Pangilinan |
| Ejercito Estrada (J) | Pimentel   |
| Enrile               | Recto      |
| Flavier              | Roxas      |
| Gordon               | Villar     |

*Against*

None

*Abstention*

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2581 approved on Third Reading.

**COMMITTEE REPORT NO. 2 ON SENATE BILL NO. 1833**

*(Continuation)*

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1833 (Committee Report No. 2), entitled

*ms*

AN ACT TO STRENGTHEN THE  
UNIVERSITY OF THE PHILIPPINES  
AS THE NATIONAL UNIVERSITY.

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

Thereupon, the Chair recognized Senator Pangilinan, Sponsor of the measure, and Senator Roxas for his amendments.

**ROXAS AMENDMENT**

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

1. On page 5, line 5, between the words "the" and "Board," insert the phrase PRESIDENT OF THE PHILIPPINES CONSIDERING THE RECOMMENDATION OF THE;

In reply to Senator Osmeña's queries, Senator Pangilinan stated that a selection committee would be created to be composed of the Board of Regents and multi-sectoral representatives.

Senator Osmeña pointed out that it would not be wise to have the Board of Regents nominate the members of the selection committee as he further emphasized that no board member should be a member of the committee. He suggested that, instead, an alumni group provide a list of nominees from which the Board shall select the members to be recommended for appointment by the President.

Senator Pangilinan stated that the Committee would craft the necessary language to clarify that in case of vacancy, the selection committee shall nominate the Regent-at-large, as well as the members of the committee.

2. On page 7, line 17, between the words "employees" and the semicolon (;), insert a comma (,) and the following proviso: *PROVIDED, THAT THE SALARIES AND OTHER BENEFITS OF THE FACULTIES SHALL BE COMPARABLE TO THOSE BEING RECEIVED BY THEIR COUNTERPARTS IN THE PRIVATE SECTOR;*
3. On page 14, between lines 16 and 17, insert a new Section 21, to read as follows:

SEC. 21. *SAFEGUARDS ON ASSETS DISPOSITION.* – THE PRESERVATION OF THE VALUE OF THE ASSETS OF THE UNIVERSITY SHALL BE OF PRIMORDIAL CONSIDERATION.

THE EXCLUSIVE ACADEMIC CORE ZONE OF THE CAMPUSES OF THE UNIVERSITY SHALL NOT BE SOLD, TRANSFERRED, CEDED, CONVEYED OR ASSIGNED, ENCUMBERED, LEASED FOR PURPOSES INCONSISTENT WITH ITS ACADEMIC MISSION OR OTHERWISE UTILIZES FOR NONACADEMIC PURPOSES.

THE PROVISIONS OF THIS ACT OR ANY OTHER LAW TO THE CONTRARY NOTWITHSTANDING, THE SALE, TRANSFER, CONVEYANCE, ASSIGNMENT, LEASE OF MORE THAN FIVE (5) YEARS, MORTGAGE OR ENCUMBERANCE OF THE ASSETS OF THE UNIVERSITY AND ANY TRANSACTIONS AS REFERRED TO IN SECTION 20 SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND PROCEDURES:

(A) IT SHALL BE BASED ON A MULTI-YEAR COMPREHENSIVE DEVELOPMENT PLAN CRAFTED AND DEVELOPED BY QUALIFIED URBAN PLANNING PROFESSIONALS HAVING AT LEAST FIVE (5) YEARS EXPERIENCE, WITH PRIOR CONSULTATIONS WITH AND CONCURRENCE BY THIRD-PARTY EXPERTS AND DULY APPROVED BY A MAJORITY VOTE OF ALL THE MEMBERS OF THE BOARD OF REGENTS.

(B) IT SHALL BE SUBJECT TO COMPETITIVE AND PUBLIC BIDDING AS PROVIDED UNDER REPUBLIC ACT NO. 9184, OTHERWISE KNOWN AS THE PROCUREMENT REFORM LAW.

(C) IN THE CASE OF TWO FAILED BIDDINGS AND A NEGOTIATED TRANSACTION IS UNDERTAKEN, THE BOARD OF REGENTS, WHEN CONSIDERING THE APPROVAL OF ANY SUCH TRANSACTION, SHALL SECURE A FAIRNESS OPINION REPORT FROM AN INDEPENDENT THIRD-PARTY BODY. THE SAID BODY SHALL HAVE FIVE (5) MEMBERS, THREE (3) OF WHICH SHALL BE NOMINATED BY THE BANKERS ASSOCIATION OF THE PHILIPPINES (BAP), INVESTMENT HOUSES ASSOCIATION OF THE PHILIPPINES (IHAP), TRUST OFFICERS ASSOCIATION OF THE PHILIPPINES, OR

100

THE FINANCIAL EXECUTIVE INSTITUTE OF THE PHILIPPINES (FINEX). THE MEMBERS SHALL BE ENTITLED TO A REASONABLE PER DIEM AS THE BOARD MAY SPECIFY.

THE FAIRNESS OPINION REPORT SHALL CONTAIN A STATEMENT EXPRESSING THE OPINION OF THE BODY AS TO THE FAIRNESS TO THE UNIVERSITY OF THE TERMS OF THE PROPOSED TRANSACTION PARTICULARLY ITS FINANCIAL TERMS. THE REPORT SHALL INCLUDE, BUT NOT LIMITED TO, A REVIEW AND ANALYSIS OF THE PROPOSED TRANSACTION, FINANCIAL STATEMENTS, INDUSTRY INFORMATION, ECONOMIC CONDITIONS ASSUMPTIONS USING MANAGEMENT PROJECTIONS, AND THE ASSUMPTIONS USED THEREIN AND A COMPARISON OF SIMILAR TRANSACTIONS.

(D) IF THE CONTRACT OR TRANSACTION INVOLVES AN AMOUNT OF MORE THAN P50,000,000, IT SHALL BE APPROVED BY TWO-THIRDS OF ALL THE MEMBERS OF THE BOARD OF REGENTS; *PROVIDED*, THAT THE SPLITTING OF CONTRACTS WHICH IS BY BREAKING UP A CONTRACT INTO SMALLER QUANTITIES OR AMOUNTS OR DIVIDING CONTRACT IMPLEMENTATION INTO ARTIFICIAL OR ARBITRARY PHASES OR SUBCONTRACTS FOR THE PURPOSE OF CIRCUMVENTING THIS PROVISION SHALL NOT BE ALLOWED. IN ALL OTHER CONTRACTS, THE APPROVAL OF THE MAJORITY OF ALL THE MEMBERS SHALL BE REQUIRED.

THERE SHALL BE A FORMALLY CONVENED MEETING FOR THE PURPOSE OF APPROVING THE TRANSACTION AND THE REGENTS SHALL BE PROVIDED WITH TWO WEEKS PRIOR NOTICE.

3. On page 15, line 17, on the title of the section, before the word "*Auditing*," insert the phrase *REPORTORIAL REQUIREMENTS AND*; and
4. On the same page, same line, before the word "All," insert the following: THE UNIVERSITY SHALL SUBMIT AN ANNUAL REPORT TO CONGRESS CONTAINING THE FINANCIAL STATEMENTS, STATEMENT OF ASSETS AND LIABILITIES, ACTUAL PROJECTED INCOME FROM TUITION FEES AND OTHER REVENUE SOURCES, CONTRACTS AND INVESTMENTS

ENTERED INTO PURSUANT TO SECTION 20(C) HEREOF AND PROGRAMS OF EXPENDITURE AND.

### SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1833

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

### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 12:58 a.m.*

### RESUMPTION OF SESSION

At 1:01 a.m., the session was resumed.

### REFERENCE OF BUSINESS

*(Continuation)*

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

### COMMITTEE REPORTS

Committee Report No. 271, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2599, with Senators Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING THE CEBU SPECIAL ECONOMIC ZONE IN THE CITY AND PROVINCE OF CEBU, CREATING FOR THE PURPOSE THE CEBU SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of Hosue Bill No. 5263.

Sponsor: Senator Mar Roxas

To the Calendar for Ordinary Business

*MR*

Committee Report No. 272, prepared and submitted jointly by the Committees on Environment and Natural Resources; Public Services; and Finance, on Senate Bill No. 2600, with Senators Flavier, Luisa "Loi" Ejercito Estrada, Manny Villar, Angara, Miriam Defensor Santiago, Compañera Pia S. Cayetano, Jinggoy Ejercito Estrada, Ramon "Bong" Revilla Jr., M.A. Madrigal, Drilon and Arroyo as authors thereof, entitled

AN ACT PROVIDING FOR THE IMPLEMENTATION OF THE PROVISIONS OF THE 1992 INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR OIL POLLUTION DAMAGE AND THE 1992 INTERNATIONAL CONVENTION ON THE ESTABLISHMENT OF AN INTERNATIONAL FUND FOR COMPENSATION FOR OIL POLLUTION DAMAGE, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 47, 137, 737, 1267, 1932 and 2032 and House Bill No. 4363, taking into consideration Senate Bill Nos. 36, 736, 1056 and 1802, Proposed Senate Resolution Nos. 545, 548, 552, and the Privilege Speech of Sen. Franklin M. Drilon, and the interpellations thereon, delivered on 23 August 2006, entitled *AN ECOLOGICAL TIME BOMB*.

Sponsors: Senators Compañera Pia S. Cayetano, Arroyo and Drilon

**To the Calendar for Ordinary Business**

Committee Report No. 273, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2601, with Senators Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING THE GENERAL SANTOS CITY SPECIAL ECONOMIC ZONE IN THE PROVINCE OF SOUTH COTABATO, CREATING FOR THE PURPOSE THE GENERAL SANTOS CITY SPECIAL ECONOMIC ZONE AUTHORITY,

**APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,**

recommending its approval in substitution of Senate Bill No. 1744, taking into consideration House Bill No. 5264.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 274, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2602, with Senators Enrile, Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE IN THE PROVINCE OF SURIGAO DEL SUR, CREATING FOR THE PURPOSE THE SURIGAO DEL SUR SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 2489, taking into consideration House Bill No. 5952.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 275, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2603, with Senators Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING THE AURORA SPECIAL ECONOMIC ZONE IN THE PROVINCE OF AURORA, CREATING FOR THE PURPOSE THE AURORA SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of House Bill No. 5309. *AS*

*MB*

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 276, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2604, with Senators Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE IN THE PROVINCE OF DAVAO ORIENTAL, CREATING FOR THE PURPOSE THE DAVAO ORIENTAL SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of House Bill No. 5307.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 277, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2605, with Senators Recto, Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING THE SAMAL ISLAND SPECIAL ECONOMIC ZONE IN THE ISLAND GARDEN CITY OF SAMAL, PROVINCE OF DAVAO DEL NORTE, CREATING FOR THE PURPOSE THE SAMAL ISLAND SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 2133, taking into consideration House Bill No. 5266.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 278, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2606, with Senators Enrile, Roxas, Lim, Recto and Drilon as authors thereof, entitled

AN ACT ESTABLISHING THE SOUTHERN PALAWAN SPECIAL ECONOMIC ZONE IN THE PROVINCE OF PALAWAN, CREATING FOR THE PURPOSE THE SOUTHERN PALAWAN SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 2217, taking into consideration House Bill No. 5262.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 279, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2607, with Senators Enrile, Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE IN THE PROVINCE OF NORTHERN SAMAR, CREATING FOR THE PURPOSE THE NORTHERN SAMAR SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 2472.

Sponsor: Senator Mar Roxas

**To Calendar for Ordinary Business**

Committee Report No. 280, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2608, with Senators *AK*



Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING THE BATAAN SPECIAL ECONOMIC ZONE IN THE PROVINCE OF BATAAN, CREATING FOR THE PURPOSE THE BATAAN SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of House Bill No. 5958.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 281, prepared and submitted jointly by the Committees on Economic Affairs; Local Government; Ways and Means; and Finance, on Senate Bill No. 2609, with Senators Roxas, Lim and Drilon as authors thereof, entitled

AN ACT ESTABLISHING THE ILOCOS SUR SPECIAL ECONOMIC ZONE IN THE PROVINCE OF ILOCOS SUR, CREATING FOR THE PURPOSE THE ILOCOS SUR SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 2240, taking into consideration House Bill No. 5051.

Sponsor: Senator Mar Roxas

**To the Calendar for Ordinary Business**

Committee Report No. 282, prepared and submitted jointly by the Committees on Constitutional Amendments, Revision of Codes and Laws; Finance; and Ways and Means, on Senate Bill No. 2610, with Senators Angara, Recto, Pangilinan, Jinggoy Ejercito Estrada, Gordon, Drilon and the members of the Committees as authors thereof, entitled

AN ACT STRENGTHENING THE POLITICAL PARTY SYSTEM,

APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 1051, 1329, 1401, taking into consideration Senate Bill Nos. 1818 and 2082.

Sponsors: Senators Gordon, Drilon and Recto

**To the Calendar for Ordinary Business**

Committee Report No. 283, submitted by the Committee on Education, Arts and Culture (Subcommittee on Basic and Higher Education and Culture), on House Bill No. 4924, introduced by Representative Macias, *et al.*, entitled

AN ACT CHANGING THE NAME OF ODIONGAN ELEMENTARY SCHOOL IN BARANGAY SAN JOSE, CITY OF TANJAY, PROVINCE OF NEGROS ORIENTAL, TO EGMIDIO V. MANZO MEMORIAL ELEMENTARY SCHOOL,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 284, submitted by the Committee on Education, Arts and Culture (Subcommittee on Basic and Higher Education and Culture), on House Bill No. 5657, introduced by Representative Banaag, entitled

AN ACT RENAMING FLORIDA ELEMENTARY SCHOOL SITUATED IN BARANGAY FLORIDA, BUTUAN CITY, INTO MARIANA L. PINEDA MEMORIAL ELEMENTARY SCHOOL,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 285, submitted by the Committees on Education, Arts and Culture (Subcommittee on Basic and Higher Education and Culture); and Finance, on House Bill ~~4924~~

No. 3730, introduced by Representatives Chungalao and Reyes (E.), entitled

AN ACT CHANGING THE NAME OF POTIA NATIONAL HIGH SCHOOL IN BARANGAY PINTO, MUNICIPALITY OF ALFONSO LISTA, PROVINCE OF IFUGAO, TO PINTO NATIONAL HIGH SCHOOL,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 286, submitted by the Committee on Education, Arts and Culture (Subcommittee on Basic and Higher Education and Culture), on House Bill No. 5434, introduced by Representatives Fuentebella and Lacson, entitled

AN ACT CHANGING THE NAME OF SALVACION NATIONAL HIGH SCHOOL IN BARANGAY TALOJONGON, MUNICIPALITY OF TIGAON, PROVINCE OF CAMARINES SUR, TO THE DR. RODOLFO V. PAMOR, JR. MEMORIAL NATIONAL HIGH SCHOOL,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 287, submitted by the Committee on Education, Arts and Culture, on House Bill No. 5660, introduced by Representative Petilla, *et al.*, entitled

AN ACT CHANGING THE NAME OF BABATNGON NATIONAL HIGH SCHOOL IN THE MUNICIPALITY OF BABATNGON, PROVINCE OF LEYTE TO JUAN S. TISMO NATIONAL HIGH SCHOOL,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 288, submitted by the Committee on Education, Arts and Culture, on House Bill No. 5339, introduced by Representative Ablan, Villar and Abayon, entitled

AN ACT CHANGING THE NAME OF BANGUI SCHOOL OF FISHERIES IN THE MUNICIPALITY OF BANGUI, PROVINCE OF ILOCOS NORTE TO BANGUI INSTITUTE OF TECHNOLOGY,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 289, submitted by the Committee on Education, Arts and Culture, on House Bill No. 5340, introduced by Representative Vargas, *et al.*, entitled

AN ACT CHANGING THE NAME OF LASAM NATIONAL AGRICULTURAL SCHOOL IN THE MUNICIPALITY OF LASAM, PROVINCE OF CAGAYAN TO LASAM INSTITUTE OF TECHNOLOGY,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 290, submitted by the Committee on Education, Arts and Culture, on House Bill No. 5330, introduced by Representative Cari, *et al.*, entitled

AN ACT RENAMING THE LEYTE STATE UNIVERSITY IN BARANGAY PANGASUGAN, MUNICIPALITY OF BAYBAY, PROVINCE OF LEYTE AS THE VISAYAS STATE UNIVERSITY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9158, ENTITLED AN ACT CONVERTING THE VISAYAS STATE COLLEGE OF AGRICULTURE INTO A STATE

pb

UNIVERSITY TO BE KNOWN AS THE LEYTE STATE UNIVERSITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 291, submitted by the Committee on Education, Arts and Culture, on Senate Bill No. 2069, introduced by Senator Biazon, entitled

AN ACT RECOGNIZING SOUTHVILLE INTERNATIONAL SCHOOL AND COLLEGES AS AN EDUCATIONAL INSTITUTION OF INTERNATIONAL CHARACTER, GRANTING CERTAIN PREROGATIVES CONDUCIVE TO ITS GROWTH AS SUCH AND FOR OTHER PURPOSES,

recommending its approval without amendment, taking into consideration Senate Bill No. 578 and House Bill No. 3745.

Sponsor: Senators Recto and Biazon

**To the Calendar for Ordinary Business**

Committee Report No. 292, submitted jointly by the Committees on Education, Arts and Culture; and Finance, on House Bill No. 5336, introduced by Representative Garcia (A.) *et al.*, entitled

AN ACT CONVERTING THE BATAAN POLYTECHNIC STATE COLLEGE IN THE PROVINCE OF BATAAN INTO A STATE UNIVERSITY TO BE KNOWN AS THE BATAAN PENINSULA STATE UNIVERSITY (BPSU), INTEGRATING THEREWITH THE BATAAN STATE COLLEGE IN THE MUNICIPALITY OF DINALUPIHAN, PROVINCE OF BATAAN AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 293, submitted jointly by the Committees on Education, Arts and Culture; and Finance, on House Bill No. 5953, introduced by Representative Bueser, *et al.*, entitled

AN ACT CONVERTING THE LAGUNA POLYTECHNIC COLLEGE IN THE PROVINCE OF LAGUNA INTO A STATE UNIVERSITY TO BE KNOWN AS THE LAGUNA STATE POLYTECHNIC UNIVERSITY AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 294, submitted jointly by the Committees on Education, Arts and Culture; and Finance, on House Bill No. 4910, introduced by Representative Guingona, *et al.*, entitled

AN ACT CONVERTING THE BUKIDNON STATE COLLEGE IN THE CITY OF MALAYBALAY, PROVINCE OF BUKIDNON, INTO A STATE UNIVERSITY, TO THE KNOWN AS THE BUKIDNON STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 295, submitted jointly by the Committees on Education, Arts and Culture; and Finance, on House Bill No. 5792, introduced by Representative Reyes (E.), *et al.*, entitled

AN ACT TO STRENGTHEN THE SYSTEM OF MANAGEMENT AND ADMINISTRATION OF ARCHIVAL RECORDS, ESTABLISHING FOR THE PURPOSE THE NATIONAL

AK  
MB

ARCHIVES OF THE PHILIPPINES,  
AND FOR OTHER PURPOSES,

recommending its approval without amendment,  
taking into consideration Senate Bill No. 281.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 296, submitted by the  
Committee on Education, Arts and Culture, on  
House Bill No. 5332, introduced by Representative  
Reyes (V), *et al.*, entitled

AN ACT AMENDING REPUBLIC ACT  
NO. 9045, WHICH CREATES THE  
BATANGAS STATE UNIVERSITY  
(BSU) BY EXCLUDING FROM ITS  
COVERAGE THE POLYTECHNIC  
UNIVERSITY OF THE PHILIPPINES  
(PUP) CAMPUS IN STO TOMAS,  
BATANGAS,

recommending its approval without amendment,  
taking into consideration Senate Bill No. 2443.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 297, prepared and submitted  
jointly by the Committees on Education, Arts  
and Culture; Tourism; Local Government; Ways  
and Means; Environment and Natural Resources;  
Foreign Relations; and Finance, on Senate Bill  
No. 2613, with Senators Flavier, Angara, Serge  
Osmeña, Manny Villar, Jinggoy Ejercito Estrada  
and Ramon "Bong" Revilla Jr. as authors thereof,  
entitled

AN ACT PROVIDING FOR THE PROTEC-  
TION AND CONSERVATION OF THE  
NATIONAL CULTURAL HERITAGE,  
STRENGTHENING THE NATIONAL  
COMMISSION FOR CULTURE AND  
THE ARTS (NCCA) AND ITS AFFI-  
LIATED CULTURAL AGENCIES,  
AND FOR OTHER PURPOSES,

recommending its approval in substitution of  
Senate Bill Nos. 26, 54, 281, 282, 283, 576, 725,  
913, 1089, 1214, 2123, 2252 and 2386, taking into  
consideration House Bill Nos. 5577 and 5792.

Sponsor: Senators Angara and Flavier

**To the Calendar for Ordinary Business**

Committee Report No. 298, submitted jointly by the  
Committees on Environment and Natural  
Resources; Local Government; Ways and Means;  
Finance; Constitutional Amendments, Revision  
of Codes and Laws; Cultural Communities;  
Education, Arts and Culture; and Social Justice,  
Welfare and Rural Development, on House Bill  
No. 4081, introduced by Representative De  
Venecia, *et al.*, entitled

AN ACT TO SPUR THE PLANTING OF  
A BILLION TREES AND FOR  
OTHER PURPOSES,

recommending its approval without amendment,  
taking into consideration Senate Bill Nos. 218,  
254, 285, 289, 728, 729, 1150, 1468, 1734 and  
1870; Proposed Senate Resolution Nos. 135 and  
138; Privilege Speech of Sen. M. A. Madrigal,  
delivered on December 7, 2004, entitled: *A  
Juggernaut Of Despoliation*; Privilege Speech  
of Sen. Ramon "Bong" Revilla Jr., delivered on  
December 8, 2004, entitled: *In The Eye Of The  
Storm: A Salute To The Filipino Spirit*; and  
the Privilege Speech of Sen. Alfredo S. Lim,  
delivered on December 8, 2004, entitled: *The  
Unabated Rape And Destruction Of Our  
Forests Must Be Stopped Now, Lest Nature's  
Wrath Will Continue To Hound And Punish  
Us For Our Transgressions.*

Sponsor: Senators Compañera Pia S.  
Cayetano, Lim, Recto, Drilon, Gordon  
M.A. Madrigal, Flavier and Magsaysay

**To the Calendar for Ordinary Business**

**ADDITIONAL REFERENCE OF BUSINESS**

**COMMITTEE REPORTS**

Committee Report No. 299, submitted jointly by the  
Committees on Education, Arts and Culture; and  
Finance, on House Bill No. 5138, introduced by  
Representative Villar *et al.*, entitled

AN ACT SEPARATING THE CAA HIGH  
SCHOOL IN BARANGAY BF INTER-  
NATIONAL/CAA, LAS PIÑAS CITY  
FROM THE LAS PIÑAS NATIONAL  
HIGH SCHOOL, CONVERTING IT  
INTO AN INDEPENDENT NATIONAL

HIGH SCHOOL TO BE KNOWN  
AS THE CAA NATIONAL HIGH  
SCHOOL AND APPROPRIATING  
FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 300, submitted jointly by the  
Committees on Education, Arts and Culture; and  
Finance, on House Bill No. 5217, introduced by  
Representative Villar, *et al.*, entitled

AN ACT ESTABLISHING A NATIONAL  
SCIENCE HIGH SCHOOL IN  
BARANGAY DOS, LAS PIÑAS CITY  
NATIONAL SCIENCE HIGH SCHOOL  
AND APPROPRIATING FUNDS  
THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 301, submitted jointly by the  
Committees on Education, Arts and Culture; and  
Finance, on House Bill No. 5151, introduced  
by Representative Villar, *et al.*, entitled

AN ACT SEPARATING THE GOLDEN  
ACRES HIGH SCHOOL ANNEX IN  
BARANGAY TALON 1, LAS PIÑAS  
CITY FROM THE LAS PIÑAS  
NATIONAL HIGH SCHOOL,  
CONVERTING IT INTO AN  
INDEPENDENT NATIONAL HIGH  
SCHOOL TO BE KNOWN AS THE  
GOLDEN ACRES NATIONAL HIGH  
SCHOOL AND APPROPRIATING  
FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Recto

**To the Calendar for Ordinary Business**

Committee Report No. 302, submitted jointly by the  
Committees on Health and Demography; and

Social Justice, Welfare and Rural Development  
on House Bill No. 68, introduced by Represent-  
ative Del Mar, *et al.*, entitled

AN ACT PROHIBITING THE DETEN-  
TION OF PATIENTS IN HOSPITALS  
AND MEDICAL CLINICS ON  
GROUNDS OF NONPAYMENT OF  
HOSPITAL BILLS OR MEDICAL  
EXPENSES,

recommending its approval without amendment,  
taking into consideration Senate Bill Nos. 337,  
607, 1373, and 2454.

Sponsor: Senator Compañera Pia S Cayetano

**To the Calendar for Ordinary Business**

**MANIFESTATION  
OF SENATOR PIMENTEL**

On behalf of Senator Osmeña, Senator Pimentel  
manifested that numerous bills were being presented  
for the Body's consideration at the last minute and it  
might be unfair to expect the senators, who have  
been in the Session Hall since three o'clock in the  
afternoon of Wednesday, to go over them ration-  
ally. He suggested that the Body first consider the  
conference committee reports.

Moreover, he recalled that Senator Revilla had  
requested him the other day to sponsor his bill on  
the right to reply which has been pending in the  
Committee since 2004. He said that he did not  
mind the request but it is unfair to compel the  
senators to do such things at a time when they are  
all tired and sleepy.

The Chair apologized to Senator Pimentel,  
pointing out that most of the items to be taken  
up are *local bills that need not be approved in this*  
day's session.

**REMARKS OF SENATOR PANGILINAN**

Senator Pangilinan shared the sentiment of  
Senator Pimentel as he explained that as Majority  
Leader, his work is partly ministerial in the sense that  
once the bills are filed, they are calendared.

But he agreed with Senator Pimentel's view that  
at such a late hour, it was physically and mentally *AA*

16

impossible for the Members to objectively and effectively pass upon so many important pieces of legislation.

**COMMITTEE REPORT NO. 2  
ON SENATE BILL NO. 1833**

(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1833 (Committee Report No. 2), entitled

**AN ACT TO STRENGTHEN THE  
UNIVERSITY OF THE PHILIPPINES  
AS THE NATIONAL UNIVERSITY.**

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

Thereupon, the Chair recognized Senator Pangilinan, Sponsor of the measure, and Senator Gordon for his amendments.

**GORDON AMENDMENTS**

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

1. On page 2, line 22, after the word "practice," insert the phrase **THROUGH ACADEMIC AND NONACADEMIC PROGRAMS INCLUDING SPORTS;**
2. On page 3, after line 10, insert a new Section 7, to read as follows:

**SEC 7. THE UNIVERSITY SHALL HARNESS THE EXPERTISE OF THE MEMBERS OF THE UNIVERSITY, COMMUNITY AND OTHER INDIVIDUALS TO REGULARLY STUDY THE STATE OF THE NATION IN RELATION TO ITS QUEST FOR NATIONAL DEVELOPMENT IN THE PRIMARY AREAS OF POLITICS AND ECONOMICS, AMONG OTHERS, IDENTIFY KEY CONCERNS, FORMULATE RESPONSIVE POLICIES TO THESE CONCERNS, AND GIVE ADVICE AND MAKE RECOMMENDATIONS TO CONGRESS AND THE PRESIDENT OF THE PHILIPPINES.;**

3. On page 3, after line 21, insert a new Section 9 to read as follows:

**SEC 9. SPORTS. – THE UNIVERSITY SHALL UNDERTAKE AND SUPPORT COMPREHENSIVE SPORTS PROGRAMS THAT SHALL PROMOTE PHYSICAL EDUCATION, UPHOLD EXCELLENCE IN SPORTS ACTIVITIES AND ENCOURAGE COMPETITIVE PARTICIPATION ON THE SAME, INSTILL SCHOOL IDENTITY AND SOLIDARITY, CULTIVATE PRIDE, SELF-DISCIPLINE AND TEAMWORK WHICH VALUES SHALL SERVE AS A FOUNDATION FOR FOSTERING ACTIVE PARTICIPATION IN THE UNIVERSITY, AS WELL AS IN NATION-BUILDING.;**

4. Renumber the succeeding sections accordingly; and
5. On page 7, line 5, after the word "grants," insert the phrase **INCLUDING ATHLETIC GRANTS,** and after "merit," the phrase **ESPECIALLY THOSE WHO ARE POOR AND DESERVING INDIVIDUALS.**

**ANGARA AMENDMENT**

On behalf of Senator Angara, on page 3, line 16, as proposed by Senator Pangilinan, there being no objection, the Body approved the rewording of the first paragraph of Section 8 as follows:

**SEC. 8. DEMOCRATIC ACCESS. – THE UNIVERSITY SHALL TAKE AFFIRMATIVE STEPS WHICH MAY TAKE THE FORM OF AN ALTERNATIVE AND EQUITABLE ADMISSION PROCESS TO ENHANCE THE ACCESS OF DISADVANTAGED STUDENTS, SUCH AS INDIGENOUS PEOPLES AND DESERVING STUDENTS FROM DEPRESSED AREAS, TO ITS PROGRAMS AND SERVICES.**

**OSMEÑA AMENDMENTS**

Preliminarily, Senator Osmeña pointed out that running a university, just like running a hospital, has a very strong business aspect or dynamics and as such, a doctor would certainly not be the best person to run a hospital; thus, in the United States, people with Masters in Hospital Administration but have never seen a medical school are now managing hospitals.

In this regard, Senator Osmeña informed the Body that the Harvard Endowment Fund, the largest in the world, has a compounded growth of about <sup>15</sup>

24% a year over the past five years; at present, it amounts to US\$24 billion; and it is run by professionals. He indicated his desire to introduce a very conservative plan, to be run properly by professionals with very good experience in the field, that would enable U.P. not only to conserve its wealth but also make it grow. He expressed the hope that with all the assets that are being given to U.P., it would grow over the years and someday, it would be fit to follow the Harvard, UCLA, Yale and Princeton models so that it would have more funds for the expansion of its facilities as well as research and development programs.

On page 9, line 13, after the phrase "the Board of Regents," Senator Osmeña proposed to insert the following phrase: *PROVIDED, FINALLY, THAT RESEARCH AND OTHER ACTIVITIES FUNDED BY THE UNIVERSITY SHALL FOCUS ON FIELDS OR TOPICS THAT HAVE PROMISING COMMERCIAL APPLICATIONS, AND THAT THE FACULTY AND STAFF INVOLVED IN SAID RESEARCH BE ALLOWED TO PARTICIPATE IN ITS FINANCIAL OR ECONOMIC BENEFITS.*

Senator Osmeña explained that top American universities like Cornell, Princeton and Stanford have outstanding research arms and they allow their professors, with the approval of their respective boards, to engage in research with commercial applications and earn money from their patents. He believed that this is one way of bringing Filipino students and the people to a higher standard because the applications of modern technology such as the internet, computer, cellphones, among others, have made life easier. In addition, he said that the research institutions should also be encouraged to engage in this type of R&D to earn more money for themselves, and help Filipino students who study under their programs to find jobs as technicians, technologists, and computer scientists.

Senator Pangilinan agreed that there is a need to undertake research activities. However, he proposed to change the word "focus" to *LIKEWISE UNDER-TAKE*.

As modified by the Sponsor, there being no objection, the Osmeña amendment was approved by the Body.

On page 9, wherever appropriate, Senator Osmeña proposed the insertion of the following:

- 1) THERE SHALL BE AN INDEPENDENT TRUST COMMITTEE TO BE COMPOSED OF ONE REPRESENTATIVE EACH NOMINATED BY THE BANKERS ASSOCIATION OF THE PHILIPPINES ((BAP), THE INVESTMENT HOUSE ASSOCIATION OF THE PHILIPPINES (IHAP), AND THE TRUST OFFICERS ASSOCIATION OF THE PHILIPPINES (TOAP). THE MEMBERS SHALL BE ENTITLED TO A REASONABLE PER DIEM AS THE BOARD MAY SPECIFY.
- 2) THE INDEPENDENT TRUST COMMITTEE SHALL RECOMMEND TO THE BOARD FIVE UNIVERSAL BANKS SELECTED ON A PRUDENT BASIS WHOSE TRUST DEPARTMENTS SHALL MANAGE THE UNIVERSITY'S CORPORATE AND OTHER FUNDS THROUGH TRUST AGREEMENTS ON NON-DIRECTED BASIS; *PROVIDED*, THAT ANY SUCH AGREEMENT SHALL BE FOR A PERIOD OF NOT MORE THAN TWO YEARS.
- 3) THE INDEPENDENT TRUST COMMITTEES SHALL PROVIDE THE BOARD WITH DIRECTION ON APPROPRIATE INVESTMENT OBJECTIVES AND PERMISSIBLE INVESTMENTS WITH A VIEW TO PRESERVING THE VALUE OF THE FUNDS WHILE ALLOWING THE UNIVERSITY TO EARN A REASONABLE RETURN THEREON.

Senator Osmeña stated that experts should advise U.P. on how to manage its funds, specifically to help it draw up a five-year or ten-year program of its budgetary needs and make sure that finances shall be raised therefor. The funds, he said, should earn a rate of return to cover current and future needs. He pointed out that this is the professional approach that universities like Ateneo and De La Salle have followed with the active participation of their alumni who help raise funds and that he would like U.P. to follow such approach.

Senator Pangilinan accepted the proposed amendment, subject to the following modifications:

- ◆ Insert the provision between lines 16 and 17 of page 14 as Section 20 with the caption "*MANAGEMENT OF FUND*";
- ◆ Include the Financial Executive Association (FINEX) as a member of the trust committee.

ps

Further, with respect to item no. 3 of the amendment, Senator Pangilinan stated that the direction to be provided by the trust committee shall be recommendatory. Senator Osmeña agreed.

As modified by the Sponsor, there being no objection, the Osmeña amendment was approved by the Body.

As a consequence, the subsequent sections were renumbered accordingly.

**TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

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

**APPROVAL OF SENATE BILL NO. 1833 ON SECOND READING**

Submitted to a vote and there being no objection, Senate Bill No. 1833 was approved on Second Reading.

**PRESIDENTIAL CERTIFICATION**

Upon direction of the Chair, Secretary Yabes read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 1833, to wit:

**MALACAÑANG  
MANILA**

November 2, 2004

HON. FRANKLIN M. DRILON  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President Drilon:

Pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1833, under Committee Report No. 2, entitled

**AN ACT TO STRENGTHEN THE UNIVERSITY OF THE PHILIPPINES AS THE NATIONAL UNIVERSITY,**

to address the urgent need to update and revise the University of the Philippines' 96-year-old charter to ensure its institutional flexibility and

fiscal autonomy to effectively perform its function as a national university with distinct leadership in higher education and as the foremost graduate university on research and public service.

Best wishes.

Very truly yours,  
(SGD.) GLORIA ARROYO

Cc: HON. JOSE C. DE VENECIA, JR.  
Speaker  
House of Representatives  
Quezon City

**APPROVAL OF SENATE BILL NO. 1833 ON THIRD READING**

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1833.

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

**AN ACT TO STRENGTHEN THE UNIVERSITY OF THE PHILIPPINES AS THE NATIONAL UNIVERSITY.**

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|                      |            |
|----------------------|------------|
| Angara               | Lacson     |
| Arroyo               | Madrigal   |
| Biazon               | Magsaysay  |
| Cayetano             | Osmeña     |
| Drilon               | Pangilinan |
| Ejercito Estrada (J) | Pimentel   |
| Enrile               | Recto      |
| Flavier              | Roxas      |
| Gordon               | Villar     |

*Against*

None

*Abstention*

None *AS*

*MS*



With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No.1833 approved on Third Reading.

**EXPLANATION OF VOTE  
BY SENATOR BIAZON**

Senator Biazon said that he voted in favor of the bill, hoping that the change in the U.P. charter would lead the institution's leadership to also focus its attention on the development of U.P.-Mindanao. He recalled that he authored the bill creating said university in the 9<sup>th</sup> Congress because as a soldier serving in Mindanao, he saw the need to heed the Mindanaonons' cry for attention from "Imperial Manila," a term he hoped he would not hear again from Mindanaonons.

**SENATE CONFEREES**

Upon nomination by Senator Pangilinan, there being no objection, the Chair designated the following senators as members of the Senate panels in the conference committees on the disagreeing provisions of the bills/resolution and their counterpart House measures hereunder indicated:

1. On Senate Bill No. 1837 and House Bill No. 3740 (ACEF): Senators Magsaysay, Osmeña and Angara;
2. On Senate Bill No. 1833 and House Bill No. 5008 (U.P. charter): Senators Pangilinan, Drilon, Recto, Angara and Osmeña;
3. On House Bill No. 3409 (Pagcor franchise): Senators Arroyo, Enrile, Drilon, Angara, Lacson, Gordon, Ejercito Estrada (J);
4. On Senate Bill No. 2137 and House Bill No. 4839 (Anti-Terrorism Act): Senators Enrile, Drilon, Gordon, Revilla, Lapid, Madrigal, Lacson, Lim and Pimentel; and
5. On Senate Joint Resolution No. 9 and House Joint Resolution No. 20 (Congressional Commission on Science and Technology): Senators Magsaysay, Angara and Lim.

**COAUTHOR**

Senator Pangilinan manifested that Senator Villar is a coauthor of House Bill No. 68.

**ANNOUNCEMENT  
OF SENATOR PANGILINAN**

Senator Pangilinan announced that the House of Representatives passed Senate Bill No. 2596 on February 7, 2007, and by adopting the Senate version, there was no need for a conference committee.

**REMINDER OF THE CHAIR**

The Chair reminded the Body that Resolution No. 11 is a standing resolution authorizing the committees to hold meetings, hearings or conferences during the recess of Congress for the purpose of studying and preparing any proposed legislation or to investigate any matter or subject falling under their jurisdiction, as well as authorizing the Senate President, in his discretion, to allow any special committee to hold meetings, hearings or conferences during the recess for the same purpose.

**CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 2587 AND  
HOUSE BILL NO. 4536**

Upon motion of Senator Pangilinan, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2587, entitled

**AN ACT PROVIDING FOR A MAGNA  
CARTA FOR PUBLIC SOCIAL  
WORKERS,**

and House Bill No. 4536, entitled

**AN ACT PROVIDING FOR THE MAGNA  
CARTA FOR SOCIAL WORKERS  
AND SOCIAL WELFARE AND  
DEVELOPMENT WORKERS AND  
FOR OTHER PURPOSES.**

The Chair recognized Senator Osmeña to sponsor the report.

**SPONSORSHIP SPEECH  
OF SENATOR OSMEÑA**

Senator Osmeña presented to the Body, for its consideration and approval, the Conference Committee Report on Senate Bill No. 2587 and House Bill No. 4536, as he read the following explanation of the conference committee: *AS*

*ms*

The conference committee on the disagreeing provisions of Senate Bill No. 2587 and House Bill No. 4536, after having met and fully discussed the subject matter in a conference, hereby report to their respective Houses the following:

1. The conferees agreed that the Senate version will be used as the working draft. After resolving the issue on the coverage of the bill, whether to include or not include in the coverage social welfare and development workers and social workers in the private sector, the conferees agreed to limit the coverage to public social workers;
2. On Section 3 of the reconciled version, Section 3, subsections (a), (b), (c), (e), (f), (g), (h), (i) and (j) of the Senate version were adopted *in toto*, however, sub-section (f) of the House version was adopted as the new subsection (d) with modifications to read as follows:
 

(d) "Public social welfare and development worker" refers to those employed in government social welfare and development agencies.;
3. On Section 7 of the reconciled version, Section 7 of the Senate version was adopted and amended to read as follows:
 

"SEC. 7. *Composition.* – The Social Work Management and Consultative Council shall be composed of representatives of the DSWD, CSC, DILG DOLE, Philippine Association of Social Workers, Inc. (PASWI), Association of Provincial/City and Municipal Social Welfare and Development Officer of the Philippines, Inc. (APCMSWDOPI), League of Provinces, League of Cities and League of Municipalities. The Secretary of the DSWD or his/her representative shall be the head of the council.";
4. On Section 15 of the reconciled version, Section 15 of the Senate version was adopted, however, subsection (a) was amended to read as follows:
 

"(a) *Hazard Allowance.* – Public social workers and public social welfare and development workers assigned in remote and depressed areas, strife-torn or embattled areas, distressed or isolated stations, mental hospitals, leprosaria, areas declared under a state of calamity or emergency which expose them to great danger, volcanic activity, eruption, occupational risks or threats to life shall be compensated with hazard allowance

equivalent to at least twenty *per centum* (20%) of the monthly basic salary.;

5. On Section 23 of the reconciled version, Section 13 of the Senate version was adopted and amended to read as follows:
 

"SEC. 23. *Implementing Rules and Regulations.* – The Social Work Management and Consultative Council, upon consultation with the Chairperson of the Senate Committee on Social Justice, Welfare and Rural Development and the Chairperson of the House Committee on Social Services, shall formulate the necessary rules and regulations, not inconsistent with any provisions of this law, for the implementation of the Magna Carta for Public Social Workers. The rules and regulations shall be promulgated within six (6) months from effectivity of this Act.";

6. The title of the reconciled bill shall read as follows:
 

AN ACT PROVIDING FOR A MAGNA CARTA FOR PUBLIC SOCIAL WORKERS.

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

#### **APPROVAL OF THE CONFERENCE COMMITTEE REPORT**

Submitted to a vote, there being no objection, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2587 and House Bill No. 4536 was approved by the Body.

#### **CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2580 AND HOUSE BILL NO. 1214**

Upon motion of Senator Pangilinan, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2580, entitled

AN ACT GRANTING OTHER PRIVILEGES AND INCENTIVES TO PERSONS WITH DISABILITY AND GRANTING THEM THE RIGHT TO LIVE FREE FROM VERBAL AND NON-VERBAL RIDICULE AND VILIFICATION, AMENDING FOR

16

THE PURPOSE REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR DISABLED PERSONS AND FOR OTHER PURPOSES,"

and House Bill No. 1214, entitled

AN ACT GRANTING OTHER PRIVILEGES AND INCENTIVES TO PERSONS WITH DISABILITY AMENDING FOR THE PURPOSE THE MAGNA CARTA FOR DISABLED PERSONS.

The Chair recognized Senator Osmeña to sponsor the report.

**SPONSORSHIP SPEECH  
OF SENATOR OSMEÑA**

As he presented the Conference Committee Report on Senate Bill No. 2580 and House Bill No. 1214, Senator Osmeña read the following explanation of the conference committee:

The Conference Committee on the disagreeing provisions of Senate Bill No. 2580 and House Bill No. 1214, after having met and fully discussed the subject matter in a conference, hereby report to their respective Houses the following:

1. The conferees agreed that the Senate version be used as the working draft.

2. On the reconciled version, an omnibus amendment was introduced to replace the phrase "disabled persons" with the phrase "persons with disability."

3. On Section 1 of the reconciled version, Section 1 of the Senate version was adopted, however, subsection (a) under the new Section 33 was amended to read as follows:

SEC. 33. *INCENTIVES*. – THOSE CARING FOR AND LIVING WITH PERSONS WITH DISABILITY SHALL BE GRANTED THE FOLLOWING INCENTIVES:

(A) PERSONS WITH DISABILITY SHALL BE TREATED AS DEPENDENTS UNDER SECTION 35(A) OF THE NATIONAL INTERNAL REVENUE CODE, AS AMENDED, AND AS SUCH, INDIVIDUAL TAXPAYERS CARING FOR THEM SHALL BE ACCORDED

THE PRIVILEGES GRANTED BY THE CODE INsofar AS HAVING DEPENDENTS UNDER THE SAME SECTION ARE CONCERNED; AND

(B) INDIVIDUALS OR NONGOVERNMENTAL INSTITUTIONS ESTABLISHING HOMES, RESIDENTIAL COMMUNITIES OR RETIREMENT VILLAGES WHICH ARE CONSTRUCTED SOLELY TO SUIT THE NEEDS AND REQUIREMENTS OF PERSONS WITH DISABILITY SHALL BE ACCORDED THE FOLLOWING:

(I) REALTY TAX HOLIDAY FOR THE FIRST FIVE (5) YEARS OF OPERATION; AND

(II) PRIORITY IN THE BUILDING AND/OR MAINTENANCE OF PROVINCIAL OR MUNICIPAL ROADS LEADING TO THE AFORESAID HOME, RESIDENTIAL COMMUNITY OR RETIREMENT VILLAGE.

4. On Section 2 of the reconciled version, Section 2 of the Senate version was adopted, however, the new Sections 39-42 were amended to read as follows:

SEC. 39. *PUBLIC RIDICULE*. – FOR PURPOSES OF THIS CHAPTER, PUBLIC RIDICULE SHALL BE DEFINED AS AN ACT OF MAKING FUN OR CONTEMPTUOUSLY IMITATING OR MAKING MOCKERY OF PERSONS WITH DISABILITY, WHETHER IN WRITING, IN WORDS, OR IN ACTION, DUE TO THEIR IMPAIRMENT/S.

SEC. 40. NO INDIVIDUAL, GROUP OR COMMUNITY SHALL EXECUTE ANY OF THESE ACTS OF RIDICULE AGAINST PERSONS WITH DISABILITY IN ANY TIME AND PLACE WHICH COULD INTIMIDATE OR RESULT IN LOSS OF SELF-ESTEEM OF THE LATTER.

CHAPTER 2  
DELIVERANCE FROM VILIFICATION

SEC. 41. *VILIFICATION*. – FOR PURPOSES OF THIS CHAPTER, VILIFICATION SHALL BE DEFINED AS:

A) THE UTTERANCE OF SLANDEROUS AND ABUSIVE STATEMENTS AGAINST A PERSON; AND/OR

B) AN ACTIVITY IN PUBLIC WHICH INCITES HATRED TOWARDS, SERIOUS CONTEMPT FOR, OR SEVERE RIDICULE OF PERSONS WITH DISABILITY.

As

yes

SEC. 42. ANY INDIVIDUAL, GROUP OR COMMUNITY IS HEREBY PROHIBITED FROM VILIFYING ANY PERSON WITH DISABILITY WHICH COULD RESULT IN LOSS OF SELF-ESTEEM OF THE LATTER.

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

#### **APPROVAL OF THE CONFERENCE COMMITTEE REPORT**

Submitted to a vote, there being no objection, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2580 and House Bill No. 1214 was approved by the Body.

#### **COMMITTEE REPORT NO. 35 ON SENATE BILL NO. 2138**

*(Continuation)*

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2138 (Committee Report No. 35), entitled

AN ACT DECLARING A NATIONAL POLICY FOR TOURISM AS THE PRIMARY ENGINE OF INVESTMENT, EMPLOYMENT, GROWTH AND NATIONAL DEVELOPMENT, REORGANIZING THE DEPARTMENT OF TOURISM AND ITS ATTACHED AGENCIES TO EFFECTIVELY AND EFFICIENTLY IMPLEMENT THAT POLICY, PROVIDING NECESSARY INCENTIVES FOR INVESTMENT AND APPROPRIATING FUNDS THEREFOR.

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

#### **TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

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

#### **APPROVAL OF SENATE BILL NO. 2138 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 2138 was approved on Second Reading.

#### **PRESIDENTIAL CERTIFICATION**

Upon direction of the Chair, Secretary Yabes read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 2138, to wit:

MALACAÑANG  
MANILA

December 19, 2005

Hon. FRANKLIN M. DRILON  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President Drilon:

Pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 2138, under Committee Report No. 35, entitled:

AN ACT DECLARING A NATIONAL POLICY FOR TOURISM AS THE PRIMARY ENGINE OF INVESTMENT, EMPLOYMENT, GROWTH AND NATIONAL DEVELOPMENT, REORGANIZING THE DEPARTMENT OF TOURISM AND ITS ATTACHED AGENCIES TO EFFECTIVELY AND EFFICIENTLY IMPLEMENT THAT POLICY, PROVIDING NECESSARY INCENTIVES FOR INVESTMENT AND APPROPRIATING FUNDS THEREFOR,

to address the urgent need to put in place a legal framework that will provide an integrated approach to tourism development which will effectively mold policy directions and coordination among government agencies and private sector groups to spur the tourism industry through which socio-economic development may be accelerated, foreign exchange earned, and international visitors as well as Filipinos themselves are given the opportunity to tour the country to appreciate its natural beauty, history and culture and for the latter to be imbued with greater pride in and commitment to the nation.

Best wishes. *AS*

*PS*

Very truly yours,  
(Sgd.) GLORIA ARROYO

Cc: HON. JOSE C. DE VENECIA, JR.  
Speaker  
House of Representatives  
Quezon City

**APPROVAL OF SENATE BILL NO. 2138  
ON THIRD READING**

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2138.

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

AN ACT DECLARING A NATIONAL POLICY FOR TOURISM AS THE PRIMARY ENGINE OF INVESTMENT, EMPLOYMENT, GROWTH AND NATIONAL DEVELOPMENT, REORGANIZING THE DEPARTMENT OF TOURISM AND ITS ATTACHED AGENCIES TO EFFECTIVELY AND EFFICIENTLY IMPLEMENT THAT POLICY, PROVIDING NECESSARY INCENTIVES FOR INVESTMENT AND APPROPRIATING FUNDS THEREFOR.

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|                      |            |
|----------------------|------------|
| Angara               | Flavier    |
| Arroyo               | Gordon     |
| Biazon               | Lacson     |
| Cayetano             | Pangilinan |
| Drilon               | Roxas      |
| Ejercito Estrada (J) | Villar     |

*Against*

|          |       |
|----------|-------|
| Madrigal | Recto |
| Osmeña   |       |

*Abstention*

None

With 12 senators voting in favor, three against, and no abstention, the Chair declared Senate Bill No. 2138 approved on Third Reading.

**EXPLANATION OF VOTE  
OF SENATOR OSMEÑA**

Senator Osmeña explained that he was voting against the bill because of his concern over the huge tax losses that would result from the passage of the bill. He warned that the tax increases that were implemented when the VAT coverage was expanded from 10% to 12% would be all for naught. He said that he is in favor of the development of the tourism industry particularly since his home province of Cebu, being one of the largest tourism complexes in the country, is heavily dependent on tourism for job generation. However, he maintained that the establishment of tourism economic zones without fences, which would allow foreign and local locators to enjoy tax-free importations and consumption of goods, would create the biggest tax leak in the history of the nation.

He stated that it could not easily be said that tourist sites such as Intramuros or Vigan would become tourist economic zones or that its locators which are registered with the TEZA would enjoy the same benefits as those based in enclosed free ports like Subic, Clark, Poro Point and established industrial parks in Cavite, Laguna, and Cebu.

In closing, he said that while he is in favor of having more tourists come into the country, he believed that Senate Bill No. 2138 should have been threshed out more fully to set up proper policing structures and prevent losses in government revenues.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 2:04 a.m.*

**RESUMPTION OF SESSION**

At 2:06 a.m., the session was resumed with President Pro Tempore Flavier presiding. *MS*

*MS*

**SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 269 on House Bill No. 5977 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 269  
ON HOUSE BILL NO. 5977**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, House Bill No. 5977 (Committee Report No. 269), entitled

AN ACT CONVERTING THE SOUTHERN LUZON POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF LUCBAN, PROVINCE OF QUEZON, ITS UNITS AND SATELLITE CAMPUSES IN THE MUNICIPALITIES OF SAMPALOC, INFANTA, POLILLO, TAGKAWAYAN, ALABAT AND TIAONG, AND THE LUCENA DUAL-TECH LIVELIHOOD AND TRAINING CENTER IN THE CITY OF LUCENA, ALL IN THE PROVINCE OF QUEZON, INTO A STATE UNIVERSITY TO BE KNOWN AS THE SOUTHERN LUZON STATE UNIVERSITY (SLSU) AND APPROPRIATING FUNDS THEREFOR.

Thereupon, the Chair recognized Senator Recto for his sponsorship speech.

**SPONSORSHIP SPEECH OF SENATOR RECTO**

At the instance of Senator Recto, there being no objection, his sponsorship speech was considered read into the Record of the Senate.

*Following is the full text of his speech:*

CONVERSION OF SOUTHERN LUZON  
POLYTECHNIC COLLEGE INTO  
SOUTHERN LUZON STATE UNIVERSITY  
IN QUEZON PROVINCE  
(Committee Report No. 269  
on House Bill No. 5977)

In the CALABARZON Region, it is only Quezon Province which has no state university until this time. Laguna has its UP-Los Baños,

Batangas has Batangas State University, Cavite has Cavite State University, and Rizal has Rizal University System. However, that is not the primary consideration of your Committee in sponsoring this bill.

With the conversion of SLPC into a state university, it can start offering courses with a more rational curriculum and better quality of instruction, training and research. The university would also be able to judiciously spend and utilize its resources to upgrade its facilities as well as the development of its faculty and staff. In the end, the main beneficiaries of the conversion would be the young people of Quezon and nearby provinces who are seeking quality education.

With the above stated reasons, I request our colleagues to immediately approve this bill.

**TERMINATION OF THE  
PERIOD OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, 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 Pangilinan, there being no objection, the Body closed the period of amendments.

**APPROVAL OF HOUSE BILL NO. 5977  
ON SECOND READING**

Submitted to a vote and there being no objection, House Bill No. 5977 was approved on Second Reading.

**SUSPENSION OF CONSIDERATION  
OF HOUSE BILL NO. 5977**

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

**SENATE CONFEREES**

Upon nomination by Senator Pangilinan, there being no objection, the Chair designated Senators

*Handwritten initials and a checkmark.*

Revilla, Gordon, Drilon, Lim and Ejercito Estrada (J) as members of the Senate panel in the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2591 and its counterpart House measure.

### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 2:08 a.m.*

### RESUMPTION OF SESSION

At 2:09 a.m., the session was resumed.

### COMMITTEE REPORT NO. 25 ON SENATE BILL NO. 2012

*(Continuation)*

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2012 (Committee Report No. 25), entitled

#### AN ACT REQUIRING MANDATORY BASIC IMMUNIZATION SERVICES AGAINST HEPATITIS-B FOR INFANTS, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 996, AS AMENDED, AND APPROPRIAT- ING FUNDS THEREFOR.

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

### MOTION OF SENATOR CAYETANO

Senator Cayetano moved that the Body close the period of interpellations on Senate Bill No. 2012. She stated that nine senators have interpellated on the bill, with Senator Madrigal having the remaining reservation. She said that the Committee had furnished Senator Madrigal with the requested documents on July 18, August 22, and September 3, 2005; however, it could no longer give any additional documents, as manifested in a written communication to the Senator.

### MANIFESTATION OF SENATOR MADRIGAL

Senator Madrigal believed it was unfair that she was being blamed for the delay in the passage of the

bill. She explained that she has not, in fact, received the eight documents that she had requested. She conceded that a vote on a motion to close the period of interpellations is moot and academic since Senator Cayetano has the support of the Majority. She expressed surprise why the Office of the President had certified the bill as urgent.

Objecting to the motion of Senator Cayetano, Senator Madrigal said that she has no choice but to submit to the superior numbers of the Majority. Should the Body decide to close the period of interpellations, she asked that she be given the right to ask clarificatory questions before proposing her amendments.

Senator Cayetano reiterated that Senator Madrigal has been given all the necessary information, including the WHO website and other information sources. She underscored that it is humanly impossible for the Committee to produce data that are simply not available and considering Senator Madrigal's pronouncement that she would not support the bill, she believed that there is no room for further clarification. She reiterated her motion to close the period of interpellations, saying that the Committee has already done its part.

Senator Madrigal expressed doubt that the information she had requested was not available, adding that it was a test of Senator Cayetano's goodwill to expend the effort to obtain such information. After the Body shall have closed the period of interpellations, she wondered whether Senator Cayetano would then move to close the period of amendments in case she fails to answer the clarificatory questions.

Senator Cayetano countered that after the termination of the period of interpellations, she would propose the termination of the period of committee amendments because the Committee has given the Members enough time to ask all the relevant questions. She insisted that it is time to vote on the measure and asked that her motion be resolved.

Senator Madrigal objected to the motion.

### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 2:20 a.m.* *MT*

*MS*

**RESUMPTION OF SESSION**

At 2:24 a.m., the session was resumed.

In view of the objection of Senator Madrigal, Senator Pangilinan asked for a division of the House on the Cayetano motion.

Asked by Senator Madrigal whether Section 80 of the Rules of the Senate has been suspended, Senator Pangilinan replied in the negative, as he stated that the parliamentary status was still the period of interpellations and that the Cayetano motion was still pending.

**VOTING ON  
THE CAYETANO MOTION**

Submitted to a vote and with the majority voting in favor, one against, and no abstention, the motion of Senator Cayetano to close the period of interpellations was approved.

**TERMINATION OF THE PERIOD  
OF COMMITTEE AMENDMENTS**

Upon motion of Senator Pangilinan, there being no objection, the Body closed the period of committee amendments and proceeded to the period of individual amendments.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 2:28 a.m.*

**RESUMPTION OF SESSION**

At 2:39 a.m., the session was resumed.

**MADRIGAL AMENDMENTS**

On the title of the measure, Senator Madrigal proposed to replace the words "requiring mandatory" with PROMOTING.

Senator Cayetano did not accept the amendment.

Senator Madrigal stated that her proposal hews closer to the House version which does not mandate

Hepatitis-B vaccination. Moreover, she noted that the bill does not provide the mechanism to make vaccination mandatory. She pointed out that almost all states in the U.S. allow exceptions to mandatory immunization in recognition of religious belief or personal aversion towards immunization, which exceptions have been upheld by the U.S. Supreme Court.

On the page 1, line 11, Senator Madrigal proposed to change the word "shall" to MAY; and on line 14, to change the word "should" to MAY so as justify the more voluntary nature of the vaccination. She opined that parents should have the right to choose whether or not to have their children immunized.

Senator Cayetano did not accept the amendment.

On page 1, line 12, Senator Madrigal proposed to delete the words "within 24 hours after birth," saying that the parents and the physician should determine when to have the child immunized.

Senator Cayetano did not accept the amendment.

As proposed by Senator Madrigal and accepted by the Sponsor, there being no objection, the Body approved the following amendments:

1. On page 2, line 10, after the word "immunization," as modified by the Sponsor, replace the period (.) with a comma (,) and insert the phrase AS WELL AS ANY EFFECTS OF IMMUNIZATION;

Senator Madrigal justified the amendment by citing claims of experts that immunization has harmful effects and that to date, there is no definitive study on the issue. She said that everyone should, therefore, be fully informed not only of the benefits but also of the possible harmful effects of immunization, most especially since the bill proposes that the vaccine be administered within 24 hours after the birth of the infant.

2. On the same page, lines 13 and 14, delete the words "FROM THE BUDGET OF THE DEPARTMENT OF HEALTH (DOH) AND."

Senator Madrigal stated that the provision might be unconstitutional because under Article VI, Section 25(5) of the Constitution, only the President, the Senate President, the Speaker of the House,

*ms*



the Chief Justice of the Supreme Court and heads of the Constitutional Commissions, by law, are authorized to augment any item in the General Appropriations Act for their respective offices from savings in other items.

#### TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

#### APPROVAL OF SENATE BILL NO. 2012 ON SECOND READING

Submitted to a vote, and with the majority voting in favor, Senate Bill No. 2012 was approved on Second Reading.

#### PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, the Deputy Secretary for Legislation read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 1837, to wit:

MALACAÑANG PALACE  
MANILA

February 7, 2007

HON. MANUEL B. VILLAR, JR.  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President Villar:

Pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 2012, under Committee Report No. 25, entitled

AN ACT REQUIRING MANDATORY BASIC IMMUNIZATION SERVICES AGAINST HEPATITIS-B FOR INFANTS, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 996 AS AMENDED, AND APPROPRIATING FUNDS THEREFOR,

to address public emergency arising from the necessity to safeguard the health of incoming generation against the killer disease Hepatitis-B by mandating the immunization of all new infants immediately within 24 hours after birth but not later than seven days consistent with the

Constitutional mandate of enhancing the health and well-being of our people

Best wishes.

Very truly yours,

GLORIA MACAPAGAL-ARROYO

Cc: HON. JOSE C. DE VENECIA, JR.  
Speaker  
House of Representatives  
Quezon City

#### APPROVAL OF SENATE BILL NO. 2012 ON THIRD READING

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2012.

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

AN ACT REQUIRING MANDATORY BASIC IMMUNIZATION SERVICES AGAINST HEPATITIS-B FOR INFANTS, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 996 AS AMENDED, AND APPROPRIATING FUNDS THEREFOR.

The Deputy Secretary for Legislation called the roll for nominal voting.

#### RESULT OF THE VOTING

The result of the voting was as follows:

##### *In favor*

|                      |            |
|----------------------|------------|
| Angara               | Gordon     |
| Arroyo               | Lacson     |
| Biazon               | Pangilinan |
| Cayetano             | Recto      |
| Drilon               | Roxas      |
| Ejercito Estrada (J) | Villar     |
| Flavier              |            |

##### *Against*

Madrigal

##### *Abstention*

None *AF*

*po*

With 13 senators voting in favor, one against, and no abstention, the Chair declared Senate Bill No. 2012 approved on Third Reading.

### **EXPLANATION OF VOTE OF SENATOR MADRIGAL**

Explaining her negative vote, Senator Madrigal stated that she would have wanted to introduce major amendments such as making the vaccination voluntary and changing the timeframe within which to administer the vaccine because many studies proved that children should not be vaccinated before two years of age because of its harmful effects.

### **CHAIR OF SENATE PANEL**

Upon nomination by Senator Pangilinan, there being no objection, Senate President Villar designated Senator Enrile as chair of the Senate panel in the bicameral conference committee on Senate Bill No. 2591 (additional retirement benefits to members of the judiciary).

### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 2:53 a.m.*

### **RESUMPTION OF SESSION**

At 2:55 a.m., the session was resumed.

### **SPECIAL ORDERS**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of the following committee reports from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 292 on House Bill No. 5336 (Bataan Peninsula State University);
2. Committee Report No. 293 on House Bill No. 5953 (Laguna State Polytechnic University);
3. Committee Report No. 294 on House Bill No. 4910 (Bukidnon State University);

4. Committee Report No. 296 on House Bill No. 5332 (Batangas State University);
5. Committee Report No. 299 on House Bill No. 5138 (CAA National High School); and
6. Committee Report No. 301 on House Bill No. 5151 (Golder Acres National High School).

### **EDUCATION BILLS**

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the following bills were considered on Second Reading:

1. House Bill No. 5336 (Committee Report No. 292), entitled

AN ACT CONVERTING THE BATAAN POLYTECHNIC STATE COLLEGE IN THE PROVINCE OF BATAAN INTO A STATE UNIVERSITY TO BE KNOWN AS THE BATAAN PENINSULA STATE UNIVERSITY (BPSU), INTEGRATING THEREWITH THE BATAAN STATE COLLEGE IN THE MUNICIPALITY OF DINALUPIHAN, PROVINCE OF BATAAN AND APPROPRIATING FUNDS THEREFOR;

2. House Bill No. 5953 (Committee Report No. 293), entitled

AN ACT CONVERTING THE LAGUNA STATE POLYTECHNIC COLLEGE IN THE PROVINCE OF LAGUNA INTO A STATE UNIVERSITY TO BE KNOWN AS THE LAGUNA STATE POLYTECHNIC UNIVERSITY AND APPROPRIATING FUNDS THEREFOR;

3. House Bill No. 4910 (Committee Report No. 294), entitled

AN ACT CONVERTING THE BUKIDNON STATE COLLEGE IN THE CITY OF MALAYBALAY, PROVINCE OF BUKIDNON, INTO A STATE UNIVERSITY, TO BE KNOWN AS THE BUKIDNON STATE UNIVERSITY AND APPROPRIATING FUNDS THEREFOR;

4. House Bill No. 5332 (Committee Report No. 296), entitled

AN ACT AMENDING REPUBLIC ACT NO. 9045, WHICH CREATES THE BATANGAS STATE UNIVERSITY

18

(BSU) BY EXCLUDING FROM ITS COVERAGE THE POLYTECHNIC UNIVERSITY OF THE PHILIPPINES (PUP) CAMPUS IN STO. TOMAS, BATANGAS;

5. House Bill No. 5138 (Committee Report No. 299), entitled

AN ACT SEPARATING THE CAA HIGH SCHOOL ANNEX IN BARANGAY BF INTERNATIONAL/CAA, LAS PIÑAS CITY FROM THE LAS PIÑAS NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE CAA NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR; and

6. House Bill No. 5151 (Committee Report No. 301), entitled

AN ACT SEPARATING THE GOLDEN ACRES HIGH SCHOOL ANNEX IN BARANGAY TALON 1, LAS PIÑAS NATIONAL HIGH SCHOOL, CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE GOLDEN ACRES NATIONAL HIGH SCHOOL 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 Pangilinan, only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

#### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:00 a.m.*

#### RESUMPTION OF SESSION

At 3:02 a.m., the session was resumed.

#### SPONSORSHIP SPEECHES OF SENATOR RECTO

At the instance of Senator Pangilinan, there being no objection, the sponsorship speeches of

Senator Recto were considered read into the Record of the Senate:

*Following are the full texts of the speeches:*

***On House Bill Nos. 5336, 5953 and 4910:***

What's in a name? Why are we converting several state colleges into state universities? At first glance, the only difference we could notice is in the name. To some of us, it may not even matter. However, to these colleges, there is more than meets the eye.

To these schools we are converting into state universities, their survival and competitiveness, not only in the national academic community but in the international arena as well, lies in the NAME. A State University tag in their names would add prestige and enhance their standing in the academic community. This could translate to more and better opportunities for the school to access grants and loans, especially from international academic institutions and foundations, which could result in the acquisition of better or advanced instructional materials, equipment and other school facilities. This could also mean employment of more and better teaching and non-teaching personnel, thus improving the quality of higher education in these provinces.

As a State University, these schools would then attract more students to enroll in them which could also translate to more income. But, more importantly, if the quality of education in these schools improved as a result of converting them into state universities, graduates of these schools would have better chances of passing the national licensure examinations and better employment opportunities. I sincerely believe that is the very essence of giving our youth and our people better and quality education, to provide them better opportunities in improving their lives and compete in the global arena.

Thus, approval of these bills is earnestly requested.

***On House Bill No. 5332:***

The passage of Republic Act No. 9045 in 2001 paved the way for the creation of the Batangas State University (BSU) in the Province of Batangas. The establishment of BSU would have been welcomed by all Batangueños had it not been for the inadvertent inclusion of PUP Extension Campus in Sto. Tomas, Batangas, as one of the BSU component campuses. *AK*

*16*

The inclusion of PUP Sto. Tomas Campus in the BSU was not part of the original House Bill which was also approved by the Senate in the 11<sup>th</sup> Congress. If my recollection serves me right, the inclusion was done during the bicameral conference committee meeting upon the request of the Commission on Higher Education (CHED) in their desire to rationalize the creation of state universities. However, in including PUP Sto. Tomas to the BSU, a basic requirement of CHED for the inclusion or integration of campuses into state universities was violated. This is the consultation process among the stakeholders of the affected campus, primarily the students, the academic and non-academic personnel and the host local government units. Had this consultation process taken place at that time, the PUP Sto. Tomas community would certainly not agree to its inclusion in the BSU. Not even the PUP Main Campus officials were consulted.

Thus, after the passage of RA 9045, the PUP Sto. Tomas community howled in protest, as they were surprised to be included in the BSU. The situation has resulted in demoralization and confusion in the ranks of the students and faculty of PUP Sto. Tomas. They soon petitioned several legislators to file an amendatory bill to exclude PUP Sto. Tomas Campus in the BSU. Several local government units in the province of Batangas joined them in their petitions to be reverted back to PUP.

This bill is an amendatory bill to RA 9045 to revert back PUP Sto. Tomas Campus to *status-quo ante*, that is, as a component campus of PUP. Hence, approval of this bill is urgently requested.

***On House Bill Nos. 5138 and 5151:***

On behalf of the Committees on Education, Arts and Culture; and Finance, I have the honor, as chairman of the Sub-Committee on Basic and Higher Education and Culture, to sponsor three education measures that will redound to the benefits of our young students in the City of Las Piñas and neighboring places.

I take the floor this morning to sponsor House Bill No. 5138 under Committee Report No. 299 and House Bill No. 5151 under Committee Report No. 301 which respectively seek to separate and convert the CAA High School Annex in Barangay BF International and the Golden Acres High School Annex in Barangay Talon 1 from Las Piñas National High School into independent national high schools.

Moreover, I also take pride of sponsoring House Bill No. 5217, under Committee Report No. 300, which seeks to establish a national

high school in Barangay Dos, Las Piñas City, to be known as the Las Piñas City National Science High School.

These three measures will certainly contribute to the continued development of our youth in this locality by accommodating more students and providing them with the best education that they deserve.

I am, therefore, earnestly urging our esteemed colleagues to support the passage of these three bills.

**TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation on any of the bills, upon motion of Senator Pangilinan, 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 to any of the bills, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of amendments.

**APPROVAL OF HOUSE BILL NOS. 5336, 5953, 4910, 5332, 5138, AND 5151 ON SECOND READING**

Submitted to a vote, there being no objection, House Bill Nos. 5336, 5953, 4910, 5332, 5138, and 5151 were approved on Second Reading, one after the other.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:04 a.m.*

**RESUMPTION OF SESSION**

At 3:05 a.m., the session was resumed.

**SUSPENSION OF CONSIDERATION OF HOUSE BILL NOS. 5336, 5953, 4910, 5332, 5138, AND 5151**

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the bills. *AK*

*P*

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:05 a.m.*

**RESUMPTION OF SESSION**

At 3:07 a.m., the session was resumed.

**SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 259 on Senate Bill No. 2588 from the Calendar of Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 259  
ON SENATE BILL NO. 2588**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2588 (Committee Report No. 259), entitled

**AN ACT PROHIBITING CHILD PORNOGRAPHY, IMPOSING PENALTIES FOR THE COMMISSION THEREOF 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 Pangilinan, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

**SPONSORSHIP SPEECH  
OF SENATOR MADRIGAL**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of Senator Madrigal was considered read into the Record of the Senate:

*Following is the full text of the speech:*

Our Constitution expects it of us. Our international covenants expect it of us. Most of all, Filipino children demand it of us.

I refer to Senate Bill No. 2588, which seeks to punish all who are engaged in child pornography.

This bill proposes punishments, indeed a policy that is harsh. This bill makes no distinctions between private persons or companies, nor does it reserve protection to parents who subject their children to the psychological, moral and physical violations of personhood that child pornography represents. This bill, in protection of our children, seeks to make state policy the following: whoever you are, whatever your juridical personality may be, you will be prosecuted and punished if you engage in the production and dissemination of child pornography.

This bill also makes mere possession of child pornography, as well as divulging or publishing information concerning a child who is a victim of pornography, a punishable offense. Possession of child pornography is already a punishable offense in most European countries and even in a neighboring country, Singapore. The United States and other countries have enacted similar bills as well.

The Philippines is now regarded as the second largest producer of child pornographic materials in the world. It is incumbent now on this Chamber to make our laws responsive to it, in order to curtail, if not totally eliminate, this multi-billion dollar industry.

There are activities that are beyond the criminal; let us not compound such crimes by keeping them beyond the scope of our statute books.

I appeal to our colleagues from the Majority and Minority to support this bill. The interests of young Filipinos have been well served by your unwavering support of this bill. Now that this bill is before this Chamber, I ask your support one more time, so that this bill may become law.

**SUSPENSION OF CONSIDERATION  
OF SENATE BILL NO. 2588**

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

**COAUTHOR**

Senator Madrigal manifested that Senator Revilla is coauthor of the bill.

**SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of <sup>AS</sup>

*ms*

Committee Report No. 275 on Senate Bill No. 2603 from the Calendar of Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 275  
ON SENATE BILL NO. 2603**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2603 (Committee Report No. 275), entitled

AN ACT ESTABLISHING THE AURORA SPECIAL ECONOMIC ZONE IN THE PROVINCE OF AURORA, CREATING FOR THE PURPOSE THE AURORA SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR, 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 Pangilinan, 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 Roxas for the sponsorship.

**SPONSORSHIP REMARKS  
OF SENATOR ROXAS**

In sponsoring Senate Bill No. 2603, Senator Roxas delivered the following speech:

I am honored to present before the Chamber Committee Report No. 275 on Senate Bill No. 2603.

Senate Bill No. 2603 proceeds from House Bill No. 5309, introduced by Rep. Sonny Angara, and the bill is entitled, "An Act Establishing the Aurora Special Economic Zone and Freeport in the Province of Aurora, Creating for the Purpose the Aurora Special Economic Zone and Freeport Authority, Appropriating Funds Therefor and for Other Purposes."

The Committees on Economic Affairs; and Trade and Commerce had several hearings on this measure and we are honored to present before this Body the committee report that contains the findings of the Committee with respect to this measure.

The intent of the bill is to induce economic development in underdeveloped parts of our country through the designation of special economic zones with free port status such that investors will be induced to conduct commerce and undertake investments in that part of the country. And so we ask our colleagues to look upon this matter favorably as this is part of an effort to develop further towards more prosperous economic condition in relatively underdeveloped parts of our country.

**COSPONSORSHIP SPEECH  
OF SENATOR ANGARA**

In cosponsoring Senate Bill No. 2603, Senator Angara delivered the following speech:

I am honored to join the Sponsor in presenting this measure. We believe that the establishment of an economic zone in that part of northeast Luzon will open up a vast area rich in natural resources, in minerals, fisheries and marine products, and forest products that are otherwise inaccessible, untapped and unexploited.

For instance, that area has about 300 kilometers of coastline where there is a Tuna Highway, where marine products are abundant. But the one benefiting mostly are the fishermen, or the fish boat owners of Taiwan, Korea and Japan. Why? Because it is undeveloped; we have not attracted industries to go there precisely because of lack of incentives. But once we open up this ecozone, I am quite positive that Southern Isabela, Quirino, Nueva Vizcaya, and Aurora will become a vast natural growth area and it will open up the area to the vast resources available in the region.

I second the motion of Senator Roxas in asking our colleagues to support this initiative.

**TERMINATION OF THE PERIOD  
OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, 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 Pangilinan, there being no objection, the Body closed the period of amendments.

AS

ps

**APPROVAL OF SENATE BILL NO. 2603  
ON SECOND READING**

Submitted to a vote and there being no objection, Senate Bill No. 2603 was approved on Second Reading.

**SUSPENSION OF CONSIDERATION  
OF SENATE BILL NO. 2603**

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

**SPECIAL ORDERS**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of the following bills from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 283 on House Bill No. 4924;
2. Committee Report No. 284 on House Bill No. 5657;
3. Committee Report No. 285 on House Bill No. 3730;
4. Committee Report No. 286 on House Bill No. 5434;
5. Committee Report No. 287 on House Bill No. 5660;
6. Committee Report No. 288 on House Bill No. 5339;
7. Committee Report No. 289 on House Bill No. 5340;
8. Committee Report No. 290 on House Bill No. 5330; and
9. Committee Report No. 291 on Senate Bill No. 2069.

**EDUCATION BILLS**

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the following bills were considered on Second Reading:

1. House Bill No. 4924 (Committee Report No. 283), entitled

AN ACT CHANGING THE NAME OF  
ODIONGAN ELEMENTARY SCHOOL

IN BARANGAY SAN JOSE, CITY OF  
TALISAY, PROVINCE OF NEGROS  
ORIENTAL TO EGMIDIO V. MANZO  
MEMORIAL ELEMENTARY SCHOOL;

2. House Bill No. 5657 (Committee Report No. 284), entitled

AN ACT RENAMING FLORIDA ELEM-  
ENTARY SCHOOL SITUATED IN  
BARANGAY FLORIDA, BUTUAN CITY,  
INTO MARIANA L. PINEDA MEMO-  
RIAL ELEMENTARY SCHOOL;

3. House Bill No. 3730 (Committee Report No. 285), entitled

AN ACT CHANGING THE NAME OF  
POTIA NATIONAL HIGH SCHOOL IN  
BARANGAY PINTO, MUNICIPALITY  
OF ALFONSO LISTA, PROVINCE OF  
IFUGAO TO PINTO NATIONAL HIGH  
SCHOOL;

4. House Bill No. 5434 (Committee Report No. 286), entitled

AN ACT CHANGING THE NAME OF  
SALVACION NATIONAL HIGH  
SCHOOL IN BARANGAY TALO-  
JONGON, MUNICIPALITY OF TIGAON,  
PROVINCE OF CAMARINES SUR, TO  
THE DR. RODOLFO V. PAMOR, JR.  
MEMORIAL NATIONAL HIGH  
SCHOOL;

5. House Bill No. 5660 (Committee Report No. 287), entitled

AN ACT CHANGING THE NAME OF THE  
BABATNGON NATIONAL HIGH  
SCHOOL IN THE MUNICIPALITY OF  
BABATNGON, PROVINCE OF LEYTE  
TO JUAN S. TISMO NATIONAL HIGH  
SCHOOL;

6. House Bill No. 5339 (Committee Report No. 288), entitled

AN ACT CHANGING THE NAME OF  
BANGUI SCHOOL OF FISHERIES IN  
THE MUNICIPALITY OF BANGUI,  
PROVINCE OF ILOCOS NORTE TO  
BANGUI INSTITUTE OF TECHNO-  
LOGY;

7. House Bill No. 5340 (Committee Report No. 289), entitled

AN ACT CHANGING THE NAME OF  
LASAM NATIONAL AGRICULTURAL  
SCHOOL IN THE MUNICIPALITY OF

1/8

LASAM, PROVINCE OF CAGAYAN TO  
LASAM INSTITUTE OF TECHNOLOGY;

8. House Bill No. 5330 (Committee Report No. 290), entitled

AN ACT RENAMING THE LEYTE STATE UNIVERSITY IN BARANGAY PANGASUGAN, MUNICIPALITY OF BAYBAY, PROVINCE OF LEYTE AS THE VISAYAS STATE UNIVERSITY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9158, ENTITLED AN ACT CONVERTING THE VISAYAS STATE COLLEGE OF AGRICULTURE INTO A STATE UNIVERSITY TO BE KNOWN AS THE LEYTE STATE UNIVERSITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES; and

9. Senate Bill No. 2069 (Committee Report No. 291), entitled

AN ACT RECOGNIZING SOUTHVILLE INTERNATIONAL SCHOOL AND COLLEGES AS AN EDUCATIONAL INSTITUTION OF INTERNATIONAL CHARACTER, GRANTING CERTAIN PREROGATIVES CONDUCIVE TO ITS GROWTH AS SUCH 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 Pangilinan, only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

#### **SPONSORSHIP SPEECHES OF SENATOR RECTO**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speeches of Senator Recto was considered read into the Record of the Senate.

*Following are the full texts of the speeches:*

*On House Bill Nos. 4923, 5657, 3730, 5434, 5660, 5339, 5340 and 5330*

These bills seek to change the names of several schools in the elementary, high school and college/university levels. Thus, these are in the nature of local bills.

These bills do not have appropriation provisions and would have no budgetary

impact on government coffers. Even House Bill No. 5330, which renames Leyte State University into Visayas State University does not have budgetary impact as we are not changing its status as a state university or elevating it to the status of a national university.

The new names for many of these schools honor the memory of their communities' favorite sons who have contributed positively in their localities and serve as role models for their youth. Considering the nature of these bills and having no budgetary impact to the government, I urge my colleagues for the immediate approval of these bills.

#### **On Senate Bill No. 2069**

This bill gives recognition to the Southville International School and Colleges (SISC) as an educational institution of international character. SISC was established primarily for students aspiring to have global education and offers elementary, secondary and tertiary education to local and foreign temporary students.

It is envisioned that with this recognition, SISC can increase access and linkages with foreign schools and improve its curriculum by expanding its major subjects to more than thirty percent of the courses. SISC can also send its students to foreign educational training programs through organizations such as the East Asia Regional Council of Overseas Schools (EARCOS). SISC shall be given a free hand over the standards for admission, academic calendar, curriculum offerings and academic programs.

Hence, approval of this bill is urgently requested.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation to any of the bills, upon motion of Senator Pangilinan, 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 to any of the bills, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of amendments. *AK* *17*



## APPROVAL OF EDUCATION BILLS ON SECOND READING

Submitted to a vote, there being no objection, House Bill Nos. 4923, 5657, 3730, 5434, 5660, 5339, 5340, 5330 and Senate Bill No. 2069 were approved on Second Reading.

## SUSPENSION OF CONSIDERATION OF HOUSE BILL NOS. 4923, 5657, 3730, 5434, 5660, 5339, 5340, 5330 AND SENATE BILL NO. 2069

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the bills.

## SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:21 a.m.*

## RESUMPTION OF SESSION

At 3:21 a.m., the session was resumed.

## SPECIAL ORDERS

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of the following bills from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 270 on Senate Bill No. 2598;
2. Committee Report No. 271 on Senate Bill No. 2599;
3. Committee Report No. 273 on Senate Bill No. 2601;
4. Committee Report No. 274 on Senate Bill No. 2602;
5. Committee Report No. 276 on Senate Bill No. 2604;
6. Committee Report No. 277 on Senate Bill No. 2605;
7. Committee Report No. 278 on Senate Bill No. 2606;

8. Committee Report No. 279 on Senate Bill No. 2607;
9. Committee Report No. 280 on Senate Bill No. 2608; and
10. Committee Report No. 281 on Senate Bill No. 2609.

## SPECIAL ECONOMIC ZONE BILLS

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the following bills were considered on Second Reading:

1. Senate Bill No. 2598 (Committee Report No. 270), entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE IN THE PROVINCE OF EASTERN SAMAR, CREATING FOR THE PURPOSE THE EASTERN SAMAR SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

2. Senate Bill No. 2599 (Committee Report No. 271), entitled

AN ACT ESTABLISHING THE CEBU SPECIAL ECONOMIC ZONE IN THE CITY AND PROVINCE OF CEBU, CREATING FOR THE PURPOSE THE CEBU SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

3. Senate Bill No. 2601 (Committee Report No. 273), entitled

AN ACT ESTABLISHING THE GENERAL SANTOS CITY SPECIAL ECONOMIC ZONE IN THE PROVINCE OF SOUTH COTABATO, CREATING FOR THE PURPOSE THE GENERAL SANTOS CITY SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

4. Senate Bill No. 2602 (Committee Report No. 274), entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE IN THE PROVINCE OF SURIGAO DEL SUR, CREATING FOR THE PURPOSE THE SURIGAO DEL SUR SPECIAL ECONOMIC ZONE

*AS jo*

AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

5. Senate Bill No. 2604 (Committee Report No. 276), entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE IN THE PROVINCE OF DAVAO ORIENTAL, CREATING FOR THE PURPOSE THE DAVAO ORIENTAL SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

6. Senate Bill No. 2605 (Committee Report No. 277), entitled

AN ACT ESTABLISHING THE SAMAL ISLAND SPECIAL ECONOMIC ZONE IN THE ISLAND GARDEN CITY OF SAMAL, PROVINCE OF DAVAO DEL NORTE, CREATING FOR THE PURPOSE THE SAMAL ISLAND SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

7. Senate Bill No. 2606 (Committee Report No. 278), entitled

AN ACT ESTABLISHING THE SOUTHERN PALAWAN SPECIAL ECONOMIC ZONE IN THE PROVINCE OF PALAWAN, CREATING FOR THE PURPOSE THE SOUTHERN PALAWAN SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

8. Senate Bill No. 2607 (Committee Report No. 279), entitled

AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE IN THE PROVINCE OF NORTHERN SAMAR, CREATING FOR THE PURPOSE THE NORTHERN SAMAR SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

9. Senate Bill No. 2608 (Committee Report No. 280), entitled

AN ACT ESTABLISHING THE BATAAN SPECIAL ECONOMIC ZONE IN THE PROVINCE OF BATAAN, CREATING FOR THE PURPOSE THE BATAAN

SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES; and

10. Senate Bill No. 2609 (Committee Report No. 281), entitled

AN ACT ESTABLISHING THE ILOCOS SUR SPECIAL ECONOMIC ZONE IN THE PROVINCE OF ILOCOS SUR, CREATING FOR THE PURPOSE THE ILOCOS SUR SPECIAL ECONOMIC ZONE AUTHORITY, APPROPRIATING FUNDS THEREFOR 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 Pangilinan, only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

The Chair recognized Senator Roxas for the sponsorship.

#### **SPONSORSHIP REMARK OF SENATOR ROXAS**

Senator Roxas stated that all the bills seek to create special economic zones in certain parts of the country to spur their development.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NOS. 2598, 2599, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608 AND 2609**

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the bills.

#### **SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 102 on Senate Bill No. 2464 from the Calendar for Ordinary Business to the Calendar for Special Orders.

#### **COMMITTEE REPORT NO. 102 ON SENATE BILL NO. 2464**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2464 (Committee Report No. 102), entitled

ms

**AN ACT PROVIDING PROTECTION FOR BUYERS OF MOTOR VEHICLES, ENFORCING SALES WARRANTIES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF 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 Pangilinan, 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 Roxas to sponsor the bill.

**SPONSORSHIP REMARKS OF SENATOR ROXAS**

Senator Roxas stated that the Committee on Trade and Commerce to which Senate Bill No. 755 of Senator Villar, Senate Bill No. 1812 and Proposed Senate Resolution No. 104 of Senator Pimentel, and Senate Bill No. 2445 of Senator Defensor Santiago were referred, after duly considering them, was submitting a substitute measure, Senate Bill No. 2464.

Senator Roxas stated that Senate Bill No. 2464 seeks to extend full protection to consumers against deceptive, unfair and inimical practices in the sale of motor vehicles. He expressed hope that the Body would consider the measure favorably.

In closing, he stated that he would submit a more extensive sponsorship speech for inclusion in the Record of the Senate.

*Following is the full text of the speech:*

**ANTI-LEMON CAR BILL**

As the Chair of your Committee on Trade and Commerce, it is the distinct honor and privilege of this Representation to sponsor, for the consideration of this very august Chamber, Senate Bill No. 2464, entitled: "AN ACT PROVIDING PROTECTION FOR BUYERS OF MOTOR VEHICLES, ENFORCING SALES WARRANTIES, IMPOSING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES."

Senate Bill No. 2464 seeks to promote full protection of the rights of consumers in the sale of motor vehicles against sales and trade practices which are deceptive, unfair or otherwise inimical to the consumers and the public interest.

This bill, recognizing that a motor vehicle is a major consumer investment, will define the rights of the buyer, including the means for redress for violations thereof.

The bill defines a "Lemon" as a motor vehicle which is unfit, unreliable, or unsafe for ordinary use or reasonable intended purposes. It provides for an 18-month Lemon Law Rights period for brand new cars.

The Lemon Law Rights period prescribes the time within which a consumer can report any nonconformity – or a failure to conform to a warranty, a defect – or a condition that significantly impairs the use, market value or safety of a motor vehicle. Within the said period, if the nonconformity was not repaired or corrected, the consumer has the right of 1) replacement of; or 2) return with refund of full purchase price.

During the Lemon Law Rights period, the measure presumes that a car is a lemon if the said car has been subject to repair three (3) or more times, yet the same nonconformity continues to exist (The nonconformity is a serious safety defect and has been subject to repair one or more times); or is out of service due to repair for a cumulative total of 30 calendar days.

The car manufacturers shall, however, be without any defense. They can raise that they cannot be held liable if the alleged nonconformity 1) does not make the vehicle a lemon, which renders it unfit, unreliable or unsafe for ordinary use or reasonable intended purposes; 2) is not a serious safety defect, or is not a life-threatening malfunction; or 3) is the result of (a) abuse, (b) neglect, or (c) unauthorized modification or alteration by the consumer.

As a protection to third parties, the bill requires a disclosure for resale lemon cars. The car manufacturer or distributor shall be required to disclose the information to the dealer prior to any sale, lease, or transfer and disclose the same to the LTO, who shall inscribe the CR with notation "Lemon Buyback."

Hopefully, with the passage of this proposed measure, this Congress would help in providing for an enduring solution to the predicament of the purchase of a lemon car. It is in this respect that your support for the passage for this measure will be sincerely appreciated.

**TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, there being no objection, the

ms

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 Pangilinan, there being no objection, the Body closed the period of amendments.

#### **APPROVAL OF SENATE BILL NO. 2464 ON SECOND READING**

Submitted to a vote and there being no objection, Senate Bill No. 2464 was approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2464**

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

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:29 a.m.*

#### **RESUMPTION OF SESSION**

At 3:29 a.m., the session was resumed.

#### **SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 282 on Senate Bill No. 2610 from the Calendar for Ordinary Business to the Calendar for Special Orders.

#### **COMMITTEE REPORT NO. 282 ON SENATE BILL NO. 2610**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2610 (Committee Report No. 282), entitled

AN ACT STRENGTHENING THE  
POLITICAL PARTY SYSTEM,

#### **APPROPRIATING FUNDS THEREFOR 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 Pangilinan, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

#### **SPONSORSHIP SPEECH OF SENATOR GORDON**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of Senator Gordon was considered read into the Record.

*Following is the full text of the speech:*

It is the distinct honor of this Representation and the members of the Committees on Constitutional Amendments, Revision of Codes and Laws; Ways and Means; and Finance, to submit for the consideration of this Chamber Senate Bill No. 2610 under Committee Report No. 282, entitled "AN ACT STRENGTHENING THE POLITICAL PARTY SYSTEM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES."

This bill seeks to restore the country's political backbone, eliminate political opportunism and establish a political party system that is program- and platform-based, instead of one that is driven by personality and patronage. It further seeks to institutionalize and strengthen political parties as vital pillars of the country's democratic system. Towards this end, this bill will institute reforms in campaign financing through effective and transparent mechanisms designed to level the playing field among all candidates and political parties during elections, and reduce opportunities for graft and corruption. It shall also uphold party loyalty and adherence to the party's ideological principles, platforms and programs in order to strengthen the political party system, as well as institute measures to professionalize political parties, and make them viable instruments of development and good governance.

#### ***Background***

Political parties play a vital role in the country's quest for political and economic development. If we are to harness the benefits of an economy that has awakened from slumber due to the combined efforts of our people, specially our Overseas Filipino Workers, the

ASG  
PB

Congress, through the passage of the VAT Law, and the Executive, through fiscal discipline, we must effect true political reform.

Our history tells us that political parties in the Philippines are used only as political vehicles to win an election. Hence, most political aspirants change political parties to purposes of convenience, rather than conviction. This situation illustrates the lack of ideological commitment of the members of the party because they choose parties based on the rise and fall of the tide of opportunity. This lack of an ideological base thereby encourages *turncoatism*, which distorts the values of honor, commitment and dignity among the country's leaders.

Our political party system is likewise confined to personalities rather than issues; and political platforms and the myriad attempts to reform the nature of political parties in the country have failed due to an absence of a legal institutional framework to govern its conduct.

Hence, the Political Party Development Act should be enacted to strengthen and develop our political parties as a means for affecting true political reform.

#### *Salient features*

The salient features of this bill are as follows:

**First**, a political party must adopt a clear policy agenda and program of governance and be transparent in its use of funds.

With regard to nominating candidates for office, the vetting of prospective candidates must be undertaken through a merit system of nomination, and the party may only sponsor one candidate per position. A candidate may not accept nomination from more than one political party. Political parties must also submit to the Comelec the officer authorized to nominate its official candidates.

**Second**, a State Subsidy Fund shall be established for two major purposes: first, campaign expenditures and second, program operations/party development. The amount of P350 million shall be appropriated every year from the General Appropriations Act for this fund.

The criteria that will be used to determine the eligibility of a political party to apply for subsidy from this fund shall include its political representation, organizational strength and mobilization capability, performance and track record, and its capability to implement development programs.

The State Subsidy Fund shall be appropriated as follows:

- 5% to Comelec for monitoring purposes, information dissemination and voter's education;
- 45% proportionately and ratably distributed to accredited national political parties represented in the Senate based on a number of seats obtained in the most recent general elections;
- 50% proportionately and ratably distributed to accredited national political parties represented in the House of Representatives based on a number of seats obtained in the most recent general elections.

The financial reports of the accredited national political parties shall be subject to audit by the Commission on Audit, to ensure the proper use of this fund.

**Third**, with regard to campaign contributions, all monetary contributions must be disclosed.

**Fourth**, this proposed legislative measure also takes a hard-line stance against *political turncoatism*, which is changing of political party affiliation after being nominated on the ticket of that party, by punishing political turncoatism with:

1. Forfeiture of office;
2. Disqualification from *running for office* in the next succeeding election immediately following the act of changing political affiliation;
3. Prohibition from being *appointed* or from *holding* any position in any public or government office for three years after the expiration of his current term;
4. Prohibition from assuming any executive or administrative position in his new political party; and
5. Refund of all amounts he/she received from his/her political party, plus a 25% surcharge.

Political turncoatism includes political or any act of a party member constituting disloyalty to the party, or regular nonadherence to the party's ideological principles, platforms, and programs, as determined by the party in accordance with its constitution and by-laws.

Through the salient features, this proposed legislation seeks to alter the norm of political

ms

butterflies and opportunism, and imbue our political parties with a sense of loyalty and a commitment to party ideology and platform. It seeks to elevate the quality of candidates available to our people in the hope of elevating the quality of leadership in this country, which are pre-requisite to restoring the credibility of the government among our own people and the international community. Only through the restoration of our credibility can we truly once again gain our never-ending quest for development and prosperity for our people.

With the foregoing explanations, coupled with the urgency of this cause, the approval of this bill is earnestly sought.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2610**

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

#### **CONFERENCE COMMITTEE REPORT ON THE SENATE BILL NO. 2532 AND HOUSE BILL NO. 4862**

Upon motion Senator Pangilinan, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2532 and House Bill No. 4862, both entitled

AN ACT DECLARING THE BUHISAN WATERSHED FOREST RESERVE, THE MANANGA WATERSHED FOREST RESERVE, THE SUDLON NATIONAL PARK, THE CENTRAL CEBU NATIONAL PARK AND THE KOTKOT-LUSARAN WATERSHED FOREST RESERVE IN THE PROVINCE OF CEBU INTO ONE PROTECTED AREA TO BE KNOWN AS THE CENTRAL CEBU PROTECTED LANDSCAPE AND FOR OTHER PURPOSES.

The Chair recognized Senator Cayetano to sponsor the report.

#### **SUSPENSION OF THE RULES**

Upon motion of Senator Cayetano, there being no objection, the Body suspended the Rules to

allow her to summarize the joint explanation of the Conference Committee.

#### **SPONSORSHIP REMARKS OF SENATOR CAYETANO**

In her presentation of the report, Senator Cayetano made the following remarks:

The conference committee on the disagreeing provisions of Senate Bill No. 2532 and House Bill No. 4862, after having met and fully discussed the subject matter in a conference, hereby report to their respective Houses that the Senate version was adopted as the working draft of the bicameral conference and, substantially, most of the provisions of the Senate version were adopted. Certain amendments were made on the technical description, specifically involving the exclusion of certain areas and including them as buffer zones. Certain provisions were also changed in Section 4, which is the *Definition of Terms*, to reconcile with the definition of terms in the NIPAS implementing rules and regulations. Certain subsections that were not necessary were also deleted.

Also, on the provisions regarding membership in the CCPL, PAMB specifically, it was added that there would be two representatives of the local POs and, at least, three representatives of the local NGOs.

Furthermore, there was a specific provision amending Section 12 on the *Utilization of Resources*, and there was also an amendment on Section 14 on the *provisions on Prohibited Acts and Penalties* and this was done in order to strengthen said penalties.

Finally, there was amendment on the transitory provisions just to specify that all existing land use and permits within the CCPL shall be reviewed and shall not be renewed upon their expiration unless consistent with the management plan and approved by the PAMB.

*At this juncture, the Senate President Pro Tempore relinquished the Chair to Senate President Villar.*

#### **INSERTION OF THE CONFERENCE COMMITTEE REPORT INTO THE RECORD OF THE SENATE**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the insertion of the full text of the Conference Committee Report into the Record of the Senate. *AS*

*PS*

## APPROVAL OF THE CONFERENCE COMMITTEE REPORT

Upon motion of Senator Pangilinan, there being no objection, the Body approved the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2532 and House Bill No. 4862.

### SENATE CONFEREES

Upon motion of Senator Pangilinan, there being no objection, the Chair designated Senators Gordon, Enrile, Cayetano, on the part of the Majority, and Senators Ejercito Estrada (J) and Lim, on the part of Minority, as Members of Senate panel in the Conference Committee on the disagreeing provision of Senate Bill No. 2138 (tourism bill) and its House counterpart measure.

### SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 264 on House Bill No. 1352 from the Calendar for Ordinary Business to the Calendar for Special Orders.

### COMMITTEE REPORT NO. 268 ON HOUSE BILL NO. 1352

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, House Bill No. 1352 (Committee Report No. 268), entitled

AN ACT INCREASING THE BED  
CAPACITY OF THE AMANG  
RODRIGUEZ MEMORIAL MEDICAL  
CENTER FROM 150 TO 300 BEDS  
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 Pangilinan, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

### SPONSORSHIP SPEECH OF SENATOR CAYETANO

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of

Senator Cayetano was considered read into the Record of the Senate.

*Following is the full text of the speech:*

### UPGRADING AMANG RODRIGUEZ MEMORIAL MEDICAL CENTER IN MARIKINA

I rise to sponsor House Bill No. 1352 that would increase the bed capacity of the Amang Rodriguez Memorial Medical Center in Marikina City from 150 to 300 to boost its delivery of health services for the benefit of the poor and marginalized in that city and adjacent towns.

It has been 12 years since Congress enacted RA 8019 in 1995 upgrading the then Eulogio Rodriguez Memorial Hospital into a national medical center, now known as the Amang Rodriguez Memorial Medical Center (ARMMC). The attendant increase of the ARMMC's bed capacity to 150 enabled the hospital to improve medical services for a client base of mostly underprivileged, non-paying patients from Marikina City, as well as the catchment populations of Antipolo, Cainta, San Mateo, Taytay and Rodriguez and parts of Pasig City, Pateros and Quezon City.

However, the present authorized bed capacity of 150 is much below the actual needs of the hospital and its expanding patient base. From 1998 to 2002 alone, the ARMMC consistently notched a high occupancy/utilization rate averaging 160.85 percent. The result is a highly disproportionate patient-staff ratio of 45:1 that is way beyond the ideal 10:1. By 2003, the hospital's patient base in both primary and secondary catchment areas was gauged at nearly 4.7 million – more than double the 1.74 million projected by NEDA for 1997. The latter figure was used by the DOH in its previous favorable endorsement to increase the ARMMC bed capacity.

The ARMMC is more than physically ready to absorb a higher-bed capacity. Among the DOH-retained hospitals, the ARMMC is the only recipient of about P189.75 million worth of state-of-the-art equipment from the French government under the 1995 RP-France Financial Protocol. The hospital has been undergoing continuing infrastructure improvement which includes a three-storey structure. The ARMMC already has accredited Residency Training Programs for critical medical specialties and sub-specialties in surgery, internal medicine, obstetrics and gynecology, pediatrics, anesthesiology and ophthalmology. Plans are afoot to

170

accredit additional departments such as ENT, pathology and laboratory and radiology that in turn will further boost ARMMC status as a teaching and training hospital.

The order of the day now is to raise the ARMMC bed capacity to 300 with the necessary financial support and staff complement so that patients will no longer have to transfer to other hospitals for more specialized examination and treatment. This is the dream of Marikina City, according to the bill's original author, Representative Del de Guzman. They want a more responsive health institution that will meet the pressing medical needs of their poor constituents and the marginalized from adjacent areas as well.

*Let us help the citizens of Marikina realize that dream. Let's say YES to House Bill No. 1352.*

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, 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 Pangilinan, there being no objection, the Body closed the period of amendments.

#### **APPROVAL OF HOUSE BILL NO. 1352 ON SECOND READING**

Submitted to a vote and there being no objection, House Bill No. 1352 was approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 1352**

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

#### **SPECIAL ORDER**

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

Committee Report No. 272 on Senate Bill No. 2600 from the Calendar for Ordinary Business to the Calendar for Special Orders.

#### **COMMITTEE REPORT NO. 272 ON SENATE BILL NO. 2600**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2600 (Committee Report No. 272), entitled

AN ACT PROVIDING FOR THE IMPLEMENTATION OF THE PROVISIONS OF THE 1992 INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR OIL POLLUTION DAMAGE AND THE 1992 INTERNATIONAL CONVENTION ON THE ESTABLISHMENT OF AN INTERNATIONAL FUND FOR COMPENSATION FOR OIL POLLUTION DAMAGE, PROVIDING PENALTIES FOR VIOLATIONS THEREOF 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 Pangilinan, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

#### **SPONSORSHIP SPEECH OF SENATOR CAYETANO**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of Senator Cayetano was considered read into the Record of the Senate.

*Following is the full text of the speech:*

It has been five months since M/T Solar I, which was transporting about 2.1 million liters of bunker fuel for Petron from Bataan to Zamboanga, sank in rough weather off the coast of Guimaras and spilled over 300,000 liters. To date, the tanker remains buried in the southern waters of the island, still with an estimated 1.9 million liters of oil in its holds, slowly leaking out black devastation.

That incident of August 11, 2006, has since been crowded out from the headlines by other calamities no less destructive. But there is no



forgetting what is now considered the worst oil spill in Philippine history – the second in just eight months after a barge of Napocor ran aground off Semirara island in Antique in December 2005, spilling 364,000 liters of fuel and ruining vast stretches of the coast of the province.

Today, I rise to sponsor Senate Bill No. 2600 entitled the *Oil Pollution Compensation Act*. Senate Bill No. 2600, under Committee Report No. 272, consolidates six bills filed in the Senate and consolidated House Bill No. 4363.

The bill institutes a mechanism for the prevention, abatement, mitigation and control of oil pollution within the territorial boundaries of the Philippines. In short, the bill lays down tougher rules to make polluters pay – and make them pay heavily – so that they will be more conscious of the need to protect the environment.

#### *Protecting our diverse coastal zone*

One of the world's largest archipelagos, the Philippines stretches 2,000 kilometers from north to south, consisting of 7,107 islands and more than 3,218 kilometers of waterways traversed everyday by vessels of every size and make. We are reputed to be the third country with the longest combined coastline after Canada and Indonesia, totaling 36,289 kilometers or almost twice that of the United States.

The bodies of water that separate our islands also bring us together in many ways. We are a coastal state with 64 of our 79 provinces or 81% located along the coasts. We have a great interest in preserving, protecting and reaping the many economic, employment and biodiversity values and services of our rich coastal and marine resources.

Our diverse coastal zone – the interface where the land meets the ocean – consists of a variety of tropical ecosystems, including sandy beaches, rocky headlands, sand dunes, coral reefs, mangroves, seagrass beds, wetlands, estuaries and lagoons. Our coastal waters contain some of the world's most diverse ecosystems considered as the center of marine biodiversity in the world. Our coastal areas provide a continuous supply of goods – fish, oil, gas, minerals, salt and construction materials – and services such as shoreline protection, sustaining biodiversity, maintaining water quality, transportation, tourism and recreation. The various ecosystems are interconnected, making it virtually impossible to alter one feature of the coastal zone without affecting another, either directly or indirectly.

However, the present status of coastal ecosystems in the Philippines is a cause for alarm. According to a World Bank report, a big portion of Philippine coral reefs, mangrove forests and seagrass beds have either been lost or severely degraded, and the rate of degradation is increasing. The massive oil spill at Guimaras further raises the alarm for the country's already beleaguered coastal and marine ecosystem.

Famous for its signature crop, the mango, as well as long stretches of white-sand beaches, remarkable dive spots and rich fishing grounds, Guimaras was dubbed "The Island to Watch." Its verdant resources brought the best of Guimaras, and took it out of the list of 20 poorest provinces in the Philippines. But now, the island is more like a death watch. A thick black slime has contaminated more than 200 kilometers of coastline, destroyed 454 hectares of mangrove swamps, and 58 hectares of seaweed plantations, as well as fishponds, beach resorts and popular dive spots.

Environmentalists and scientists say that the full impact of the damage may be felt by at least two generations. At least 52 of the 98 villages of Guimaras and around half of its population of 151,194 have been affected, especially thousands of residents who rely mainly on fishing. In our committee hearings, researchers from Silliman University reported that the environmental havoc would mean an estimated potential annual loss of P32.8 million from fish products owing to damaged man-groves, wood products and seagrass-based fishery products. The island's tourism industry, a big income-earner, also suffered after bookings were cancelled.

Health problems pose another threat. Hundreds of Guimaras residents were evacuated at the height of the contamination after health officers quarantined a 100-meter radius from the shoreline of affected villages when tests showed a very high level of toxicity in these areas. Many residents, especially children, complained of respiratory illnesses and skin irritation. The disaster also contaminated coastal villages in neighboring Iloilo island and Negros Occidental.

The damage to the environment also goes beyond the kilometer upon kilometer of shoreline smothered with black sludge. The spill has also killed wildlife like birds, turtles and sea snakes. It now threatens *dugongs*, dolphins, blue crabs, giant clams and other life forms in the Guimaras Strait and Visayan Sea.

#### *No response strategy for oil spills*

Today, after testing the people's resilience and faith to surmount great challenges, Guimaras *AK*

*js*

is slowly getting up on its feet. The clean-up continues, even as the carcass of M/T Solar I continues to spit out black sludge from its watery grave at 100 to 200 liters per hour or more than 3,600 liters per day. At the close of 2006, some affected residents in the midst of much controversy have reportedly received compensation for economic losses from the International Oil Pollution Compensation Fund ranging from P4,800 to P32,000.

Criminal and administrative charges have been filed against Petron Corporation, the country's largest oil refiner, and the owners of M/T Solar I for the oil spill. The question is: to what extent and how long will the clean-up continue? How can we compel those responsible to continue footing the bill? Based on the cost to clean up the Exxon Valdez oil spill, the world's biggest oil spill, which is at \$351 (P17,199) a gallon, and at the smallest cost of clean-up at North Cape Moonstone which is at \$8 (P392) a gallon, it will take between \$175.5 million (P8.4 billion) to \$4 million (P196 million) to clean up Guimaras.

The Guimaras disaster dramatizes the lack of a proper response strategy to oil spills and the failure to make oil companies, shipowners and operators responsible and liable for their misdeeds. The country's capability to handle oil spills is sorely wanting in terms of the necessary equipment to contain, clean up or remove spilled oil. More alarmingly, it is wanting in terms of laws, rules or regulations that make the polluter or "oil-spiller" responsible and liable for the clean-up operation at their own expense, and not at the expense of the government or a government instrumentality like the Philippine Coast Guard.

The Philippines is tagged as one of the countries with the highest incidence of oil spills. Over the years, the dangers are heightened by the unprecedented increase in the number and size of oil tankers traversing waters within Philippine territorial jurisdiction. With one of the longest discontinuous coastline in the world, how does the Philippines ensure its marine environment and the living organisms which this support are continually protected from accidents waiting to happen?

In 1997, the Philippine Senate ratified the International Convention on Civil Liability for Oil Pollution Damage and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage which were adopted in Brussels on November 29, 1969 and in London on November 27, 1992, respectively. While these two international conventions provide a system of compensation

for oil pollution damage and for the cost of recovery measures, whenever taken, to prevent or minimize such damage, implementing legislation, however, has yet to be enacted by Congress pursuant to the two conventions.

This is the rationale of Senate Bill No. 2600, the Oil Pollution Compensation Act.

#### *Main features of Senate Bill No. 2600*

The State, in the protection of its marine wealth in its archipelagic waters, territorial sea and exclusive economic zone, adopts internationally accepted measures which impose strict liability for oil pollution damage and ensure prompt and adequate compensation for persons who suffer such damage. Senate Bill No. 2600 enacts the implementing legislation to fully comply with our obligations to the 1969 Civil Liability Convention and the 1992 Fund Convention.

In doing so, Senate Bill No. 2600 buttresses relevant provisions of the Constitution to secure the right of the people to a balanced and healthful ecology (*Sec. 16, Art. XI*), to protect the nation's marine wealth in its archipelagic waters, territorial seas and exclusive economic zone (*Sec. 2, Art. XIII*), and to protect the rights of subsistence fishermen, especially of local communities, to preferential use of communal marine and fishing resources, both inland and offshore (*Sec. 7, Art. XIII*).

Now let us go to the main features of Senate Bill No. 2600. What are these?

**One**, liability shall be imposed on the owners of ships involved in oil pollution, based on the vessel's tonnage. Such damage shall include expenses incurred in clean-up operations at sea or on shore, damage to human health or loss of life as well as environmental restoration (*Secs. 6, 9, 10*).

**Two**, a Fund to cover incidents causing oil pollution damage shall be constituted by owners of ships registered in the Philippines representing the limit of their liability with the Maritime Industry Authority (MARINA) (*Sec. 11*).

**Three**, an Oil Pollution Management Fund (OPMF) shall also be created to be administered by the Philippine Coast Guard, comprised of fines imposed pursuant to this Act as well as from grants, donations, endowments and specific allotments under the annual General Appropriations Act. At least 90% of the OPMF shall be

maintained annually for the Coast Guard's containment and clean-up operations, the rest allocated for research, enforcement and monitoring activities (*Sec. 22*).

*Four*, any person who has received more than 150,000 tons of contributing oil in a calendar year through carriage by sea shall report this and pay contributions to the International Oil Pollution Compensation or IOPC Fund in accordance with the provisions of the 1992 Fund Convention (*Sec. 15-16*).

*Five*, all owners of ships, whether registered in the Philippines or not, shall be required annually to maintain insurance or financial security for oil pollution damage, which shall be attested by a certificate in the form established by the 1969 Civil Liability Convention (*Secs. 12-14*).

*Six*, an action for compensation on account of pollution damage may be brought before the Regional Trial Court against the shipowner, insurer or other persons providing financial security. The IOPC Fund may intervene as a party to any legal proceedings in this regard under Article 9 of the 1992 Civil Liability Convention (*Secs. 17-19*).

*Seven*, noncompliance with the provisions of the Act shall be penalized, the corresponding fines depending on gross tonnage of the ship. Violations include failure to maintain insurance or other financial security, failure to contribute to the International Oil Pollution Compensation Act and non-submission of the report of contributing oil (*Sec. 20*).

*Eight*, actions for compensation arising from oil pollution incidents shall be brought before the Regional Trial Courts (RTCs) which shall adjudicate and settle such actions and claims for compensation (*Secs. 17-18*).

In sum, Senate Bill No. 2600 provides a program to indemnify victims of Oil Pollution Damage and the institutional mechanism to process such claims. We hope that the bill will provide the means for just compensation for economic and environmental losses instead of the present "pittance" in payments that affected residents at Guimaras and Church groups complain is "disadvantageous to claimants."

Senate Bill No. 2600 will not solve all our pollution problems. But it is an important part of a package of reforms.

The responsible management of the country's coastal and marine resources is a

continuous battle. The millions of tons of oil that quietly end up in our waters every year, both from accidental and occupational oil pollution, the immense growth in maritime transport of oil and the size of tankers, the increasing amount of chemicals being carried by sea and the mounting concern to conserve the unique biodiversity of our magnificent ecosystems – all these taken together – explain the rationale of Senate Bill No. 2600 and the urgency of its immediate approval.

As legislators, we, along with the entire government, are tasked by the fundamental law of the land to be the guardian and custodian of our country's natural resources. Shall we wait for another Guimaras, another Semirara to happen? How long can our ecosystem withstand the damage?

Time is running out on us. Yesterday was the time for action.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, 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 Pangilinan, there being no objection, the Body closed the period of amendments.

#### **APPROVAL OF SENATE BILL NO. 2600 ON SECOND READING**

Submitted to a vote and there being no objection, Senate Bill No. 2600 was approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2600**

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

#### **SPECIAL ORDER**

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

Committee Report No. 302 on House Bill No. 68 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 302  
ON HOUSE BILL NO. 68**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, House Bill No. 68 (Committee Report No. 302), entitled

**AN ACT PROHIBITING THE DETENTION OF PATIENTS IN HOSPITALS AND MEDICAL CLINICS ON GROUNDS OF NONPAYMENT OF HOSPITAL BILLS OR MEDICAL EXPENSES.**

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

**SPONSORSHIP SPEECH  
OF SENATOR CAYETANO**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of Senator Cayetano was considered read into the Record of the Senate.

*Following is the full text of the speech:*

**PROHIBIT THE DETENTION OF PATIENTS FOR NONPAYMENT OF MEDICAL BILLS**

I seek the urgent passage of Committee Report No. 302 on House Bill No. 68 proposing a law prohibiting the detention of patients in hospitals and medical clinics because of nonpayment of their hospital bills or medical expenses and imposing a penal sanction for violation of any of its provisions.

It has been a common practice now for hospitals to prevent the release of patients unless they fully or partially pay their hospital bills. While the collection of hospital bills is a legitimate concern on the part of the hospital management, the practice simply compounds the problem because the patient's extended stay causes his hospital bills to grow even higher.

Unchecked and continuously tolerated, the practice is moreover legally and morally wrong because it ultimately denies the right of people to decent, humane and quality health care that any medical institution and medical professional should provide in accordance with their own sacred Hippocratic Oath. The practice is also tantamount to a violation of the constitutional proscription against imprisonment for nonpayment of debt. It is a simple case of detention, which is an act against the will of the patients constituting deprivation of liberty without legal cause.

The right to health is an elemental part of the right to life. The practice of detaining patients who cannot pay their bills ultimately prevents and denies the sick from getting the medical treatment they require and which only medical institutions can provide simply because the sick person does not have enough money for this. It is a sick society that turns away the sick from its hospital doors and, worse, causes more affliction to the sick when it locks them behind the very hospital doors that had ministered to them simply because they cannot pay up for the cost of their treatment.

This is the underlying rationale of Committee Report No. 302 that will mostly benefit the underprivileged and low-income sectors. It recommends the approval of House Bill No. 68, principally authored by Rep. Raul de Mar, and Senate Bill Nos. 337, 607, 1373 and 2454, respectively introduced by Senators Sergio Osmeña, Manny Villar, Ralph Recto and Alfredo Lim, which all address this problem.

The proposed law shall make it unlawful for any hospital or medical clinic in the country to detain, directly or indirectly, patients who have fully or partially recovered or who may have died, for reasons of nonpayment, in part or in full, of their hospital bills or medical expenses (*Section 1*).

Patients who have fully or partially recovered and who already wish to leave the hospital but are financially incapable to settle, in part or in full, their hospitalization expenses, including professional fees and medicines, shall be allowed to leave upon the execution of a promissory note covering the unpaid obligation. The promissory note shall be secured by either a mortgage or by a guarantee of a co-maker, who will be jointly and severally liable with the patient for the unpaid obligation. However, patients who stay in private rooms are not covered (*Section 2*). *HC*

*MS*

Hospitals or clinics that refuse to release patients shall be punished by a fine between P20,000 and P50,000 or imprisonment of not less than one month but not more than six months, or both, at the discretion of the proper court (*Section 3*).

The DOH, together with public and private organizations involved in health care delivery services and people's organizations concerned, shall promulgate the necessary rules and regulations, including the sources of funds, for the effective implementation of this legislation.

The proposed law seeks to strike a compromise acceptable to both medical institutions, on one hand, and financially distressed patients, on the other hand. While the rights of hospital owners and medical practitioners must be respected, there must be a better and more humane way of treating patients who already wish to leave the hospital were it not for their unpaid bills.

Before we adjourn, I ask for the approval of House Bill No. 68 without amendments, taking into consideration the four aforementioned Senate bills. Let us act as one in upholding the basic right of the people to proper and appropriate medical care and humane treatment. Let *no* hospital door be closed to any person, and let *no* hospital door lock in any person simply because they cannot pay their bills.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, 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 Pangilinan, there being no objection, the Body closed the period of amendments.

#### **APPROVAL OF HOUSE BILL NO. 68 ON SECOND READING**

Submitted to a vote and there being no objection, House Bill No. 68 was approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 68**

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

#### **SPECIAL ORDERS**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of the following committee reports from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 260 on House Bill No. 4458; and
2. Committee Report No. 262 on House Bill No. 642.

#### **PUBLIC WORKS BILLS**

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the following bills were considered on Second Reading.

1. House Bill No. 4458 (Committee Report No. 260), entitled:

AN ACT RENAMING THE OZAMIZ CITY BY-PASS ROAD LOCATED IN OZAMIZ CITY AS CONGRESSMAN HILARION J. RAMIRO BY-PASS ROAD; and

2. House Bill No. 642 (Committee Report No. 262), entitled:

AN ACT RENAMING THE BACOLOD-MURCIA-SAN CARLOS ROAD (BACOLOD SECTION) IN THE CITY OF BACOLOD TO ROMEO G. GUANZON AVENUE

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Pangilinan, only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

#### **SPONSORSHIP SPEECH OF SENATOR REVILLA**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of <sup>the</sup>

PS

Senator Revilla was considered read into the Record of the Senate.

*Following is the full text of the speech:*

As Chairman of the Committee on Public Works, I stand before you today to sponsor an additional two committee reports on the renaming of the following roads:

1. House Bill No. 4458, under Committee Report No. 260, which seeks to rename the Ozamiz City by-pass road located in Ozamiz City as the Congressman Hilarion J. Ramiro By-pass Road.

Congressman Ramiro is a doctor by profession and he reached the peak of his career when he was appointed as Secretary of the Department of Health. He served as a member of the House of Representatives in the 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> Congress representing the legislative district of Ozamiz City.

He authored several bills that sought to address health issues as well as promote the welfare of our health workers. A number of these bills, principally penned by the honorable congressman, were enacted into law. Foremost of these are the Magna Carta for Public Health Workers; Republic Act No. 7719 or the National Blood Services Act of 1994; Republic Act 7875 which created the Philippine Health Insurance Corporation; Republic Act No. 7883 or the Barangay Health Workers Benefits and Incentives Acts of 1995; and Republic Act No. 7885 or An Act to Advance the Corneal Transplantation in the Philippines.

Hilarion Ramiro was also an awardee of the Ten Outstanding Young Men for Community Health aside from being the recipient of various awards and nominations for outstanding community service. Renaming a road after him would definitely provide due recognition and appreciation of his service to the people of Ozamiz whom he represented in the Congress of the Philippines.

2. House Bill No. 642, under Committee Report No. 262, which seeks to rename the Bacolod-Murcia-San Carlos Road (Bacolod Section) in the City of Bacolod to Romeo G. Guanzon Avenue.

Romeo Guanzon was a former mayor of the City of Bacolod and for seven years he was able to steer the city into a dynamic and prosperous community. He then ran and won as a representative of the lone district of Bacolod

and subsequently served as its representative for three (3) successive terms, from the 8<sup>th</sup> to the 10<sup>th</sup> Congress. He is a patron of sports, specifically amateur and professional boxing, and supported a lot of national athletes in their education, training and allowances, and put up facilities for the purpose. He supported budding athletes who later became sports heroes representing the country in different sports event and competitions.

Unfortunately, however, the National Historical Institute (NHI) poses objection to the renaming of the street in his name. However, your Committee deemed it proper and important to make exception this time despite the non-compliance with the required ten-year period before a road, street, avenue or boulevard may be named after a deceased public figure. The date of his death may fall short of the ten-year period required by the NHI, but former Congressman and Mayor Guanzon created a significant impact on the lives of the people in Bacolod City, qualifying him the due recognition and acknowledgement he deserves.

Recently, I have sponsored a total of nine bills of the same nature. I call on my fellow senators to give the same support to these bills.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, 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 Pangilinan, there being no objection, the Body closed the period of amendments.

#### **APPROVAL OF HOUSE BILL NOS. 4458 AND 642 ON SECOND READING**

Submitted to a vote, there being no objection, House Bill Nos. 4458 and 642 were approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF HOUSE BILL NOS. 4458 AND 642**

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the bills. *ps*

## SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:42 a.m.*

## RESUMPTION OF SESSION

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

## SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 298 on House Bill No. 4081 from the Calendar for Ordinary Business to the Calendar for Special Orders.

### COMMITTEE REPORT NO. 298 ON HOUSE BILL NO. 4081

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, House Bill No. 4081 (Committee Report No. 298), entitled

#### AN ACT TO SPUR THE PLANTING OF BILLION TREES 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 Pangilinan, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

### SPONSORSHIP SPEECH OF SENATOR CAYETANO

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of Senator Cayetano was considered read into the Record of the Senate.

*Following is the full text of the speech:*

#### ONE BILLION TREES FOR THE FUTURE

"It takes a whole country to raise a child," it is said. And let us add, "it takes as well a whole country to plant a tree everywhere and plant a legacy."

I rise to sponsor the Billion Trees Act under House Bill No. 481, which has long passed Third Reading in the Lower House and awaits our final approval in the Senate. A declared priority measure of Congress, the Billion Trees Act aims to abate the complete annihilation of our forests. It proposes a five-year period devoted to the planting of a billion trees in at least one million hectares of open and denuded public forestlands, private lands, idle portions of alienable and disposable lands as well as denuded military reservation areas.

Originally introduced by House Speaker Jose de Venecia, House Bill No. 481 is a multi-partisan initiative that aims to catalyze the partnership of various sectors in restoring and saving our forests. It seeks to complement the national thrust for sustainable forest development and management which hinges on reforestation as a priority measure and the protection of forestlands and natural resources.

#### *Where have all the forests gone?*

Indeed, at no time do we feel the urgency to nurture again what "nature once so bountifully supplied and which man has so thoughtlessly destroyed." What are the facts about the sad state of our forests today, and how do these impact on our daily lives that should now spur us to go into action and plant a billion trees?

In 1900, the forest cover of the Philippines was estimated at 21 million hectares, or 70% of the total land area. Less than a century later, by 1988, our natural forests whittled down to 6 million hectares, with Luzon having 49.49%, Visayas 10.08%, and Mindanao 40.43% (NAMRIA 1988). By the 1990s, a decade later, the once lush forest cover was further reduced to a measly 800,000 hectares, or 18% of the country's total land area. Most of the remaining natural forests are now small and fragmented.

It is estimated that each year, about 100,000 hectares of natural forests are denuded. At the rate we are losing our forest cover, we will have no forest left standing in 10 years time. In the process, we shall lose too one of the world's richest collections of plant and animal species endemic only to our country and that have gifted us with an extraordinary biological diversity far greater in measure than the biologically richest countries in Europe combined.

Already, Philippine forest cover ranks as one of the 11 poorest among 89 countries in the tropics with a per capita forest cover of only about 0.085 hectare. The dipterocarp forests

170

that have been the world's primary source of the hardy Philippine mahogany are fast disappearing. At least 19 of the country's 59 major watershed areas are considered critically denuded.

What has been the direct consequence of rampant deforestation which principally results from widespread logging, forest conversion and mining activities?

It is not only the mighty Philippine eagle or the noble *tamaraw* which, along with other animal and plant species, have become most threatened to the verge of extinction. The critical loss of appropriate forest protection cover has taken a serious toll on agriculture and the economy, and, of course, the human community. Deforestation has contributed to the rapid disappearance of fragile topsoil, the country's primary resource in agriculture. It has reduced the irrigation potential of watershed areas. It has disturbed the water cycle and built-in ecosystem, causing flashfloods, heavy siltation, frequent drought and unquantifiable loss of lives, property and even steady sources of energy supply.

Our forests have long ago reached the threshold of sustainability. As a gross consequence, ecological and economic disasters have now become inevitable. Based on the Department of Environment and Natural Resources (DENR) list, some 38 areas nationwide are prone to frequent landslides and flooding, most of which are located in the heavily denuded forest areas of the country. This situation has caused 85 million Filipinos to suffer from a grossly inadequate and unstable life support system, particularly the 24 million who dwell in the uplands and depend on the forests for food and livelihood. In 1988, costs associated with forest loss were estimated to exceed P800 million. Deforestation also directly and indirectly impacted fishery resources.

It is urgent that we reforest and rehabilitate the country's severely denuded mountains and reduce the destructive effects of prolonged drought, water shortage, flashfloods and landslides. Deforestation has to be stopped, and it has to be stopped now to save the biodiversity and the productivity of the forest as a natural resource and the unique safety net of benefits this brings to our communities. We cannot allow the destruction of our forests to go on or we endanger not only the survival of wild flora and fauna but our very own human existence.

#### *Main features of House Bill No. 4081*

The Billion Trees Act under House Bill No. 4081 seeks to address these ecological problems and make up for lost time.

It is certainly not the single answer to the multitude of ecological problems we face. But it is one step toward improving the country's forest regeneration and rehabilitation capacity. Its proposed establishment of a Billion Trees Program offers one strategy in what should be a focused range of national policy directions to counteract the loss of the country's forest cover and ensure the environmental stability of the nation. This bill will definitely not take the place of the bill on sustainable forest management, but is in fact laying the framework for a more comprehensive forest management program.

What are the specific objectives of House Bill No. 481 that lie at the heart of the Billion Trees Program?

*One*, to hasten reforestation efforts in upland, lowland and coastal communities in a more efficient manner;

*Two*, to minimize soil erosion, flashflooding, siltation of rivers and dams, drought and other negative consequences through rehabilitation of degraded watershed areas;

*Three*, to make forest and fruit tree seedlings available and more accessible to all cities and municipalities in the country;

*Four*, to promote forest diversity through the reintroduction of endemic species such as dipterocarps, pine, mangroves, etc.;

*Five*, to help rehabilitate wildlife habitat through effective forest protection strategy;

*Six*, to ensure adequate supply of forest and agricultural products in the future; and

*Seven*, to generate employment opportunities and provide additional income to the countryside and rural communities (*Section 2*).

What is the coverage of the Billion Trees Program? In its first five years of implementation, forest and fruit tree species shall be planted in at least one million hectares of open and denuded public forest lands, critical watersheds, national parks and protected areas, ancestral lands, private lands, idle portions of alienable and disposable lands, reservations under the jurisdiction of government agencies, city and municipal parks, including portions of the required open spaces in subdivision projects (*Section 4*).

Seedling nurseries and mini-forest parks shall be further established in every city and municipality (*Sections 21 and 22*).

*As*



Who shall take part in the program? All sectors of society will be mobilized for this nationwide effort of tree planting. They include national government agencies; the upland, lowland and coastal communities; LGUs; NGOs; private landowners and corporations; indigenous peoples; and members of the military and police force (*Section 5*).

The Billion Trees Program is geared towards both livelihood creation in the upland and coastal areas and environmental protection and rehabilitation of degraded and critical ecosystems. A Billion Tree Program Contract entered into by and between the Department of Environment and Natural Resources (DENR) and a participant shall serve as proof of participation for the enjoyment of rights and technical services from participating agencies of the government and the performance of obligations pursuant to the Act. The contract shall be for 25 years, renewable for another 25 years (*Sections 5 & 8*).

Participants in the Billion Trees Program shall enjoy the right to harvest, process, sell, or otherwise utilize the products grown within production forestlands or use portions of the contracted area for eco-tourism purpose. The program promotes the Community-Based Forest Management Agreement (CBFMA), a mechanism whereby an organized community binds itself to the reforestation program for 25 years. Individual families and government personnel who form themselves into cooperatives can arrange with the government to reforest a certain area through a Community-Based Forest Management Agreement (*Section 9*).

Several incentives are provided for groups and private persons who go into tree planting. These include the right to make the reforested area an eco-tourism spot where entrance fees can be collected, market linkage for both their agricultural output and forest products, the grant of additional areas for reforestation, the right to securitize growing trees (issuance by forester group of bonds and stocks to finance the reforestation of another area), and exemption from forest charges and real property tax. (*Section 9*).

The private sector, in coordination with the DENR and government agencies with administrative jurisdiction over watersheds and forestland reservations, may adopt a particular forested area, like portions of a national park or watershed for maintenance, protection and biodiversity conservation through a MOA with the DENR (*Sections 15 and 16*).

Owners of private lands who plant forest trees in their property shall enjoy incentives like technical assistance on proper silvicultural practices, updates on forest products markets and prices, exemption from forest charges and VAT, priority in credit assistance and the right to export timber and other forest products grown in the land, subject to existing rules and regulations governing trade policies and incentives (*Section 17*).

Those who plant and maintain the trees along highways, roadsides and other vacant portions of public alienable and disposable lands shall have the exclusive right to harvest and utilize the trees when these mature except the first line of trees along the roadside which shall be under the protection of the DPWH (*Section 19*).

In addition, House Bill No. 481 will prohibit illegal conversion of forestlands into agricultural, mining, pasture and other non-forest uses. The DENR shall cause the cancellation of instruments issued over such lands and repossess these for reforestation purposes, provided that the farmers therein shall be encouraged to participate in the Billion Trees Program. (*Section 28*) Forest Protection Teams under the DENR shall also be created to protect remaining natural forest and plantation forest from illegal loggers, poachers, kaingin, farmers, pests and diseases, fires and other forest destroyers (*Section 25*).

A range of penalties is imposed for misuse of funds under this Act which includes imprisonment of not less than four months but not more than 25 years and for other prohibited acts as well like premature cutting down of trees, illegal occupancy and noncompliance with other conditions of the Billion Trees Program contract (*Sections 31, 32, 33*).

Where will the program source its funds? The Billion Trees Program as proposed by House Bill No. 481 shall be financed primarily from existing forestry-related official development assistance (ODA), through funding schemes under the Build-Operate-Transfer (BOT) Law and by direct project investment by private corporations/individuals (*Section 29*).

The DENR and its network of Provincial/Community Environment and Natural Resources Offices (PENROs/CENROs) shall be the overall planning, implementing, coordination and monitoring agency of the Billion Trees Program (*Section 6*). NGOs and academic institutions shall be tapped to handle relevant services, especially social and technical training and monitoring and evaluation of the reforested area (*Section 7*). *AK*

***Plant a tree, plant a legacy***

To conclude, House Bill No. 481 seeks to plant a billion trees by harnessing community support to save the forests in time. It is in line with the declared policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

There is a proverb which states: "The best time to plant a tree is 20 years ago; the next best time is today." It has also been said that: "To exist as a nation, to prosper as a state, and to live as a people, we must have trees."

Let us join hands with our colleagues in the Lower House in a united effort to plant a billion trees today, and thereby plant a legacy of hope and life.

**SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 4081**

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

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:44 a.m.*

**RESUMPTION OF SESSION**

At 3:44 a.m., the session was resumed.

**SENATE CONFEREES**

Upon nomination by Senator Pangilinan, there being no objection, the Chair designated Senators Angara, Enrile and Osmeña as members of the Senate panel in the Conference Committee on the disagreeing provisions of Senate Bill No. 2233 (PERA) and its counterpart House bill.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:45 a.m.*

**RESUMPTION OF SESSION**

At 3:45 a.m., the session was resumed.

**SENATE CONFEREES**

Upon nomination by Senator by Senator Pangilinan, there being no objection, the Chair designated the following senators as members of the Senate panel in the Conference Committee on the disagreeing provisions of Senate Bill No. 2012 (Hepatitis-B vaccination bill) and its counterpart House bill: Senators Cayetano, Flavio and Magsaysay, for the Majority; and Senators Ejercito Estrada (J) and Madrigal, for the Minority.

**MOTION OF SENATOR CAYETANO**

Senator Cayetano moved that the unparliamentary remarks made by Senator Madrigal against her during the recent deliberations on Senate Bill Nos. 2012 and 2541 be stricken off the Record.

**OBJECTION/MOTION OF SENATOR MADRIGAL**

Senator Madrigal objected to the motion, claiming that Senator Cayetano has also made unparliamentary remarks against her. She moved that the same be stricken off the Record.

**MOTION OF SENATOR ROXAS**

Upon motion of Senator Roxas, there being no objection, the Body agreed that unparliamentary remarks made by any Member in the course of the deliberations be stricken off the Record.

**SECOND ADDITIONAL REFERENCE OF BUSINESS**

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

**BILLS ON FIRST READING**

Senate Bill No. 2611, entitled

AN ACT REQUIRING NEW PUBLIC-SERVING AND NEWLY RENOVATED PUBLIC-SERVING ESTABLISHMENTS TO PROVIDE BABY ~~AT~~

*ms*

FRIENDLY FACILITIES AND FOR  
OTHER PURPOSES.

Introduced by Senator Manuel "Lito"  
M. Lapid

**To the Committees on Health and Demography;  
and Youth, Women and Family Relations**

Senate Bill No. 2612, entitled

AN ACT AMENDING CERTAIN  
PROVISIONS OF REPUBLIC ACT  
NO. 6847, OTHERWISE KNOWN  
AS THE PHILIPPINE SPORTS  
COMMISSION ACT.

Introduced by Senator Manuel "Lito"  
M. Lapid

**To the Committees on Games, Amusement  
and Sports; and Ways and Means**

**RESOLUTION**

Proposed Senate Resolution No. 619, entitled

RESOLUTION DIRECTING THE  
COMMITTEE ON ENVIRONMENT  
AND NATURAL RESOURCES  
AND OTHER APPROPRIATE  
SENATE COMMITTEES TO  
CONDUCT AN INQUIRY IN AID  
OF LEGISLATION ON THE  
ANOMALIES IN THE LAND  
ADMINISTRATION SYSTEM IN  
THE PROVINCE OF PAMPANGA.

Introduced by Senator Jinggoy Ejercito  
Estrada

**To the Committees on Agrarian Reform;  
and Justice and Human Rights**

**SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 263 on Senate Bill No. 1120 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 263  
ON SENATE BILL NO. 1120**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1120 (Committee Report No. 263), entitled

AN ACT GRANTING THE RIGHT OF  
REPLY AND PROVIDING PENAL-  
TIES FOR VIOLATION THEREOF.

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

**SPONSORSHIP SPEECH  
OF SENATOR PIMENTEL**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of Senator Pimentel was considered read into the Record of the Senate.

*Following is the full text of the speech:*

**RIGHT TO REPLY:**

**An Exercise of Free Speech**

I rise to sponsor Senate Bill No. 1120 that seeks to give people unduly criticized or even maliciously maligned over print, radio and television media "the right to reply."

In this country, it seems that some members – emphasis on the word "some" – of the mass media, now and then, smear and slander people with malice aforethought, and wound the sensibilities and damage names and reputations of people who incur their ire.

The main idea behind the bill is to make it a legal obligation of newspapers, radio and television stations to print or broadcast the replies of individuals who are on the receiving end of their tirades.

It is thought that by imposing on them the legal duty to make public the replies of the injured parties, we lessen the possibility of the latter's resorting to violence.

Note that in recent times, our country has acquired the unsavory reputation as one nation where journalists are most unsafe.

A recent compilation of the death toll of journalists reveals the following deadly score: *45*

*ps*

*Filipino Journalists/Media Practitioners  
Killed in the Line of Duty since 1986*

1. Pete F. Mabazza  
*Manila Bulletin*  
1986 – April 24
2. Wilfredo “Willy” Vicoy  
*Reuters*  
1986 – April 24
3. Florante “Boy” de Castro,  
*DXCP/General Santos City*  
1986
4. Dionisio Perpetuo Joaquin  
*Olongapo News*  
1987 – August 27
5. Narciso Balani  
*DXRA/Davao City*  
1987 – August 27
6. Rogie Zagado  
*DXRA/Davao City*  
1987 – August 27
7. Leo Palo  
*DXRA/Davao City*  
1987 – August 27
8. Martin Castor  
*Pilipino Ngayon*  
1987 – August 28
9. Ramon Noblejas  
*DYVL/Tacloban City*  
19867 – August 28
10. Noel Miranda  
*Mindanao Scanner*  
1988 – March 29
11. Ruben R. Manrique  
*Luzon Tribune/Bataan*  
1988 – August 12
12. Josef Aldeguer Nava  
*Visayan Life Today/Iloilo*  
1988 – October 30
13. Severino Arcones  
*DYFM-Radyo Bombo/Iloilo*  
1989 – October 17
14. Eddie Telan  
*Newscaster/Manila*  
1989 – December 01
15. Reynaldo Catindig Sr.  
*Northern Sierra Madre Express/Isabela*  
1990 – May 15
16. Jean Ladrangan  
*Southern Star/General Santos City*  
1990 – July 08
17. Nesino Paulin Toling  
*Panguil Bay Monitor/Ozamiz*  
1991 – April 14
18. Danilo Vergara  
*Philippine Post*  
1992 – July 01
19. Ladjid Ladjia  
*Prensa Zamboanga*  
1992 – July 03
20. Rev. Greg Hapalla  
*DXAS/Zamboanga*  
1992 – December 30
21. Gloria Martin  
*DXXX/Isabela, Basilan*  
1992 – December 30
22. Romeo Andrada Legaspi  
*Voice of Zambales*  
1993 – January 11
23. Rosauro Lao  
*Cotabato News*  
1992 – November 22
24. Ding Sade  
*Cotabato News*  
1993 – November 22
25. Ferdinand Reyes  
*Press Freedom/Dipolog City*  
1996 – February 12
26. Alberto Berbon  
*DZMM/Manila*  
1996 – December 15
27. Evelyn Joy Militante  
*GMA Channel 2/Legazpi City*  
1997
28. Daniel J. Hernandez  
*People’s Journal Tonight/Manila*  
1997 – June 03
29. Regalado Mabazza  
*Polaris Cable Network*  
1997 – December 17
30. Odilon Mallari  
*DXCP/General Santos City*  
1998 – February
31. Rey Bancairin  
*DXLL/Zamboanga City*  
1998 – March 29
32. Nelson Catipay  
*DXMY/Cotabato*  
1998 – April 16
33. Dominador “Dom” Bentulan  
*DXGS/General Santos City*  
1998 – October 30 ~~48~~

ps

34. Frank Palma  
*Bombo Radyo/Bacolod*  
1999 – April 25
35. Vincent Rodriguez  
*DZMM/Pampanga*  
2000 – May 23
36. Olimpio Jalapit  
*DXPR/Pagadian City*  
2000 – November 17
37. Rolando Ureta  
*DYKR/Kalibo, Aklan*  
2001 – January 03
- At the start of Gloria Macapagal Arroyo's  
presidency up to today:
38. Muhammad Yusop  
*DXID/Pagadian City*  
2001 – February 24
39. Candelario Cayona  
*DXLL/Zamboanga City*  
2001 – May 30
40. Joy Mortel  
*Mindoro Guardian*  
2001 – May 31
41. Benjaline "Beng" Hernandez  
*CEGP/Davao*  
2002 – April 05
42. Edgar Damalerio  
*DXKP, Zamboanga Scribe,  
Mindanao Gold Star/ Pagadian City*  
2002 – May 13
43. Sonny Alcantara  
*Kokus, Celestron Cable TV/San Pablo City*  
2002 – August 22
44. John Belen Villanueva Jr.  
*DZGB/Legazpi City*  
2003 – April 28
45. Apolinario "Polly" Pobeda 5977  
*DWTT/Lucena City*  
2003 – May 17
46. Bonifacio Gregorio  
*Dyaryo Banat/Tarlac*  
2003 – July 8
47. Noel Villarante  
*The Laguna Score/DZJV*  
2003 – August 19
48. Rico Ramirez  
*DXSF/Butuan City*  
2003 – August 20
49. Juan "Jun" Pala  
*DXGO/Davao City*  
2003 – September 06
50. Nelson Nadura  
*DYME/Masbate City*  
2003 – December 02
51. Rowel Endrinal  
*DZRC/Legazpi City*  
2004 – February 11
52. Elpidio "Ely" Binoya  
*Radyo Natin/General Santos City*  
2004 – June 17
53. Roger Mariano  
*DZJC-Aksyon Radio/Laoag*  
2004 – July 31
54. Arnel Manalo  
*DZRH/Bulgar/Batangas*  
2004 – August 05
55. Jonathan Abayon  
*RGMA Super Radyo/General Santos City*  
2004 – August 08
56. Fernando Consignado  
*Radio Veritas/Laguna*  
2004 – August 12
57. Romy Binungcal  
*Remate/Bataan*  
2004 – September 29
58. Eldy Gabinales (Eldy Sablas)  
*DXJR-FM/Tandag, Surigao del Sur*  
2004 – October 19
59. Gene Boyd Lumawang  
*MindaNews/Jolo, Sulu*  
2004 – November 12
60. Herson Hinolan  
*Bombo Radyo/Kalibo, Aklan*  
2004 - November 13
61. Michael Llorin  
freelance photojournalist/Manila  
2004 – November 13
62. Allan Dizon  
*Freeman Cebu and Banat News/Cebu*  
2004 – November 27
63. Stephen Omaois  
*Guru News Weekly/Kalinga*  
2004 – December 01
64. Edgar Amoro  
freelance broadcaster/Pagadian City  
2005 – February 02

AK

PB

65. Arnulfo Villanueva  
*Asian Star Express Balita*/Naic, Cavite  
2005 – February 28
66. Romeo Sanchez  
*DZNL*/Baguio  
2005 – March 09
67. Marlene Garcia Esperat  
*The Midland Review*/Tacurong City  
2005 – March 24
68. Klein Cantoneros  
*DXAA-FM*/Dipolog City  
2005 – May 04
69. Philip Agustin  
*Starline Times Recorder*/Dingalan, Aurora  
2005 – May 10
70. Rolando Morales  
*DWMD-Radio Mindanao  
Network*/South Cotabato  
2005 – July 03
71. Ricardo “Ding” Uy  
*DZRS-AM*/Sorsogon City  
2005 – November 18
72. Robert Ramos  
*Katapat*/Laguna  
2005 – November 21
73. George Benaojan  
*DYDD*/Cebu City  
2005 – December 02
74. Rolly Cañete  
*DXPR*/Pagadian City  
2006 – January 20
75. Graciano Aquino  
*Central Luzon Forum*/Bataan  
2006 – January 21
76. Orlando Mendoza  
*Tarlac Profile, Tarlac Patrol*  
2006 – April 02
77. Nicolas Cervantes  
*Surigao*  
2006 – May 02
78. Albert Orsolino, *Saksi Ngayon*  
2006 – May 16
79. Fernando “Dong” Batul  
*DYPR*/Puerto Princesa, Palawan  
2006 – May 22
80. George Vigo  
*Union of Catholic Asian News (UCan)*  
Kidapawan City  
2006 – June 19

81. Macel Alave-Vigo  
*DXND*/Kidapawan City  
2006 – June 19
82. Armando Pace  
*Radyo Ukay DXDS*/Digos City  
2006 – July 18

This is not to say that the extrajudicial killings or, to put it in more gruesome words, the wanton murders of journalists in this country are necessarily the evil results of vengeful acts of the people they might have libeled.

We cite the figures just to underscore the thesis that, perhaps, if people who are maligned can demand as a matter of right that the newspapers, radio or television concerned publish their side of any publicized controversy, conceivably, there could be an easing of tensions. And that development could lead to the harmonization of the conflicting views between them and their critics in mass media. Hopefully, the deadly game of shooting journalists would, thus, be minimized.

Concerns have been expressed by some respected media practitioners that the bill could be an infringement of the rights of free speech and of the press that are embodied in the Constitution.

Far be it for me to even think about, much less, endorse any move to curtail free speech and free press in this country.

To be immodest about it, I did get arrested four times or get thrown out of public elective offices twice during the martial law years fighting for the fundamental freedoms of our people only to undermine those same rights now that we have been rid of the martial dictatorship.

I would never do that, not for any personal gain or base motives. In fact, I have made a proposal to decriminalize libel so that the powerful may not have any legal excuse to curtail free speech and press freedom in the country. That bill, however, has been rotting for about three years now in the bowels of our Senate bureaucracy or, to be more precise, in the committee to which it has been referred.

I, therefore, propose the measure we are discussing in an attempt to balance things out so that when persons are unduly targeted by mass media, they should have the right to reply. That reply should be published as soon as it is made more or less in the same space of the newspapers where the offending item appeared or over the same radio or television program where the verbal abuse took place. ~~to~~

js

It is my humble opinion that the right to free speech, including the right to a free press, is not a right reserved only for journalists. These are rights that also inhere in people whatever be their station in life. And those rights, if they are to be meaningful, must be allowed to find their way into the pages of newspapers and into the air lanes of radio and television. Otherwise, in this information age of instant communication, the right of free speech of people who are not media practitioners would be marginalized, if not totally rendered irrelevant.

May I digress a little bit to point out that in my opinion, some journalists do relish hurling brickbats against the objects of their anger. But when the targets of their venomous invectives so much as take exception to their diatribe, they feel offended and raise the hue and cry against what they perceive are brazen attempts to curtail their rights to free speech and of the press.

In this brief intervention, then, may I ask our colleagues to pass the bill under consideration without further delay. Believe me, its enactment will do wonders to rationalize the exercise of the right of free speech and free press.

The bill, once it becomes a law, will help raise the level of public discussions of public issues from base consideration to the nobler aspirations of our people.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Pangilinan, 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 Pangilinan, there being no objection, the Body closed the period of amendments.

#### **APPROVAL OF SENATE BILL NO. 1120 ON SECOND READING**

Submitted to a vote and there being no objection, Senate Bill No. 1120 was approved on Second Reading.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1120**

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

#### **SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:50 a.m.*

#### **RESUMPTION OF SESSION**

At 3:52 a.m., the session was resumed.

#### **STATEMENT OF THE CHAIR**

In closing the proceedings for the day, Senate President Villar delivered the following statement:

I would like to thank each and everyone of you for making this Chamber a very productive Senate especially during the last two weeks of our session.

I hope I have the time to mention the many specific contributions and accomplishments that each one had with utmost diligence and dedication. Your active participation in the business of legislation and your laudable cooperation in meeting our nation's need for the passage of vital laws have reinforced in the eyes of our people that, indeed, we, the Senate, is one democratic institution that matters.

May I especially acknowledge with great gratitude the extra efforts of other offices of the Senate, notably the President Pro Tempore, Johnny Flavio, for his enduring patience and perseverance during the many instances when he allowed me to pursue with my other duties and sometimes to rest while he did the long hours of presiding over the deliberations in this Chamber; the Majority Leader, Senator Kiko Pangilinan, and the Assistant Majority Leader, Senator Pia Cayetano, for the orderly and effective management of the activities on the floor.

Of course, I would like to thank the Minority Leader, Senator Nene Pimentel, for his vital interventions and collaborative efforts in all sessions of this Chamber. *AS*

*yo*

I also thank and commend our very professional personnel and officers of the Senate Secretariat for their assistance.

People saw their Senate in real action during the 13<sup>th</sup> Congress. We have not failed them. We shall continue to assure them that we shall not waver in our determination to live up to their expectations. We will have four days from June 4 to June 8, 2007 with which to act on other vital legislation. I know we can still muster our efforts to come up with more bills pass into laws before we adjourn *sine die* on the 9<sup>th</sup> of June, 2007.

It is worth restating that ours is a democracy, the best form of government, with the people themselves in command and we, their legislators, are their servants. We are accountable at all times and in the coming days, the Filipino people will again exercise their sovereign power to judge us, particularly the reelectionists and those seeking mandate in other offices.

So, as we adjourn tonight, we do so assured that as we face the people during local and congressional elections, we can proudly report to them that we have done much in their Senate.

To those who, like me, are seeking a new and fresher mandate, I wish you the best. We ask for the support of everyone. *Mabuhay tayong lahat! Maraming salamat po!*

### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 3:54 a.m.*

### RESUMPTION OF SESSION

At 3:56 a.m., the session was resumed.

### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, there being no objection, the Chair suspended the session until five o'clock in the afternoon of the same day.

*It was 3:56 a.m.*

### RESUMPTION OF SESSION

At 5:48 p.m., the session was resumed with Senate President Villar presiding.

### THIRD ADDITIONAL REFERENCE OF BUSINESS

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

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Letters from the Secretary General of the House of Representatives, informing the Senate that on 6 February 2007, the House of Representatives concurred with the Senate amendments on the following House bills:

House Bill No. 4220, entitled

AN ACT GRANTING THE FREE AIR BROADCASTING NETWORK CORP. A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS NATIONWIDE;

House Bill No. 5373, entitled

AN ACT AMENDING THE FRANCHISE OF ORMOC CITY TELEPHONE COMPANY, INC. GRANTED UNDER REPUBLIC ACT NO. 3482, AND EXTENDING/RENEWING THE TERM THEREOF TO ANOTHER TWENTY-FIVE (25) YEARS FROM THE DATE OF EFFECTIVITY OF THIS ACT;

House Bill No. 5930, entitled

AN ACT CONVERTING THE MUNICIPALITY OF TAYABAS IN THE PROVINCE OF QUEZON INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF TAYABAS;

House Bill No. 5991, entitled

AN ACT CONVERTING THE MUNICIPALITY OF BAYUGAN IN THE PROVINCE OF AGUSAN DEL SUR INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF BAYUGAN;

pb



House Bill No. 5992, entitled

AN ACT CONVERTING THE MUNICIPALITY OF CABADBARAN INTO A COMPONENT CITY OF THE PROVINCE OF AGUSAN DEL NORTE TO BE KNOWN AS THE CITY OF CABADBARAN;

House Bill No. 5997, entitled

AN ACT CONVERTING THE MUNICIPALITY OF BOGO, CEBU PROVINCE, INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF BOGO;

House Bill No. 6001, entitled

AN ACT CONVERTING THE MUNICIPALITY OF LAMITAN IN THE PROVINCE OF BASILAN INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF LAMITAN;

House Bill No. 6002, entitled

AN ACT CONVERTING THE MUNICIPALITY OF CARCAR IN THE PROVINCE OF CEBU INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF CARCAR;

House Bill No. 6004, entitled

AN ACT CONVERTING THE MUNICIPALITY OF BATAAC IN THE PROVINCE OF ILOCOS NORTE INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF BATAAC;

and House Bill No. 6005, entitled

AN ACT CONVERTING THE MUNICIPALITY OF TABUK INTO A COMPONENT CITY OF THE PROVINCE OF KALINGA TO BE KNOWN AS THE CITY OF TABUK.

#### To the Archives

Letter from the Secretary General of the House of Representatives, informing the Senate that on 6 February 2007, the House of Representatives

requested a conference and designated Representatives Barinaga, De Guzman, Lagman, Aguja, Mariano and Magtubo as its conferees to the Bicameral Conference Committee, should the Senate approve its counterpart version of House Bill No. 1351, entitled

AN ACT STRENGTHENING THE WORKERS' CONSTITUTIONAL RIGHT TO SELF-ORGANIZATION, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 442, AS AMENDED, OTHERWISE KNOWN AS THE LABOR CODE OF THE PHILIPPINES.

#### To the Committee on Rules

Letter from the Secretary General of the House of Representatives, informing the Senate that on 6 February 2007, the House of Representatives requested a conference and designated Representatives Datumanong, Salceda, Libanan, Lagman and Baterina, on the part of the Majority, and Representatives Casiño and Maza, on the part of the Minority, as its conferees to the Bicameral Conference Committee on the disagreeing provisions of House Bill No. 5921, entitled

AN ACT REORGANIZING AND STRENGTHENING THE PUBLIC ATTORNEY'S OFFICE (PAO), AMENDING FOR THE PURPOSE PERTINENT PROVISIONS OF EXECUTIVE ORDER NO. 292, OTHERWISE KNOWN AS "THE ADMINISTRATIVE CODE OF 1987," AS AMENDED, GRANTING SPECIAL ALLOWANCE TO PAO OFFICIALS AND LAWYERS AND PROVIDING FUNDS THEREFOR,

and Senate Bill No. 2171, entitled

AN ACT REORGANIZING AND STRENGTHENING THE PUBLIC ATTORNEY'S OFFICE (PAO), AMENDING PERTINENT PROVISIONS OF THE ADMINISTRATIVE CODE OF 1987, AS AMENDED, AND FOR OTHER PURPOSES.

To the Committee on Rules *AS*

*P*

Letter from the Secretary General of the House of Representatives, informing the Senate that on 6 February 2007, the House of Representatives requested a conference and designated Representatives Gullas, Del Mar, Clarete and Virador as its conferees to the Bicameral Conference Committee on the disagreeing provisions of House Bill No. 4862, entitled

AN ACT DECLARING THE BUHISAN WATERSHED FOREST RESERVE, THE MANANGA WATERSHED FOREST RESERVE, THE SUDLON NATIONAL PARK, THE CENTRAL CEBU NATIONAL PARK AND THE KOTKOT-LUSARAN WATERSHED FOREST RESERVE IN THE PROVINCE OF CEBU, INTO ONE PROTECTED AREA TO BE KNOWN AS THE CENTRAL CEBU PROTECTED LANDSCAPE AND FOR OTHER PURPOSES,

and Senate Bill No. 2532, entitled

AN ACT DECLARING THE BUHISAN WATERSHED FOREST RESERVE, THE MANANGA WATERSHED FOREST RESERVE, THE SUDLON NATIONAL PARK, THE CENTRAL CEBU NATIONAL PARK AND THE KOTKOT-LUSARAN WATERSHED FOREST RESERVE SITUATED IN THE CITIES OF CEBU, TALISAY, TOLEDO AND DANAOS AND IN THE MUNICIPALITIES OF MINGLANILLA, CONSOLACION, LILOAN, COMPOSTELA AND BALAMBAN, PROVINCE OF CEBU INTO ONE PROTECTED AREA TO BE KNOWN AS THE CENTRAL CEBU PROTECTED LANDSCAPE AND FOR OTHER PURPOSES

To the Committee on Rules

**FOURTH ADDITIONAL  
REFERENCE OF BUSINESS**

**MESSAGES OF THE PRESIDENT  
OF THE PHILIPPINES**

Letters of Her Excellency, President Gloria Macapagal Arroyo, dated 8 February 2007,

certifying to the necessity of the immediate enactment of the following House bills, pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution

House Bill No. 5953, entitled

AN ACT CONVERTING THE LAGUNA STATE POLYTECHNIC COLLEGE IN THE PROVINCE OF LAGUNA INTO A STATE UNIVERSITY TO BE KNOWN AS THE LAGUNA STATE POLYTECHNIC UNIVERSITY AND APPROPRIATING FUNDS THEREFOR,

to address the urgent need of providing advanced education, competencies and technological instruction to our students in the countryside to enable them to suitably respond to a dynamic and fast-changing global village, thus serve to contribute to the total development of our youth and to the building of a strong Republic;

House Bill No. 5977, entitled

AN ACT CONVERTING THE SOUTHERN LUZON POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF LUCBAN, PROVINCE OF QUEZON, ITS UNITS AND SATELLITE CAMPUSES IN THE MUNICIPALITIES OF SAMPALOC, INFANTA, POLILLO, TAGKAWAYAN, ALABAT AND TIAONG, AND THE LUCENA DUAL-TECH LIVELIHOOD AND TRAINING CENTER IN THE CITY OF LUCENA, ALL IN THE PROVINCE OF QUEZON, INTO A STATE UNIVERSITY TO BE KNOWN AS THE SOUTHERN LUZON STATE UNIVERSITY (SLSU) AND APPROPRIATING FUNDS THEREFOR,

to address the urgent need of providing advanced education, competencies and technological instruction to our students in the countryside to enable them to suitably respond to a dynamic and fast-changing global village, thus serve to contribute to the total development of our youth and to the building of a strong Republic;

10

House Bill No. 6023, entitled

AN ACT CONVERTING THE MUNICIPALITY OF MATI IN THE PROVINCE OF DAVAO ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF MATI,

to address the urgent need of meeting the long aspirations of the people of Mati in attaining their fullest potential as a self-reliant community through a greater availability of resources, a more efficient and effective delivery of basic services, and a further opportunity for local development;

and House Bill No. 6024, entitled

AN ACT CONVERTING THE MUNICIPALITY OF GUIHULNGAN IN THE PROVINCE OF NEGROS ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF GUIHULNGAN,

to address the urgent need of meeting the long aspirations of the people of Guihulngan in attaining their fullest potential as a self-reliant community through a greater availability of resources, a more efficient and effective delivery of basic services, and a further opportunity for local development

**To the Committee on Rules**

**CONFERENCE COMMITTEE REPORT  
ON SENATE BILL NO. 2137  
AND HOUSE BILL NO. 4839**

Upon motion of Senator Pangilinan, there being no objection, the Body considered the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2137, entitled

AN ACT TO SECURE THE STATE AND PROTECT OUR PEOPLE FROM TERRORISM,

and House Bill No. 4839, entitled

AN ACT DEFINING TERRORISM, ESTABLISHING INSTITUTIONAL

MECHANISMS TO PREVENT AND SUPPRESS ITS COMMISSION, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES.

The Chair recognized Senator Enrile to sponsor the report.

**SPONSORSHIP REMARKS  
OF SENATOR ENRILE**

Senator Enrile informed the Body that the two panels met in full and free conference at three o'clock that afternoon and agreed to adopt *in toto* Senate Bill No. 2137 and to recommend the approval of the said bill to their respective Houses. He urged the Body to approve the Conference Committee Report.

**APPROVAL OF THE CONFERENCE  
COMMITTEE REPORT**

Upon motion of Senator Pangilinan, and with the majority voting in favor, the Conference Committee Report on the disagreeing provisions of Senate Bill No. 2137 and House Bill No. 4839 was approved by the Body.

**REMARKS OF SENATOR PIMENTEL**

Senator Pimentel informed the Body that because of Senator Enrile's even-handed steering of the deliberations of the conference committee on the anti-terrorism bill, the conferees arrived at a fast and expeditious resolution of the conflicting issues, with the House panel agreeing to the Senate version.

Nonetheless, Senator Pimentel reiterated his reservations on the bill which he enunciated during the Third Reading. He said that despite the guarantees in the bill, the people's experience that will evolve with the implementation of the law would determine whether or not the country needed it.

**REMARKS OF SENATOR DRILON**

Senator Drilon commended Senator Enrile for ably steering the deliberations of the conference committee that led the House panel to accept the Senate version of the bill. He stressed that the final version of the bill balances the right of the State

10

to protect itself and the constitutional guarantee on civil liberties.

He noted that the bill provides more safeguards than many of the country's laws as far as enforcement is concerned. He expressed hope that the implementors of the law would be conscious of the limitations imposed on the State so as not to trample on the civil rights of the people.

Senator Drilon pointed out that next to Senator Pimentel, he introduced the most number of amendments to the bill as a response to the concerns of civil libertarians. He recalled that all his amendments were accepted by Senator Enrile and approved in the conference committee. He said that while he had a reservation on the provision limiting the right to bail, he believed that any doubt on its constitutionality should not deter the approval of the measure. Ultimately, he conceded that the issue of whether the law can impose limitations on the freedom of one who is granted bail in a criminal case would be tested in the court. With this in mind, he said that he signed the conference committee report, confident that the Body had crafted a legislation which strikes a balance between the right of the State to protect itself and the right of the citizens to be protected against abuses of government instrumentalities.

#### **REMARKS OF SENATOR MADRIGAL**

Senator Madrigal manifested that she dissented to the conference committee report, consistent with her "no" vote during the Third Reading. Given its dismal human rights record, she believed that the Arroyo Administration would abuse the law despite its safeguards, as it has violated the basic human rights and liberties of the Filipino people in contravention to international covenants to which the Philippines is a signatory.

#### **SENATE CONFEREES**

Upon nomination by Senator Pangilinan, there being no objection, Senate President Villar designated Senator Roxas as chairman, and Senators Cayetano and Estrada (J) as members of the Senate panel in the Conference Committee on the disagreeing provisions of Senate Bill No. 2263 (patents bill) and its counterpart House Bill No. 4943.

#### **CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2171 AND HOUSE BILL NO. 5921**

Upon motion of Senator Pangilinan, there being no objection, the Body considered the bicameral conference committee report on the disagreeing provisions of Senate Bill No. 2171, entitled

**AN ACT REORGANIZING AND STRENGTHENING THE PUBLIC ATTORNEY'S OFFICE (PAO), AMENDING PERTINENT PROVISIONS OF THE ADMINISTRATIVE CODE OF 1987, AS AMENDED, AND FOR OTHER PURPOSES,**

and House Bill No. 5921, entitled

**AN ACT REORGANIZING AND STRENGTHENING THE PUBLIC ATTORNEY'S OFFICE (PAO), AMENDING FOR THE PURPOSE PERTINENT PROVISIONS OF EXECUTIVE ORDER NO. 292, OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987, AS AMENDED, GRANTING SPECIAL ALLOWANCE TO PAO OFFICIALS AND LAWYERS, AND PROVIDING FUNDS THEREFOR.**

Thereupon, the Chair recognized Senator Enrile to sponsor the report.

#### **SPONSORSHIP REMARKS OF SENATOR ENRILE**

As he presented to the Body the conference committee report, Senator Enrile reported that the two panels, after having met and discussed fully the *subject matter*, agreed on the following:

1. The House version was adopted as the working draft;
2. The Public Attorney's Office shall be an independent and autonomous office but attached to the Department of Justice for purposes of policy and program coordination;
3. The Public Attorney's Office shall consist of the Office of the Chief Public Attorney *sk*

*MD*

and two Deputy Chief Public Attorneys, one for administration and another for operations; six line divisions in the Central Office, namely, administrative, financial planning and management, special appealed cases, legal research, field services and statistics; executive divisions; and regional, provincial, city and municipal district offices;

4. The lawyers and the administrative and support staff of the PAO shall have the qualifications for appointment, rank, salaries, allowances and retirement privileges as those of the National Prosecution Service;
5. All incumbent officials and personnel in the PAO shall continue holding his/her position without the benefit of a new appointment;
6. The PAO shall be given franking privileges;
7. There shall be a corresponding number of public attorney positions at the ratio of one public attorney to an organized sala and the corresponding administrative support staff thereto;
8. Special allowances shall be granted to the PAO lawyers, the amounts to be determined by the Secretary of Budget and Management and the Chief Public Attorney; and
9. The title of the House version was adopted as the title of the reconciled version to read as follows:

“AN ACT REORGANIZING AND STRENGTHENING THE PUBLIC ATTORNEY’S OFFICE (PAO), AMENDING FOR THE PURPOSE PERTINENT PROVISIONS OF EXECUTIVE ORDER NO. 292, OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987, AS AMENDED, GRANTING SPECIAL ALLOWANCE TO PAO OFFICIALS AND LAWYERS, AND PROVIDING FUNDS THEREFOR.”

Finally, Senator Enrile urged the Body to approve the report.

#### **APPROVAL OF THE CONFERENCE COMMITTEE REPORT**

Upon motion of Senator Pangilinan, there being no objection, the conference committee report on the disagreeing provisions of Senate Bill No. 2171 and House Bill No. 5921 was approved by the Body.

#### **PRESIDENTIAL CERTIFICATION**

Upon direction of the Chair, Secretary Yabes read the President’s certification as to the necessity of the immediate enactment of House Bill No. 5953, to wit:

MALACAÑANG PALACE  
MANILA

February 8, 2007

HON. MANUEL B. VILLAR, JR.  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President:

Pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 5953, under Committee Report No. 293, entitled:

AN ACT CONVERTING THE LAGUNA STATE POLYTECHNIC COLLEGE IN THE PROVINCE OF LAGUNA INTO A STATE UNIVERSITY TO BE KNOWN AS THE LAGUNA STATE POLYTECHNIC UNIVERSITY AND APPROPRIATING FUNDS THEREFOR,

to address the urgent need of providing advanced education, competencies and technological instruction to our students in the countryside to enable them to suitably respond to a dynamic and fast-changing global village, thus serve to contribute to the total development of our youth and to the building of a strong Republic.

Best wishes.

Very truly yours,

GLORIA MACAPAGAL-ARROYO

Cc: HON. JOSE C. DE VENECIA, JR.  
Speaker  
House of Representatives  
Quezon City

#### **APPROVAL OF HOUSE BILL NO. 5953 ON THIRD READING**

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, ~~as~~

P

the Body considered, on Third Reading, House Bill No. 5953.

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

AN ACT CONVERTING THE LAGUNA STATE POLYTECHNIC COLLEGE IN THE PROVINCE OF LAGUNA INTO A STATE UNIVERSITY TO BE KNOWN AS THE LAGUNA STATE POLYTECHNIC UNIVERSITY AND APPROPRIATING FUNDS THEREFOR.

Secretary Yabes called the roll for nominal voting.

### RESULT OF THE VOTING

The result of the voting was as follows:

#### *In favor*

|                      |            |
|----------------------|------------|
| Angara               | Madrigal   |
| Arroyo               | Magsaysay  |
| Drilon               | Pangilinan |
| Ejercito Estrada (J) | Pimentel   |
| Ejercito Estrada (L) | Recto      |
| Flavier              | Revilla    |
| Gordon               | Villar     |
| Lim                  |            |

#### *Against*

None

#### *Abstention*

None

With 15 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5953 approved on Third Reading.

### PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, Secretary Yabes read the President's certification as to the necessity of the immediate enactment of House Bill No. 5977, to wit:

MALACAÑANG PALACE  
MANILA

February 8, 2007

HON. MANUEL B. VILLAR, JR.  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 5977, under Committee Report No. 269, entitled

AN ACT CONVERTING THE SOUTHERN LUZON POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF LUCBAN, PROVINCE OF QUEZON, ITS UNITS AND SATELLITE CAMPUSES IN THE MUNICIPALITIES OF SAMPALOC, INFANTA, POLILLO, TAGKAWAYAN, ALABAT AND TIAONG, AND THE LUCENA DUAL-TECH LIVELIHOOD AND TRAINING CENTER IN THE CITY OF LUCENA, ALL IN THE PROVINCE OF QUEZON, INTO A STATE UNIVERSITY TO BE KNOWN AS THE SOUTHERN LUZON STATE UNIVERSITY (SLSU) AND APPROPRIATING FUNDS THEREFOR,

to address the urgent need of providing advanced education, competencies and technological instruction to our students in the countryside to enable them to suitably respond to a dynamic and fast-changing global village, thus serve to contribute to the total development of our youth and to the building of a strong Republic.

Best wishes.

Very truly yours,

GLORIA MACAPAGAL-ARROYO

Cc: HON. JOSE C. DE VENEZIA, JR.  
Speaker  
House of Representatives  
Quezon City

### APPROVAL OF HOUSE BILL NO. 5953 ON THIRD READING

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, <sup>AS</sup>

10

the Body considered, on Third Reading, House Bill No. 5977.

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

AN ACT CONVERTING THE SOUTHERN LUZON POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF LUCBAN, PROVINCE OF QUEZON, ITS UNITS AND SATELLITE CAMPUSES IN THE MUNICIPALITIES OF SAMPALOC, INFANTA, POLILLO, TAGKAWAYAN, ALABAT AND TIAONG, AND THE LUCENA DUAL-TECH LIVELIHOOD AND TRAINING CENTER IN THE CITY OF LUCENA, ALL IN THE PROVINCE OF QUEZON, INTO A STATE UNIVERSITY TO BE KNOWN AS THE SOUTHERN LUZON STATE UNIVERSITY (SLSU) AND APPROPRIATING FUNDS THEREFOR.

Secretary Yabes called the roll for nominal voting.

#### RESULTS OF THE VOTING

The result of the voting was as follows:

##### *In favor*

|                      |            |
|----------------------|------------|
| Angara               | Madrigal   |
| Arroyo               | Magsaysay  |
| Drilon               | Osmeña     |
| Ejercito Estrada (J) | Pangilinan |
| Ejercito Estrada (L) | Pimentel   |
| Flavier              | Recto      |
| Gordon               | Revilla    |
| Lim                  | Villar     |

##### *Against*

None

##### *Abstention*

None

With 16 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5977 approved on Third Reading.

#### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:16 p.m.*

#### RESUMPTION OF SESSION

At 6:17 p.m., the session was resumed.

#### PUBLIC WORKS BILLS

*(Continuation)*

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the Body resumed consideration, on Second Reading, of the following bills:

1. House Bill No. 4458 (Committee Report No. 260), entitled

AN ACT RENAMING THE OZAMIZ CITY BY-PASS ROAD LOCATED IN OZAMIZ CITY AS CONGRESSMAN HILARION J. RAMIRO BY-PASS ROAD; and

2. House Bill No. 642 (Committee Report No. 261), entitled

AN ACT RENAMING THE BACOLOD-MURCIA-SAN CARLOS ROAD (BACOLOD SECTION) IN THE CITY OF BACOLOD TO ROMEO G. GUANZON AVENUE.

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

#### TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no interpellation on any of the bills, upon motion of Senator Pangilinan, 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 to any of the bills, upon motion of Senator Pangilinan, there being no objection, the Body closed the period amendments. *HS*

**APPROVAL OF HOUSE BILL NOS. 4458  
AND 642 ON SECOND READING**

Submitted to a vote, there being no objection, House Bill Nos. 4458 and 642 were approved on Second Reading, one after the other.

**SUSPENSION OF CONSIDERATION  
OF HOUSE BILL NOS. 4458 AND 642**

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the bills.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:19 p. m.*

**RESUMPTION OF SESSION**

At 6:20 p.m., the session was resumed.

**SPECIAL ORDER**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 267 on Senate Bill No. 6023 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 267  
ON HOUSE BILL NO. 6023**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, House Bill No. 6023 (Committee Report No. 267), entitled

**AN ACT CONVERTING THE MUNICI-  
PALITY OF MATI IN THE PROVINCE  
OF DAVAO ORIENTAL INTO A  
COMPONENT CITY TO BE KNOWN  
AS THE CITY OF MATI.**

Pursuant to Section 67, Rule XXIII of the Senate, with the permission of the Body, upon motion of Senator Pangilinan, 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 Lim for sponsorship.

**SPONSORSHIP SPEECH  
OF SENATOR LIM**

Senator Lim stated that Committee Report Nos. 267 and 266 propose the conversion of the Municipality of Mati in Davao Oriental, and the Municipality of Guihulngan in Negros Oriental, respectively, into component cities.

Senator Lim stated that Mati, the capital of Davao Oriental, has a population of 105,908 based on the 2000 census; its land area of 649 square kilometer makes it one of the largest provincial centers in the Philippines; and as a first-class municipality, its income in 2005 exceeded P125 million.

On the other hand, he said that Guihulngan is also a first-class municipality with an income of over P100 million this year; and its population of 95,000 is spread over 389 square kilometers. He added that Guihulngan plays an important role in the development efforts being pursued by the local governments of Panay Peninsula and Cebu.

In addition, Senator Lim stated that House Bill No. 6003 under Committee Report No. 303 proposes the conversion of the Municipality of El Salvador in the province of Misamis Oriental into a component city. He said that El Salvador has a land area of 106 square kilometer, a population of 31,500 as of the 2000 census, and has registered an income of P45.9 million in 2005. Additionally, he said that the bill also seeks to be exempted from the income requirement of Republic Act 9009.

**MANIFESTATION  
OF SENATOR PANGILINAN**

With the permission of the Body, Senator Pangilinan manifested that the speech of Senator Lim would be considered as an omnibus sponsorship speech for the other two cityhood bills.

**TERMINATION OF THE PERIOD  
OF INTERPELLATIONS**

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

*W*



**TERMINATION OF THE PERIOD  
OF AMENDMENTS**

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

**APPROVAL OF HOUSE BILL NO. 6023  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 6023 was approved on Second Reading.

**PRESIDENTIAL CERTIFICATION**

Upon direction of the Chair, the Secretary of the Senate read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 1837, to wit:

MALACAÑANG PALACE  
Manila

February 8, 2007

HON. MANUEL B. VILLAR, JR.  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President:

Pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 6023, under Committee Report No. 267, entitled

AN ACT CONVERTING THE MUNICI-  
PALITY OF MATI IN THE PROV-  
INCE OF DAVAO ORIENTAL INTO  
A COMPONENT CITY TO BE  
KNOWN AS THE CITY OF MATI,

to address the urgent need of meeting the long aspirations of the people of Mati in attaining their fullest potential as self-reliant community through a greater availability of resources, a more efficient and effective delivery of basic services, and a further opportunity for local development.

Best wishes.

Very truly yours,

GLORIA MACAPAGAL-ARROYO

cc: HON. JOSE C. DE VENECIA, JR.  
Speaker  
House of Representatives  
Quezon City

**APPROVAL OF HOUSE BILL NO. 6023  
ON THIRD READING**

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, House Bill No. 6023.

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

AN ACT CONVERTING THE MUNI-  
CIPALITY OF MATI IN THE  
PROVINCE OF DAVAO ORIENTAL  
INTO A COMPONENT CITY TO  
BE KNOWN AS THE CITY OF  
MATI.

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|                      |            |
|----------------------|------------|
| Arroyo               | Magsaysay  |
| Drilon               | Osmeña     |
| Ejercito Estrada (J) | Pangilinan |
| Flavier              | Pimentel   |
| Gordon               | Recto      |
| Lim                  | Revilla    |
| Madrigal             | Villar     |

*Against*

None

*Abstention*

None

With 14 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 6023 approved on Third Reading.

**COMMITTEE REPORT NO. 266  
ON HOUSE BILL NO. 6024**

Upon motion of Senator Flavier, there being no objection, the Body considered, on Second Reading, *1/6*

House Bill No. 6024 (Committee Report No. 266),  
entitled

AN ACT CONVERTING THE MUNICIPALITY OF GUIHULNGAN IN THE PROVINCE OF NEGROS ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF GUIHULNGAN.

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

#### **SPONSORSHIP SPEECH OF SENATOR LIM**

Pursuant to Senator Pangilinan's earlier manifestation, the sponsorship speech of Senator Lim on House Bill No. 6023 was adopted as the sponsorship speech for House Bill No. 6024.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

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

#### **INQUIRY OF SENATOR ARROYO**

Asked by Senator Arroyo on the whereabouts of Congressman Paras, Senator Drilon stated that the congressman has asked to be excused as he had been in the gallery until 4:30 in the morning.

#### **INQUIRY OF SENATOR FLAVIER**

Asked by Senator Flavier whether Congressman Paras was one of the congressmen who wanted the Senate to be abolished, Senator Drilon stated that the congressman was part of the coalition but was not vocal about it.

#### **TERMINATION OF THE PERIOD OF AMENDMENTS**

There being no committee or individual amendment, upon motion of Senator Flavier, there

being no objection, the Body closed the period of amendments.

#### **APPROVAL OF HOUSE BILL NO. 6024 ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 6024 was approved on Second Reading.

#### **PRESIDENTIAL CERTIFICATION**

Upon direction of the Chair, the Secretary of the Senate read the President's certification as to the necessity of the immediate enactment of House Bill No. 6024, to wit:

MALACAÑANG PALACE  
Manila

February 8, 2007

HON. MANUEL B. VILLAR, JR.  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President:

Pursuant to the provisions of Article VI, Section 26(2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 6024, under Committee Report No. 266, entitled

AN ACT CONVERTING THE MUNICIPALITY OF GUIHULNGAN IN THE PROVINCE OF NEGROS ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF GUIHULNGAN,

to address the urgent need of meeting the long aspirations of the people of Guihulngan in attaining their fullest potential as self-reliant community through a greater availability of resources, a more efficient and effective delivery of basic services, and a further opportunity for local development.

Best wishes.

Very truly yours,

GLORIA MACAPAGAL-ARROYO

cc: HON. JOSE C. DE VENECIA, JR.  
Speaker  
House of Representatives  
Quezon City *AK*

**APPROVAL OF HOUSE BILL NO. 6024  
ON THIRD READING**

In view of the presidential certification, upon motion of Senator Flavier, there being no objection, the Body considered, on Third Reading, House Bill No. 6024.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Flavier, there being no objection Secretary Yabes read only the title of the bill, to wit:

AN ACT CONVERTING THE MUNICIPALITY OF GUIHULNGAN IN THE PROVINCE OF NEGROS ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF GUIHULNGAN.

Secretary Yabes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

|                      |            |
|----------------------|------------|
| Arroyo               | Magsaysay  |
| Drilon               | Osmeña     |
| Ejercito Estrada (J) | Pangilinan |
| Flavier              | Pimentel   |
| Gordon               | Recto      |
| Lim                  | Revilla    |
| Madrigal             | Villar     |

*Against*

None

*Abstention*

None

With 14 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 6024 approved on Third Reading.

**FIFTH ADDITIONAL  
REFERENCE OF BUSINESS**

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

**MESSAGES FROM THE  
HOUSE OF REPRESENTATIVES**

Letters from the Secretary General of the House of Representatives, informing the Senate that on 7 February 2007, the House of Representatives passed the following House Bills in which it requested the concurrence of the Senate

House Bill No. 1727, entitled

AN ACT PROVIDING APPROPRIATION FOR THE OPERATION, MAINTENANCE, TRAINING, RESEARCH AND DEVELOPMENT ACTIVITIES OF THE NATIONAL APICULTURE RESEARCH, TRAINING AND DEVELOPMENT INSTITUTE, THEREBY AMENDING FOR THE PURPOSE SECTION 11 OF REPUBLIC ACT NO. 9151, ENTITLED "AN ACT TO ABOLISH THE APICULTURE TRAINING AND DEVELOPMENT CENTER AT THE DON MARIANO MARCOS MEMORIAL STATE UNIVERSITY, MUNICIPALITY OF BACNOTAN, PROVINCE OF LA UNION, AND CREATE THE NATIONAL APICULTURE RESEARCH, TRAINING AND DEVELOPMENT INSTITUTE, AUTHORIZING THE APPROPRIATIONS OF FUNDS THEREFOR, AND FOR OTHER PURPOSES."

**To the Committee on Finance**

House Bill No. 6063, entitled

AN ACT AMENDING REPUBLIC ACT NO. 9280, OTHERWISE KNOWN AS THE CUSTOMS BROKERS ACT OF 2004, AND FOR OTHER PURPOSES;

House Bill No. 6073, entitled

AN ACT GOVERNING THE ESTABLISHMENT, OPERATION AND REGULATION OF LENDING COMPANIES;

and House Joint Resolution No. 20, entitled

JOINT RESOLUTION CREATING A CONGRESSIONAL COMMISSION *AF*

*MD*

TO REVIEW AND ASSESS THE STATE OF COMPETITIVENESS OF SCIENCE AND TECHNOLOGY; AND ENGINEERING RESEARCH AND DEVELOPMENT (R&D) SECTOR IN THE COUNTRY

To the Committee on Rules

**RESOLUTION**

Proposed Senate Resolution No. 621, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON HEALTH AND DEMOGRAPHY AND OTHER APPROPRIATE COMMITTEES TO INVESTIGATE, IN AID OF LEGISLATION, THE REPORTED PLAN OF THE DEPARTMENT OF HEALTH TO INCREASE THE NUMBER OF FOREIGN KIDNEY TRANSPLANT IN THE PHILIPPINES AS PART OF THE GOVERNMENT'S MEDICAL TOURISM PROGRAM

Introduced by Senator Luisa "Loi" P. Ejercito Estrada

To the Committees on Health and Demography; and Tourism

**COMMITTEE REPORT**

Committee Report No. 303, submitted by the Committee on Local Government, on House Bill No. 6003, introduced by Representative Baculio *et al.*, entitled

AN ACT CONVERTING THE MUNICIPALITY OF EL SALVADOR IN THE PROVINCE OF MISAMIS ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF EL SALVADOR,

recommending its approval without amendment.

Sponsor: Senator Lim

To the Calendar for Ordinary Business

**SPECIAL ORDER**

Upon motion of Senator Flavier, there being no objection, the Body approved the transfer of Committee Report No. 303 on House Bill No. 6003 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**COMMITTEE REPORT NO. 303  
ON HOUSE BILL NO. 6003**

Upon motion of Senator Flavier, there being no objection, the Body considered, on Second Reading, House Bill No. 6003 (Committee Report No. 303), entitled

AN ACT CONVERTING THE MUNICIPALITY OF EL SALVADOR IN THE PROVINCE OF MISAMIS ORIENTAL INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF EL SALVADOR.

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

**SPONSORSHIP SPEECH  
OF SENATOR LIM**

At the instance of Senator Flavier, there being no objection, the Body adopted the speech of Senator Lim on House Bill No. 6023 as the sponsorship for House Bill No. 6003.

**TERMINATION OF THE PERIOD  
OF INTERPELLATIONS**

There being no interpellation, upon motion of Senator Flavier, 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 Flavier, there being no objection, the Body closed the period of amendments.

**APPROVAL OF HOUSE BILL NO. 6003  
ON SECOND READING**

Submitted to a vote, there being no objection, House Bill No. 6003 was approved on Second Reading.

**SUSPENSION OF CONSIDERATION  
OF HOUSE BILL NO. 6003**

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

**SUSPENSION OF SESSION**

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

*It was 6:37 p.m.*

**RESUMPTION OF SESSION**

At 6:43 p.m., the session was resumed.

**PARLIAMENTARY INQUIRY  
OF SENATOR OSMEÑA**

Senator Osmeña inquired on the number of bills that were passed earlier that day on Second and Third Readings. He also asked how his vote on those bills, especially the anti-terrorism bill, was recorded.

**SUSPENSION OF SESSION**

The Chair suspended the session.

*It was 6:44 p.m.*

**RESUMPTION OF SESSION**

At 6:45 p.m., the session was resumed.

Upon resumption, the Chair informed Senator Osmeña that he was not included in the nominal vote. Senator Osmeña said that he might have been in the lounge when the vote was taken. He then manifested his negative vote on the anti-terrorism bill.

**SUSPENSION OF SESSION**

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

*It was 6:45 p.m.*

**RESUMPTION OF SESSION**

At 6:47 p.m., the session was resumed.

**SPECIAL ORDERS**

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of the following committee reports from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 265 on House Bill No. 6028 (creating Barangay Tumana);
2. Committee Report No. 264 on House Bill No. 6029 (creating Barangay Fortune); and
3. Committee Report No. 249 on House Bill No. 5884 (creating Barangay San Carlos).

**LOCAL GOVERNMENT BILLS**

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the following bills were considered on Second Reading:

1. House Bill No. 6028 (Committee Report No. 265), entitled  
AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY TUMANA IN THE CITY OF MARIKINA, METRO MANILA;
2. House Bill No. 6029 (Committee Report No. 264), entitled  
AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY FORTUNE IN THE CITY OF MARIKINA, METRO MANILA; and
3. House Bill No. 5884 (Committee Report No. 249), entitled  
AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY SAN CARLOS IN THE MUNICIPALITY OF BINANGONAN, PROVINCE OF RIZAL.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Pangilinan, only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

The Chair recognized Senator Lim, Sponsor of the measure. *LS*

*PS*

**SUSPENSION OF SESSION**

Upon motion of Senator Lim, the session was suspended.

*It was 6:48 p.m.*

**RESUMPTION OF SESSION**

At 6:48 p.m., the session was resumed.

**OMNIBUS SPONSORSHIP SPEECH  
OF SENATOR LIM**

In his sponsorship of House Bill Nos. 6028, 6029 and 5884, Senator Lim delivered the following speech:

The barangay is the smallest unit in our political system. It is, however, the first place which everyone of our constituents sees. The barangay is what its citizens refer to when he talks about national government based in Manila.

When there are challenges to governance, the citizen immediately feels it through his barangay. When there are privileges to be endowed to the citizenry, it is immediately implemented through the barangay. Thus, the barangay is the most critical link in the chain of political governance of our nation.

Before us today is Committee Report No. 249 on House Bill No. 5884, entitled "An Act Creating Barangay San Carlos in the Municipality of Binangonan, Province of Rizal," authored by Congressman Michael John Jack Art Duavit; Committee Report No. 264, entitled "An Act Creating A Barangay To Be Known As Barangay Fortune in the City of Marikina, Metro Manila"; and Committee Report No. 254, entitled "An Act Creating a Barangay To Be Known as Barangay Tumana in the City of Marikina, Metro Manila," by Congressman Del de Guzman.

While it is also true that many of the erstwhile powers and responsibilities of the national government have been devolved to the local government, the chief legislator for all matters related to the configuration of our political units is still vested in the Philippine Congress.

Barangay San Carlos has demonstrated that it is not only a politically viable unit but also an economically potent one. With an area of 108 hectares, a population of 10,000, 3,678 of whom are voters as of October 1995, and income exceeding that required by law, there is no reason why it should not become a separate

legal entity under the spirit and intent of Republic Act No. 7160.

Barangay Fortune has an area of 219.18 hectares and a population of 48,000, of whom 15,000 are voters.

Barangay Tumana has an area of 200 hectares and a population of 38,000, of whom 10,000 are voters.

I urge our distinguished colleagues to support these measures.

At the end of the day, the final result is more effective governance of the constituents of these barangays when they are allowed to perform their work as independent, responsive and accountable political entities.

**TERMINATION OF THE PERIOD  
OF INTERPELLATIONS**

There being no interpellation to any of the bills, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of interpellations.

**TERMINATION OF THE PERIOD  
OF AMENDMENTS**

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

**APPROVAL OF HOUSE BILL NO. 5884,  
6029, AND 6028 ON SECOND READING**

Submitted to a vote, there being no objection, House Bill Nos. 5884, 6029 and 6028 were approved on Second Reading, one after the other.

**SUSPENSION OF CONSIDERATION  
OF HOUSE BILL NOS. 5884, 6029 AND 6028**

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the bills.

**CONFERENCE COMMITTEE REPORT  
ON SENATE JOINT RESOLUTION NO. 9  
AND HOUSE JOINT RESOLUTION NO. 20**

Upon motion of Senator Pangilinan, there being no objection, the Body considered the Conference

Committee Report on the disagreeing provisions of Senate Joint Resolution No. 9, entitled

JOINT RESOLUTION CREATING A CONGRESSIONAL COMMISSION TO REVIEW AND ASSESS THE STATE OF COMPETITIVENESS OF SCIENCE AND TECHNOLOGY, AND ENGINEERING RESEARCH AND DEVELOPMENT (R&D) SECTOR IN THE COUNTRY,

and House Joint Resolution No. 20, entitled

RESOLUTION CREATING A CONGRESSIONAL COMMISSION TO REVIEW AND ASSESS THE STATE OF COMPETITIVENESS OF SCIENCE AND TECHNOLOGY AND ENGINEERING RESEARCH AND DEVELOPMENT (R&D) SECTOR IN THE COUNTRY.

The Chair recognized Senator Angara to sponsor the report.

**SPONSORSHIP SPEECH OF SENATOR ANGARA**

In his sponsorship of the report, Senator Angara read the following joint statement in explanation of the amendments agreed upon by the conferees:

1. The Senate and House versions of the resolution are identical with minor corrections. The matrix which contains the Senate and House versions was adopted as the working draft;

2. The conferees agreed that an omnibus amendment on all provisions containing the phrase "science, engineering, and technology" shall be rephrased to conform to the title of the resolution, and shall now read as follows: "science and technology, and engineering";

3. On the 9th whereas clause, remove the word "and" between the words "education" and "R&D," and the line shall now read as follows: "science and technology, and engineering education R&D";

4. On the first "resolved" provision, change the acronym "COMSET" to "COMSTE";

5. On line 3, page 5 of the Senate version, between the words "the" and "technical,"

change the word "necessity" to "necessary" and shall now read as follows:

"(e) Pass upon the recommendation of the Technical Secretariat which it shall organize, to be headed by an executive director, to provide the necessary technical, management, and staff services";

6. The conferees also agreed to insert the words "Chairman and" between the words "a" and "a Co-Chairman," on the third "resolved" provision of both the Senate and House versions and shall now read as follows:

*"Resolved furthermore, as it is hereby resolved, That the members of the commission shall elect from among themselves a Chairman and a Co-chairman, and may establish subcommittees as may be needed and may call on any government agency or resource persons from the public and private sectors for assistance."*

7. The title of the Resolution of the Senate version was adopted:

JOINT RESOLUTION CREATING A CONGRESSIONAL COMMISSION TO REVIEW AND ASSESS THE STATE OF COMPETITIVENESS OF SCIENCE AND TECHNOLOGY, AND ENGINEERING RESEARCH AND DEVELOPMENT (R&D) SECTOR IN THE COUNTRY.


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

**APPROVAL OF THE CONFERENCE COMMITTEE REPORT**

Upon motion of Senator Pangilinan, there being no objection, the Conference Committee Report on the disagreeing provisions of Senate Joint Resolution No. 9 and House Joint Resolution No. 20 was approved by the Body.

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 6:54 p.m. *



**RESUMPTION OF SESSION**

At 7:04 p.m., the session was resumed.

**SIXTH ADDITIONAL  
REFERENCE OF BUSINESS**

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

**MESSAGES FROM THE  
HOUSE OF REPRESENTATIVES**

Letters from the Secretary General of the House of Representatives, informing the Senate that on 7 February 2007, the House of Representatives concurred with the Senate amendments on the following:

House Bill No. 188, entitled

AN ACT DECLARING DECEMBER 13 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN GENERAL TRIAS IN THE PROVINCE OF CAVITE;

House Bill No. 4564, entitled

AN ACT DECLARING MARCH 8 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE ENTIRE PROVINCE OF COMPOSTELA VALLEY TO COMMEMORATE ITS FOUNDING ANNIVERSARY;

House Bill No. 4569, entitled

AN ACT DECLARING FEBRUARY 5 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE MUNICIPALITY OF BIÑAN, PROVINCE OF LAGUNA TO BE KNOWN AS BIÑAN LIBERATION DAY;

House Bill No. 4572, entitled

AN ACT DECLARING SEPTEMBER 18 OF EVERY YEAR A SPECIAL WORKING HOLIDAY IN THE CITY OF TACURONG, PROVINCE OF SULTAN KUDARAT TO COMME-

MORATE ITS CHARTER DAY ANNIVERSARY.

**To the Archives**

Letters from the Secretary General of the House of Representatives, informing the Senate that on 7 February 2007, the House of Representatives passed the following House bills in which it requested the concurrence of the Senate:

House Bill No. 5566, entitled

AN ACT DEFINING THE LIABILITY OF SHIP AGENTS IN THE TRAMP SERVICE, AMENDING FOR THIS PURPOSE ARTICLE 586 OF THE CODE OF COMMERCE AND FOR OTHER PURPOSES

**To the Committee on Public Services**

House Bill No. 5897, entitled

AN ACT GRANTING THROUGH A SOCIAL INTEGRATION PROGRAM LEGAL RESIDENCE STATUS TO CERTAIN ALIENS IN THE PHILIPPINES UNDER CERTAIN CONDITIONS

**To the Committees on Justice and Human Rights; and Finance**

Letters from the Secretary General of the House of Representatives, informing the Senate that on 7 February 2007, the House of Representatives approved the Bicameral Committee Report on the disagreeing provisions of the following bills:

House Bill No. 4536, entitled

AN ACT PROVIDING FOR THE MAGNA CARTA FOR SOCIAL WORKERS AND SOCIAL WELFARE AND DEVELOPMENT WORKERS AND FOR OTHER PURPOSES;

and Senate Bill No. 2587, entitled

AN ACT PROVIDING FOR A MAGNA CARTA FOR PUBLIC SOCIAL WORKER;

1/8



House Bill No. 1214, entitled

AN ACT GRANTING OTHER PRIVILEGES AND INCENTIVES TO PERSONS WITH DISABILITY, AMENDING FOR THE PURPOSE THE MAGNA CARTA FOR DISABLED PERSONS;

and Senate Bill No. 2580, entitled

AN ACT AMENDING REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR DISABLED PERSONS AND FOR OTHER PURPOSES."

To the Archives

### RESOLUTION

Proposed Senate Resolution No. 622, entitled

RESOLUTION TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE POLICIES OF THE ARMED FORCES OF THE PHILIPPINES TO SAFEGUARD THE MEMBERS OF PEACE MISSIONS TO INSURGENTS

Introduced by Senator Gordon

To the Committee on National Defense and Security

### SEVENTH ADDITIONAL REFERENCE OF BUSINESS

#### BILL ON FIRST READING

Senate Bill No. 2614, entitled

AN ACT STRENGTHENING AND RATIONALIZING THE CAREER SERVICE OF THE CONGRESS OF THE PHILIPPINES BY ESTABLISHING A LEGISLATIVE CAREER SERVICE, PROVIDING BENEFITS FOR ITS OFFICERS AND EMPLOYEES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

Introduced by Senator Drilon

To the Committees on Finance; and Civil Service and Government Reorganization

### MANIFESTATION OF SENATOR MADRIGAL

Senator Madrigal manifested that she has been waiting since Tuesday, February 6, to interpellate on the protected area bills.

She explained that she made the manifestation so that she would not be accused by Senator Cayetano of employing dilatory tactics. She said that she was ready to be interpellated on the measure prohibiting child pornography.

### SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

*It was 7:08 p.m.*

### RESUMPTION OF SESSION

At 7:13 p.m., the session was resumed.

### SPECIAL ORDER

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of Committee Report No. 297 on Senate Bill No. 2613 from the Calendar for Ordinary Business to the Calendar for Special Orders.

### COMMITTEE REPORT NO. 297 ON SENATE BILL NO. 2613

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Second Reading, Senate Bill No. 2613 (Committee Report No. 297), entitled

AN ACT PROVIDING FOR THE PROTECTION AND CONSERVATION OF THE NATIONAL CULTURAL HERITAGE, STRENGTHENING THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCAA) AND ITS AFFILIATED CULTURAL

*pro*

**AGENCIES, 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 Pangilinan, 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 Angara for the sponsorship.

**SPONSORSHIP SPEECH OF SENATOR ANGARA**

At the instance of Senator Pangilinan, there being no objection, the sponsorship speech of Senator Angara was considered read into the Record of the Senate.

**SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2613**

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

**SUSPENSION OF SESSION**

Upon motion of Senator Pangilinan, the session was suspended.

*It was 7:14 p.m.*

**RESUMPTION OF SESSION**

At 8:14 p.m., the session was resumed.

**ANNOUNCEMENT OF THE CHAIR**

The Chair announced that Senate Bill No. 1949 and House Bill No. 6073, both entitled "An Act Governing the Establishment, Operation and Regulation of Lending Companies" have been approved by both Houses and since they have identical provisions, there was no need for a conference committee. consequently, the bill would be enrolled.

Senator Angara expressed appreciation to the House for adopting the Senate version word-for word.

**REMARKS OF SENATOR GORDON**

Senator Gordon stated that many things have been said about him being a maverick. But he

clarified that he was a maverick because he could not accept things as they are since he believed that things could be made as they should be.

Senator Gordon stressed that he has worked very hard for the tourism bill and through the deliberations, he has learned his lessons as a legislator. He expressed appreciation for the support of his colleagues like Senator Drilon, who helped him tighten up the bill, and Senators Angara and Enrile.

He narrated that yesterday, he got a call from Speaker De Venecia asking him to push the party reform bill, a bill that he personally felt was necessary because parties need ideologies and it is imperative to impose discipline, and his reply to the Speaker was that the Senate would not be held hostage. Nonetheless, he said that after consulting with Senator Angara, who filed a similar bill four years ago which was not passed when a senator filibustered against, he sponsored the bill on the floor.

He disclosed that, apparently, the House would not pass tonight the tourism bill unless the Senate passed the party reform bill, that is, in spite of his commitment to push for it in June. He noted that Senator Angara has spoken with Senator Drilon about withdrawing the proposed amendments so that the Body could proceed but another senator wishes to pursue his amendments.

In view of the foregoing, he wondered why the tourism bill is so unimportant to legislators who realize, nevertheless, that the transformation of Intramuros into a tourism area would help thousands of small people like the *taho* vendor or the *caritela* operator earn a livelihood. The tourism bill, he underscored, is really dedicated to these people who have no opportunities in life except to make money out of people who visit historic places, fiestas, or beach resorts.

He expressed dismay that people could practically hold hostage a bill that is so important to so many. He stated that when Congress convenes in June, these people would probably ask the senators for the same thing and they would probably force the issue. He lamented that the business of this country appears to be just plain politics. Refusing to be discouraged by these people, he said that the incident has enervated him but his spirit cannot be taken by these people. He stated that he has spoken out because he has always been transparent about his desire for reform. *AK*

*po*

For the record, he underscored that if the tourism bill has been held hostage, it was not through the fault of the Senate.


He believed that the sad state of affairs could have been avoided if legislators cared enough and were aware that people depend on them. His experience with the Red Cross, he stated, has grounded him on the reality that there are a lot of people who need the support and the leadership of the legislators. Unfortunately, he bewailed, some politicians have nothing but their personal interests to gratify and no moral stamina whatsoever. He stated that he has always stood on principle with President Marcos, President Aquino, President Estrada, and President Ramos. While he has tried to be agreeable, he said that he could not bow to something that is not for the common good, and this, he added, is what the children should see.

## ADJOURNMENT OF SESSION

Upon motion of Senator Angara, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, June 4, 2007.

*It was 8:25 p.m.*

I hereby certify to the correctness of the foregoing.

  
OSCAR G. YABES  
Secretary of the Senate  
*[Handwritten initials]*

Approved on June 4, 2007