

MONDAY, APRIL 10, 2000 P.M.

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With 16 affirmative votes, no negative vote, and one abstention, Senate Bill No. 1902 is approved on Third Reading.

The Majority Leader is recognized.

BILL ON SECOND READING

S. No. 1438 -- Kinder Plus: The Early Years Act
(Continuation)

Senator Drilon: Mr. President, I move that we resume consideration of Senate Bill No. 1438 as reported out under Committee Report No. 22.

The President. Is there any objection? [Silence]
There being none, resumption of consideration of Senate Bill No. 1438 is now in order.

Senator Drilon. We are still in the period of committee amendments. May I ask the Chair to recognize the principal sponsor, Sen. Teresa Aquino-Oreta.

The President. Sen. Teresa Aquino-Oreta is recognized.

COMMITTEE AMENDMENTS

Senator Oreta. Thank you, Mr. President. We have already submitted the committee amendments.

Senator Drilon. Before we proceed with the individual amendments, Mr. President, with the indulgence of our colleagues, may we just go through the motion of formally approving the committee amendments and closing the period of committee amendments.

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

Senator Drilon. Mr. President, as the record will indicate, Sen. Juan Ponce Enrile reserved his right to raise questions on the proposed committee amendments. Upon conference with Senator Enrile, he said he is satisfied with the documents presented to him by the sponsor, Sen. Teresa Aquino-Oreta, and is therefore terminating his questions on the amendments.

In view of that, Mr. President, and before we proceed with the individual amendments, may I formally move that we approve the committee amendments as found in the draft dated February 28, 2000.

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

Senator Drilon. We now proceed with the period of individual amendments. May I ask the Chair to recognize Sen. Miriam Defensor Santiago.

The President. Sen. Miriam Defensor Santiago is recognized.

Senator Santiago. Thank you, Mr. President.

I would like to propose to the sponsor the following amendments as a natural consequence of the interpellations which I conducted at an earlier time.

SANTIAGO AMENDMENTS

I shall go sequentially through the pages. I would like to begin on page 7, lines 5 to 6, after the words "the Department of the Interior and Local Government (DILG)".

I propose that we insert the words THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), THE DEPARTMENT OF AGRICULTURE (DA), THE DEPARTMENT OF JUSTICE (DOJ), THE NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA).

The amended section would then read as follows: "The Department of Education, Culture and Sports (DECS), the Department of Health (DOH), the Department of the Interior and Local Government (DILG), THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), THE DEPARTMENT OF AGRICULTURE (DA), THE DEPARTMENT OF JUSTICE (DOJ), THE NATIONAL ECONOMIC AND DEVELOPMENT AUTHORITY (NEDA)"--and the rest of the sentence--"the Department of Social Welfare and Development (DSWD), and the National Nutrition Council (NNC) shall jointly prepare annual ECCD work plans that will coordinate their respective technical assistance and support for the national ECCD program."

The President. What does the sponsor say?

Senator Oreta. It is accepted, Mr. President, because these offices will all be members of the National Council.

Senator Santiago. I would like to thank the sponsor for that. May I please proceed to page 10.

Senator Drilon. Mr. President.

The President. The Majority Leader is recognized.

Senator Drilon. Mr. President, may we first have the approval by the Body of the amendment of Senator Santiago as accepted by the sponsor.

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

Senator Santiago. On page 10, lines 1 to 10A, I would like to propose an amendment by deletion of the following paragraph: "Composition - The members of the Council for the Welfare of Children shall be increased from 13 to 15, to include two additional private sector representatives who are qualified ECCD practitioners and experts. The President, upon recommendation of the COUNCIL, shall appoint the private sector representatives who shall serve for a term of THREE (3) years subject to ONE reappointment."

Instead of this paragraph which I propose to be deleted, I would like to propose this substitute paragraph.

COMPOSITION - TWO (2) OF THE THREE (3) PRIVATE INDIVIDUALS, WHO ARE MEMBERS OF THE COUNCIL FOR THE WELFARE OF CHILDREN, MUST BE QUALIFIED ECCD PRACTITIONERS AND EXPERTS. THE TWO (2) ECCD REPRESENTATIVES SHALL BE APPOINTED BY THE PRESIDENT, UPON RECOMMENDATION OF THE COUNCIL, FOR A TERM OF THREE (3) YEARS SUBJECT TO ONE REAPPOINTMENT.

Senator Oreta. It is accepted, Mr. President, subject to style.

Senator Santiago. Yes, please.

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

Senator Santiago. I am still on page 10A, line .32. This amendment is proposed so that this particular provision will be consistent with the earlier provision with which I started when I took the Floor.

On page 10A, line 32, after the acronym "DILG", add the acronyms DOLE, DA, DOJ, NEDA. The amended section will now read as follows: "The Deputy Executive Director for ECCD shall be assisted by senior technical staff to be seconded from DECS, DOH, DSWD, DILG, National Nutrition Council, DOLE, DA, DOJ, AND NEDA."

Senator Oreta. It is accepted, Mr. President.

Senator Santiago. I would like to thank the sponsor for that.

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

Senator Santiago. My final proposed amendment concerns the appropriation for the Council we seek to create.

The President. What page is this, please?

Senator Santiago. I will indicate later, Mr. President, but I would like to make the introductory point that the funds to be appropriated will amount to some P400 million. Under the provision of the bill itself, I am referring to Section 9, line 7, which is found on page 18. I am referring to page 18, Section 9, lines 1 to 9, which reads: "SEC. 9. Appropriations."

We find here that the appropriations for the National ECCD Council shall be funded from the gross income of Pagcor and shall be remitted in installments and thereafter, such sums as may be necessary shall be included in the General Appropriations Act.

However, there are other provisions which seem to indicate that the funds for this proposed Council will come from various government agencies that I have previously enumerated and adding certain agencies to those already enumerated in the bill.

So, on the one hand, the funds will come from Pagcor. That is an explicit provision on page 18, Section 9, lines 1 to 9. However, because of the phraseology in various other provisions, it seems that funds will also come from other government agencies such as the DILG, DSWD, DECS and DOH.

In view of this apparent vagueness on where the funds will be sourced, I humbly submit that page 18, Section 9, lines 1 to 12 should be deleted.

I make this submission because I believe that the bill's appropriations provision on page 18, Section 9, lines 20 to 26 should be the controlling provision. Therefore, lines 20 to 26 should read: "Expenses for ECCD programs and technical support packages provided by the DECS, DSWD, DOH"--as I previously proposed and accepted by the sponsor--"DOLE, DA, DOJ, NEDA, NATIONAL NUTRITION COUNCIL AND DILG shall be included in their respective annual budgets in the General Appropriations Act. Their annual ECCD workplans shall be the basis for these budgets and shall be released directly to their regional or provincial offices WHENEVER APPLICABLE."

I am raising the point that, on the one hand, page 18, Sections 9, lines 1 to 12, provides that the amount shall be funded from Pagcor. Yet, later on, on the same page, still in Section 9, lines 20 to 26, the statement of the bill is: "Expenses for ECCD programs shall be provided by the DECS, DSWD..." and so on, an enumeration of the various government agencies.

It seems to me that the bill would be clearer with respect to where the funding will come from if we delete the

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provision about the funds coming from Pagcor and just stay with the provisions about the funds coming from the various government agencies.

Senator Oreta. Mr. President, may I explain.

The President. The sponsor may do so.

Senator Oreta. Mr. President, the amendment of Senator Santiago is correct that expenses for the ECCD programs and support packages are provided by the different agencies that we mentioned here. But these are existing budgets already like, for example, the budget of the DECS for its little children from 0 to 6 years old is already existing in our GAA. Aside from the funds from these agencies mentioned, we are asking for P400 million extra to help the local governments that may be needing help to be able to implement the program.

For example, if the local government needs more instructional materials and the budget of the DECS in that particular place is only limited, then we have funds so that the whole program can be carried on in the local government level.

The life span of this extra money is only for five years. We certainly feel that after five years, the local government can now carry on by itself. So, we will move out. That is the reason why it is specifically mentioned that the extra money we were looking for will only be for five years.

Senator Santiago. In that case, I have no objection to this intent. I shall just limit myself to the following proposed amendment on page 18, Section 9, lines 20 to 25, to insert the acronyms DOLE, DA, DOJ, NEDA, NATIONAL NUTRITION COUNCIL so as to be consistent with page 7, lines 5 to 6 where we previously made a similar insertion.

Senator Oreta. It is accepted, Mr. President.

Senator Santiago. May I just ask. I have already said that I do not object if the intent is to source the funds of this new Council we are creating, both from the Pagcor and from the various government agencies, which are supposed to coordinate in launching this program.

I would just like to know, for the record. Since the P400 million will come from Pagcor and the rest of the appropriations will come from the respective budgets of the various government agencies to be involved in this program, who will then have the authority to spend the P400 million?

Senator Oreta. The money of the different agencies will be spent by the agency. The CWC will just act as a coordinator of all its activities so that these activities will be formed and will be a coordinated one for ECCD. The P400 million will be under the care of the CWC. This is the extra money that we are looking for. But the funding of the different agencies will be spent by the agencies themselves and will only be coordinated with the CWC.

Senator Santiago. All right. I am clarified. Thank you, Mr. President.

May I please be enlightend. What will happen to the sum of P400 million to be sourced from Pagcor? Will the sum of P400 million be earmarked for the National ECCD Council as provided for in Section 9, line 4?

Senator Oreta. Before we did this, we sat down with the officials of Pagcor to find out if they could afford to give P400 million to the ECCD program. They said that in the year 2000, they will not be paying the electrification program of the Napocor anymore which is about P500 million. We were informed that if this bill passes into law, the money for the payment of Napocor's electrification program can now be directed and be given to an ECCD program.

Senator Santiago. I understand by that explanation therefore, that the sum of P400 million will fall under the spending authority of the National ECCD Council.

Senator Oreta. Yes, Mr. President.

Senator Santiago. That is simply to put it on record. Therefore, it will be the Executive Director of this National ECCD Council who will monitor where the P400 million will be spent. Would that be correct?

Senator Oreta. Yes, based on the recommendation of the National Council.

Senator Santiago. Thank you, Mr. President. So I am now clear that the funding for this proposed Council will come basically from the two main sources: the first main source will be Pagcor, and the second main source will be the conglomeration of various government agencies that will make contribution from their own respective budgets.

My final amendment will deal with page 18, line 1. No. maybe it should be page 18A, line 27.

Senator Drilon. With the permission of Senator Santiago. There was a previous amendment accepted by the sponsor which we have not acted on. May I ask that the Body approve the same.

The President. Is the Body ready to act on that amendment of Sen. Miriam Defensor Santiago as accepted by the sponsor?

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

Senator Santiago. Mr. President, my last amendment will concern page 18A, line 27, because I wish to propose a separate additional section. It would be a new Section 10 and will read: *ANNUAL REPORT. - THE NATIONAL ECCD COORDINATING COUNCIL SHALL, AT THE CLOSE OF EACH CALENDAR YEAR, SUBMIT AN ANNUAL REPORT TO CONGRESS, GIVING A DETAILED ACCOUNT OF ITS PROCEEDINGS AND ACCOMPLISHMENTS DURING THE YEAR AND MAKING RECOMMENDATIONS FOR THE ADOPTION OF MEASURES THAT WILL UPGRADE THE NATIONAL ECCD SYSTEM.*

The President. What does the sponsor say?

Senator Oreta. I accept it, Mr. President.

Senator Santiago. That is all with this bill. Thank you, Mr. President.

The President. Is there any objection to the amendment of Senator Santiago as accepted by the sponsor? [*Silence*] There being none, the amendment is approved.

The Majority Leader is recognized.

Senator Drilon. May I now ask the Chair to recognize Sen. Raul S. Roco for his individual amendment. I am sorry, I withdraw that motion.

SUSPENSION OF CONSIDERATION OF S. NO. 1438

I move that we suspend consideration of Senate Bill No. 1438.

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

BILL ON SECOND READING S. No. 1862 - Tax Amnesty Act of 1999 (Continuation)

Senator Drilon. Mr. President, I move that we resume consideration of Senate Bill No. 1862 as reported out under Committee Report No. 167. This is the proposed measure granting tax amnesty on untaxed income and wealth and unpaid tax liabilities for the taxable year 1998 and prior years.