

VOL. II

NO. 93

TUESDAY, MAY 23, 2000

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The President. The session is resumed.

OFFICIAL VISIT OF DELEGATION FROM
MOLINAO, ALBAY ACKNOWLEDGED

Senator Tatad. Mr. President, before we proceed, may we acknowledge the presence in the gallery of a delegation of day-care workers from the Molinao Women's Federation Day-Care Workers and Senior Citizens of Molinao, Albay. These are very active campaigners.

The President. We welcome to the Chamber the delegation of the Molinao Day-Care Center.

MOTION OF SENATOR TATAD
(Referral of S. Nos. 400 and 1834 to the
Agriculture Committee as the Primary
Committee and the Government Corporations
and Public Enterprises Committee as the
Secondary Committee)

Senator Tatad. Mr. President, upon the request of the chairman of the Committee on Agriculture, and in consultation with the chairman of the Committee on Government Corporations and Public Enterprises, I move that Senate Bill No. 400 and Senate Bill No. 1834 previously referred to the Committee on Government Corporations and Public Enterprises as the primary committee be now referred to the Committee on Agriculture as the primary committee, and the Committee on Government Corporations and Public Enterprises as the secondary committee.

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

BILL ON SECOND READING
S. No. 1355--Landscape Architecture Act
(Continuation)

Senator Tatad. Mr. President, I move that we resume consideration of Senate Bill No. 1355 as reported out under Committee Report No. 12.

The President. Is there any objection? [Silence]
There being none, resumption of consideration of Senate Bill No. 1355 is now in order.

Senator Tatad. Mr. President, we are still in the period of amendments.

I ask that the sponsor, Sen. Anna Dominique M. L. Coseteng, be recognized, and to propose some amendments, Sen. Miriam Defensor Santiago.

The President. Sen. Anna Dominique M. L. Coseteng is recognized, and Sen. Miriam Defensor Santiago is likewise recognized.

Senator Santiago. Mr. President, will the sponsor yield the Floor to me please, so that I may propose amendments that are a logical consequence of the results of the interpellation I conducted a few weeks ago?

Senator Coseteng. Certainly, Mr. President.

Senator Santiago. Thank you, Mr. President.

I am using the amended copy dated May 22, 2000 and I shall proceed sequentially.

SANTIAGO AMENDMENTS

First, I would like to propose an amendment on page 4, line 23, letter (c). My proposal is to delete the phrase "its equivalent" and replace it with the following: RELATED DEGREES LIKE ARCHITECTURE, ENVIRONMENTAL PLANNING AND HORTICULTURE, WITH AT LEAST SIXTY (60) UNITS OF LANDSCAPE ARCHITECTURE.

Thus, the subparagraph would read as follows:

"(c) Holder of the degree of Bachelor of Landscape Architecture or RELATED DEGREES LIKE ARCHITECTURE, ENVIRONMENTAL PLANNING AND HORTICULTURE, WITH AT LEAST SIXTY (60) UNITS OF LANDSCAPE ARCHITECTURE, conferred by a school, academy, college or university in the Philippines or abroad that is recognized and/or accredited by the Commission on Higher Education (CHED);"

Senator Coseteng. It is accepted, Mr. President.

Senator Santiago. Thank you, Mr. President.

Please allow me to proceed to the next page, page 5, line 2, letter (e).

I propose to amend this provision by deleting the word "three (3)" and replacing it with TWO (2). The subparagraph would therefore read as follows:

"(e) Must not, for a period of TWO (2) consecutive years prior to appointment, be a member of the faculty of any school, academy, institute, college or university...."

Senator Coseteng. It is accepted, Mr. President.

Senator Santiago. Thank you, Mr. President.

The President. With the permission of the ladies on the Floor, can we first act formally on those amendments?

Senator Santiago. I thought we were going to do an omnibus approval.

The President. We can do that also, but maybe we can just formally approve the amendments so far proposed and accepted by the sponsor.

Senator Santiago. Yes, Mr. President.

The President. Is there any objection to the amendments proposed by Senator Santiago and accepted by the sponsor? [Silence] There being none, the amendments are approved.

Senator Santiago. With the permission of the Senate President whose wish is my command, page 5, line 8, letter (f).

Mr. President, I would like to amend this provision by deleting the word "three (3)" and replacing it with TWO (2). The subparagraph would read as follows:

"(f) Must not, for a period of TWO (2) consecutive years prior to appointment, be connected with a review center...."

This proposed amendment is intended to harmonize with the prior subparagraph (e).

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Senator Coseteng. It is accepted, Mr. President.

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

Senator Coseteng. On page 5, line 23, after the phrase "for one (1) year", I respectfully propose to amend by adding the following phrase: *PROVIDED, THAT IF REAPPOINTED, THE MEMBER SHALL ONLY HOLD OFFICE FOR A TERM EQUIVALENT TO HIS INITIAL APPOINTMENT.*

The section would then read as follows:

"SEC. 5. Term of Office. - ...Of the members of the Board first appointed under this Act, one (1) member shall be appointed and hold office as Chairperson for three (3) years, one (1) member for two (2) years; and one (1) member for one (1) year: *PROVIDED, THAT IF REAPPOINTED, THE MEMBER SHALL ONLY HOLD OFFICE FOR A TERM EQUIVALENT TO HIS INITIAL APPOINTMENT.* Each member of the Board shall qualify by taking the proper oath prior to entering upon the performance of his duties."

Senator Coseteng. The amendment is accepted, Mr. President.

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

Senator Santiago. I would now like to pass forward to page 10, line 30. I respectfully propose to amend this provision by deleting the word "the" before the word "examination" and replacing it with the words A SPECIAL.

The section would then read as follows:

"SEC. 15. *Rating in the Board Examinations.* -... However, an examinee who obtains a weighted general average rating of seventy-five (75%) percent or higher but obtains a rating below sixty percent (60%) in any given subject must take A SPECIAL examination in the subject or subjects where he obtained a grade below sixty percent (60%) within two (2) years from the date of his last examination."

Senator Coseteng. The amendment is accepted, Mr. President.

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

Senator Santiago. Still on the same page 10, line 32, I respectfully propose to amend the provision by adding after the phrase "from the date of his last examination" the following phrase: *PROVIDED, THAT IF THE EXAMINEE STILL FAILS TO PASS THE SUBJECT AFTER TWO TRIES, HE MUST TAKE THE ENTIRE BOARD EXAMINATIONS AGAIN. PROVIDED, FURTHER, THAT IF, IN THE REMOVAL EXAMINATION, THE EXAMINEE GETS A MUCH LOWER GRADE SUCH THAT IF HIS WEIGHTED GENERAL AVERAGE IS RECOMPUTED, IT BECOMES LOWER THAN THE REQUIRED SEVENTY-FIVE PERCENT (75%), THE EXAMINEE MUST TAKE THE ENTIRE BOARD EXAMINATIONS AGAIN.*

Senator Coseteng. Mr. President, may I just ask a clarificatory question concerning the proposed amendment.

Senator Santiago. Yes, please.

Senator Coseteng. Since this is just a bill that covers landscape architects, I believe that the other professions are not similarly covered. Would the sponsor care to include this in the PRC bill that is now in the Bicameral Conference Committee so that it would cover all other professions since the other professions will not have the same provision as our distinguished colleague, I think, is proposing.

I believe that that is a good proposal. In fact, I think it will help upgrade the quality of professionals in the country.

Senator Santiago. Yes, Mr. President. I certainly support that move provided that my proposed amendment for this particular bill be made part of the present bill.

Senator Coseteng. Yes, Mr. President. That is correct.

The amendment is accepted, Mr. President.

Senator Santiago. May I please just clarify that I would like to change a word that I read earlier. The amendment should read: *PROVIDED, THAT IF THE EXAMINEE STILL FAILS TO PASS THE SUBJECT AFTER TWO ATTEMPTS.* And then it goes on as I read earlier.

Senator Coseteng. The amendment is accepted, Mr. President.

The President. The amendment has been accepted by the sponsor. Is there any objection? [Silence] There being none, the amendment is approved.

Senator Santiago. I would now like to proceed to page 11, lines 10 to 11. I respectfully move to amend by deleting the phrase "any government official authorized to administer oaths" and replace it with THE PROFESSIONAL REGULATION COMMISSION. Thus the section would read as follows:

"SEC. 17. Oath. - All successful candidates in the examination shall be required to take an oath of profession before the Board or THE PROFESSIONAL REGULATION COMMISSION prior to entering upon the practice of the landscape architecture profession."

Senator Coseteng. The amendment is accepted, Mr. President.

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

Senator Santiago. Thank you, Mr. President.

For the record, this is not a proposed amendment. I would just like to enter for the record that on page 18, line 9, my proposed amendment has already been incorporated as a consequence of interpellation conducted earlier. So I would like to thank the sponsor for reacting so punctually to the point made during interpellation.

I shall therefore proceed to page 19, line 16.

After letter (c), I respectfully move to amend by inserting a new subparagraph to read as follows:

(D) THAT HE SHALL OBTAIN AN EMPLOYMENT PERMIT FROM THE DEPARTMENT OF LABOR AND EMPLOYMENT; PROVIDED, THAT THE EMPLOYMENT PERMIT MAY BE ISSUED TO A NONRESIDENT ALIEN OR TO THE APPLICANT EMPLOYER AFTER A DETERMINATION OF THE NONAVAILABILITY OF A PERSON IN THE PHILIPPINES WHO IS COMPETENT, ABLE AND WILLING AT THE TIME OF APPLICATION TO PERFORM THE SERVICES FOR WHICH THE ALIEN IS DESIRED.

Senator Coseteng. Before I accept the amendment, Mr. President, just a clarificatory question. May I know if this would be in conflict with the reciprocity agreement that we have from other nations? Precisely we have tried to protect the interest of the professionals, but somehow they invoke the reciprocity clause. So that even when there are extremely competent landscape architects or any other

professionals for that matter in the country, the foreign architects or foreign professionals are able to practice in the country on the basis of this reciprocity agreement.

Senator Santiago. Thank you very much, Mr. President, for that point which I take very well. I would like, therefore, to add to the proposed amendment the following words.

Instead of the period (.) after the proposed amendment, I will instead place a semicolon (;) and after that will follow: *PROVIDED FURTHER*, THAT THE APPLICANT'S COUNTRY OF NATIONALITY OBSERVES RECIPROCAL CONDITIONS FOR FILIPINO NATIONALS, or any other reciprocity clause, subject to style.

Senator Coseteng. It is accepted, Mr. President.

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

Senator Santiago. Thank you. Please kindly come with me to page 21, line 14. After the phrase "discretion of the court," I move to amend this provision by adding the following words: *PROVIDED*, THAT IF THE VIOLATION IS COMMITTED BY AN ALIEN, HE SHALL BE IMMEDIATELY DEPORTED AFTER PAYMENT OF FINE OR SERVICE OF SENTENCE WITHOUT ANY FURTHER PROCEEDINGS.

The paragraph would then read as follows:

"The penalties for the mentioned illegal practices shall be a fine of not less than Fifty thousand pesos (P50,000.00) nor more than Two hundred thousand pesos (P200,000.00) or imprisonment of not less than six (6) months nor more than three (3) years or both at the discretion of the court; *PROVIDED*, THAT IF THE VIOLATION IS COMMITTED BY AN ALIEN, HE SHALL BE IMMEDIATELY DEPORTED AFTER PAYMENT OF FINE OR SERVICE OF SENTENCE WITHOUT ANY FURTHER PROCEEDINGS."

Senator Coseteng. It is accepted, Mr. President.

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

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Senator Santiago. Mr. President, that is all with this bill. I would like to thank the sponsor for her hospitality to my amendments.

Senator Coseteng. Thank you, Mr. President.

The President. The Majority Leader is recognized.

Senator Tatad. Mr. President, there being no 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. 1355 ON SECOND READING

Senator Tatad. Mr. President, I move that we vote on Second Reading on Senate Bill No. 1355, as amended.

The President. Is there any objection? [Silence]
There being none, we shall now vote on Second Reading on Senate Bill No. 1355, 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. 1355 is approved on Second Reading, as amended.

SUSPENSION OF CONSIDERATION OF S. NO. 1355

Senator Tatad. Mr. President, I move that we suspend consideration of Senate Bill No. 1355.

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

OFFICIAL VISIT OF BARANGAY CAPTAINS FROM PAVIA, ILOILO ACKNOWLEDGED

Senator Tatad. Mr. President, we are also honored this afternoon with the presence of at least 50 barangay captains from Pavia, Iloilo who are here to witness the