

MONDAY, FEBRUARY 15, 1999

OPENING OF THE SESSION

At 3:29 p.m., the Senate President, Hon. Marcelo B. Fernan, called the session to order.

The President. The 63rd session of the Senate of the First Regular Session of the Eleventh Congress is hereby called to order.

We shall be led in prayer by Sen. Aquilino Q. Pimentel Jr.

After the prayer, the Senate Choir will lead us in the singing of the national anthem, and thereafter will render another song entitled, Pilipinas.

Everybody rose for the prayer.

PRAYER

Senator Pimentel.

Lord, bless Your senators so that they will make laws for the good of our people.

Amen.

NATIONAL ANTHEM

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 Present
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 Blas F. Ople Present
Senator John Henry R. Osmeña Absent
Senator Sergio R. Osmeña III Present
Senator Aquilino Q. Pimentel Jr Present
Senator Ramon B. Revilla Present
Senator Raul S. Roco Present
Senator Miriam Defensor Santiago Present
Senator Vicente C. Sotto III Present
Senator Francisco S. Tatad Present
The President Present

The President. With 21 senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

SUSPENSION OF SESSION

Senator Drilon. Mr. President, before we take up the business for the day, may I move that we suspend our session to enable our colleagues to officially greet Sen. Juan Ponce Enrile a very happy birthday.

The President. On behalf of the senators, happy birthday, Senator Enrile. [Applause]

The session is suspended, if there is no objection. [There was none.]

It was 3:37 p.m.

RESUMPTION OF SESSION

At 3:39 p.m., the session was resumed.

The President. The session is resumed. 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 reading of the Journal of the previous session is dispensed with and the same is considered approved.

\* On official mission but arrived after the roll call

## RESUMPTION OF SESSION

At 4:51 p.m., the session was resumed.

**The President.** The session is resumed. The Majority Leader is recognized.

## DRILON AMENDMENTS

**Senator Drilon.** Mr. President, after discussing with the sponsor and the principal author of the measure and after consultation with the Comelec, we propose on page 2, line 15, the insertion between the words "Assembly" and "shall" of the following phrase: ELECTED IN SEPTEMBER 1996.

In line 16, delete the phrase "their successors shall have been duly elected and qualified," and in lieu thereof, insert the date SEPTEMBER 30, 1999.

In line 18, between the words "any" and "elective", insert the word OTHER.

In line 20, after the word "office", substitute the colon (:) with a period (.) and delete the rest of the proviso starting with the punctuation mark colon (:) up to line 29.

So that from line 13, as amended, it will now read as follows:

*"Provided, however,* That the incumbent regional governor, regional vice-governor and members of the Regional Legislative Assembly ELECTED IN SEPTEMBER 1996 shall continue in office in a hold-over capacity until SEPTEMBER 30, 1999, unless they file their certificates of candidacy for any OTHER elective position therein, in which case, they shall *ipso facto* be considered resigned from their office."

**Senator Roco.** We are happy to accept, Mr. President, as it preempts legal issues in the near future.

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

**Senator Drilon.** As there are no more individual amendments. I move that we close the period of individual amendments.

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

## SUSPENSION OF CONSIDERATION OF S. NO. 1049

**Senator Drilon.** Mr. President, I now move to suspend consideration of Senate Bill No. 1049 under Committee Report

No. 19 to enable the Secretariat to provide the members of the Chamber with a clean and final copy of the proposed measure incorporating all committee and individual amendments, so that in tomorrow's session, we would be able to approve this measure on Second Reading.

Since this is a certified bill, may I inform our colleagues that we propose to submit the measure for approval on Third Reading in tomorrow's session.

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

**Senator Drilon.** Mr. President, I move that we suspend consideration of Senate Bill No. 1049 under Committee Report No. 19.

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

The Secretariat is directed to prepare a clean copy of the draft of Senate Bill No. 1049 incorporating all the committee and individual amendments approved by this Body.

BILL ON SECOND READING  
S. No. 1255 - Philippine Clean Air Act of 1998  
(Continuation)

**Senator Drilon.** Mr. President, I move that we resume consideration of Senate Bill No. 1255 as reported out under Committee Report No. 8.

**The President.** Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 1255 is now in order.

**Senator Drilon.** We are still in the period of individual amendments. May I ask the Chair to recognize the principal sponsor, Sen. Gregorio B. Honasan.

**The President.** Sen. Gregorio B. Honasan is recognized.

**Senator Honasan.** Thank you, Mr. President. The committee has been given the privilege of manifesting on the floor proposed individual amendments by Sen. Francisco S. Tatad. To do this, we shall have to refer to the earlier proposed amendments of Sen. Raul S. Roco. This takes on the form of amendments to previously accepted individual amendments. May I have the Chair's permission to read this.

**Senator Tatad.** Mr. President.

**The President.** Senator Tatad is recognized.

**Senator Tatad.** Mr. President, with the permission of the distinguished chairman and sponsor of the measure, may I just make a brief prefatory statement on why I am proposing certain amendments to amendments previously accepted. I do recall that when certain of these amendments were made, there was a statement to the effect that these are subject to refinement or style.

I was going over the accepted amendments. I thought they could probably allow for some modifications with the consent of the original sponsor and, of course, the chairman of the committee sponsoring the measure.

**Senator Honasan.** Mr. President, with the permission of Senator Tatad, we would like to manifest that our reference for this next round of individual amendments would be the amended copy of Senate Bill No. 1255 as of February 10, 1999.

**Senator Tatad.** I have it now, Mr. President. Perhaps, with the permission of the distinguished sponsor, I could propose the amendments myself for the convenience of all the parties.

**Senator Honasan.** We have no objection, Mr. President.

**The President.** Please proceed.

**Senator Tatad.** Mr. President, I would like to revisit page 1, Section 2, "Declaration of Principles" beginning with line 7 up to line 13. I would like to propose a recasting of the provisions therein and an additional sentence as well.

The proposed amendment would read as follows: THE STATE SHALL PROMOTE AND PROTECT THE GLOBAL ENVIRONMENT TO ATTAIN SUSTAINABLE DEVELOPMENT WHILE RECOGNIZING THE PRIMARY RESPONSIBILITY OF LOCAL GOVERNMENT UNITS TO DEAL WITH SPECIFIC ENVIRONMENTAL PROBLEMS AND CONCERNS IN THEIR RESPECTIVE AREAS.

THE STATE ALSO RECOGNIZES THE PRINCIPLE THAT THE BEST WAY TO MAINTAIN A CLEAN AND HEALTHY ENVIRONMENT IS TO MAKE SURE THAT POLLUTERS PAY A HIGH PRICE FOR POLLUTING THE ENVIRONMENT.

FINALLY, THE STATE RECOGNIZES THE CLEAN AND HEALTHY ENVIRONMENT IS FOR THE GOOD OF ALL AND SHOULD THEREFORE BE THE CONCERN OF ALL.

**Senator Roco.** Mr. President.

**The President.** Senator Roco is recognized.

## SUSPENSION OF SESSION

**Senator Roco.** Mr. President, I move that we suspend the session for a few minutes. I think it is better to discuss this matter that introduces what is intended to be styling modifications but may, in fact, present another concept unintentionally.

So may I move that we suspend the session for a few minutes, Mr. President.

**The President.** To give the Bicol bloc a chance to meet, the session is suspended, if there is no objection. *[There was none.]*

*It was 5:01 p.m.*

## RESUMPTION OF SESSION

*At 5:15 p.m., the session was resumed.*

**The President.** The session is resumed.

**Senator Tatad.** Mr. President.

**The President.** Senator Tatad is recognized.

**Senator Tatad.** Mr. President, after consultations within the Bicolano bloc of the Chamber, we propose a recasting of Section 2 to read as follows:

## TATAD AMENDMENTS

THE STATE SHALL PROMOTE AND PROTECT THE GLOBAL ENVIRONMENT TO ATTAIN SUSTAINABLE DEVELOPMENT WHILE RECOGNIZING THE PRIMARY RESPONSIBILITY OF LOCAL GOVERNMENT UNITS TO DEAL WITH ENVIRONMENTAL PROBLEMS.

THE STATE RECOGNIZES THAT THE RESPONSIBILITY OF CLEANING THE HABITAT AND ENVIRONMENT IS PRIMARILY AREA-BASED.

THE STATE ALSO RECOGNIZES THE PRINCIPLE THAT "POLLUTERS MUST PAY."

FINALLY, THE STATE RECOGNIZES THAT A CLEAN AND HEALTHY ENVIRONMENT IS FOR THE GOOD OF ALL AND SHOULD THEREFORE BE THE CONCERN OF ALL.

I think it is a good statement.

**Senator Honasan.** Mr. President, with the consent of the original proponent, Sen. Raul Roco, we accept the amendment.

**The President.** So that is from lines 7 to 13 of page 1.

**Senator Tatad.** Mr. President, on the same page, Section 3, we have "Recognition of Rights." With the consent of the sponsor...

**The President.** Before the distinguished sponsor proceeds, is there any objection? *[Silence]* There being none, the amendments are approved.

Please proceed.

**Senator Tatad.** Mr. President, Section 3 speaks of rights. With the consent of the distinguished sponsor, I would like to propose that in this bill, we speak not only of rights but also of duties. There is an overabundance of rights talk all around the world today but no one is talking of responsibilities and duties. It is very important to put in the duties of citizens in this bill to make sure that they not only know what they are entitled to but what is expected of them.

So I am going to propose a recasting of this section to read as follows:

SEC. 3. RIGHTS AND DUTIES OF CITIZENS. PURSUANT TO SECTION 2 HEREOF, THE FOLLOWING RIGHTS AND DUTIES OF CITIZENS SHALL BE RECOGNIZED AND ENFORCED BY THE STATE:

(a) The right to breathe clean air AND THE DUTY NOT TO POLLUTE THE AIR THAT OTHERS BREATHE.

This would apply to smokers.

**Senator Roco.** Mr. President.

**The President.** Senator Roco is recognized.

**Senator Roco.** Mr. President, actually, I have no quarrel with the concept, but originally, this was in fact part of the *Declaration of Rights*. So we tried to have a rationalization by separating it as a recognition of rights and then by mandating the obligations in Section 4.

So the balance, Mr. President, between the rights recognized and the duties are now addressed by the specific mandates of the bill. This is how I read the bill. So that because of the rights of the citizens, the government is now mandated to do many things in the various sections of the bill.

I understand the philosophical thrust of my distinguished friend from Catanduanes, Mr. President. But when, as a matter of law, we combine rights and duties under optimistic

philosophy, that is an appropriate proposal. But when we put it in the law and we mix up the mandates, it becomes difficult. We will have to rehash all the subsequent mandates in the operating sections.

So it becomes very difficult because under the present text—and I admit this can be reworded—we just say, THE FOLLOWING RIGHTS ARE RECOGNIZED. Each right is then addressed by an operating section. But when we make it a right and a duty at the same time—although that is philosophically correct—I do not know how the operating sections will be affected. That is why, I will ask our distinguished colleague. Again, maybe this is better discussed and redrafted, but it will become very difficult to maintain the present bill the way it is crafted.

**Senator Honasan.** Mr. President.

**The President.** Senator Honasan is recognized.

**Senator Honasan.** Using the same procedure that we applied when we recast Section 2, may I move that we suspend the session for a few minutes.

**Senator Tatad.** Mr. President, before the Chair acts on that motion, perhaps what we can do is, we can skip this temporarily. I would like to restudy this and then come back to it later. But perhaps with that reservation, we can proceed with the other proposed amendments, just to save time.

**The President.** Does the gentleman agree?

**Senator Honasan.** We have no objection, Mr. President.

**The President.** There is no objection. Please proceed.

**Senator Tatad.** First of all, I would like to thank my distinguished legal counsel for continuing to provide me with legal advice on the legal construction. We will look at this again and then come back to it.

Right now, perhaps, we can go to Section 4.

**Senator Roco.** With the permission of my distinguished friend, Mr. President. I feel constrained now to give even better advice now that our distinguished friend is an adviser of the President.

**Senator Tatad.** There is no basis for that, Mr. President.

**Senator Roco.** I am fearful that our inability to offer advice may affect presidential actions later on. *[Laughter]*

Thank you, Mr. President.

**Senator Tatad.** Mr. President, perhaps just to have a more economical rendering of Section 4, I would like to propose a recasting of the section to read as follows:

SECTION 4. MANDATE FOR THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES. - THE DEPARTMENT, CONSISTENT WITH THE PRINCIPLE OF SUSTAINABLE DEVELOPMENT, SHALL PURSUE A POLICY OF BALANCING ENVIRONMENTAL PROTECTION WITH THE REAL NEEDS OF DEVELOPMENT. THE DEPARTMENT IS HEREBY MANDATED:

(A) TO FORMULATE A HOLISTIC NATIONAL PROGRAM ON HOW TO PREVENT, MANAGE, CONTROL AND REVERSE AIR POLLUTION FROM CITY TO COUNTRYSIDE USING BOTH REGULATORY AND MARKET-BASED INSTRUMENTS THAT INVOLVE THE PARTICIPATION OF ALL SECTORS AND RELYING MAINLY ON THE EFFECTIVE DISSEMINATION OF CORRECT AND USEFUL INFORMATION AMONG CITIZENS; AND

(B) TO SET UP A MECHANISM FOR THE PROPER IDENTIFICATION AND INDEMNIFICATION OF VICTIMS OF ANY DAMAGE OR INJURY RESULTING FROM THE ADVERSE ENVIRONMENTAL IMPACT OF ANY PROJECT, ACTIVITY OR UNDERTAKING.

Mr. President, in these two paragraphs I have tried to compress what is stated in the entire section, and I hope the distinguished sponsor will find the rendition acceptable.

**Senator Honasan.** Mr. President, for clarification, may we request the distinguished proponent of these amendments if it necessarily means that we delete paragraphs (c), (d) and (e) in the same section?

**Senator Tatad.** We have tried to capture the meaning of the paragraphs and incorporate the essence of these particular paragraphs in the first paragraph that we are proposing.

The original proposal of the bill is to formulate a holistic national program. The other parts would encourage cooperation and self-regulation among citizens, focus on prevention rather than control, and promote public information and education. All these are contained in paragraphs (a), (b), (c) and (d).

In the proposed new paragraph (a), we have a holistic national program whose task will be to prevent air pollution, to manage it if it already exists, and control it and try to reverse it from the city to the countryside using both regulatory as well as market-based instruments as contained originally in paragraph (b).

I am talking of self-regulation and market-based instruments here, and at the same time, we are clear in our desire to involve the participation of all sectors, because we know that no program like this will succeed without the participation of the citizenry. And we are saying that the principal weapon would be the effective dissemination of correct and useful information among citizens.

In one paragraph we are able to say everything that is spelled out in paragraphs (a) to (d). The equivalent of paragraph (e), we are very direct in saying that there should be a mechanism to correctly identify and subsequently indemnify victims of any damage or injury resulting from the adverse environmental impact of any project, activity or undertaking.

This is just an attempt to make the language probably a little bit more attractive for those who will read this particular legislation.

**Senator Honasan.** Mr. President, with that explanation, we accept the amendment.

**Senator Tatad.** Mr. President, the committee has accepted the amendments.

**The President.** As recast, Section 4, paragraphs (a), (b), (c) and (d) will now be reduced to two...

**Senator Tatad.** There is a new section, Mr. President.

**The President.** Which is really paragraphs (a) and (b).

**Senator Tatad.** Section 4 is recast.

**The President.** It is recast and it used to be paragraphs (a), (b), (c) and (d), but this has been compressed to just (a) and (b).

**Senator Tatad.** Yes, Mr. President.

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

**Senator Tatad.** Mr. President, on page 23 in the old text, I hope it is still on the same page....

**The President.** What section?

**Senator Tatad.** On page 23, line 7, between the words "PERSON" and "INSTITUTION", I propose to replace the word "AND" with the word OR.

**Senator Honasan.** It is accepted, Mr. President.

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

**Senator Tatad.** On the same page, line 16, between the words "wastes" and "prohibited," I propose to replace the words "shall be" with the words ARE HEREBY so that the prohibition is instant in the bill.

**Senator Honasan.** It is accepted, Mr. President.

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

**Senator Tatad.** On page 24, lines 1 to 3, as it reads now, it says: "In the interim, the Department shall encourage the use of safer treatment and destruction technologies instead of incineration for the disposal of hazardous waste."

I propose to recast this to read as follows:

"IN LIEU OF INCINERATION, the Department shall encourage the use of safer and STATE-OF-THE-ART technologies FOR THE treatment, destruction, AND disposal of hazardous waste, INCLUDING STORAGE UNDER THE HIGHEST UNIVERSALLY ACCEPTED STANDARDS OF TOXIC WASTES."

The reason for this, Mr. President, is that not all wastes may be destroyed through the means available for the destruction of a great part of the waste that is produced.

There are certain types of wastes. The only way to deal with this is to store them under highly supervised conditions using state-of-the-art technology. That is the only reason for this proposal.

**The President.** What is the pleasure of the sponsor?

**Senator Honasan.** It is accepted, Mr. President.

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

**Senator Tatad.** Mr. President, on page 24 after line 3, we propose to insert a new section. This would be the new Section 27 to read as follows:

**SEC. 27. POLLUTION FROM SMOKING.**— SMOKING IN A PUBLIC PLACE, INCLUDING PUBLIC VEHICLES AND OTHER MEANS OF TRANSPORT OR IN ANY ENCLOSED AREA OUTSIDE OF ONE'S PRIVATE RESIDENCE, PRIVATE PLACE OF WORK OR ANY DULY DESIGNATED SMOKING AREA, IS HEREBY PROHIBITED UNDER THIS ACT.

The reason for this proposal, Mr. President, is that, to me, it

is pointless to talk of a Clean Air Act that does not even have the courage to begin with smoking in public places.

Many of us are not getting any younger, Mr. President. We are developing asthma-sinus problems. When we sit in certain places, even in committee meetings, we have people who smoke without the permission of nonsmokers. It creates a health problem, and it also pollutes the air. This is the reason for this proposal.

**Senator Pimentel.** Mr. President.

**The President.** Senator Pimentel is recognized.

**Senator Pimentel.** Does that include the Senate, Mr. President?

**Senator Tatad.** It has no exception, Mr. President.

**The President.** That is clear enough.

**Senator Honasan.** Mr. President, considering the implications of this proposed additional provision, and considering the fact that a number of proposed bills have addressed this problem as a specific problem, including Senate Bill No. 3 introduced by Sen. Juan M. Flavie—his bill is actually incorporated in a Bicameral Conference Committee Report of the last Congress. It was approved in the Senate but not in the House—I beg the indulgence of the proponent if these can be taken into consideration as we deal with this proposed provision.

#### SUSPENSION OF SESSION

For that reason, Mr. President, I move that we suspend the session for one minute.

**The President.** The session is suspended for one minute, if there is no objection. *[There was none.]*

*It was 5:34 p.m.*

#### RESUMPTION OF SESSION

*At 5:36 p.m., the session was resumed.*

**The President.** The session is resumed.

**Senator Biazon.** Mr. President.

**The President.** Senator Biazon is recognized.

**Senator Biazon.** Just a clarification. Would there be a proper definition of what constitutes the term "public place"?

**Senator Tatad.** Most of us have no problem identifying a public place. But for purposes of the law, if a definition is needed, we have to craft one. I am not ready to offer the necessary phraseology, but Senator Flavier may have something ready up his sleeve.

**Senator Flavier.** Yes, Mr. President.

**The President.** Senator Flavier is recognized.

**Senator Flavier.** With the permission of the gentlemen on the floor, our definition is straightforward. It will be "any public-meeting place where 10 or more people congregate."

**Senator Biazon.** Would the gentleman include, say, an open air park as part of the definition?

**Senator Flavier.** No, Mr. President. In the bill that we are considering, Senate Bill No. 3, this will be an enclosed structure.

**Senator Biazon.** Enclosed structures. That would be fine, Mr. President.

Thank you.

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

**Senator Tatad.** Mr. President, in view of the manifestation of the sponsor to the effect that there is a specific legislation on smoking that is already in an advanced stage, I find no difficulty withdrawing this particular amendment. But, perhaps, in some of the general provisions of the bill, we could make passing reference to smoking as one of the things that should be prohibited.

**Senator Honasan.** Thank you, Mr. President. We shall incorporate that suggestion.

**The President.** The proposed amendment is withdrawn. Please proceed.

**Senator Tatad.** Mr. President, my final proposed amendment at this point would be on the same page. In place of the amendment that I had withdrawn, I propose to include a new section, Section 28, that would read:

**POLLUTION FROM THE DISCHARGE OF FIRECRACKERS AND OTHER EXPLOSIVES. - THE USE OF FIRECRACKERS AND OTHER EXPLOSIVES WHICH NORMALLY PRODUCE SMOKE, SOOT AND NOISE IS HEREBY PROHIBITED UNDER THIS ACT EXCEPT UNDER A SPECIAL PERMIT BY THE SECRETARY OF THE DEPARTMENT AND THE HEAD OF THE LOCAL GOVERNMENT UNIT CONCERNED.**

The reason for this proposal: I am sure that there are many who would feel very strongly about this because on New Year's Eve and other festivities, we use a lot of firecrackers and fireworks which seem to have become part of our custom and tradition. But I believe that any scientific study on pollution would show that the buildup precisely from this festivity-related use of firecrackers and fireworks is so high, and to some extent perhaps has become life-threatening.

In my neighborhood, Mr. President, on New Year's Eve, after the initial explosion of firecrackers and fireworks, it is impossible to see beyond several meters. We have neighbors who are so rich that they can afford all the firecrackers in the world and for hours and hours, we have them exploding these firecrackers, and at the end of the day, we have the entire city blanketed with soot. Nobody has bothered to inquire into the effects of this on the health of the people. But I believe this is a problem that we must recognize.

If we are passing a Clean Air Act, I believe we cannot overlook this very obvious problem. So, I hope the distinguished sponsor will take this into account.

**Senator Honasan.** Thank you, Mr. President. With the indulgence of the proponent of this amendment, Sen. Francisco Tatad, we regret that for the moment, we cannot accept this proposed section because of its implied prospective nature. It implies, first of all, a firecracker ban. We may incorporate this particular aspect in other detailed sections of the bill.

Also, we would like to state for the record that in case we propose eventually a firecracker ban, it would be for a comprehensive number of reasons, not only its pollutive effect but the danger, the physical danger to using firecrackers.

With the indulgence of the proponent, we may enter this for the record and beg him to consider this.

**Senator Tatad.** Mr. President, I appreciate the position of the sponsor. But since this is an issue that may interest the other members of the Chamber, I would request that we put this on hold for now since there are not enough members of the Chamber on the floor. I would like to have an opportunity to listen to some of our colleagues on this particular issue. Perhaps, we can just put it there and look at it again when we resume consideration of this measure.

Thank you very much, Mr. President.

**Senator Honasan.** We have no objection, Mr. President. I would like to thank the gentleman.

**The President.** Thank you, Senator Tatad. The Acting Majority Leader, is recognized.

**Senator Pimentel.** Mr. President, I ask that Senator Biazon be recognized.

**The President.** Senator Biazon is recognized.

**Senator Biazon.** Thank you, Mr. President. Just one question. There are subdivisions where the sewers of some individual houses emit smell because of the busted pipes or anything. Would the proponent consider putting a section to deal with this where the sewer, of say, individual houses pose a danger to the neighbor's health?

**Senator Honasan.** We would consider, Mr. President, and we shall seriously attempt to incorporate this into the subsequent sections.

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

**Senator Pimentel.** Mr. President, there are no further interpellations at this time. May we move that the consideration of Senate Bill No. 1255, the Clean Air Act, be suspended at the proper time.

**The President.** There is a motion to suspend consideration of Senate Bill No. 1255.

**Senator Honasan.** Mr. President, with the permission of the Majority Leader.

**The President.** Yes.

**Senator Honasan.** Sen. Juan Flavier has authorized this representation to manifest on the floor certain individual amendments, with the permission of the Chair.

**Senator Pimentel.** Mr. President, we shall withdraw our former motion to suspend consideration of Senate Bill No. 1255.

**The President.** Yes, please proceed.

**Senator Honasan.** Mr. President, these are proposed individual amendments from Senator Flavier. The reference is the amended copy as of February 10, 1999.

#### FLAVIER AMENDMENTS

On page 1, Section 1, we delete the year "1998" and replace it with 1999. The title would now read as follows: "Philippine Clean Air Act of 1999."

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

**Senator Honasan.** On page 3, line 28, paragraph (c), it is proposed that we replace the word "Alternative" with the words BEST AVAILABLE.

Subsequently, paragraph (c) will read: BEST AVAILABLE technologies, as the title.

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

**Senator Honasan.** On page 28, line 9, we propose to delete the phrase "By the year 2003" and replace it with the phrase UPON EFFECTIVITY OF THIS ACT. It will now read as follows: "UPON EFFECTIVITY OF THIS ACT, unleaded gasoline fuel should contain aromatics not to exceed FORTY-FIVE percent (45%) and benzene not to exceed FOUR percent (4%)."

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

**Senator Honasan.** On page 26, line 5, we delete the words "and used." It will now read as follows: "Any imported new vehicle or engine shall not be registered unless it complies with the emission standards set pursuant to this Act, as evidenced by a Certificate of Conformity (COC) issued by the DOTC or any authorized emission-testing facility."

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

**Senator Honasan.** On page 26, lines 17 to 21, we delete the whole sentence beginning with "Any imported used motor vehicle as well as rebuilt motor vehicle with used engine shall be issued a COC by the importer/assembler prior to selling, registration, and operation on any public highway."

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

**Senator Honasan.** Mr. President, on page 7, line 11,—and this refers to annexes—the acronym "PM 10" is proposed to be stricken out from this section and transferred as a footnote under Annex A.

We accept the amendment, Mr. President.

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



Senator Honasan. Lastly, Mr. President, from Senator Flavier, on page 8, line 13, the definition of TSP or total suspended particulates is proposed to be stricken out from this Section and also transferred as a footnote under Annex A.

We accept the amendment, Mr. President.

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

Senator Pimentel. Mr. President.

The President. Senator Pimentel is recognized.

Senator Pimentel. Mr. President, with that last amendment, there being no other individual amendment, may we move for the closing of the period of individual amendments.

Senator Honasan. Mr. President, there have been some individual amendments that were proposed to be held in abeyance until we can refine the amendments.

SUSPENSION OF CONSIDERATION OF S. NO. 1255

Senator Pimentel. With that manifestation, Mr. President, may we withdraw that motion and in lieu thereof, we move that we suspend consideration of Senate Bill No. 1255.

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

ADJOURNMENT OF SESSION

Senator Pimentel. Mr. President, there being no other item in our agenda for consideration this afternoon, I move that we adjourn the session until three o'clock tomorrow afternoon.

The President. Is there any objection? [Silence] There being none, the session is adjourned until three o'clock tomorrow afternoon.

It was 5:54 p.m. Thank you, Mr. President.

Senator Pimentel. Mr. President, there being no other item in our agenda for consideration this afternoon, I move that we adjourn the session until three o'clock tomorrow afternoon.

to suspend consideration

Senator Honasan. Mr. President, with the permission of the Majority Leader.

The President.

Senator Honasan. Senator Flavier has authorized the presentation to manifest on the floor certain individual amendments, with the permission of the Chair.

Senator Pimentel. Mr. President, we shall withdraw our motion to suspend consideration of Senate Bill No. 1255.

The President. Yes, please proceed.

Senator Honasan. Mr. President, these are proposed individual amendments from Senator Flavier. The reference is the attached copy as of February 10, 1999.

FLAVIER AMENDMENTS

On page 1, Section 1, we delete the year "1998" and replace it with 1999. The title would now read as follows: "Philippine Clean Air Act of 1999."

Senator Honasan. Mr. President, on page 7, line 11, the whole sentence beginning with "A vehicle as well as rebuilt motor vehicle with us issued a COC by the manufacturer for registration, and operation on any public highway."

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

Senator Honasan. Mr. President, on page 7, line 11, the reference to annexes--the acronym "PM 10" is proposed to be stricken out from this section and transferred as a footnote under Annex A.

We accept the amendment, Mr. President.

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