

## RECORD OF THE SENATE

TUESDAY, AUGUST 1, 2000

### OPENING OF THE SESSION

*At 3:33 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.*

**The President.** The fifth session of the Third Regular Session of the Eleventh Congress is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Miriam Defensor Santiago.

*Everybody rose for the prayer.*

### PRAYER

**Senator Defensor Santiago.** This is a prayer written by Pierre Teilhard de Chardin.

Above all, trust in the slow work of God.  
We are, quite naturally,  
impatient in everything to reach the end  
without delay.  
We should like to skip  
the intermediate stages.  
We are impatient of being  
on the way to something unknown,  
something new,  
And yet it is the law of all progress  
that is made by passing through  
some stages of instability -  
And that it may take a very long time.

And so I think it is with you.  
Your ideas mature gradually -  
let them grow,  
let them shape themselves,  
without undue haste.  
Don't try to force them on,  
as though you could be today  
what time (that is to say, grace and  
circumstances acting  
on your own good will)  
will make you tomorrow.

Only God could say what this new spirit  
gradually forming within you will be.  
Give our Lord the benefit of believing  
that His hand is leading you,  
and accept the anxiety of  
feeling yourself in suspense and incomplete.

Amen.

### ROLL CALL

**The President.** The Secretary will please call the roll.

**The Secretary, reading:**

Senator Teresa Aquino-Oreta .....	Present
Senator Robert Z. Barbers .....	Present*
Senator Rodolfo G. Biazon .....	Present
Senator Renato L. Compañero Cayetano ..	Present
Senator Anna Dominique M. L. Coseteng	Present
Senator Miriam Defensor Santiago .....	Present
Senator Juan Ponce Enrile .....	Present
Senator Juan M. Flavie .....	Present
Senator Teofisto T. Guingona Jr. ....	Present
Senator Gregorio B. Honasan .....	Present
Senator Robert S. Jaworski .....	Present
Senator Loren B. Legarda-Leviste .....	Present
Senator Ramon B. Magsaysay Jr. ....	Present
Senator Blas F. Ople .....	Present*
Senator John Henry R. Osmeña .....	Present*
Senator Sergio R. Osmeña III .....	Present
Senator Aquilino Q. Pimentel Jr. ....	Present
Senator Ramon B. Revilla .....	Present
Senator Raul S. Roco .....	Present
Senator Vicente C. Sotto III .....	Present
Senator Francisco S. Tatad .....	Present*
The President .....	Present

**The President.** With 18 senators present, there is a quorum.

**Senator Sotto.** Mr. President.

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

### THE JOURNAL

**Senator Sotto.** Mr. President, I move that we dispense with the reading of the *Journal* of Session No. 4, Monday, July 31, 2000 and consider it approved.

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

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

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

\* On official mission

**Senator Roco.** Mr. President, before that is acted on, may we request that it be set for tomorrow, and that the closing of the period of interpellations be reconsidered. I was not here yesterday. I would have been very happy to ask some questions about the bill. I am not quite through with my homework. So, may I request that it be set for tomorrow so that I can ask some questions.

**Senator Sotto.** I therefore withdraw the motion, Mr. President, that we resume consideration of Senate Bill No. 2038. We can call it tomorrow and then move for a reconsideration of the closing of the period of interpellations tomorrow.

**Senator Roco.** I think we can reopen it now and we can continue tomorrow.

**The President.** Perhaps it is appropriate that the Majority Leader move for a reconsideration of the termination of the period of interpellations and we can continue with the interpellations tomorrow.

**MOTION OF SENATOR SOTTO  
(To Reconsider the Closing of the Period  
of Interpellations on S. No. 2038)**

**Senator Sotto.** With that, Mr. President, I move that we reconsider the closing of the period of interpellations on Senate Bill No. 2038.

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

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

**The President.** Upon motion of Senator Roco who is next in line, the resumption of consideration of Senate Bill No. 2038 is scheduled for tomorrow's session.

**BILL ON SECOND READING  
S. No. 1168—Prohibiting the Use of Hard Surfactants  
(Continuation)**

**Senator Sotto.** Mr. President, I move that we resume consideration of Senate Bill No. 1168 as reported out under Committee Report No. 188.

**The President.** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1168 is now in order.

**Senator Sotto.** We are in the period of amendments, Mr. President. May I ask that the sponsor, Sen. Ramon B. Magsaysay Jr. be recognized, and for the period of amendments, Sen. Miriam Defensor Santiago.

**The President.** Sen. Ramon B. Magsaysay Jr. is hereby recognized, and to propose amendments to the measure, Sen. Miriam Defensor Santiago is likewise recognized.

**Senator Magsaysay.** Mr. President, before the lady senator from Iloilo introduces her amendments, there is only one committee amendment that I would like to introduce. On page 1, line 21, after the period (.) and before the article "The", we insert the following proviso: *PROVIDED, HOWEVER, THAT THE PROHIBITION SHALL TAKE EFFECT AFTER TWELVE MONTHS FROM THE APPROVAL OF THIS ACT.*

**The President.** Is there any objection?

**Senator Guingona.** Mr. President.

**The President.** The Minority Leader is recognized.

**MOTION OF SENATOR GUINGONA  
(To Defer the Approval of the Committee  
Amendment Until Tomorrow)**

**Senator Guingona.** Mr. President, the ChemPhil people went to see me yesterday and presented a letter with some annexes. Unfortunately, because of lack of time, we did not have the opportunity to go over the same. So, I move that we defer the approval of this matter until tomorrow.

**The President.** The Minority Leader has requested that the voting and the approval of the committee amendment be postponed until tomorrow. Will that be all right with the sponsor?

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

**The President.** The action on the amendment of the committee is hereby deferred until tomorrow's session, if there is no objection. *[There was none.]*

Sen. Miriam Defensor Santiago is again recognized.

**DEFENSOR SANTIAGO AMENDMENTS**

**Senator Defensor Santiago.** Thank you, Mr. President, I move to amend the bill in the manner that I shall indicate going by page and line numbers in the proper sequence. I would like to begin, with the permission of the distinguished sponsor, on page 2, line 26. I am referring to Section 5. After the word "fines" insert the phrase *IN CASE OF VIOLATION OF THIS ACT.* So that the paragraph will read: "In addition to the administrative sanctions imposable under Executive Order No. 913, as amended, the Bureau of Product Standards is hereby authorized to recommend the imposition of fines *IN*

CASE OF VIOLATION OF THIS ACT as set forth in the following schedule:"

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

**Senator Defensor Santiago.** Thank you. I would like to proceed to page 3, line 5. I am referring to Subsection iii. After the phrase "the cancellation of" insert the phrase THE MANUFACTURER'S LICENSE TO OPERATE AND/OR. So that the paragraph will read: "The imposition of the foregoing administrative sanctions shall be without prejudice to the cancellation of THE MANUFACTURER'S LICENSE TO OPERATE AND/OR the Product Standards Quality Mark pursuant to Republic Act No. 4109, as amended."

**Senator Magsaysay.** May we know who will issue manufacturer's permit to operate. Is it the local government?

**Senator Defensor Santiago.** That is indicated in Republic Act No. 4109. I imagine that the Technical Working Group would be able to furnish that information.

#### SUSPENSION OF SESSION

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

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

*It was 4:27 p.m.*

#### RESUMPTION OF SESSION

*At 4:29 p.m., the session was resumed.*

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

**Senator Sotto.** May I ask that Sen. Ramon B. Magsaysay be recognized.

**Senator Magsaysay.** We have no objection to the proposed amendment of the lady senator from Iloilo, Mr. President.

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

**Senator Santiago.** I am still on page 3, line 28. These, together with the other proposed amendments, are all intended

to effectuate the consensus reached during my interpellation. So, on page 3, Section 7, line 28, after the phrase "effective implementation of this Act", insert the phrase WITHOUT PREJUDICE TO THE CONSTITUTIONAL RIGHT OF EVERY CITIZEN TO BE SAFE FROM UNREASONABLE SEARCH AND SEIZURE.

And in line 32—I am still referring to the same section—after the words "hard surfactants", add another sentence to read: PRODUCT CHECK AND INSPECTION OF ESTABLISHMENTS SHALL BE CONDUCTED DURING BUSINESS HOURS AND THE INSPECTION TEAM SHALL BE ACCOMPANIED BY TWO RESPONSIBLE OFFICERS OF THE MANUFACTURERS.

With these two proposed amendments, Section 7 will therefore read as follows:

"The Bureau of Product Standards, in consultation with the relevant departments or agencies of the national government such as, but not limited to, Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources, Bureau of Customs (BOC), Bureau of Trade Regulations and Consumer Protection (BTRCP), shall issue the rules and regulations for the effective implementation of this Act. WITHOUT PREJUDICE TO THE CONSTITUTIONAL RIGHT OF EVERY CITIZEN TO BE SAFE FROM UNREASONABLE SEARCH AND SEIZURE, the rules and regulations shall include the authority to conduct a product check and inspection of establishments involved in the manufacture, importation, distribution and sale of laundry detergents containing hard surfactants. PRODUCT CHECK AND INSPECTION OF ESTABLISHMENTS SHALL BE CONDUCTED DURING BUSINESS HOURS AND THE INSPECTION TEAM SHALL BE ACCOMPANIED BY TWO RESPONSIBLE OFFICERS OF THE MANUFACTURER.

**Senator Magsaysay.** Both amendments are accepted by the committee, Mr. President.

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

**Senator Defensor Santiago.** Thank you, Mr. President.

Finally, the last amendment. After Section 7, add a new section to read as follows:

SEC. 8. *FISCAL INCENTIVES.* -- THE BOARD OF INVESTMENTS (BOI) SHALL GRANT FISCAL INCENTIVES TO LOCAL MANUFACTURERS AND PROCESSORS WHO

DEVELOP AND MODERNIZE THEIR PROCESSING PLANTS TO PRODUCE COCONUT-BASED BIODEGRADABLE SURFACTANTS. THIS SHALL NOT BE LIMITED TO ASSISTANCE AND INCENTIVES IN THE EXPORTATION OF THEIR PRODUCTS.

**Senator Magsaysay.** We accept the amendment which will now be new Section 8, subject to style.

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

**Senator Defensor Santiago.** Thank you very much.

May I express my thanks to the distinguished sponsor for his hospitality in receiving these amendments.

#### DRILON AMENDMENT

**The President.** An omnibus amendment, a matter of style, Section 8 and Section 9 on page 4 should be renumbered accordingly, if there is no objection. *[There was none.]*

#### SUSPENSION OF CONSIDERATION OF S. NO. 1168

**Senator Sotto.** Mr. President, considering that the Minority Leader has expressed his desire to infuse the amendments tomorrow and listen to the committee amendments tomorrow, I move that we suspend consideration of Senate Bill No. 1168.

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

#### SUSPENSION OF SESSION

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

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

*It was 4:33 p.m.*

#### RESUMPTION OF SESSION

*At 4:36 p.m., the session was resumed.*

#### BILL ON SECOND READING

**S. No. 1595 – Integrated Solid Waste Management Act of 1999**  
(Continuation)

**Senator Sotto.** Mr. President, I move that we resume consideration of Senate Bill No. 1595.

**The President.** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 1595 is now in order.

May we know which version we are now looking at. The Chair has several versions. The latest is July...

**Senator Sotto.** May we recognize then the principal sponsor, Sen. Loren Legarda-Leviste, and for the parliamentary status, we are in the period of amendments.

**Senator Legarda-Leviste.** Mr. President, we are using the July 31st amended copy.

**The President.** All right.

**Senator Sotto.** May we ask that Sen. Teresa Aquino-Oreta be recognized for the period of amendments. She has one more amendment, Mr. President.

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

**Senator Aquino-Oreta.** Thank you, Mr. President.

I am holding the amended copy of July 31, 2000. Last July 25, we proposed some amendments to this piece of legislation, one of which referred to Section 13, the *Local Waste Management Action Plans*. That particular amendment was accepted by the good senator, the good sponsor, and was made a part of this proposed bill and it reads—letter (F): PROHIBIT SQUATTING WITHIN OPEN DUMPS AND LANDFILLS.

However, the same provision should likewise be proposed to Section 21—*Prohibited Acts*—to be consistent with our intent to include this social problem among the prohibited acts subject to penalty or imprisonment.

#### AQUINO-ORETA AMENDMENT

So therefore, on page 18, Section 21, line 24, I propose the following amendment. After the last word “establishments”, change the “semicolon (;)” to a COMMA (,) and add the phrase INCLUDING SQUATTING IN OPEN DUMPS AND LANDFILLS.

**Senator Legarda-Leviste.** It is accepted, Mr. President.

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

**Senator Aquino-Oreta.** Also, Mr. President, I would like to withdraw my reservation to amend Section 27 because I understand, it was already deleted by the sponsor.