

RECORD OF THE SENATE

MONDAY, SEPTEMBER 27, 1999

NATIONAL ANTHEM

OPENING OF THE SESSION

At 3:26 p.m., the Senate President, Hon. Blas F. Ople, called the session to order.

The President. The 27th session of the Senate of the Second Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Franklin M. Drilon.

After the prayer, the Senate Choir will lead us in the singing of the national anthem.

Everybody rose for the prayer.

PRAYER

Senator Drilon. Almighty God, First Lawgiver and Final Judge.

You have made man in Your image with the power to know Your laws and to fashion others of his own.

You have given us the great responsibility of being in authority over our fellowmen.

Pour into our minds, we pray, the spirit of Your wisdom and Your justice, so that our decisions may be wise, our judgment just, and our dealings in human jurisprudence will ever reflect the plan of Your eternal law.

Help us always to act fairly and justly; but to justice help us always to add mercy and sympathy. Help us to know when to enforce discipline and when to relax it. Help us never to prejudice against any man.

Help us to remember that people are always more important than things, and that men are always more important than machines.

Keep us from exercising our authority in harshness or tyranny, and help us also from being afraid to exercise it at all.

Help us to remember that though we are called masters, we too have a Master, Jesus Christ, our Lord.

Amen.

Everybody remained standing for the singing of the national anthem.

ROLL CALL

The President. The Secretary will please call the roll.

The Secretary, reading:

- Senator Teresa Aquino Oreta ..... \*\*
Senator Robert Z. Barbers..... Present
Senator Rodolfo G. Biazon..... Present
Senator Renato L. Compañero Cayetano.. Present
Senator Anna Dominique M. L. Coseteng . Present
Senator Franklin M. Drilon ..... Present
Senator Juan Ponce Enrile ..... Present
Senator Juan M. Flavier ..... Present
Senator Teofisto T. Guingona Jr. .... Present
Senator Gregorio B. Honasan ..... Present
Senator Robert S. Jaworski ..... Present
Senator Loren B. Legarda-Leviste ..... Present
Senator Ramon B. Magsaysay Jr. .... Present\*
Senator John Henry R. Osmeña ..... Present
Senator Sergio R. Osmeña III ..... Present
Senator Aquilino Q. Pimentel Jr. .... Present
Senator Ramon B. Revilla ..... Present
Senator Raul S. Roco ..... \*\*
Senator Miriam Defensor Santiago ..... \*\*
Senator Vicente C. Sotto III ..... \*\*
Senator Francisco S. Tatad ..... \*\*
The President ..... Present

The President. With 16 senators present, there is a quorum.

The Majority Leader is recognized.

THE JOURNAL

Senator Drilon. Mr. President, I move that we dispense with the reading of the Journal of the previous session and consider it approved.

The President. Is there any objection? [Silence] There being none, the motion is approved.

Senator Drilon. I move that we proceed to the Reference of Business.

\* Arrived after the roll call
\*\* On official mission

**MOTION OF SENATOR CAYETANO  
(That He Be Made Coauthor of S. Res. No. 579)**

**Senator Cayetano.** With the permission of the Chair, I move that this representation be also made a coauthor of Proposed Senate Resolution No. 579 which was referred to the Committee on Trade and Commerce as the primary committee, and to the Committee on Justice and Human Rights as the secondary committee.

Thank you, Mr. President.

**The President.** Is there any objection? *[Silence]* There being none, the motion is approved.

The Majority Leader is recognized.

**BILL ON SECOND READING  
S. No. 468--Public Employment Service Office  
Act of 1998  
(Continuation)**

**Senator Drilon.** Mr. President, I move that we resume consideration of Senate Bill No. 468 as reported out under Committee Report No. 66.

**The President.** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 468 is now in order.

**Senator Drilon.** We are still in the period of sponsorship. For this afternoon, may I ask the Chair to recognize Sen. Loren Legarda-Laviste who wishes to cosponsor the measure.

This is the bill sponsored by the Senate President.

**The President.** Senator Legarda-Laviste is recognized for her sponsorship speech.

**SPONSORSHIP SPEECH OF SENATOR  
LEGARDA-LEVISTE**

**Senator Legarda-Laviste.** Thank you, Mr. President.

While achieving growth and development is one difficult task for all of us, seeing to it that the fruits of growth are properly shared among the population, more particularly the poor, is doubly demanding. An improvement in the distribution of income, a reduction in the number of Filipinos below the poverty line, and a decrease in the incidence of unemployment are major signals of a better sharing among all of us.

A gainful job for a Filipino does not only enable him to provide for the needs of his family, but it also makes him a better person in the community: happy and proud to be a productive citizen. Sustained employment growth could also result in better economic or income distribution.

That is why, Mr. President, without hesitation, I coauthored Senate Bill No. 468, or the PESO bill, with the honorable Senate President Blas F. Ople, and likewise cosponsored it with Sen. Francisco S. Tatad who is the chairman of the Committee on Labor and Employment.

As proposed in the measure, the Public Employment and Service Office, or PESO, does not intend to reinvent the employment service in the Philippines. Rather, it aims to widen its coverage, to broaden its functions and to modernize its systems and procedures.

This Act will make the national and local government employment service network prepared as it faces the challenge of a globalized economy in the next millennium. The availability of accurate information, both on manpower and employment opportunities, to everybody at the least cost at all times will have tremendous benefits to society as a whole—as we will all be able to maximize overseas and domestic employment opportunities.

Over and above the benefits resulting from efficient allocation, utilization and distribution of our labor force, the proposed measure will put us in a better situation and in a better position to study existing and future employment trends through labor market signals that complement present traditional labor market data and information. The signals will come from the PESO network.

We hope that through the enactment of this measure, we will not miss the opportunity to help our working men and women compete by having accurate, timely and relevant information in a globalized labor market.

Thank you, Mr. President.

**The President.** The Chair would like to thank Senator Legarda-Laviste for her sponsorship speech.

The Majority Leader is recognized.

**Senator Drilon.** Mr. President, I move that we close the period of sponsorship for Senate Bill No. 468.

**The President.** Is there any objection? *[Silence]* There being none, the motion is approved.

## SUSPENSION OF CONSIDERATION OF S. NO. 468

**Senator Drilon.** I move that we suspend consideration of Senate Bill No. 468 as reported out under Committee Report No. 66, as the chairman of the Committee on Labor, Employment and Human Resources Development is presently on official mission and we could not proceed with the interpellations.

**The President.** Is there any objection? [Silence] There being none, the motion is approved.

BILL ON SECOND READING  
S. No. 1712--Creating the National  
Transmission Company  
(Continuation)

**Senator Drilon.** Mr. President, I move that we resume consideration of Senate Bill No. 1712 as reported out under Committee Report No. 68.

**The President.** Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 1712 is now in order.

**Senator Drilon.** We are still in the period of interpellations. May I ask the Chair to recognize the principal sponsor, Sen. John H. Osmeña.

**The President.** Sen. John H. Osmeña is recognized.

**Senator Drilon.** May I ask the Chair to recognize the Minority Leader for the interpellation.

**The President.** The Minority Leader, Sen. Teofisto T. Guingona Jr., is recognized.

**Senator Guingona.** Thank you, Mr. President.

I have almost forgotten where we were. In my mind, it is Chile and Argentina. So I got lost along the way.

At any rate, Section 20, I understand, will be deleted. Is that correct?

**Senator J. Osmeña.** No, Mr. President. What will be deleted is the word "controlling" which was not in the original Section 20. It was included because when we made our omnibus amendments, this was one of the proposed amendments submitted by the NPC. So it was included as one of the amendments.

But in the period of amendments, we will delete the word "controlling" which, in effect, would say that: "No generation company or distribution utility, or major stockholder or official of

a generation or distribution company, or any industry player specified by ERB shall be allowed to hold any interest"... So we will delete the word "controlling." That is where our interpellation ended the last time we suspended this, Mr. President.

**Senator Guingona.** Thank you. Would the distinguished sponsor deem it appropriate to insert here also the prohibition of coownership as far as the generators and distributors are concerned? In other words, no generator shall have any interest in the distributor; the distributor likewise in a generator.

**Senator J. Osmeña.** Mr. President, that is a provision on cross-ownership in the bill on restructuring which is not relevant because this is the bill strictly on transmission. But that provision is also going to be a very contentious provision when we get to that bill.

**Senator Guingona.** May we go back to the original proposition for the effectivity of this bill—to be effective only upon approval of the accompanying integrated bills—because we would like to see the...

**Senator J. Osmeña.** Mr. President, precisely the logic in a sequential approval is the fact that in the United Kingdom, it took them two-and-a-half years to be able to put in place all of the systems that had to do with the operation of the TRANSCO. So it is prudent for us to set up the TRANSCO ahead of the privatization of the generating assets of NPC.

**Senator Guingona.** I agree. It should be approved ahead but the effectivity is what I am only asking.

**Senator J. Osmeña.** Mr. President, there is no point in approving if we will postpone the effectivity.

**Senator Guingona.** No. If there is a prohibition against the generation being confined to generation and the distribution being confined to distribution, then the approval and effectivity of the TRANSCO as far as this representation is concerned would be logical. But for us to approve and have it effective right away without knowing what we would be approving later on may have a conflict.

**Senator J. Osmeña.** That is a totally different sector, Mr. President, because that involves the three activities—generation, transmission and distribution. In this particular bill on transmission, we are prohibiting any form of interest. "No generation company or distribution utility, or major stockholder or official of a distribution or generation company or any industry player specified by ERB shall be allowed to hold..." So we are already limiting or excluding from ownership in the TRANSCO of the distribution and the generation companies.