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THURSDAY, FEBRUARY 12, 1998

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THURSDAY, FEBRUARY 12, 1998

RESUMPTION OF SESSION

At 3:24 p.m., the session was resumed with the Honorable Neptali A. Gonzales, President of the Senate, presiding.

The President. The session is resumed.

The Majority Leader is recognized.

Senator Tatad. Mr. President, may I ask the Secretary to read the Additional Reference of Business.

The President. The Secretary will please read the Additional Reference of Business.

ADDITIONAL REFERENCE OF BUSINESS

MESSAGE OF THE PRESIDENT OF THE PHILIPPINES

The Secretary.

February 4, 1998

HON. NEPTALI GONZALES
Senate President
Senate of the Philippines
OSIS Financial Center Bldg.,
Roxas Boulevard, Pasay City

Dear Mr. Senate President:

Pursuant to Section 6 of Republic Act 8178 or the Agricultural Tariffication Act, we would like to propose to Congress to increase the 1998 Minimum Access Volume (MAV) for coffee beans by 5,000 MT. We propose that the MAV for coffee beans be increased from 1,060 metric tons (MT) to 6,060 MT.

The effects of the drought induced by the El Nino phenomenon has damaged our standing coffee crop and would reduce the productivity of subsequent crops, causing shortages in the supply of the commodity.

Thank you for your usual support.

(Sgd.) FIDEL V. RAMOS

cc: HON. JOSE DE VENECIA, JR.
Speaker
House of Representative
Quezon City

The President. Referred to the Committees on Agriculture and Food; and Ways and Means.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998 passed House Bill No. 4604, entitled:

"AN ACT ESTABLISHING BARUGO SCHOOL OF ARTS
AND TRADE IN THE POBLACION OF THE
MUNICIPALITY OF BARUGO, PROVINCE OF
LEYTE, AND APPROPRIATING FUNDS THEREFOR"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO F. NAZARENO
Secretary General

The President. Referred to the Committees on Education, Arts and Culture; and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998 passed House Bill No. 4605, entitled:

"AN ACT ESTABLISHING THE CARIGARA SCHOOL OF
ARTS AND TRADE IN THE POBLACION OF THE
MUNICIPALITY OF CARIGARA, PROVINCE OF
LEYTE, AND APPROPRIATING FUNDS THEREFOR"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO F. NAZARENO
Secretary General

The President. Referred to the Committees on Education,
Arts and Culture; and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that
the House of Representatives on February 6, 1998 passed
House Bill No. 4727, entitled:

"AN ACT CONVERTING THE KABASALAN NATIONAL
VOCATIONAL SCHOOL IN THE MUNICIPALITY OF
KABASALAN, PROVINCE OF ZAMBOANGA DEL SUR
INTO AN INSTITUTE OF SCIENCE AND
TECHNOLOGY TO BE KNOWN AS THE KABASALAN
INSTITUTE OF SCIENCE AND TECHNOLOGY, AND
APPROPRIATING FUNDS THEREFOR"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO F. NAZARENO
Secretary General

The President. Referred to the Committees on Education,
Arts and Culture; and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998 passed House Bill No. 5764, entitled:

"AN ACT CONVERTING THE CLARIN SCHOOL OF FISHERIES IN THE MUNICIPALITY OF CLARIN, PROVINCE OF BOHOL, INTO A FISHERY AND AGRICULTURAL INSTITUTE TO BE KNOWN AS THE CLARIN INSTITUTE OF FISHERY AND AGRICULTURE, AND APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Education, Arts and Culture; and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998 passed House Bill No. 8829, entitled:

"AN ACT SEPARATING THE SAN ENRIQUE POLYTECHNIC COLLEGE-DOMINADOR ABANG MEMORIAL EXTENSION HIGH SCHOOL IN THE MUNICIPALITY OF SAN ENRIQUE, PROVINCE OF ILOILO, FROM THE SAN ENRIQUE POLYTECHNIC

COLLEGE IN THE MUNICIPALITY OF SAN ENRIQUE, ALSO OF THE SAME PROVINCE, AND CONVERTING IT INTO AN INDEPENDENT NATIONAL HIGH SCHOOL TO BE KNOWN AS THE DOMINADOR ABANG MEMORIAL NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Education, Arts and Culture; and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998 passed House Bill No. 9593, entitled:

"AN ACT PROVIDING FOR THE ESTABLISHMENT OF A DEPARTMENT OF PSYCHIATRY IN EVERY REGIONAL HOSPITAL AND MEDICAL CENTER OF THE GOVERNMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Health and Demography; and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998 passed House Bill No. 10060, entitled:

"AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY MAASIN, MUNICIPALITY OF BROOKE'S POINT, PROVINCE OF PALAWAN, TO BE KNOWN AS THE MAASIN NATIONAL HIGH SCHOOL, AND APPROPRIATING FUNDS THEREFOR"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Education, Arts and Culture; and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998 passed House Bill No. 10094, entitled:

"AN ACT CONVERTING THE BOHOL 3RD ENGINEERING SUB-DISTRICT OFFICE INTO THE BOHOL 3RD ENGINEERING DISTRICT TO BE LOCATED IN THE MUNICIPALITY OF UBAY, PROVINCE OF BOHOL, AND APPROPRIATING FUNDS THEREFOR"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Public Works;
and Finance.

The Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that
the House of Representatives on February 6, 1998 passed
House Bill No. 10447, entitled:

"AN ACT RE-NATIONALIZING DEVOLVED HEALTH
SERVICES AND FACILITIES, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES"

to which it requests the concurrence of the Senate.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committees on Health and
Demography; Local Government; and Finance.

Senator Webb. Mr. President.

The President. Senator Webb is recognized.

Senator Webb. Mr. President, I noticed that when the
communication from Malacañang regarding the special session was
called, one of the bills mentioned there was the bill on "no-
smoking". I was wondering if that is accurate; and secondly,
whether there was any communication yesterday regarding the
approval of the House on this particular bill.

SUSPENSION OF SESSION

The President. The session is suspended for a few minutes, if there is no objection. *[There was none.]*

It was 3:28 p.m.

RESUMPTION OF SESSION

At 3:34 p.m., the session was resumed.

The President. The session is resumed.

I think the Majority Leader is ready to respond to the query.

Senator Webb. Mr. President.

The President. Senator Webb is recognized.

Senator Webb. If I may reiterate my inquiry, Mr. President.

The President. Please proceed.

Senator Webb. I read in the papers that one of those that will be taken up in this Special Session is the bill that has been approved not only on Third Reading but also in the Conference Committee Report, and this is the No-Smoking bill.

Mr. President, I am not sure if there was any communication yesterday on the part of the members of the House of Representatives that indeed they have also approved the Conference Committee Report. But I do not see it today. I just want to find out if indeed this Conference Committee Report on the No-Smoking bill has already been signed by the House of Representatives.

Senator Tatad. Mr. President, our information is to the effect that the House has yet to act on the Bicameral Conference Committee Report which we have already adopted here.

Senator Webb. I would like to thank the Majority Leader for that information. I will do my job by communicating with my House counterpart, the Chairman of the Committee on Health, Congressman Mario Serafin.

Thank you, Mr. President.

The President. The Majority Leader is recognized.

MOTION OF SENATOR TATAD

(Insertion of Second Additional Reference of Business)

Senator Tatad. Mr. President, with the consent of the Body, I move that the Second Additional Reference of Business for

today's session pertaining to messages from the House of Representatives and nine Committee Reports consisting of 11 pages be considered as read without prejudice to their full text being inserted in the *Record* and the *Journal*, respectively.

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

The Second Additional Reference of Business for Session No. 1, Thursday, February 12, 1998 is considered inserted into the *Record* and the *Journal*, respectively, thereby dispensing with the reading thereof.

The following is the full text of the Second Additional Reference of Business for February 12, 1998:

SECOND ADDITIONAL REFERENCE OF BUSINESS

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Acting Secretary [Atty. Ravall].

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City
1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that in view of the disagreeing provisions of House Bill No. 10403, entitled:

"AN ACT FURTHER AMENDING PRESIDENTIAL DECREE NO. 97, OTHERWISE KNOWN AS THE PHILIPPINE MERCHANT MARINE OFFICERS LAW, AS AMENDED, AND FOR OTHER PURPOSES"

which was passed by the House on January 29, 1998 and Senate Bill No. 2394, entitled:

"AN ACT REGULATING THE PRACTICE OF THE MERCHANT MARINE PROFESSION IN THE PHILIPPINES"

which was passed by the Senate on February 3, 1998, the House of Representatives requests a conference on these two bills and has elected Representatives Amado S.

Bagatsing, Julio IV A. Ledesma and Antonio M. Abaya as
its conferees.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 4, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the
House of Representatives on February 3, 1998, agreed to
the amendments of the Senate on House Bill No. 5723,
entitled:

"AN ACT GRANTING SKYTEL PHILIPPINES, INC., A
FRANCHISE TO CONSTRUCT, ESTABLISH,
INSTALL, MAINTAIN AND OPERATE RADIO
PAGING SYSTEM IN THE PHILIPPINES, AND
FOR OTHER PURPOSES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 4, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 3, 1998, agreed to the amendments of the Senate on House Bill No. 10074, entitled:

"AN ACT CONVERTING THE MUNICIPALITY OF TAGUIG, METRO MANILA, INTO A HIGHLY URBANIZED CITY TO BE KNOWN AS THE CITY OF TAGUIG, AND FOR OTHER PURPOSES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 4, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 3, 1998, agreed to the amendments of the Senate on House Bill No. 10290, entitled:

"AN ACT CONVERTING THE MUNICIPALITY OF VICTORIAS, NEGROS OCCIDENTAL, INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF VICTORIAS"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 4, 1998

The Honorable

NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 3, 1998 elected Representatives Santiago F. Respicio, Margarito B. Teves, Rodolfo B. Albano, Florencio B. Abad, Rodolfo P. Del Rosario and Emmanuel B. Fimentel as conferees should the Senate ask for a conference upon approval of its counterpart version of House Joint Resolution No. 24, entitled:

"JOINT RESOLUTION EXTENDING THE TENURE OF THE
CONGRESSIONAL COMMISSION TO REVIEW AND
ASSESS PHILIPPINE AGRICULTURE, OTHERWISE
KNOWN AS THE 'THE CONGRESSIONAL
COMMISSION ON AGRICULTURAL
MODERNIZATION,' UNTIL JUNE 30, 1998"

which was earlier approved on January 29, 1998.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 4, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 3, 1998 elected Representatives Wilfredo L. Enverga, Erico B. Aumentado, Rodolfo T. Tuazon, Jose Ma. R. Zubiri Jr. and Carlos M. Padilla as conferees should the Senate ask for a conference upon approval of its counterpart version of House Bill No. 6861, entitled:

"AN ACT CREATING THE COTTON DEVELOPMENT
ADMINISTRATION, AND FOR OTHER PURPOSES"

which was earlier approved on November 12, 1997.

Very truly yours,

(Sgd.) ROBERTO F. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 4, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 3, 1998 elected Representatives Herminio S. Aquino, Oscar S. Rodriguez, Carmelo F. Lazatin, Zenaida Cruz-Ducut and James J. Gordon Jr. as conferees should the Senate ask for a conference upon approval of its counterpart version of House Bill No. 9748, entitled:

"AN ACT AUTHORIZING THE PRESIDENT OF THE
PHILIPPINES TO CONVEY THE TITLES OF THE
LOTS OCCUPIED BY THE VICTIMS OF THE MT.
PINATUBO ERUPTION IN THE RESETTLEMENT
AREAS LOCATED IN PAMPANGA, TARLAC, AND
ZAMBALES, AND OTHER PROVINCES, AND FOR
OTHER PURPOSES"

which was earlier approved on January 12, 1996.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee on Rules.

The Acting Secretary.

February 4, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 3, 1998, approved the Conference Committee Report on the disagreeing votes of House Bill No. 4728, entitled:

"AN ACT INCREASING THE BED CAPACITY OF VICENTE SOTTO MEMORIAL MEDICAL CENTER, LOCATED IN CEBU CITY, FROM FOUR HUNDRED (400) TO EIGHT HUNDRED (800) BED CAPACITY, AND APPROPRIATING FUNDS THEREFOR"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998, approved Senate Bill No. 556, entitled: "AN ACT MERGING THE PHILIPPINE COTTON CORPORATION AND THE COTTON RESEARCH AND DEVELOPMENT INSTITUTE INTO A COTTON DEVELOPMENT ADMINISTRATION, VESTING IT WITH REGULATORY POWERS AND APPROPRIATING FUNDS FOR THE PURPOSE", as an amendment to House Bill No. 6861, entitled:

"AN ACT CREATING THE COTTON DEVELOPMENT ADMINISTRATION, AND FOR OTHER PURPOSES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998 elected Representatives Junie E. Cua vice Danilo E. Suarez and Sergio A.F. Apostol vice Jovito O. Claudio as members of the Conference Committee on the part of the House on the disagreeing provisions of House Bill No. 129, entitled:

"AN ACT PROHIBITING THE REGISTRATION AND
OPERATION OF RIGHT-HAND DRIVE MOTOR
VEHICLES AND FOR OTHER PURPOSES"

and Senate Bill No. 1568, entitled:

"AN ACT BANNING THE IMPORTATION AND USE OF
VEHICLES WITH RIGHT-HAND STEERING WHEEL
IN ANY PRIVATE OR PUBLIC STREET, ROAD OR
HIGHWAY, PROVIDING PENALTIES THEREFOR
AND FOR OTHER PURPOSES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES

President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998 elected Representatives Victorico L. Chaves, Exequiel B. Javier, Felicito C. Payumo, Carlos M. Padilla and Bellaflor J. Angara-Castillo as conferees should the Senate ask for a conference upon approval of its counterpart version of House Bill No. 7659, entitled:

"AN ACT FURTHER AMENDING REPUBLIC ACT NO.
5980, AS AMENDED"

which was earlier approved on December 9, 1997.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. Referred to the Committee on Rules.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998, agreed to the amendments of the Senate on House Bill No. 6802, entitled:

"AN ACT CONVERTING THE MUNICIPALITY OF
TALISAY, NEGROS OCCIDENTAL INTO A
COMPONENT CITY TO BE KNOWN AS THE CITY
OF TALISAY"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998, agreed to the amendments of the Senate on House Bill No. 7594, entitled:

"AN ACT CONVERTING THE MUNICIPALITY OF SAN FERNANDO, LA UNION, INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF SAN FERNANDO"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998, agreed to the amendments of the Senate on House Bill No. 9290, entitled:

"AN ACT CONVERTING THE MUNICIPALITY OF
KIDAPAWAN IN THE PROVINCE OF COTABATO
INTO A COMPONENT CITY TO BE KNOWN AS THE
CITY OF KIDAPAWAN"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the
House of Representatives on February 4, 1998, approved
the Conference Committee Report on the disagreeing
provisions of House Bill No. 9960, entitled:

"AN ACT TO RESCUE THE NATIONAL SHELTER
PROGRAM OF THE GOVERNMENT BY CONDONING
THE PENALTIES AND SURCHARGES ON ALL
OUTSTANDING/DELINQUENT HOUSING LOAN
ACCOUNTS WITH ANY OF THE GOVERNMENT
FINANCIAL INSTITUTIONS, INCLUDING THE
GOVERNMENT SERVICE INSURANCE SYSTEM
(GSIS), SOCIAL SECURITY SYSTEM (SSS),
HOME DEVELOPMENT MUTUAL FUND (FAG-IBIG)
AND THE NATIONAL HOME MORTGAGE FINANCE
CORPORATION (NHMFC) AND BY AMENDING
PRESIDENTIAL DECREE NO. 1752, AS AMENDED
BY REPUBLIC ACT NO. 7747"

and Senate Bill No. 1797, entitled:

"AN ACT FURTHER AMENDING PRESIDENTIAL DECREE
NO. 1752, AS AMENDED"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998, approved the Conference Committee Report on the disagreeing provisions of House Bill No. 10260, entitled:

"AN ACT ESTABLISHING A SPECIAL ZONE AND FREE PORT IN THE MUNICIPALITY OF SAN JOSE AND IN THE MUNICIPALITIES OF BOBON AND CATARMAN, ALL IN THE PROVINCE OF NORTHERN SAMAR, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES"

and Senate Bill No. 2121, entitled:

"AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE AND FREE PORT IN THE MUNICIPALITY OF SAN JOSE AND IN THE MUNICIPALITIES OF BOBON AND CATARMAN, ALL IN THE PROVINCE OF NORTHERN SAMAR, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 5, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 4, 1998, approved the Conference Committee Report on the disagreeing provisions of House Bill No. 10392, entitled:

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

and Senate Bill No. 1978, entitled:

"AN ACT ESTABLISHING A SPECIAL ECONOMIC ZONE AND FREE PORT IN THE ENTIRE PROVINCE OF AURORA, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 5, 1998, agreed to the amendments of the Senate on House Bill No. 10358, entitled:

"AN ACT CONVERTING THE MUNICIPALITY OF PARANAQUE INTO A HIGHLY URBANIZED CITY TO BE KNOWN AS THE CITY OF PARANAQUE"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 5, 1998, approved the Conference Committee Report on the disagreeing provisions of House Bill No. 1325, entitled:

"AN ACT CONVERTING THE CEBU STATE COLLEGE INTO STATE UNIVERSITY TO BE KNOWN AS THE CEBU NORMAL UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR"

and Senate Bill No. 2320, entitled:

"AN ACT CONVERTING THE CEBU STATE COLLEGE INTO A STATE UNIVERSITY TO BE KNOWN AS THE CEBU NORMAL UNIVERSITY, AND APPROPRIATING FUNDS THEREFOR"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 5, 1998, approved

the Conference Committee Report on the disagreeing provisions of House Bill No. 9962, entitled:

"AN ACT PRESCRIBING CERTAIN CONDITIONS IN THE INVESTIGATION AND TRIAL OF RAPE CASES AND PROVIDING FOR RAPE CRISIS CENTERS"

and Senate Bill No. 2280, entitled:

"AN ACT PROVIDING ASSISTANCE AND PROTECTION FOR RAPE VICTIMS, ESTABLISHING FOR THE PURPOSE A RAPE CRISIS CENTER IN EVERY PROVINCE AND CITY, AUTHORIZING THE APPROPRIATION OF FUNDS THEREFOR, AND FOR OTHER PURPOSES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

The Acting Secretary.

February 6, 1998

The Honorable
NEPTALI A. GONZALES
President of the Senate
Financial Center
Pasay City 1308
Metropolitan Manila

Mr. President:

I have been directed to inform the Senate that the House of Representatives on February 6, 1998, approved the Conference Committee Report on the disagreeing provisions of House Bill No. 7420, entitled:

"AN ACT REGULATING THE PRACTICE OF INTERIOR DESIGN IN THE PHILIPPINES"

and Senate Bill No. 2357, entitled:

"AN ACT REGULATING THE PRACTICE OF INTERIOR DESIGN IN THE PHILIPPINES"

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives.

COMMITTEE REPORTS

The Acting Secretary. Committee Report No. 997 submitted by the Committee on Public Services on House Bill No. 8634 introduced by Representative Romualdo, et. al., entitled

AN ACT AMENDING SECTIONS 11, 12, AND 14 OF REPUBLIC ACT NUMBERED SEVENTY NINE HUNDRED AND NINE, ENTITLED, 'AN ACT GRANTING A FRANCHISE TO PACIFIC AIRWAYS CORPORATION TO ESTABLISH AND MAINTAIN RURAL AIR TRANSPORT SYSTEM AND ALLIED SERVICES IN THE PHILIPPINES

recommending its approval with amendments.

Abstaining: Senator Romulo

Sponsors: Senator Herrera and the members of the Committee on Public Services

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 998 submitted by the Committee on Public Services on House Bill No. 10393 introduced by Representative Albano, et. al., entitled

AN ACT GRANTING THE ISABELA STATE UNIVERSITY A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, MAINTAIN AND OPERATE RADIO AND TELEVISION BROADCASTING STATIONS IN THE PROVINCE OF ISABELA

recommending its approval with amendments by substitution.

Sponsor: Senator Herrera

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 999 submitted by the Committee on Public Services on House Bill No. 10277 introduced by Representative Cua, et. al., entitled

AN ACT GRANTING THE BROADBAND TELECOMMUNICATIONS, INC., A FRANCHISE TO CONSTRUCT, ESTABLISH, INSTALL, MAINTAIN AND OPERATE WIRED AND WIRELESS TELECOMMUNICATIONS SYSTEMS THROUGHOUT THE PHILIPPINES

recommending its approval with amendments by substitution.

Abstaining: Senators Romulo and Maceda

Sponsor: Senator Herrera

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1000 submitted by the Committee on Public Services on House Bill No. 10286 introduced by Representative Abad, et. al., entitled

AN ACT GRANTING THE IVATAN FOUNDATION FOR DEVELOPMENT COMMUNICATIONS, INC. A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PROVINCE OF BATANES

recommending its approval with amendments by substitution.

Sponsor: Senator Herrera

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1001 submitted by the Committee on Ethics and Privileges re

PETITION FOR EXPULSION FILED BY BUREAU OF IMMIGRATION AND DEPORTATION COMMISSIONER EDGAR MENDOZA AGAINST THE HONORABLE SENATOR ANNA DOMINIQUE M.L. COSETENG

recommending the dismissal of the Petition.

Sponsor: Senator Fernan

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1002 submitted by the Committee on Local Government on House Bill No. 6863 introduced by Representative Yap, et. al., entitled

AN ACT CONVERTING THE MUNICIPALITY OF TARLAC INTO A COMPONENT CITY TO BE KNOWN AS THE CITY OF TARLAC

recommending its approval with amendments taking into consideration Senate Bill No. 2340.

Sponsors: Senators Sotto III and Romulo

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1003 submitted by the Committee on Accountability of Public Officers and Investigations on Proposed Senate Resolution No. 1065 introduced by Senator Maceda, entitled

RESOLUTION DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE ALLEGED GROSS CORRUPT PRACTICES AND NEPOTISM OF THE MANAGING DIRECTOR OF THE MANILA ECONOMIC-CULTURAL OFFICE (MECO), A GOVERNMENT AGENCY UNDER THE

OFFICE OF THE PRESIDENT, WITH THE END IN VIEW OF
ENACTING APPROPRIATE LEGISLATIVE MEASURES THAT
WILL PROTECT THE GOVERNMENT FROM UNSCRUPULOUS
PRACTICES OF CERTAIN GOVERNMENT OFFICIALS

recommending its approval.

Sponsors: Senator Drilon and the members of the Committee
on Accountability of Public Officers and Investigations.

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1004 submitted
by the Committee on Justice and Human Rights on House Bill No.
8888 introduced by Representative Garcia, et. al., entitled

AN ACT AMENDING SECTION 10 OF *BATAS PAMBANSA BLG. 129*,
AS AMENDED, OTHERWISE KNOWN AS THE JUDICIARY
REORGANIZATION ACT OF 1980

recommending its approval without amendment.

Sponsor: Senator Fernan

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1005 submitted
by the Committee on Ethics and Privileges re

PRIVILEGE SPEECH OF SENATOR MIRIAM DEFENSOR-SANTIAGO
ENTITLED 'THE SENATE TRANSFER - IS THERE A GAG?'
DELIVERED ON MAY 5, 1997

recommending its archival.

The President. To the Archives.

CONFERENCE COMMITTEE ON S. NO. 2465/H. NO. 10479
(Equity of Representation in the Sanggunian)

Senator Tatad. Mr. President, I move that we now
constitute the Senate panel to the Bicameral Conference Committee
on the disagreeing provisions of Senate Bill No. 2465 and House
Bill No. 10479. This is the equity of representation in the
sanggunians.

I hereby nominate Sen. Vicente C. Sotto III as Chairman, and
as members, Sen. Leticia R. Shahani, Sen. Meherson T. Alvarez and
Sen. Anna Dominique M. L. Coseteng.

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

CONFERENCE COMMITTEE ON S. NO. 2497/H. NO. 10462
(Government Assistance to Students and Teachers
in Private Education)

Senator Tatad. Likewise, I move that we now constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2497 and House Bill No. 10462. This is the GASTPE bill.

I hereby nominate Sen. Edgardo J. Angara as Chairman, and as members, Sen. Leticia R. Shahani, Sen. Ernesto F. Herrera and Sen. Juan M. Flavio.

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

CONFERENCE COMMITTEE ON S. NO. 2493/H. NO. 10500
(Philippine Science High School System)

Senator Tatad. Similarly, I move that we now constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2493 and House Bill No. 10500.

I hereby nominate Sen. Edgardo J. Angara as Chairman, and as members, Sen. Alberto G. Romulo and Sen. Juan M. Flavio.

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

BILL ON SECOND READING
S. No. 2315 - Mt. Pinatubo Grant Act

Senator Tatad. Mr. President, I move that we consider Senate Bill No. 2315 as reported out under Committee Report No. 978.

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

Consideration of Senate Bill No. 2315 is now in order. With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record* the whole text thereof.

The Acting Secretary. Senate Bill No. 2315, entitled

AN ACT AUTHORIZING THE PRESIDENT OF THE PHILIPPINES TO
CONVEY THE TITLES OF THE LOTS OCCUPIED BY THE
VICTIMS OF THE MT. PINATUBO ERUPTION IN THE
RESETTLEMENT AREAS LOCATED IN THE PROVINCES OF
PAMPANGA, TARLAC AND ZAMBALES AND FOR OTHER
PURPOSES

The following is the whole text of the bill:

SENATE BILL NO. 2315

(insert)

Senator Tatad. Mr. President, this is a certified measure. I ask that the Certification be read.

The President. The Secretary will read the Certification.

The Acting Secretary.

February 11, 1998

HON. NEPTALI A. GONZALES
Senate President
Senate, Manila

Dear Senate President Gonzales:

Pursuant to the provision of Section 26(2), Article VI of the Constitution, I hereby certify to the necessity of the immediate enactment of S. No. 2315 entitled:

"AN ACT AUTHORIZING THE PRESIDENT OF THE PHILIPPINES TO CONVEY THE TITLES OF THE LOTS OCCUPIED BY THE VICTIMS OF THE MT. PINATUBO ERUPTION IN THE RESETTLEMENT AREAS LOCATED IN THE PROVINCES OF PAMPANGA, TARLAC AND ZAMBALES AND FOR OTHER PURPOSES",

to address the public emergency consisting of the urgent need to alleviate the plight of victims of the Mt. Pinatubo eruption by relieving them of further burden in regard to the home lots awarded to them to hasten their reintegration as productive members of society.

Best regards.

(Sgd.) FIDEL V. RAMOS

cc: Hon. Jose de Venecia, Jr.
Speaker
House of Representatives
Quezon City

Senator Tatad. Mr. President, for the sponsorship speech, I ask that the distinguished gentleman from Cebu, Sen. Marcelo B. Fernan, be recognized.

The President. Senator Fernan is recognized.

SPONSORSHIP SPEECH OF SENATOR FERNAN

Senator Fernan. Thank you, Mr. President.

As Chairman of the Committee on Justice and Human Rights, and in behalf of Sen. Leticia Ramos Shahani, Chairperson of the Committee on Urban Planning, Housing and Resettlement, I have the honor to submit for the consideration of this Body Senate Bill No. 2315 which aims to provide assistance and social service to the survivors of the Mt. Pinatubo eruption by authorizing the President of the Philippines to convey the titles of the houses and lots occupied by the victims in their resettlement areas located in the Provinces of Pampanga, Tarlac, and Zambales.

Mr. President, as the world witnessed in 1991, the eruption of Mt. Pinatubo brought immeasurable hardship to the people of Central Luzon, particularly to the residents of Pampanga. What was part of the once lush and fertile rice granary of the country turned into a nightmare of destruction and lahar. News footages and photographs of towns being evacuated, homes being destroyed, and dreams being shattered still linger in our minds. The damages brought by the Mt. Pinatubo eruption could probably be referred to as the most destructive *force majeure* that has ever occurred in the Philippines.

The Filipino nation and some of our friends from overseas came to the assistance of those affected. The Mt. Pinatubo Commission was established as the government's commitment to the people of the lahar-torn villages; that it will do everything in its power to maximize resources in order to rehabilitate the lives and facilitate the reintegration of the victims as productive members of society.

We have brought hope to the victims but our work is not yet done. Today, the survivors face another challenge which is threatening the very foundation of their new-found sense of security. Their meager resources are being incessantly drained by the installment payments for their respective houses and lots in the resettlement areas.

It is with this vision that Senate Bill No. 2315 proposes to solve the growing confusion by authorizing the President of the Philippines to award the titles of the houses and lots occupied by the victims in the resettlement site for free and without additional cost to the beneficiaries after a period of five years from the inception of the physical occupation of said properties.

Under the proposed law, the houses and lots currently used by qualified occupants for residential purposes will be entitled to receive titles to their respective houses and lots totally free of charge. Please note, however, that not all possessors are automatically entitled to be granted titles. The bill also

proposes the following grounds for eviction of an occupant:

1. Any person found to have possessed the housing unit and residential lot by illegal means such as misrepresentation or making false statements just to qualify as victim of the Mt. Pinatubo eruption;

2. Any beneficiary who transfers his/her ownership of the residential lot within the prohibitive period to a party not recognized by the proposed Act; such other grounds which are found to be violative of the proposed Act.

For the implementation of this Act, the Mt. Pinatubo Commission or its successor is tasked to carry out its provisions.

While we are all aware that nothing can bring back the lives of those who perished, and the material things that were swept away by the rampaging lahar, we cannot allow the catastrophe to take away whatever is left. This proposed legislation gives our *kababayan* a new hope so that they can start anew with a clean slate.

Mr. President, other than acquiring an education, nothing is probably more important to any Filipino than a place that they can call a home. Everyone deserves another chance in life. I urge my distinguished colleagues to pass Senate Bill No. 2315.

Thank you, Mr. President.

Senator Tatad. Mr. President, for the cosponsorship, I ask that the distinguished lady Senator from Pampanga, principal author of the measure, be recognized.

The President. Sen. Gloria Macapagal Arroyo is recognized.

SPONSORSHIP SPEECH OF SENATOR MACAPAGAL

Senator Macapagal. Mr. President, I rise today, together with Senator Fernan, to push for the passage of Senate Bill No. 2315, authored by this representation, as reported out *in toto* in Committee Report No. 978, entitled "An Act Authorizing the President of the Philippines to Convey the Titles of the Lots Occupied by the Victims of the Mt. Pinatubo Eruption in the Resettlement Areas Located in the Provinces of Pampanga, Tarlac and Zambales and for Other Purposes."

Mr. President, we remember, six years ago, the eruption of Mt. Pinatubo gave the Philippines its most ruinous calamity in its history. In 1992, the Ramos administration sent an administration measure creating the Mt. Pinatubo Commission. And our Congress, our Senate complied with the request of the Ramos administration to create a Commission and to fund that Commission to the extent of P10 billion in order to help the victims of the most devastating calamity the Philippines has ever known. Five

billion pesos was supposed to be for infrastructure and P5 billion was supposed to be for resettlement and rehabilitation.

Today, the survivors face another wave of trials. Out of the P5 billion provided for resettlement and rehabilitation, 50,000 families are now living in resettlement areas. However, our original law was silent on whether or not these families should be charged for their dwellings.

Because of the silence of our law, the families are being charged P165 a month for the next 25 years. The P165 a month may sound a small amount, Mr. President, but for people whose lives and means of livelihood were washed away together with the devastating lahar flow, P165 a month is no small matter. But what makes the situation urgent is that if the families do not pay or cannot pay their P165 a month, then they face ejection, even if they are bona fide victims of Mt. Pinatubo.

It is really to avoid or prevent such ejection from their new homes that we filed this bill in order to give them security of tenure. After all, we, the national government, appropriated the cost for the housing because these victims are victims of the biggest *force majeure* that occurred in our country. Therefore, we believe that these families should not pay all over again for what the national government already paid. Besides, they should in no circumstance be ejected from their homes because they are victims of *force majeure*, and it was the will, it was the intention of the national government to resettle them.

Because of this background, Mr. President, and the fear of the settlers of being ejected from their homes if they cannot afford to pay the usufruct fee, we have filed Senate Bill No. 2315, which has already been passed in the House of Representatives.

We hope, therefore, that our colleagues will also do likewise.

Mr. President, I cosponsored this measure, and I support Senator Fernan, our distinguished chairman, in seeking the enactment of Mt. Pinatubo Land Grant Act.

Thank you, Mr. President.

Senator Tatad. Mr. President, I ask that the distinguished Minority Leader be recognized.

The President. The Minority Leader is recognized.

Senator Maceda. Mr. President, will the distinguished sponsors answer a few questions?

The President. Senator Fernan is recognized. He may yield if he so desires.

Senator Fernan. Gladly, to the distinguished Minority Leader.

Senator Maceda. May we have an idea of how many victims, homeowners or home occupiers are sought to be benefited by this measure?

Senator Fernan. The persons to be resettled as of January 28, 1998 total 8,250. They are still staying in the evacuation centers.

Senator Maceda. A total of 8,250.

Senator Fernan. Yes, Mr. President.

Senator Maceda. The way I understand from the distinguished vice presidential candidate from Central Luzon is that they are supposed to pay certain monthly installments. Is that correct?

Senator Fernan. Yes, Mr. President. They are having difficulties now meeting the monthly installments.

Senator Maceda. May we get a profile of how many are in arrears for five years, how many are in arrears for three years? No matter how few, how many are religiously paying their monthly installments and complying with their obligations?

Senator Fernan. I understand that since this bill was filed in the House of Representatives and pending action on the part of Congress, the Mt. Pinatubo Commission has suspended the collection of the amount that would fall due.

Senator Maceda. Well and good. Before it was suspended, could we have the figures of how many were in arrears or behind and how many were paying religiously?

Senator Fernan. I understand this has not been religiously implemented because of the uncertainty of the status of these individuals.

Senator Maceda. To be fair, if we are going to give this free of charge to the victims/occupants, maybe there should be a provision in this bill that those who paid religiously and regularly or substantially religiously and regularly, all their payments should be refunded. Unfair naman na iyong mga hindi nagbayad from the beginning, ibibigay na lamang sa kanila iyong lote just like that. Papaano iyong mabubuti o disenteng tao na sa kahirapan ay nagbabayad naman kahit papaano? It would not be fair to accommodate those who are habitual non-payers, human nature being what it is. That is just my point, Mr. President.

I would like those figures because if a substantial number did pay or made an attempt to pay, and, let us say, one-half are not paying, if we are going to give this principally because of the one-half who were not paying substantially from the

beginning, we have to consider the others who have been substantially complying with their obligations.

Senator Fernan. Mr. President, it was never the intention of this bill to discriminate against those who have been religiously paying and to favor those who have been delinquent. As a matter of fact, as pointed out by the officials of the Mt. Pinatubo Commission, the idea is that if this bill is approved, those who have already paid certain installments will be refunded so that we level the playing field. We place them on equal footing.

Senator Maceda. But is that in the bill, Mr. President? I do not know. I just went through it fast.

Senator Fernan. It is not spelled out. But it says there that the ownership of the land as well as the house standing thereon will become the property of the Mt. Pinatubo victim, so that the person in effect becomes the owner of that portion of the lot.

Not one has paid any installment on the lot, but with respect to the house, some of them have paid installments. The installments paid on the house will be refunded to the individual who paid the same.

Senator Maceda. That is clear, Mr. President. Is the provision to refund the payments of installments paid on the house in the bill as presented?

Senator Fernan. If the distinguished gentleman feels that it is necessary to do so--because that is the understanding of the Mt. Pinatubo Commission--then this representation would not be averse to the idea of spelling out that particular amendment.

SUSPENSION OF SESSION

Senator Maceda. Could we ask for a one-minute suspension, Mr. President, to allow the sponsor to find out whether the provision is in the bill or not?

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

It was 3:56 p.m.

RESUMPTION OF SESSION

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

The President. The session is resumed.

Senator Maceda is recognized.

Senator Maceda. So the sponsor is now willing to accommodate the suggestion that in principle, fairness and equity

dictate that if we are going to let everybody get this free, those who paid certain amounts should be refunded.

The next question is: How much is the total amount we have to refund? And the next question will be: Where are we going to get the money to refund?

Senator Fernan. The value of the house, I understand, ranges between P32,000 and P42,000 per person. We have to look into the figures now to find out how much so far has been paid. But I do not think it is a substantial amount because upon the filing of this bill in the House, they suspended collection of these installments on the house so that the amount is not really substantial. It can easily be refunded by the Mt. Pinatubo Commission.

Senator Maceda. Be that as it may, Mr. President, could we be favored with an actual amount? Even if it is only several billions, I am sure the collections have been spent.

So, will the officials of the Mt. Pinatubo Commission have that money or have some money to refund, or are they going to ask Congress to give them money to refund?

Senator Fernan. All the amounts representing payments are presently held in trust by the Mt. Pinatubo Commission. Unfortunately, the officials do not have the records with them this afternoon, but these can be produced.

Senator Maceda. Could we suspend deliberations then until we get these records? Because this is a very important point, Mr. President. We have to know how much is collected and how much is to be refunded.

Senator Fernan. Since time is of the essence, Mr. President, we will place a call at this time so that after a few minutes, we can be ready with the figure.

Senator Maceda. Thank you.

SUSPENSION OF SESSION

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

It was 3:59 p.m.

RESUMPTION OF SESSION

At 3:59 p.m., the session was resumed.

The President. The session is resumed.

The Majority Leader is recognized.

SUSPENSION OF CONSIDERATION OF S. NO. 2315

Senator Tatad. Mr. President, I move that we temporarily suspend consideration of Senate Bill No. 2315.

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

BILL ON SECOND READING

S. No. 2387 - Racketeer-Influenced and Corrupt
Organization Act of 1997 (RICO Law)
(Continuation)

Senator Tatad. Mr. President, I move that we resume consideration of Senate Bill No. 2387 as reported out under Committee Report No. 813. This is the RICO bill. This is a certified measure.

The President. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 983 is now in order.

Senator Tatad. We are still in the period of interpellations, Mr. President. I ask that the distinguished sponsor, the Chairperson the Committee on Constitutional Amendments, Revision of Codes and Laws, be recognized for any interpellation.

The President. Senator Santiago is recognized.

Senator Santiago. Mr. President, I am ready. Thank you.

The President. What is the parliamentary situation of this bill?

SUSPENSION OF SESSION

Senator Tatad. We are in the period of interpellations, Mr. President. The gentleman from Camarines Sur and Bohol would like to interpellate but he is requesting for a couple of minutes just to gather his papers.

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

It was 4:00 p.m.

RESUMPTION OF SESSION

At 4:12 p.m., the session was resumed.

The President. The session is resumed.

SUSPENSION OF CONSIDERATION OF S. NO. 2387

Senator Tatad. Mr. President, upon request of our distinguished colleague from Camarines Sur who feels that he needs a little more time to go over this bill which he says is quite complicated, I move that we suspend consideration of Senate Bill No. 2387.

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

BILL ON SECOND READING

S. No. 2393 - Upgrading the Agricultural Engineering Profession

Senator Tatad. Mr. President, I move that we consider Senate Bill No. 2393 as reported out under Committee Report No. 825.

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

Consideration of Senate Bill No. 2393 is now in order. With the permission of the Body, the Secretary will read only the title of the bill without prejudice to inserting in the Record the whole text thereof.

The Secretary. Senate Bill No. 2393, entitled

AN ACT REGULATING THE PRACTICE OF AGRICULTURAL
ENGINEERING IN THE PHILIPPINES

The following is the whole text of Senate Bill No. 2393.

Insert

Senator Tatad. Mr. President, for the sponsorship, I ask that the distinguished lady Senator from Quezon City, Iloilo and Negros Occidental be recognized.

The President. Senator Coseteng is recognized.

SPONSORSHIP SPEECH OF SENATOR COSETENG

Senator Coseteng. Thank you, Mr. President.

Mr. President, honorable colleagues, I would like to present before this august Body Committee Report No. 825 in substitution of Senate Bill No. 2393, a measure to upgrade the agricultural engineering profession and, for this purpose, to amend R.A. No. 3927, the 37-year old Philippine Agricultural Engineering Law, a law which is now obsolete and outmoded.

Mr. President, if the Chair will recall, we recently passed into law "The Agriculture and Fishery Modernization Act," and among its major components involve the installation and/or construction of irrigation, post-harvest facilities, agricultural mechanization and other vital agricultural infrastructures in the countryside. These concerns are within the sphere of agricultural engineering and where our agricultural engineers are deeply involved. To accelerate its implementation, there is a need to have an adequate number of strong and empowered agricultural engineers to provide the necessary technical and professional services.

As of this date, there are only 4,500 professional agricultural engineers registered with the Professional Regulation Commission, and the number of students enrolling in agricultural engineering course is steadily declining. Lack of professional incentives for practicing agricultural engineers is the reason contributory to this situation.

Mr. President, with the country's membership to the World Trade Organization, the practice of agricultural engineering should have been long upgraded through an enabling law to become at par with agricultural engineers of WTO countries. While Japan, Taiwan, Korea and the United States agricultural engineers are already designing and manufacturing four-wheel tractors and big scale mechanical dryers, the Filipino agricultural engineers still remain as distributors and salesmen despite their intrinsic intelligence.

Mr. President, the concern of upgrading the agricultural engineering profession has been brought out by the Philippine Society of Agricultural Engineers since the Eighth Congressional session and therefore deserves to be given due recognition.

An upgraded Filipino agricultural engineer, Mr. President, will lead for better and effective professional services in teaching farmers on farm mechanization, the use of water, soil conservation, better farm buildings and structures, improved processing techniques and farm electrification activities.

This, therefore, will help increase agricultural production and productivity, a practical solution to feed the growing Philippine population.

Mr. President, with this humble representation, I earnestly seek due consideration of this august Body for the immediate approval of this measure.

The President. The Majority Leader is recognized.

Senator Tatad. Mr. President, I ask that that distinguished gentleman from Camarines Sur and Bohol be recognized.

The President. Senator Roco is recognized.

SPONSORSHIP SPEECH OF SENATOR ROCO

Senator Roco. Mr. President, as Chairman now of the Committee on Civil Service and Government Reorganization, may we join and associate ourselves with the sponsorship of the lady Senator who reported out this bill.

May we just say that for the Philippines to industrialize, and by way of adding to the sponsorship, may we just add a few words.

The Filipino farmer, Mr. President, must be trained in farm mechanization, use of water, soil conservation, better farm buildings and structures, improved crop processing techniques and farm electrification activities. These are essential to make the farmer more competitive in the local and foreign markets which are essential in getting to be competitive under the GATT and World Trade Organization.

Here, Mr. President, we need agricultural engineering interventions and help. There is basically the urgent need behind the approval of the bill.

Initiating the Philippine Agricultural Engineering Law of 1997, we wish to join not only as sponsor and as chairman now of the Committee on Civil Service and Government Reorganization but as co-author with the permission of the authors.

We hope, Mr. President, the Chamber will accept this need to utilize knowledge and information in helping our farmers cope up with the competitive means of globalization.

Thank you, Mr. President.

The President. The Majority Leader is recognized.

Senator Tatad. Mr. President, there are no interpellations; I move that the period of interpellations be closed.

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

Senator Tatad. There are no committee amendments; I move that the period of committee amendments be closed.

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

Senator Tatad. I move that we now consider the individual amendments, if any.

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

TATAD AMENDMENT

Senator Tatad. Mr. President, on page 1, line 4, I move that the figure "1997" be replaced with the figure "1998".

The President. What does the sponsor say?

Senator Coseteng. We have no objection, Mr. President.

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

Senator Tatad. Mr. President, unless there are any further individual amendments, I move that the period of individual amendments be closed.

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

APPROVAL OF S. NO. 2393 ON SECOND READING

Senator Tatad. Mr. President, I move that we vote on Second Reading on Senate Bill No. 2393, as amended.

The President. Is there any objection? [Silence] There being none, we shall now vote on Second Reading on Senate Bill No. 2393, as amended.

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

Several Members. Aye.

The President. As many as are against the bill, say nay. [Silence]

Senate Bill No. 2393, as amended, is approved on Second Reading.

SUSPENSION OF SESSION

Senator Tatad. Mr. President, may I ask for a minute suspension of the session?

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

It was 4:19 p.m.

RESUMPTION OF SESSION

At 4:23 p.m., the session was resumed.

The President. The session is resumed.

The Majority Leader is recognized.

CONFERENCE COMMITTEE ON S. NO. 1708/H. NO. 7366
(Fisheries Code)

Senator Tatad. Mr. President, I move that we constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1708 and its House counterpart. I hereby nominate Sen. Edgardo J. Angara as Chairman, and as members, Senators Leticia R. Shahani, Meherson T. Alvarez, and Juan Ponce Enrile.

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

CONFERENCE COMMITTEE ON S. NO. 1580
(Public Telecommunications Policy Acts of the Philippines)

Senator Tatad. Mr. President, likewise, I move that we constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1580 and its House counterpart. I hereby nominate Sen. Ernesto F. Herrera as Chairman, and as members, Senators Sergio R. Osmena III and Anna Dominique M.L. Coseteng.

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

CONFERENCE COMMITTEE ON S. NO. 1966/H. NO. 10496
(Special Economic Zone Act of 1995)

Senator Tatad. Mr. President, likewise, I move that we constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1966 and House Bill No. 10496. I hereby nominate Sen. Edgardo J. Angara as Chairman, and as members, Senators Ernesto F. Herrera and Juan M. Flavio.

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

BILL ON SECOND READING
S. No. 2428—Philippine Judicial Academy Act
(Continuation)

Senator Tatad. Mr. President, I move that we now resume consideration of Senate Bill No. 2428 as reported out under Committee Report No. 866.

The President. Is there any objection? [Silence] There being none, resumption of consideration of Senate Bill No. 2428 is now in order.

Senator Tatad. We are still in the period of interpellations. When we last suspended, the Minority Leader was interpellating the distinguished sponsor, the Chairman of the

Committee on Justice and Human Rights. I ask that both our colleagues be recognized.

The President. Sen. Marcelo B. Fernan and the Minority Leader, Sen. Ernesto M. Maceda, are recognized.

Senator Fernan. Thank you, Mr. President.

Senator Maceda. Mr. President, the honorable sponsor was kind enough to present us with a breakdown of the P100 million. It appears that the P100 million is really substantial. Meaning to say, the P75 million is earmarked for the construction of a building.

Since the financial crisis and currency meltdown, I am under the impression that there is existing policy now that no new buildings are supposed to be constructed. It would seem to me, therefore, that this bill is really principally intended just to appropriate a substantial amount for a new Building based on this submission. Will that be correct?

Senator Fernan. This representation begs to disagree, Mr. President, because it is principally to institutionalize the Philippine Judicial Academy. If it is justified later on that the funding is not really available, then we could consider a possible reduction of the amount here as proposed in the bill. But what is important is that all the other provisions should take effect. As a matter of fact, no less than the President realizes how urgent it is by certifying the urgency of this bill.

Senator Maceda. Mr. President, I think we all know in this Chamber that certifications by the President are not necessarily an indication of the urgency of the bill; that certifications are sometimes secured on the basis of who is asking for the certification. But, anyway, that is neither here nor there.

May I know, Mr. President, how many employees are there now in the Supreme Court?

Senator Fernan. There are about 4,000 employees now for the entire Supreme Court.

Senator Maceda. The other reason why they have to do it by legislation is that, under the proposed staffing pattern, this bill really seeks to create 225 new positions which, otherwise, would not have been allowed in the regular budget process. Would that be correct that that is also one of the motivations behind this measure?

Senator Fernan. These positions have been proposed, Mr. President, because they are deemed absolutely necessary. If we consider the 1997 yearend report of the Philippine Judicial Academy, they have accomplished so much. They need more personnel, but they still need to train more judges, not only the new ones but also the incumbent ones.

It is also envisioned in this particular bill, Mr. President, that as soon as the program is fully implemented, only those who enroll in the program and those who have satisfactorily complied with the requirements of the program may be considered for appointment to the judiciary. That is what is badly needed by our country.

Senator Maceda. Meaning to say, Mr. President, the sponsor is admitting by clear implication that there has been some--and I will put it nicely--problems with the way the Judicial and Bar Council has been recommending judges.

Senator Fernan. Yes, Mr. President. From the little experience that this representation had when I took over as head of the Judiciary, there was no prior orientation of judges before they began to discharge the duties of their office. As a result, it gave the public the wrong impression, and many judges really did not function properly and effectively. That is why it was during my stint that we inaugurated the orientation program for judges.

In other words, no one is allowed to report to a station as a judge and begin discharging his functions until he has completed the orientation program. This time we are making it more elaborate by making it a judicial academy so that it will extend not only to judges but even to court personnel such as clerks of court and sheriffs.

Senator Maceda. Mr. President, that argument can cut either way. I am sure that if we will ask the Secretary of Justice, he could make as good a case for using P100 million first for hiring 1,000 additional prosecutors instead of establishing a judicial academy. So we are really talking again of priorities here and allocation.

The gentleman said that with their report, the gentleman accepts that they are doing very well. Now, the present setup, the one that submitted that report, how many employees are actually doing the job of the *de facto*, existing Judicial Academy that there is?

Senator Fernan. Presently, according to the Vice Chancellor, there are 55 employees.

Senator Maceda. So we are going 300% more to 225%. That is, in effect, what this bill seeks to propose.

Senator Fernan. Yes, Mr. President, as we go on to expand, because there is need for more participants in this program, there is need for a more intensive training and more participants in this program.

Senator Maceda. Under the present setup, Mr. President, since he is the one who is here--in the current, the 1997-1998

budget, how much is the salary of the Vice Chancellor?

Senator Fernan. The salary of the Vice Chancellor is equivalent to the salary of a Justice of the Court of Appeals because that was his rank at the time also that he retired from the Sandiganbayan.

Senator Maceda. How much is that annually or monthly or whatever it is?

Senator Fernan. The salary is P25,000 a month.

Senator Maceda. Or P300,000 a year.

Senator Fernan. Yes, Mr. President.

Senator Maceda. That is all-inclusive or plus allowances?

Senator Fernan. Exclusive of allowances.

Senator Maceda. How much is the Chancellor receiving?

Senator Fernan. The same as the salary of an Associate Justice of the Supreme Court. The position is held now by a former Associate Justice of the Supreme Court, Ameurfina Melencio Herrera.

Senator Maceda. And the Judicial Academy is supposed to be a division or a department of the Supreme Court?

Senator Fernan. It is a component unit.

Senator Maceda. Yet the head is given a salary at par with an Associate Justice of the Supreme Court.

Senator Fernan. The idea behind this, Mr. President, is to attract the most qualified.

Senator Maceda. Or is the idea just to get some post-retirement position to some retired Justices, Mr. President?

Senator Fernan. That is not really the idea but it happens that way because it is open to a retired Justice of the Supreme Court. But the idea is really to get the best, and I consider Justice Herrera one of the best members of the Supreme Court when we served together.

Senator Maceda. We have no debate on that, Mr. President. But would the gentleman not think that there is also some equally meritorious argument on the other side that retired people should stay retired and academies such as this should be headed by someone who is not yet retired?

Senator Fernan. It is just a two-year term and much will depend on how physically and mentally active an individual is at

age 70 when one is retired compulsorily or optionally after age 60.

Senator Maceda. Under the present setup of 55, how many full-time and part-time professors are there?

Senator Fernan. There are about 10 part-time faculty members. These are the professorial lecturers.

Senator Maceda. How many of them are retired Supreme Court Justices and how many are retired Court of Appeals Justices?

Senator Fernan. Only one is retired. Justice Oscar Herrera is the retired Justice of the Court of Appeals, and Justice Hugo Gutierrez of the Supreme Court. These are the two retirees. The others are in active service.

Senator Maceda. It is proposed here that when this bill is passed, the 10 senior professors shall also receive the salary equivalent to that of a Justice of the Supreme Court?

Senator Fernan. It is supposed to be the salary of a Justice of the Court of Appeals. But this amount is not being followed now because they could not get a faculty member on a full-time basis. I think all of them are on a part-time basis. They are paid on a per lecture basis which is P5,000 per lecture.

Senator Maceda. So, P5,000 per lecture?

Senator Fernan. Yes, Mr. President.

Senator Maceda. How many lectures do they give in the course of one training module?

Senator Fernan. Once in three months, by rotation. When we say a lecture is delivered, it may last for about three or so hours. That is a one-morning session.

Senator Maceda. In a regular law school, how much is the going rate now on an hour's lecture?

Senator Fernan. I understand that the Ateneo Law School gives P1,000 per hour.

Senator Maceda. So the rate here is higher than the Ateneo Law School or the UP Law School?

Senator Fernan. A little bit higher. We have to consider the fact that they have to travel all the way to Tagaytay and other places, and has broader coverage of a particular subject, Mr. President.

Senator Maceda. Under the present setup, of course, these people are being served by the medical staff of the Supreme Court?

Senator Fernan. Yes, they are, Mr. President.

Senator Maceda. If we put up a separate Philippine Judicial Academy, are we proposing to put up a separate medical staff?

Senator Fernan. If the headquarters of the Philippine Judicial Academy is transferred to Tagaytay, there is need for a medical staff with one medical officer, two nurses and two utility workers. But that position until now has not been filled up.

Senator Maceda. What is the setup now? How long do they stay in Tagaytay?

Senator Fernan. Sometimes four to five days on a live-in basis, Mr. President.

Senator Maceda. Where is the site in Tagaytay?

Senator Fernan. It is on the right side shortly before reaching the rotonda. We have to go inside a little.

Senator Maceda. Is it owned by the Supreme Court, or it is rented?

Senator Fernan. It is owned by the Supreme Court.

Senator Maceda. How many usually constitute one class?

Senator Fernan. Because of the limited space, they can only accommodate a maximum of 55 per class.

Senator Maceda. It is 55 per class.

Senator Fernan. Yes, Mr. President.

Senator Maceda. If we set up a regular Philippine Judicial Academy, it is proposed to have, for food and housekeeping management, one resident manager, 21 food and beverage preparation staff, 25 housekeeping services staff, 16 restaurant services staff, 16 banquet services staff, 6 personnel service staff, 18 maintenance and general services staff, 16 security services staff, et cetera. We will have a full-time hotel/restaurant operation. That is what we are proposing to have with the Philippine Judicial Academy.

Senator Fernan. There will be a series of workshops and seminars so that there would be continuous services to the participants. That is why there is need for that Food and Housekeeping Management Service Department. But there is no need to hire everyone right away.

Senator Maceda. Yes, Mr. President, but that is what is in

this list.

Senator Fernan. It will depend on the need of the Philippine Judicial Academy. This is the desired budget.

Senator Maceda. Might it not be more economical just to engage the services of the DAP as far as accommodations and restaurant services are concerned?

Senator Fernan. We tried that in the past, Mr. President. In fact, during my incumbency, we used to send the judges to DAP. But DAP is not available at all times. There are times when we have to train the municipal judges. There are times when we have to train the regional trial court judges. There are times when we have to train the Justices. There are also times when we have to train the sheriffs, the clerks of court and other court personnel.

Senator Maceda. Under the present setup, does the Supreme Court now have a governing board?

Senator Fernan. Yes, there is an existing Governing Board which is headed by the Chief Justice as Chairman and the Senior Associate Justice as Vice Chairman.

Senator Maceda. And that is the same in the proposed setup?

Senator Fernan. Yes, Mr. President. It is the same where the Chief Justice is the *ex-officio* chairman and the members of the board...

Senator Maceda. The existing setup.

Senator Fernan. The existing setup now is that the Chief Justice is the *ex officio* Chairman, with the Senior Associate Justice of the Supreme Court as *ex officio* member, then the Presiding Justice of the Court of Appeals--there is no mention here of the Sandiganbayan which we seek to include in the bill--the Court Administrator, the President of the Philippine Association of Law Schools--the President of the Philippine Association of Law Schools is Dean Cynthia del Castillo of the Ateneo Law School--the Chancellor of the Academy as *ex officio* members. Then there is an incumbent regional trial court judge who shall serve as such for at least five years and has taught in a reputable law school for the same number of years. They added now in the proposed bill a judge of a court of the first level.

Senator Maceda. Under the existing setup, how much is their honorarium per board meeting?

Senator Fernan. It is P2,000 per quarter.

Senator Maceda. Or P8,000 a year?

Senator Fernan. It is P8,000 a year, Mr. President.

Senator Maceda. Under the proposed institutionalized Philippine Judicial Academy, that is being increased to six meetings a year.

Senator Fernan. More or less six meetings. That is the maximum. A maximum of six meetings.

Senator Maceda. Or P12,000 a year.

Senator Fernan. Yes, Mr. President.

Senator Maceda. I have been in the government too long, Mr. President, to know. Of course, we do this in the Executive Department. We create these boards, these committees, these special projects and then pay ourselves extra honoraria. It would seem to me that at the level of the prestige of the Supreme Court and the Associate Justices of the Supreme Court, it would be more laudable if they were to do this job without having to pay themselves honoraria. Otherwise, they would just be like any other executive department, presidential appointee who is going to go to all of these additional jobs for purposes of augmenting their income through additional honoraria.

Senator Fernan. If they had fat allowances like other officials of other branches of government, then I am sure these things would not matter to them because they would be willing to serve for free. But considering the limited income of a member of the judiciary, every peso counts.

Senator Maceda. I am sure the distinguished sponsor would not like to go into an extended debate as to what are the allowances of the Justices of the Supreme Court.

Senator Fernan. Yes, it is not being hidden; it is very clear.

Senator Maceda. Who are these planning committee members who are also entitled to honorarium?

Senator Fernan. They are the chairmen of the different committees like Civil Law, Remedial Law. When we look for experts in these fields and one is made chairman of a particular field of law--Civil Law, Remedial Law, Commercial Law, et cetera--they also act as the professorial lecturers constituting the corps of professorial lecturers.

Senator Maceda. Under the item "Activities for '98," for example, in addition to the P5,000 honorarium for lecturers, which comes out to a hefty P4.5 million, there is an item of P12 million. It is a lump sum for just a seminar-workshop training in addition to a specific amount already provided for seminar kits. May we have an idea of what the P12 million is for?

Senator Fernan. The P12 million would be travel expenses-- transportation for out-of-town and local trips--communication services, repair and maintenance of government vehicles, food while attending the seminars, and other incidental expenses with respect to rental of copier, water, illumination, power, other services.

Senator Maceda. That is correct, Mr. President. The distinguished sponsor is reading it under "B"---MOOE---and the amount is P12.579 million. I am referring to "D" where there is another P12 million, in addition to the P12.579 million.

Senator Fernan. "D," yes, the seminar workshop training. Everytime a seminar or a workshop-training is conducted, then there is movement on the part of the judges. Their plane fares or boat fares have to be paid because it is a mass movement on the part of judges from all parts of the country. Then they have their seminar kits which is P300 per kit, plus the printing materials. Then we also set aside honorarium for lecturers, resource persons and moderators.

Senator Maceda. Would I be correct, even if I am only guessing, that as far as the present *de facto* setup is concerned for the, let us say, Class of '55, the so-called plane fares and movement of judges are paid for under the regular budget of the Supreme Court? And it is so included in the explanations that are given to Congress when the Supreme Court asked for a lump sum for travel expenses, et cetera.

Senator Fernan. Yes. In the meantime, Mr. President, this amount is taken from the Supreme Court budget in the absence of an appropriation for the Philippine Judicial Academy.

Senator Maceda. Yes, Mr. President. But it is not really in the absence because when the regular budget of the Supreme Court is submitted to us annually, part of it is already allocated to these activities being undertaken as a justification for the total amount of P5.6 billion or P5.8 billion. I am just pointing out here in detail that this bill is really to add P100 million to the budget of the Supreme Court, an amount that they feel they could not otherwise get or they have not gotten from their regular budgetary allocation process.

Senator Fernan. Mr. President, the existence, establishment, and operation of an academy adds to the burden of the Supreme Court. Yet, there has been no corresponding increase in the appropriations of the Supreme Court. In fact, if we look at the item on training under the Supreme Court, it only provides for a very modest amount. That is why there is a need to really undertake an ambitious project like this to improve the administration of justice because it will redound to the benefit of the country.

Senator Maceda. This is just out of curiosity. In the Senate budget, how do we nomenclature our drivers? I was wondering

why in the Philippine Judicial Academy, they are given the fringe title and spelled "CHAUFFEUR II". This is the first time I come across this title.

Is this to give them higher compensation in relation to the ordinary drivers of the lowly Senators? That the Justices of the Supreme Court are entitled to a limousine chauffeur?

Senator Fernan. It amounts to the same thing as driver. They are so used to using high-sounding terms.

Senator Maceda. Mr. President, the gentleman mentioned in his sponsorship speech that, of course, there are judicial academies in other jurisdictions. May we get an idea of what is the practice in the United States? Is there a US Judicial Academy established within the Supreme Court of the United States?

Senator Fernan. To the knowledge of this representation, there is no Federal Judicial Academy, but different States have their own academies. This representation had occasion to visit the different academies during his stint as Chief Justice.

Senator Maceda. But in the context of the US Supreme Court, it did not see it fit to establish a US Federal Judicial Academy.

Senator Fernan. The federal government felt it was not necessary because any of its judges could get his her orientation and training from any of the State judicial academies.

At this juncture, there was a power failure.

Senator Maceda. For the record, we are not questioning the 30,000 watts generator at P2.5 million that the Judicial Academy wants to acquire in view of these brownouts that are happening even in the Senate.

Senator Fernan. Thank you, Mr. President.

Senator Maceda. In how many other countries are there judicial academies? I think there are now about 181 countries.

Senator Fernan. Bangladesh has its own judicial academy. It is one of the poorest in terms of salaries and benefits to the judiciary. Pakistan has also its own judicial academy. Other Asian countries. I think in Australia, there is also an academy. Gradually, the idea is catching fire that we should give ample training to our judges.

Senator Maceda. As regards those that are mentioned--I will not ask for all--could we have some material on Bangladesh, Pakistan, Australia, and one United States State Judicial Academy?

Senator Fernan. During the Conference of Chief Justices,

the Chief Justice of Bangladesh, as well as the Chief Justice of Pakistan, stated that they have their own judicial academy. So we took their word, Mr. President.

Senator Maceda. The Vice Chancellor is saying that as far as the Philippine Judicial Academy now existing is concerned, they do not have any materials on the operations of judicial academies in other legal jurisdictions?

Senator Fernan. I recall that I obtained some materials in the United States and left them with the Supreme Court. I do not know whether these materials still exist and whether they are being utilized.

But to me, one of the leading academies was in the State of Nevada, and of all places, it was in Reno. I visited that academy and attended a few sessions, Mr. President. Also in Berkeley, California. These are the academies existing for the State of California.

Senator Santiago, I understand, is an alumna of the California Judicial Academy.

Senator Maceda. At any rate, Mr. President, it would seem that there is no material available offhand that we could use, in the interest of legislating a good Philippine Judicial Academy, as basic reference material for this particular proposal.

Let us go to another point, Mr. President. Section 4 says that the Academy shall be located in Tagaytay City and in such other place or places as the Supreme Court may determine.

Are we projecting here that eventually, there will be a judicial academy in Cebu, a judicial academy in Davao, a judicial academy in Baguio, et cetera?

Senator Fernan. Not at the moment. There might be extensions of the existing academy. But the principal site of the academy is Tagaytay City.

Senator Maceda. So there is no plan to put up other P75 million buildings in several other places?

Senator Fernan. None at the moment, Mr. President.

Senator Maceda. By the way, when the Supreme Court constructs a building, is this because of independence done under the supervision of the Supreme Court or is this also done under the supervision of the Department of Public Works and Highways?

Senator Fernan. From the experience of this representation --of course, it was not a new building but a renovation of an existing Department of Foreign Affairs building--this was bidden out. It was published and we invited offers from the different well-known contractors. In fact, we invited several of them.

On the basis of bids submitted, we created an awards committee with the participation of the COA representative of the Supreme Court, and this was, to my recollection, awarded to the AM Oreta Construction Company, Inc. That was the contractor in the renovation at that time.

Senator Maceda. This was during the time of President Aquino?

Senator Fernan. I guess so, Mr. President.

Senator Maceda. Incidentally, A. M. Oreta is, of course, a relative by affinity?

Senator Fernan. We did not take that into consideration when we decided to award this. Because it was the decision of 15 Justices, not just one.

Senator Maceda. I did not suggest, Mr. President, that that was a consideration. I was just stating a fact.

Senator Fernan. Yes, I guess it was during the time of President Aquino. That was during my stint also in the Supreme Court.

Senator Maceda. During the time of President Aquino, comparatively, the A. M. Oreta Construction Co., Inc. got a substantial number of projects. I do not know why, but that is really on record.

Senator Fernan. I am not aware of the substantial number of projects, but I am aware that it was during the time of Pres. Cory Aquino's administration.

Senator Maceda. Now, following the interpellation by the presidential candidate of the *Aksiyon Demokratiko*--and I refer to Section 1 which is the Declaration of Policy, which states: "It is hereby declared a policy of the State to ensure an efficient and credible Judiciary."

As the distinguished gentleman knows, this statement is pregnant with meaning. May we have the sponsor's explanation as to how this particular policy declaration was formulated?

Senator Fernan. To me, the State is always interested in an efficient and credible Judiciary. That is why it is spelled out here that it is this policy of the State to ensure an efficient and credible Judiciary. No one in this country wants a Judiciary that is not efficient and that does not enjoy a certain degree of credibility. That is the reason why this is spelled out here as the declared policy of the State.

Senator Maceda. And the suggestion is that we cannot ensure an efficient and credible Judiciary without creating a Philippine

Judicial Academy, building a P75-million building and appropriating at least P100 million a year which Congress cannot reduce?

Senator Fernan. To me, the Philippine Judicial Academy, Mr. President, is just one of the many factors that will help ensure an efficient and credible Judiciary. Because it is not enough to create an academy that will come up with an efficient and credible Judiciary. There must be sufficient inducements to attract top quality people to join the Judiciary. The present salaries of judges now do not attract the top quality in our country, and that is why there is need to increase their salaries and benefits.

In fact, I had a talk with the President of the Philippine Judges Association during the signing of the Speedy Trial Law this noon in Malacanang. He said that whenever they get sick, they have to shell out of their own pocket since they do not enjoy certain medical benefits. And what is left of their salary after they are billed P30,000 to P40,000 for a certain ailment? That is where their difficulty exists.

Senator Maceda. Precisely, Mr. President. So, again we go back to the proposition that maybe P100 million a year should first be allocated to the needs of the Regional Trial Court judges and Municipal Trial Court judges who have long been complaining that in the allocation of the budget for the Supreme Court and other inferior courts, the lion's share, especially in terms of benefits, goes to the appellate courts and very little to the lower courts or courts of original jurisdiction.

Senator Fernan. To me, Mr. President, the amount appropriated for an academy is just as important as other benefits which are extended to the members of the Judiciary. Because if there is no academy, then there is no institution that will improve the quality of our judges. And this will help upgrade the quality of our judges by operating efficiently a Judicial Academy.

Senator Maceda. The second sentence says: "Towards this end, it is imperative to provide members of the Judiciary and prospective applicants with continuing good education and training."

What is the quantification of the word "prospective applicants"?

Senator Fernan. At present, when there is a prospective applicant, he is taken in if he is among the nominees of the Judicial and Bar Council. In some instances, some nominees who are not really qualified have managed to get a presidential appointment.

The idea here is that if one is interested in a judicial position, he must submit to a training course offered by the

Judicial Academy. If he joins that program and he satisfactorily completes the requirements of that program, then it can be said that he is already qualified for appointment to the Judiciary. But, of course, it is still up to the President whether or not he will appoint him. But it makes as a condition for appointment and promotion his joining the program and his completion of the course offered in the program.

Senator Maceda. In education there is a technical connotation of the word "continuing".

In this particular bill, what is the definition or technical connotation of the word "continuing" that is used on line 4?

Senator Fernan. The common usage now of this word "continuing good education" is that in the past, after one is appointed a judge, the public or even other government authorities assume that there is no more need for him to be further educated. Because he is already a judge, he knows what he is doing, and, of course, he is expected to decide cases well. But the search for knowledge or the quest for knowledge never ends; it is a continuing process. Therefore, there is need for these judges from time to time to submit to courses that will provide continuing education, just as I feel it is necessary for lawyers to attend seminars and workshops offered by the UP Law Center to upgrade their knowledge of the law, practices, and other matters concerning their profession.

Senator Maceda. That is correct, Mr. President. But in the case of lawyers, or even doctors, they take all these continuing education seminars at their own expense.

Senator Fernan. Yes, they do, because they are in the private sector earning their own income. Whereas in the case of judges, they have limited income and they have a full-time job with the government. Therefore, this should be one of the benefits extended to them: a free, continuing good education and training.

Senator Maceda. I agree, Mr. President. The point I am raising is prospective applicants who are--the same as on line 16--"aspirants to judicial post", who are basically still private persons, and maybe should be charged and made to pay for their training.

Senator Fernan. It is up to the board now of the Judicial Academy to prescribe whatever fees they want to impose as they go on. Because if they are dealing with prospective applicants, they may not provide board and lodging free, but they may impose or charge a tuition, just as apprentice pilots who want to join Philippine Airlines who are required to pay more than P500,000 in order to train as a pilot.

Senator Maceda. Lines 11 to 14, Mr. President, states: "Any change or alteration in the organizational structure of PHILJA,

its powers, prerogatives and duties as provided in this Act shall be made after prior consultation with the Supreme Court."

This bill, if it is approved, shall become a law. Are we saying here that Congress cannot amend this law without prior consultation with the Supreme Court? Is that what this means?

Senator Fernan. I guess the first step in any change or alteration may come from the officials of the PHILJA--the Academy.

So, before any recommendation is made, it should be coordinated with the Supreme Court by way of consultation. But there is no intention whatsoever to subject any action on the part of Congress to prior consultation with the Supreme Court.

Senator Maceda. All right. That is one possible aspect of it. I am glad the gentleman clarified that.

On the other hand, is the gentleman now saying that the PHILJA can change or alter the organizational structure, its powers, prerogatives and duties, provided that there is prior consultation and, probably, even approval by the Supreme Court even without congressional action? Is that what this particular paragraph seeks to give?

Senator Fernan. I do not think so, Mr. President. My understanding of this particular provision is that there is still a need for congressional action. But before congressional action is taken--and it starts with the executive officials of PHILJA--they should consult the Supreme Court before any recommendation is made to Congress.

Senator Maceda. Maybe, either this paragraph should be deleted or it should be modified to reflect that this only comes to play in the matter of PHILJA recommending a measure to Congress. But in the way it is worded, and in the light of the other provisions on appropriations which were already pointed out, it seems that there is an effort here to really restrict the powers of Congress.

Senator Fernan. If the provision under paragraphs 11 to 14 is liable to be misunderstood, the same can be deleted in its entirety.

Senator Maceda. Mr. President, going to Section 5, am I correct in my impression that--I do not really know that is why I am asking--all the members of the governing board are really *ex officio*: the Chief Justice, the Senior Associate Justice, the Chancellor of the Academy, Presiding Justices of the Court of Appeals and the *Sandiganbayan*, the Court Administrator, the president of FALS, an incumbent judge of the Regional Trial Court, and a judge of a first-level court as appointive members.

Senator Fernan. The last two are appointed, Mr. President.

Senator Maceda. Yes. Is it not a fact that there is an existing association of regional trial court judges as there is an existing association of municipal and city trial court judges?

Senator Fernan. Yes. That is true, Mr. President.

Senator Maceda. Is it because there has been in the past some occasions where the incumbent presidents of these two associations are not exactly in the favor of the Supreme Court that is why instead of making them also *ex officio* members, the Supreme Court would like to retain the discretion to appoint two judges from the lower courts other than the incumbent presidents of their association?

Senator Fernan. Mr. President, the only reason is that this judge of the regional trial court as well as the judge of the first level court must have served for at least five years in the Judiciary and have taught in a reputable law school for the same number of years.

In other words, he is qualified to take part in the deliberations of the governing board because he has experience in the teaching of law.

Senator Maceda. And the gentleman is not sure that the elected president of the association of regional trial court judges would have these qualifications?

Senator Fernan. He may not have a teaching experience. That is the danger.

Senator Maceda. But there is also the point that these judges, before they are, let us say, required to take up certain seminars or training, should at least have a voice not only for purposes for academic reasons but for purposes of allowing them to have their say and the best person to represent them for that purpose would be their duly elected president.

Senator Fernan. Right now, the regional trial court judges call themselves the Philippine Trial Judges Association. So the presidency does not make him an *ex officio* member of this because he will serve only for one year. That is the reason they would rather have him appointed by the Supreme Court.

SUSPENSION OF SESSION

The President. With the permission of the two gentlemen on the Floor, the session is temporarily suspended, if there is no objection. [*There was none*].

It was 5:16 p.m.

RESUMPTION OF SESSION

At 5:28 p.m., the session was resumed.

The President. The session is resumed.

SUSPENSION OF CONSIDERATION OF S. NO. 2428

Senator Tatad. Mr. President, I move that we temporarily suspend consideration of Senate Bill No. 2428.

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

Senator Tatad. Mr. President, may I ask the Secretary to read the Third and Fourth Additional Reference of Business.

The President. The Secretary will please read the Additional Reference of Business.

THIRD ADDITIONAL REFERENCE OF BUSINESS

BILL ON FIRST READING

The Secretary. Senate Bill No. 2513, entitled

AN ACT EXTENDING THE PERIOD TO SUBMIT A NATIONAL DIABETES PREVENTION AND CONTROL PLAN TO CONGRESS AND THE SECRETARY OF HEALTH, AMENDING FOR THE PURPOSE SECTION 9 OF REPUBLIC ACT NO. 8191 ENTITLED, 'AN ACT PRESCRIBING MEASURES FOR THE PREVENTION AND CONTROL OF DIABETES MELLITUS IN THE PHILIPPINES, PROVIDING FOR THE CREATION OF A NATIONAL COMMISSION ON DIABETES', APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Gonzales

The President. Referred to the Committee on Health and Demography.

FOURTH ADDITIONAL REFERENCE OF BUSINESS

COMMITTEE REPORTS

The Secretary. Committee Report No. 1006 prepared and submitted by the Committee on Ethics and Privileges on Senate Bill No. 2512 with Senators Romulo, Flavio, Maceda and Fernan as authors thereof, entitled

AN ACT PROHIBITING A MEMBER OF THE CONGRESS FROM HAVING FINANCIAL OR MATERIAL INTEREST IN TRANSACTIONS OR ACTS REQUIRING THE APPROVAL OF HIS OR HER OFFICE,

OR FROM ENGAGING IN THE PRIVATE PRACTICE OF HIS OR
HER PROFESSION UNLESS AUTHORIZED BY LAW, AND FOR
OTHER PURPOSES

recommending its approval in substitution of Senate Bill No.
1688, taking into consideration Proposed Senate Resolution No.
14.

Sponsor: Senator Fernan

The President. To the Calendar for Ordinary Business.

The Secretary. Committee Report No. 1007 submitted jointly
by the Committees on Justice and Human Rights; and Finance on
Senate Bill No. 848 introduced by Senators Drilon and Herrera,
entitled

AN ACT TO AMEND SECTIONS TWENTY-SEVEN, TWENTY-NINE, AND
THIRTY OF BATAS PAMBANSA BILANG 129, OTHERWISE
KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980

recommending its approval with amendments, taking into
consideration House Bill No. 10341.

Sponsors: Senators Fernan, Drilon and Herrera

The President. To the Calendar for Ordinary Business.

The Secretary. Committee Report No. 1008 submitted by the
Committee on Ethics and Privileges re

LETTER-COMPLAINT OF COMELEC SIGNED BY CHAIRMAN
BERNARDO F. PARDO AND FIVE (5) COMMISSIONERS DATED
AUGUST 21, 1997 REFUTING THE ALLEGATION OF
IRREGULARITIES IN THE COMMISSION, PARTICULARLY
RELATING TO THE COMELEC SERVICE CONTRACT WITH
MAKATI IMAGE PRINT, INC., AS CONTAINED IN THE
PRIVILEGE SPEECH OF SENATOR MIRIAM DEFENSOR-
SANTIAGO ENTITLED 'A CORRUPT COMELEC COMMISSIONER'
DELIVERED ON AUGUST 12, 1997

recommending its archival.

The President. To the Archives.

The Secretary. Committee Report No. 1009 submitted by the
Committee on Justice and Human Rights on Proposed Senate
Resolution No. 1041 introduced by Senator Fernan, entitled

RESOLUTION DIRECTING THE COMMITTEE ON JUSTICE AND
HUMAN RIGHTS TO CONDUCT AN IMMEDIATE INQUIRY, IN
AID OF LEGISLATION, INTO THE REPORTED SERIES OF
PUBLIC EXECUTIONS BY FIRING SQUAD OF SUSPECTED
CRIMINALS CARRIED OUT BY THE MORO ISLAMIC
LIBERATION FRONT (MILF) IN VIOLATION OF THE RIGHT

TO LIFE AND UTTER DEFIANCE OF THE RULE OF LAW AND THE CONSTITUTION, AND TO RECOMMEND APPROPRIATE LEGISLATIVE MEASURES TO ENSURE THAT THE BASIC HUMAN RIGHTS GUARANTEED BY THE FUNDAMENTAL LAW ARE RESPECTED

recommending the adoption of this Report and the immediate consideration of its recommendation.

Sponsor: Senator Fernan.

The President. To the Calendar for Ordinary Business.

The Secretary. Committee Report No. 1011 submitted jointly by the Committees on Justice and Human Rights; and Civil Service and Government Reorganization on Senate Bill No. 1046 introduced by Senators Drilon and Herrera, entitled

AN ACT MAKING APPLICABLE TO LAWYERS IN THE PUBLIC ATTORNEY'S OFFICE OF THE DEPARTMENT OF JUSTICE THE RETIREMENT BENEFITS UNDER REPUBLIC ACT NO. 910, AS AMENDED

recommending its approval without amendment.

Sponsors: Senators Fernan, Roco, Drilon and Herrera

The President. To the Calendar for Ordinary Business.

The Acting Secretary [Atty. Raval]. Committee Report No. 1012 submitted by the Committee on Ethics and Privileges on Proposed Senate Resolution No. 1083 introduced by Senator Ople, entitled

RESOLUTION URGING THE SENATE TO CONSTITUTE THE ETHICS COMMITTEE INTO A MONITORING BODY ON THE STATEMENTS OF ASSETS AND LIABILITIES AND NET WORTH OF ALL MEMBERS OF THE SENATE AS REQUIRED BY SECTION 10 OF R. A. 6713 AND TO EXAMINE PUBLISHED ALLEGATIONS THAT A MEMBER, SENATOR GLORIA MACAPAGAL-ARROYO, FAILED TO DECLARE CERTAIN PROPERTY ACQUISITIONS IN THE UNITED STATES IN HER STATEMENT OF ASSETS AND LIABILITIES AS REQUIRED BY R. A. 6713

recommending the adoption and the immediate implementation of its recommendation.

Sponsor: Senator Fernan

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1013 submitted jointly by the Committees on Health and Demography; and Finance on House Bill No. 5332 introduced by Representative Catane, entitled

AN ACT CONVERTING THE MISAMIS OCCIDENTAL PROVINCIAL HOSPITAL IN THE CITY OF OROQUIETA, PROVINCE OF MISAMIS OCCIDENTAL, INTO A MEDICAL CENTER, TO BE KNOWN AS THE MISAMIS OCCIDENTAL MEDICAL CENTER, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

recommending its approval with amendments.

Sponsor: Senator Webb

The President. To the Calendar for Ordinary Business.

The Acting Secretary. Committee Report No. 1014 prepared and submitted jointly by the Committees on Peace, Unification and Reconciliation; and National Defense and Security on Senate Concurrent Resolution No. 22, entitled

RESOLUTION CONCURRING WITH PRESIDENTIAL PROCLAMATION NO. 1160, FURTHER AMENDING PROCLAMATION NOS. 347 AND 724

recommending its approval without amendment.

Sponsors: Senators Magsaysay, Jr. and Mercado

The President. To the Calendar for Ordinary Business.

SPECIAL ORDERS

Senator Tatad. Mr. President, I move to transfer from the Calendar for Ordinary Business to the Calendar for Special Orders Committee Report No. 1014 on Senate Concurrent Resolution No. 22, entitled:

RESOLUTION CONCURRING WITH PRESIDENTIAL PROCLAMATION NO. 1160, FURTHER AMENDING PROCLAMATION NOS. 347 AND 724

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

CONSIDERATION OF S. CT. RES. NO. 22 (Concurring with Amnesty Proclamation No. 1160)

Senator Tatad. Mr. President, I move that we consider Committee Report No. 1014 on Senate Concurrent Resolution No. 22.

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

Consideration of Senate Concurrent Resolution No. 22 is now in order. With the permission of the Body, the

Secretary will read only the title of the resolution without prejudice to inserting in the *Record* the whole text thereof.

The Acting Secretary. Senate Concurrent Resolution No. 22, entitled

RESOLUTION CONCURRING WITH PRESIDENTIAL PROCLAMATION
NO. 1160, FURTHER AMENDING PROCLAMATION NOS. 347
AND 724

The following is the whole text of the resolution:

Senate Concurrent Resolution No. 22

(Insert)

The President. May we know the sponsor?

Senator Tatad. I ask that the distinguished sponsor, the Chairman of the Committee on Peace, Unification and Reconciliation be recognized.

The President. Senator Magsaysay is recognized.

SPONSORSHIP SPEECH OF SENATOR MAGSAYSAY

Senator Magsaysay. Thank you, Mr. President.

May I open my sponsorship speech with the statement that time is of the essence when it comes to rebel returnees.

I rise to enlist the Senate's support for the concurrence on Proclamation No. 1160 which seeks to reopen the period for the filing of applications for amnesty of rebel returnees under Proclamation No. 347, as amended, for a period of six months.

As we celebrate the centennial of our independence, we are reminded of our heroes who fought not only for the freedom from tyranny, but also for the unity of our people and peace in our country.

We, as a Nation, have always subscribed to the principles of peace and democracy as the foundation of lasting economic prosperity.

Mr. President, we are definitely on the road to greater peace and unification. It is encouraging to note that under the earlier amnesty proclamations, more than 15,000 of our Filipino brothers and sisters have expressed their sincere desire for peace by individually applying for amnesty. This number would have increased by 1,543 more if the amnesty proclamation had not been so short. Furthermore, a considerable number have also

expressed intention to apply for amnesty even after the three-month amnesty period had lapsed.

Mr. President, this is an indication that the rebels have become tired of waging war against their fellow Filipinos. They are now ready to link arms with them towards a bright, united and peaceful tomorrow.

Proclamation No. 1160 does not only seek to reopen the period for amnesty applications but it also seeks to empower the National Amnesty Commission or NAC to process the remaining 6,000 manifestations for amnesty under the National Reconciliation and Development Program which could not be finally acted upon by reason of the abolition of the said agency. These manifestations need immediate attention to eradicate the uncertainties being felt by returning rebels so that, once again, they may be given the opportunity to live a peaceful and productive life. Each rebel being granted amnesty is one big step towards the attainment of lasting peace.

Mr. President, surely, we cannot overemphasize the importance of reopening and extending the period for applying for amnesty. We cannot allow peace and reconciliation to lose especially not by default.

I, therefore, appeal for the Chamber, my fellow Senators, to concur to Proclamation No. 1160, a vital move towards national peace and unity.

Thank you, Mr. President, and my distinguished colleagues.

ADOPTION OF S. CT. RES. NO. 22

Senator Tatad. Mr. President, I move that we adopt Proposed Senate Concurrent Resolution No. 22.

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

Senator Magsaysay. Thank you, Mr. President.

BILL ON SECOND READING

S. No. 959 - Upgrading the Salaries of Lower Court
Judges and Personnel

Senator Tatad. Mr. President, I move that we consider Senate Bill No. 959 as reported out under Committee Report No. 226.

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

Consideration of Senate Bill No. 959 is now in order. With the permission of the Body, the Secretary will read only the title of the bill, without prejudice to inserting in the *Record*

the whole text thereof.

The Secretary. Senate Bill No. 959, entitled

AN ACT IMPROVING THE ADMINISTRATION OF JUSTICE BY
UPGRADING THE SALARIES OF LOWER COURT JUDGES AND
CERTAIN COURT OFFICERS IN THE JUDICIARY AND FOR
OTHER PURPOSES

The following is the whole text of the bill:

SENATE BILL NO. 959

(insert)

Senator Tatad. Mr. President, for the sponsorship, may I ask that the distinguished Chairman of the Committee on Civil Service, Sen. Raul S. Roco, be recognized.

The President. Senator Roco is recognized.

SPONSORSHIP SPEECH OF SENATOR ROCO

Senator Roco. Mr. President, with the permission and with clearance from the Chairman of the Committee on Justice and Human Rights, we wish to sponsor Senate Bill No. 959 under Committee Report No. 226.

During the Ninth Congress, Mr. President, we enacted Republic Act No. 7691 that expanded the jurisdiction of the Metropolitan Trial Courts, Municipal Trial Courts and Municipal Circuit Trial Courts.

The law fulfilled the specific legislative request from the President in his State of the Nation Address in July 1993. With that law, however, Congress distributed the workload of Regional Trial Courts to several lower courts to unclog several undecided cases.

But the passage of the law made life more difficult for lower court judges and personnel. As of June 30, 1993, a total of 110,000 cases were pending before the Municipal Trial Courts. One year later, there were 152,000 pending cases representing a 38% increase, and this has continued to date. There has been tremendous increase in the load of the lower courts. The Regional Trial Courts have now a manageable and reasonable load, but the Metropolitan Courts and Municipal Trial Courts are suffering.

To date, Mr. President, the Salary Standardization Law assigned salary grades to lower court judges and personnel without taking into consideration the effect of the expansion of the lower court's jurisdiction. To fully subscribe to the principle of "equal pay for equal work," it now seems proper to

upgrade the salaries of the lower court judges and clerks of court. The salaries of Branch Clerks of Court of Regional Trial Courts shall also be upgraded to prevent the unequal treatment they may suffer as a result of such salary reclassification.

It is also suggested that the income derived from the docket fees and other legal fees allocated to the general fund augment the court's operating budget. This way, the welfare and professional growth of court personnel would find support.

We seek the support of this Chamber for such a commendable, equitable bill and we hope it meets the approval of our colleagues.

Thank you, Mr. President.

MANIFESTATION OF SENATOR ROCO
(Senator Maceda and Others Present
as Coauthor of S. No. 959)

Just for the *Record*, Mr. President, we are putting the Minority Leader and all those now in the Hall as coauthors of the measure.

The President. Let that be of record.

Senator Tatad. Mr. President.

The President. The Majority Leader is recognized.

Senator Tatad. Mr. President, there being no interpellation, I move that the period of interpellations be closed.

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

Senator Tatad. I move that we now consider the committee amendments.

The President. Is there any committee amendment?

COMMITTEE AMENDMENTS

Senator Roco. By way of committee amendments, Mr. President. On page 1, Section 1, line 5, delete the word "lower" and in lieu thereof, insert the word INFERIOR.

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

Senator Roco. On page 1, Section 2, line 13, delete the word "and" and in lieu thereof, insert a comma (,). This is really a typographical error.

The President. Is there any objection? *[Silence]* There

being none, the amendment is approved.

Senator Roco. On the same Section, page 1, line 14, after the word "cities", insert the phrase AND SHARIAH CIRCUIT COURTS.

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

Senator Roco. On the same Section, page 1, between lines 16 and 17, insert a new paragraph to read as follows: CLERKS OF COURT VII AND EX OFFICIO SHERIFFS OF THE REGIONAL TRIAL COURTS OF MANILA, MAKATI CITY, QUEZON CITY, PASIG CITY, PASAY CITY AND KALOOKAN CITY SHALL LIKEWISE ENJOY THE SAME COMPENSATION, ALLOWANCES AND BENEFITS UNDER SALARY GRADE 28. MOREOVER, THE ASSISTANT CLERKS OF COURT OF THE REGIONAL TRIAL COURTS OF MANILA, MAKATI CITY, QUEZON CITY, PASIG CITY, PASAY CITY AND KALOOKAN CITY SHALL ENJOY THE COMPENSATION, ALLOWANCES, AND BENEFITS UNDER SALARY GRADE 27.

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

Senator Roco. On page 2, Section 4, line 12, delete the figure "1995" and in lieu thereof, insert the figure "1998."

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

Senator Roco. As amended, Senate Bill No. 959 is retitled: AN ACT IMPROVING THE ADMINISTRATION OF JUSTICE BY UPGRADING THE SALARIES OF THE JUDGES OF THE METROPOLITAN TRIAL COURTS IN THE CITIES, MUNICIPAL TRIAL COURTS, MUNICIPAL CIRCUIT TRIAL COURTS, AND SHARIAH CIRCUIT COURTS AND CERTAIN COURT OFFICERS OF THE JUDICIARY AND FOR OTHER PURPOSES.

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

Senator Roco. Thank you, Mr. President.

Senator Tatad. Mr. President.

The President. The Majority Leader is recognized.

Senator Tatad. There being no further committee amendments, I move that the period of committee amendments be closed.

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

Senator Tatad. There being no individual amendments, I move that the period of individual amendments be closed.

The President. Is there any objection? [Silence] There

being none, the motion is approved.

APPROVAL OF S. NO. 959 ON SECOND READING

Senator Tatad. Mr. President, I move that we vote on Second Reading on Senate Bill No. 959, as amended.

The President. Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 959, as amended.

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

Several Members. *Aye*.

The President. As many as are against the bill, say *no*.
[Silence]

Senate Bill No. 959, as amended, is approved on Second Reading.

SUSPENSION OF SESSION

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

It was 5:44 p.m.

RESUMPTION OF SESSION

At 5:47 p.m., the session was resumed.

The President. The session is resumed.

Senator Tatad. Mr. President.

The President. The Majority Leader is recognized.

Senator Tatad. Mr. President, we earlier approved on Second Reading Senate Concurrent Resolution No. 22. This is a certified measure. I ask the Secretary to read the Certification.

The Secretary.

Feb 12 1998

HON. NEPTALI A. GONZALES
Senate President
Senate, Manila

Dear Senate President Gonzales:

Pursuant to the provision of Section 26 (2), Article VI of the Constitution, I hereby certify to the

necessity of the immediate adoption of Senate Concurrent Resolution No. 22, entitled:

"CONCURRENT RESOLUTION CONCURRING WITH
PRESIDENTIAL PROCLAMATION NO. 1160,
FURTHER AMENDING PROCLAMATION NOS. 347
AND 724"

in order to meet the public emergency consisting of the need to put an end to the long drawn resistance of rebels/rebel groups to the government and to attain a just, comprehensive and lasting peace which is the basic foundation for economic development and national prosperity.

Best wishes.

(Sgd.) FIDEL V. RAMOS

cc: HON. JOSE DE VENECIA, JR.,
Speaker
House of Representatives

RESOLUTION ON THIRD READING

S. Ct. Res. No. 22 - Concurring with Proclamation No. 1160

Senator Tatad. Mr. President, I move that we vote on Third Reading on Senate Concurrent Resolution No. 22.

The President. Is there any objection? [Silence] There being none, voting on Senate Concurrent Resolution No. 22 on Third Reading is now in order.

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

The Secretary. Senate Concurrent Resolution No. 22, entitled

CONCURRENT RESOLUTION CONCURRING WITH PROCLAMATION NO.
1160, WITH FURTHER AMENDING PROCLAMATION NOS. 347
AND 724

The President. We shall now vote on the resolution and the Secretary will call the roll.

The Secretary. Senators

Alvarez..... Yes
Angara..... Yes
Coseteng.....
Drilon.....
Enrile.....
Fernan.....Yes

Flavier.....Yes
Herrera.....
Honasan.....
Macapagal.....Yes
Maceda.....Yes
Magsaysay, Jr.....Yes
Mercado.....Yes
Ople.....
Osmena III.....
Revilla.....
Roco.....Yes
Romulo.....Yes
Defensor Santiago.....
Shahani.....
Sotto III.....Yes
Tatad.....Yes
Webb.....Yes
The President.....Yes

APPROVAL OF S. CT. RES. NO. 22 ON THIRD READING

The President. With 14 affirmative votes, no negative vote, and no abstention, Senate Concurrent Resolution No. 22 is approved on Third Reading.

BILL ON THIRD READING

S. No. 2393--Agricultural Engineering Act

Senator Tatad. Mr. President, I move that we now consider on Third Reading Senate Bill No. 2393.

This is a certified measure. I ask the Secretary to read the certification.

The President. The Secretary will read the certification.

The Secretary.

February 1, 1998

HON. NEPTALI A. GONZALES
Senate President
Senate, Manila

Dear Senate President Gonzales:

Pursuant to the provisions of Section 26 (2), Article VI of the Constitution, I hereby certify to the necessity of the immediate approval of Senate Bill No. 2393, entitled:

"AN ACT REGULATING THE PRACTICE OF AGRICULTURAL ENGINEERING IN THE PHILIPPINES,"

in order to upgrade and empower the Filipino agricultural engineers capable of providing the necessary technical and professional services which is vital and essential in accelerating agricultural modernization in the country.

Best wishes.

(Sgd.) FIDEL V. RAMOS

cc: Hon. Jose de Venecia, Jr.
Speaker
House of Representatives

Senator Tatad. Mr. President, I move that we now vote on Third Reading on Senate Bill No. 2393, the title of which has just been read as part of the certification.

The President. Is there any objection? [Silence] There being none, voting on Third Reading on Senate Bill No. 2393 is now in order.

We shall now vote on the bill and the Secretary will call the roll.

The Secretary. Senators

Alvarez.....	Yes
Angara.....	Yes
Coseteng.....	
Drilon	
Enrile.....	
Fernan.....	Yes
Flavier.....	Yes
Herrera.....	
Honasan.....	
Macapagal.....	Yes
Maceda.....	Yes
Magsaysay Jr.....	Yes
Mercado.....	Yes
Ople.....	
Osmeña III.....	
Revilla.....	
Roco.....	Yes
Romulo.....	Yes
Defensor Santiago.....	
Shahani.....	
Sotto III.....	Yes
Tatad.....	Yes
Webb.....	Yes
The President.....	Yes

APPROVAL OF S. NO. 2393 ON THIRD READING

The President. With 14 affirmative votes, no negative vote, and no abstention, Senate Bill No. 2393 is approved on Third Reading.

CONFERENCE COMMITTEE REPORT ON S. NO. 1509/H. NO. 7659
(Financing Company Act)

Senator Tatad. Mr. President, I move that we now consider the Conference Committee Report on the disagreeing provisions of House Bill No. 7659 and Senate Bill No. 1509. Copies of the report with the harmonized bill have been distributed to the members of the Senate.

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

Senator Tatad. The conferees agreed to use the title, "An Act Amending Republic Act No. 5980, As Amended, Otherwise Known as the "Financing Company Act."

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

The Report is signed by the conferees. The Senate panel is headed by Senator Drilon, Chairman of the Committee on Banks, Financial Institutions and Currencies.

APPROVAL OF CONFERENCE COMMITTEE REPORT
ON S. NO. 1509/H. NO. 7659

Mr. President, I move for the approval of the Conference Committee Report.

The President. Is there any objection? [Silence] There being none, the Conference Committee Report on the disagreeing provisions of House Bill No. 7659 and Senate Bill No. 1509 is hereby approved.

The following is the whole text of the Conference Committee Report:

[Insert]

Senator Tatad. Mr. President, I move to suspend the session...

Senator Romulo. Mr. President.

The President. The Assistant Majority Leader is recognized.

Senator Romulo. Mr. President, before the Majority Leader moves for the suspension of the session, may I know if beyond

Friday, we shall have special sessions? As I understand it, we have a three-day special session which is Wednesday, Thursday and Friday. If there is a special session beyond Friday, that means there is need for another presidential call for a special session.

May I know if there is a presidential call for additional special session? If none, therefore, tomorrow will be the last day of the session and we shall not come back here on Saturday or Monday.

Senator Tatad. Mr. President, we are not aware of any notice from any source officially asking us to extend the session beyond Friday.

Senator Romulo. The reason I asked that is that it is my understanding that there are bills which may not be approved by Friday but perhaps with another day or two. The Bicameral Conference Committee Report may be approved on Monday. That is the reason.

At any rate, I just raised the issue also for our Calendar.

Thank you, Mr. President.

Senator Tatad. Mr. President, to the best of our knowledge, we have disposed of most of the bills listed in the call for a special session. The only ones remaining are the Bicameral Conference Committee reports that are still pending in the House. We are confident that by tomorrow, we shall have finished with all those.

CONFERENCE COMMITTEE ON S. NO. 2393/H. NO. 10465
(Act Regulating the Practice of Philippine Agriculture
Engineering in the Philippines)

Senator Tatad. Mr. President, I move that we constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2393 and its House counterpart. This is the Act Regulating the Practice of Agriculture Engineering in the Philippines.

I hereby nominate Senator Roco as chairman, with Senators Honasan and Coseteng as members.

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

SUSPENSION OF SESSION

Senator Tatad. I move to suspend the session for one minutes, Mr. President.

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

It was 5:56 p.m.

RESUMPTION OF SESSION

At 5:57 p.m., the session was resumed.

The President. The session is resumed.

The Majority Leader is recognized.

SUSPENSION OF SESSION

Senator Tatad. Mr. President, I move to suspend the session until four o'clock tomorrow afternoon.

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

It was 5:58 p.m.

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