

## RECORD OF THE SENATE

**WEDNESDAY, AUGUST 28, 2002**

### RESUMPTION OF THE SESSION

*At 4:04 p.m., the session was resumed with the President Pro Tempore, the Honorable Juan M. Flavio, presiding.*

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

**Senator Pangilinan.** Mr. President, I move that we proceed to the Additional Reference of Business.

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

The Secretary will read the Additional Reference of Business.

### REFERENCE OF BUSINESS

#### RESOLUTIONS

**The Secretary.** Proposed Senate Resolution No. 414, entitled

RESOLUTION STRONGLY RECOMMENDING THE OFFICE OF THE PRESIDENT TO DEVOTE ONE DAY IN A YEAR AS A NATIONAL CLEAN-UP DAY IN THE PHILIPPINES, WITH THE END IN VIEW OF PROMOTING CARE AND CONCERN FOR THE ENVIRONMENT AND HEALTH CONSCIOUSNESS

Introduced by Senator Villar Jr.

**The President Pro Tempore.** Referred to the Committees on Environment and Natural Resources; and Health and Demography

**The Secretary.** Proposed Senate Resolution No. 415, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON GAMES, AMUSEMENT AND SPORTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE PROPRIETY AND THE PROCESS BEING FOLLOWED BY THE PHILIPPINE BASKETBALL ASSOCIATION (PBA), METROPOLITAN BASKETBALL ASSOCIATION (MBA), AND THE PHILIPPINE BASKETBALL LEAGUE (PBL), IN HIRING FILIPINO-AMERICAN BASKETBALL PLAYERS

Introduced by Senator Legarda Leviste

**The President Pro Tempore.** Referred to the Committee on Games, Amusement and Sports

**The Secretary.** Proposed Senate Resolution No. 416, entitled

RESOLUTION DIRECTING THE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS TO INQUIRE, IN AID OF LEGISLATION, INTO THE ALLEGED COLLUSION BETWEEN SOME POLICE OFFICIALS AND THE PENTAGON KIDNAP FOR RANSOM GROUP LED BY FAISAL MAROHOMBSAR, WITH THE END IN VIEW OF REVIEWING AND ENHANCING THE CAPABILITIES OF THE PHILIPPINE NATIONAL POLICE IN FIGHTING KIDNAP FOR RANSOM GROUPS

Introduced by Senator Lacson

**The President Pro Tempore.** Referred to the Committees on Public Order and Illegal Drugs; and Justice and Human Rights

**The Secretary.** Proposed Senate Resolution No. 417, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO INQUIRE, IN AID OF LEGISLATION, INTO THE LATE PENTAGON CHIEF FAIZAL MAROHOMBSAR'S ALLEGED KIDNAP FOR RANSOM (KFR) CONNECTIONS WITH RANKING POLICE OFFICIALS AND OTHER POLITICAL DESTABILIZERS, WITH THE END IN VIEW OF RECOMMENDING ACTIONS AND FOR OTHER PURPOSES

Introduced by Senator De Castro

**The President Pro Tempore.** Referred to the Committees on Public Order and Illegal Drugs; and Justice and Human Rights

**The Secretary.** Proposed Senate Resolution No. 418, entitled

RESOLUTION URGING THE PHILIPPINE GOVERNMENT TO TAKE NECESSARY ACTION IN ORDER TO PROVIDE IMMEDIATE SOLUTION TO THE MASS DEPORTATION AND MALTREATMENT RESULTING TO THE DEATH OF FILIPINOS IN MALAYSIA

Introduced by Senator De Castro

**The President Pro Tempore.** Referred to the Committee on Foreign Relations

**The Secretary.** Proposed Senate Resolution No. 419, entitled

RESOLUTION URGING THE PHILIPPINE GOVERNMENT THROUGH THE DEPARTMENT OF

FOREIGN AFFAIRS (DFA) TO LODGE A DIPLOMATIC PROTEST AGAINST THE MALAYSIAN GOVERNMENT IN VIEW OF THE INHUMANE TREATMENT OF FILIPINO ILLEGAL IMMIGRANTS RESULTING TO THE DEATH OF SEVERAL CHILDREN DUE TO VARIOUS ILLNESSES

Introduced by Senator Villar Jr.

**The President Pro Tempore.** Referred to the Committee on Foreign Relations

SECOND ADDITIONAL REFERENCE OF BUSINESS

RESOLUTION

**The Secretary.** Proposed Senate Resolution No. 420, entitled

RESOLUTION URGING THE NATIONAL GOVERNMENT TO CREATE AN INTER-AGENCY TASK FORCE TO ADDRESS THE CONTINUED DEPORTATION OF FILIPINO CITIZENS BY THE GOVERNMENT OF MALAYSIA, LOOKING INTO THE CONDITIONS AND PROCESSES BY WHICH THE FILIPINOS WERE DEPORTED, WITH THE END IN VIEW OF PROVIDING A COMPREHENSIVE SOLUTION TO THE ISSUES AND CONCERNS OF THE FILIPINO DEPORTEES

Introduced by Senator Legarda Leviste

**The President Pro Tempore.** Referred to the Committee on Foreign Relations

The Majority Leader is recognized.

BILL ON SECOND READING

S. No. 2292 — **The Philippine Nursing Act of 2002**  
(Continuation)

**Senator Pangilinan.** Mr. President, I move that we resume consideration of Senate Bill No. 2292 as reported out under Committee Report No. 68. We are still in the period of individual amendments.

**The President Pro Tempore.** Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 2292 is now in order.

**Senator Pangilinan.** Mr. President, I have been informed that clean copies containing the individual amendments presented yesterday have been distributed.

**The President Pro Tempore.** Yes. May the Chair manifest that we were on the verge of approving on Second Reading Senate Bill No. 2292, but there was a request that clean copies be made available first and the same have been distributed.

I have personally reviewed the amendments manifested on the floor and I am satisfied that all the amendments have been faithfully incorporated in the bill. With that, the Chair will be ready to accept a motion to close the period of individual amendments, unless there are other amendments.

**Senator Pangilinan.** Mr. President, Sen. Sergio R. Osmeña III would like to have the floor.

**The President Pro Tempore.** Sen. Sergio R. Osmeña III is recognized.

**Senator Osmeña III.** Thank you, Mr. President. I just wanted to clarify Section 4. If I may read:

SEC. 4. *Qualifications of the Chair and Members of the Board.* - The Chair and members of the Board shall:

- (a) Be a citizen and resident of the Philippines;
- (b) Be a duly registered nurse...OR AN EDUCATOR OR A HOLDER OF MASTER'S DEGREE...
- (c) Be a holder of a masteral degree in nursing...

So, between (b) and (c), Mr. President, why would there be a necessity to hold a masteral degree in nursing when (b) has a lower qualification—being a duly registered nurse of good standing?

**The President Pro Tempore.** What the gentleman is saying is that he feels that there is an inconsistency. If that be the case, as sponsor, I would be happy to delete subparagraph (c).

**Senator Osmeña III.** All right. So, we delete subparagraph (c) with the approval of the sponsor.

**The President Pro Tempore.** Yes, although does that then preclude the masteral degree in nursing or is there a way of incorporating that into subparagraph (b)?

**Senator Osmeña III.** If the qualifications under subparagraph (b) is merely to be a duly registered nurse of good standing, why would subparagraph (c) be included? It is either we use a holder of masteral degree in nursing or an educator or a holder of master's degree in hospital administration and remove the phrase "a duly registered nurse of good standing".

**The President Pro Tempore.** In other words, we would emphasize the masteral degree.

**Senator Osmeña III.** It is like saying, "You need a college degree" and then in the next line we are saying, "You need a master's degree."

**The President Pro Tempore.** Under subparagraph (b), we can probably say "a duly registered nurse of good standing, preferably with a master's degree in nursing" and then go on.

**Senator Osmeña III.** Mr. President, it is difficult to debate with the Chair. Maybe we can ask Senator Arroyo or Senator De Castro to preside so that we may be able to suspend session and discuss this off-the-record.

#### SUSPENSION OF SESSION

**Senator Pangilinan.** Mr. President, I move that we suspend the session for one minute.

**The President Pro Tempore.** Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

*It was 4:12 p.m.*

*At this juncture, the President Pro Tempore relinquished the Chair to Sen. Noli De Castro.*

#### RESUMPTION OF SESSION

*At 4:14 p.m., the session was resumed.*

**The Presiding Officer [Sen. De Castro].** The session is resumed. Senator Osmeña III is recognized.

#### OSMEÑA III AMENDMENTS

**Senator Osmeña III.** Mr. President, with the permission of the sponsor—this is going to be difficult—I propose that we delete on line 14, subparagraphs (b), (c) and (d) and in lieu thereof, insert the following: BE A HOLDER OF A MASTERAL DEGREE IN NURSING OR EDUCATION OR HOSPITAL ADMINISTRATION OR PUBLIC ADMINISTRATION.

**Senator Flavier.** Will the gentleman please repeat that, Mr. President?

**Senator Osmeña III.** We delete subparagraphs (b), (c) and (d) and in lieu thereof, insert the following: BE A HOLDER OF A MASTER'S DEGREE IN NURSING OR EDUCATION OR HOSPITAL ADMINISTRATION OR PUBLIC ADMINISTRATION.

**Senator Flavier.** What about the health care industry? The gentleman also deleted subparagraph (d). Is that right?

**Senator Osmeña III.** Yes, Mr. President. But I find it difficult now to input because it depends upon his/her level of expertise. He can be in active practice in the health care industry as a utility worker. So I have decided to delete that also and just limit it to holders of master's degree in education, nursing, public administration or hospital administration.

**Senator Flavier.** Let me just check if I got it, Mr. President.

So it will be MASTER'S DEGREE IN NURSING OR EDUCATION OR HOSPITAL ADMINISTRATION OR PUBLIC ADMINISTRATION. Delete subparagraphs (b), (c) and (d) and put in its place these sets of qualifications.

**Senator Osmeña III.** Yes, Mr. President.

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

**Senator Osmeña III.** With the permission of the sponsor, may I point out that in lines 24 and 25, while the intent is laudatory, this may make it difficult. We are adding an additional matrix to the qualification because the line reads: "That the membership to the Board shall represent the three (3) areas of nursing, namely: nursing education, nursing service, and community health nursing." We might make it difficult for the President to make choices when... Why do we not leave it up to the President when she makes her appointments?

**The Presiding Officer [Sen. De Castro].** Before we continue with another amendment, Senator Osmeña, let us first approve the acceptance of the amendment by the sponsor.

**Senator Osmeña III.** I bow to the superior wisdom of the Chair.

**The Presiding Officer [Sen. De Castro].** Is there any objection to the amendment? *[Silence]* There being none, the amendment is approved.

**Senator Flavier.** So what I hear the gentleman saying, Mr. President, is that, he would prefer to delete the proviso under lines 24 and 25 to preclude any difficulty in reconciling two sets of requirements.

**Senator Osmeña III.** Two sets of qualifications, yes, Mr. President.

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

**The Presiding Officer [Sen. De Castro].** Is there any objection to the amendment? *[Silence]* There being none, the amendment is approved.

**Senator Osmeña III.** Thank you, Mr. President.

**Senator Pangilinan.** Mr. President, I move that we close the period of individual amendments.

**The Presiding Officer** [Sen. De Castro]. Is there any objection? [Silence] There being none, the period of individual amendments is hereby closed.

APPROVAL OF S. NO. 2292 ON SECOND READING

**Senator Pangilinan.** Mr. President, I move that we vote on Second Reading on Senate Bill No. 2292, as amended.

**The Presiding Officer** [Sen. De Castro]. Is there any objection? [Silence] There being none, we shall now vote on Second Reading on Senate Bill No. 2292, as amended.

As many as are in favor of the bill, say *aye*.

**Several Members.** *Aye*.

**The Presiding Officer** [Sen. De Castro]. As many as are against the bill, say *nay*. [Silence]

Senate Bill No. 2292, as amended, is approved on Second Reading.

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

Mr. President, I would like to manifest that this bill is a certified measure. May I ask the Secretary to read the certification from Malacañang.

MANIFESTATION OF SENATOR FLAVIER  
(Sen. Gregorio B. Honasan as Coauthor of S. No. 2292)

**Senator Flavier.** Before we act on that, Mr. President, may I manifest that Sen. Gregorio B. Honasan is a coauthor of the Philippine Nursing Act of 2002.

**The Presiding Officer** [Sen. De Castro]. It is noted.

**Senator Pangilinan.** Mr. President, earlier, we were asking that the Secretary read the certification from Malacañang as regards this particular measure. There being a quorum, we can also move that we approve it on Third Reading.

But before that, the earlier manifestation is that the Secretary read the certification from Malacañang.

SUSPENSION OF SESSION

**The Presiding Officer** [Sen. De Castro]. The session is suspended for one minute, if there is no objection. [There was none.]

*It was 4:21 p.m.*

RESUMPTION OF SESSION

*At 4:21 p.m., the session was resumed.*

**The Presiding Officer** [Sen. De Castro]. The session is resumed.

The Secretary will please read the certification from Malacañang.

**The Secretary.**

MALACAÑANG  
MANILA

August 21, 2002

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. 2292, under Committee Report No. 68, entitled

AN ACT PROVIDING FOR A MORE RESPONSIVE NURSING PROFESSION, REPEALING FOR THE PURPOSE REPUBLIC ACT 7164, OTHERWISE KNOWN AS THE "PHILIPPINE NURSING ACT OF 1991" AND FOR OTHER PURPOSES,

to address the public emergency manifested by the need for a more responsive nursing profession in light of the critical changing context of health care in the country and in the world.

Best wishes.

Very truly yours,

(Sgd.) GLORIA MACAPAGAL ARROYO

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

**BILL ON THIRD READING**  
**S. No. 2292 — Philippine Nursing Act**

**Senator Pangilinan.** Mr. President, having heard the reading of the certification by Malacañang, I move that we now vote on Third Reading on Senate Bill No. 2292.

**The Presiding Officer** [Sen. De Castro]. Is there any objection? *[Silence]* There being none, voting on Third Reading on Senate Bill No. 2292 is now in order.

The Secretary will please read only the title of the bill.

**The Secretary.** Senate Bill No. 2292, entitled

AN ACT PROVIDING FOR A MORE RESPONSIVE  
 NURSING PROFESSION, REPEALING FOR THE  
 PURPOSE REPUBLIC ACT 7164, OTHERWISE  
 KNOWN AS THE "PHILIPPINE NURSING ACT  
 OF 1991" AND FOR OTHER PURPOSES.

**The Presiding Officer** [Sen. De Castro]. We shall now vote on the bill and the Secretary will call the roll.

**The Secretary.** *Senators*

Angara .....	
Aquino-Oreta .....	
Arroyo .....	Yes
Barbers .....	
Biazon .....	Yes
Cayetano .....	
De Castro .....	Yes
Ejercito Estrada .....	Yes
Flavier .....	Yes
Honasan .....	Yes
Jaworski .....	Yes
Lacson .....	Yes
Legarda Leviste .....	
Magsaysay Jr. ....	
Osmeña (J.) .....	Yes
Osmeña III .....	Yes
Pangilinan .....	Yes
Pimentel Jr. ....	
Recto .....	Yes
Revilla .....	
Sotto III .....	
Villar Jr. ....	
The President .....	

APPROVAL OF S. NO. 2292 ON THIRD READING

**The Presiding Officer** [Sen. De Castro]. With 12 affirmative

votes, no negative vote, and no abstention, Senate Bill No. 2292 is approved on Third Reading.

**SUSPENSION OF SESSION**

**Senator Pangilinan.** Mr. President, I move that we suspend the session for one minute.

**The Presiding Officer** [Sen. De Castro]. Is there any objection? *[Silence]* There being none, the session is suspended for one minute.

*It was 4:24 p.m.*

**RESUMPTION OF SESSION**

*At 4:26 p.m., the session was resumed.*

**The Presiding Officer** [Sen. De Castro]. The session is resumed.

**Senator Pangilinan.** Mr. President, Sen. Joker P. Arroyo wishes to be recognized.

**The Presiding Officer** [Sen. De Castro]. Sen. Joker P. Arroyo is recognized.

**Senator Arroyo.** Mr. President, I would just like to make an inquiry. Where are the leaders of the Majority and the Minority? We do not see them around. How can we function if the leaders of both sides of the aisles are not around?

**The Presiding Officer** [Sen. De Castro]. And who is acting Minority Leader now, Senator Biazon?

**Senator Flavier.** Mr. President, may I take the liberty of explaining that I received a call from the Majority Leader, Sen. Loren B. Legarda Leviste, that she is suffering from a very severe migraine and therefore asked to be excused. She also assured me that she is not in the family way. *[Laughter]*

I also received a call from Senate President Franklin M. Drilon telling me that he has been delayed by his participation in the ASEP Conference now ongoing at the Century Park Hotel, if I may put that on the record, Mr. President.

**The Presiding Officer** [Sen. De Castro]. The Acting Minority Leader is recognized.

**Senator Biazon.** Yes, Mr. President. The leaders of the Minority are also not here and Sen. Aquilino Q. Pimentel Jr. is in Mongolia, I think he is on official business. Sen. Vicente C. Sotto III, the Minority Leader, has the right to keep the explanation of his absence secret.