

RECORD OF THE SENATE

WEDNESDAY, AUGUST 23, 2000

OPENING OF THE SESSION

At 3:17 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

The President. The 15th session of the Senate in 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. Ramon B. Magsaysay Jr.

Everybody rose for the prayer.

PRAYER

Senator Magsaysay.

ABOVE ALL ELSE, LOVE

Gracious and faithful Almighty Father,
We thank You for the power of Your written Word.
It cuts through our hearts in its gentleness
and bares our spirits as it harps on Your undying love.

Your word is our life, dearest Maker.
And love is the primacy of Your reasons.
We praise You that Your message does not diminish
in strength over time as we return
to your basic truth that the Book of 1 Corinthians
Chapter 13 speaks:

We may be able to speak the languages
of men and even of angels, but if we have no
love, our speech is no more than a noisy
gong or a clanging bell. And we may have
the gift of inspired preaching, understand all
knowledge and secrets, or possess the faith
needed to move mountains, but if we do not
have love, we are no good. And we may
give away everything we have, or even give
up our bodies to be burned, but if we do not
have love, we are nothing.

We thank You that You have not only taught us
these things but have displayed Your perfect
example through the Cross of Christ. Help us
then, to nourish the love that is patient and kind,
the love that does not envy and does not boast,

the love that is not rude or self-seeking, the love
that keeps no record of wrongs, the love that does
not rejoice in evil but delights in Your truth,
protects, believes, hopes and perseveres, and the
love that will never fail.

So that at the end of the day,
when all else have been said and done,
dear Lord, we will still find Your Name
etched in our hearts because
we have this virtue in abundance.

These we pray through Jesus our Lord,

Amen.

ROLL CALL

The President. The Secretary will please call the roll.

The Acting Secretary [Atty. Reyes], reading:

Senator Teresa Aquino-Oreta	Absent*
Senator Robert Z. Barbers	Present
Senator Rodolfo G. Biazon	Present
Senator Renato L. <i>Compañero</i> Cayetano	Present
Senator Anna Dominique M.L. Coseteng	Absent*
Senator Miriam Defensor Santiago	Present
Senator Juan Ponce Enrile	Present
Senator Juan M. Flavies	Present
Senator Teofisto T. Guingona Jr.	Present
Senator Gregorio B. Honasan	**
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 19 senators present, the Chair declares the presence of a quorum.

The Majority Leader is recognized.

* On account of illness

** On official mission

AN ACT DECLARING MT. KITANGLAD RANGE IN THE PROVINCE OF BUKIDNON AS A PROTECTED AREA AND ITS PERIPHERAL AREAS AS BUFFER ZONES, PROVIDING FOR THEIR MANAGEMENT AND FOR OTHER PURPOSES

and Senate Bill No. 1510, entitled

AN ACT DECLARING MT. KITANGLAD RANGE AS A PROTECTED AREA AND ITS PERIPHERAL AREAS AS BUFFER ZONES, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives

The Acting Secretary [Atty. Reyes].

August 17, 2000

The Honorable
FRANKLIN M. DRILON
President of the Senate
Financial Center
Pasay City 1308

Mr. President:

I have been directed to inform the Senate that the House of Representatives on August 16, 2000 approved the Bicameral Conference Committee Report on the disagreeing votes of House Bill No. 8761, entitled

AN ACT NAMING THE AGOO-TUBAO-PUGO-BAGUIO ROAD IN THE PROVINCE OF LA UNION, REGION I AND IN THE CITY OF BAGUIO, THROUGH THE PROVINCE OF BENGUET IN THE CORDILLERA REGION, THE JOSE D. ASPIRAS HIGHWAY.

Very truly yours,

(Sgd.) ROBERTO P. NAZARENO
Secretary General

The President. To the Archives

The Majority Leader is recognized.

ACKNOWLEDGMENT OF THE OFFICIAL VISIT OF
30 SEMINARIANS FROM CHRIST THE KING
MISSION SEMINARY

Senator Tatad. Mr. President, we would like to acknowledge the presence in the hall of 30 seminarians from the Christ the King Mission Seminary on E. Rodriguez Street, Quezon City. They are here to pray for the Senate and the Nation.
[Applause]

Note: The seminarians stood up.

CONFERENCE COMMITTEE REPORT ON
S.NO. 1168/H.NO. 9158
(Prohibiting the Use of Hard Surfactants)

Senator Tatad. Mr. President, I move that we now consider the Conference Committee Report on the disagreeing provisions of House Bill No. 9158 and Senate Bill No. 1168.

The President. Is there any objection? [Silence] There being none, consideration of the Conference Committee Report on the disagreeing provisions of House Bill No. 9158 and Senate Bill No. 1168 is in order.

Senator Tatad. Mr. President, I ask that the chairman of the Senate panel, Sen. Ramon B. Magsaysay Jr. be recognized.

The President. Sen. Ramon B. Magsaysay Jr. is recognized.

REPORT OF SENATOR MAGSAYSAY

Senator Magsaysay. Thank you, Mr. President.

The two panels from the House and the Senate respectively, met a couple of days ago and came out with the explanation of the Conference Committee on the disagreeing provisions of House Bill No. 9158 and Senate Bill No. 1168.

Incidentally, this bill was filed by its principal author, Senate President Franklin M. Drilon. So I would like to mention here that the mission is accomplished, Mr. President.

EXPLANATION OF THE CONFERENCE COMMITTEE
ON THE DISAGREEING PROVISIONS OF
HOUSE BILL NO. 9158 AND SENATE BILL NO. 1168

The Conference Committee on the disagreeing provisions of House Bill No. 9158 and Senate Bill No. 1168, after having

met and fully discussed the subject matter, hereby report to their respective Houses the following, that:

1. Both versions were adopted as working drafts;
2. Upon motion of the House panel, both panels agreed to adopt an omnibus amendment to insert the phrase "and industrial" between the words "laundry" and "detergent" throughout the bill.
3. Section 1. *Declaration of Policy*, of the Senate version was adopted as Section 1 of the reconciled version.
4. Section 2. *Definition of Terms*, of the Senate version was adopted as Section 2 of the reconciled version with the inclusion of the definition of Industrial detergent, Laundry detergent and Natural oleochemical to read as follows:

b) *Industrial detergent* shall refer to any cleaning product not designed for laundering different fabrics in the family wash but is mostly used in the manufacturing industry, such as but not limited to the beverage industry, textile industry, meat, fish and fruit canning, dairy product processing and food processing industry;

c) *Laundry detergent* shall refer to a product containing a surfactant and other ingredients, formulated to clean and care for the many different fabrics in the family wash; and

d) *Natural oleochemical* shall refer to chemicals derived from processing plant-based natural oils such as but not limited to coconut, palm, palm kernel, sunflower, and rapeseed.

5. Section 3 of the reconciled version was rehashed and adopted from Section 4 of the Senate version and Section 3 of the House version to read as follows:

Sec. 3. *Labels*. - In addition to the requirements for the labeling of products pursuant to Republic Act No. 7394, otherwise known as "The Consumer Act of the Philippines," all laundry and industrial detergent labels must contain the following information legibly written or printed with indelible ink: (a) name of product; (b) name of trade name and address of the person or company producing, importing or marketing the product; and (c) statement of the manufacturer or importer that the product does not contain hard surfactants.

6. Section 4. *Prohibition*, of the reconciled version was adopted from Section 3 of the Senate version with the insertion

of the words "review and" between the words "shall" and "revise".

7. Section 5. *Administrative Sanctions*, of the Senate version was adopted as Section 5 of the reconciled version.

8. Section 6. *Penalties*, of the Senate version was adopted as Section 6 of the reconciled version.

9. Section 7. *Rules and Regulations*, of the Senate version was adopted as Section 7 of the reconciled version.

10. Section 8. *Fiscal Incentives*, of the Senate version was adopted as Section 8 of the reconciled version with the deletion of the word "shall" in lieu of which the word "may" shall be used and the insertion of the phrase "and other natural oleochemical" between the words "coconut-based" and "bio-degradable". A manifestation was made by the House that adoption of provision regarding fiscal incentives shall in no way affect the validity of E.O. 259.

11. Section 9. *Separability Clause*, of the reconciled version was inserted.

12. Section 9. *Repealing Clause*, of the Senate version was adopted as Section 10 of the reconciled version.

13. Section 10 of the Senate version was rehashed and adopted as Section 11 of the reconciled version and now reads as follows:

SEC. 11. *Effectivity*. - This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in two(2) newspapers of general circulation, which ever comes earlier.

14. The title of the House version was adopted as the title of the reconciled version.

In case of conflict between the statements/amendments stated in this Explanatory Statement and that of the provisions of the reconciled version in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

May I report also, Mr. President, that Sen. Loren Legarda-Leviste came and stayed over an hour until it was completed. And Sen. Robert S. Jaworski also came.

The whole exercise lasted for 44 minutes which, I believe, was one of the shortest bicameral committee meetings we have ever had.

Thank you, Mr. President.

APPROVAL OF CONFERENCE COMMITTEE REPORT
ON S. NO. 1168/H. NO. 9158

Senator Tatad. Mr. President, I move for the approval of the Conference Committee Report on Senate Bill No. 1168 and House Bill No. 9158.

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

The following is the whole text of the conference committee report:

EXPLANATION OF THE CONFERENCE
COMMITTEE ON THE DISAGREEING
PROVISIONS OF HOUSE BILL NO. 9158
AND SENATE BILL NO. 1168

The Conference Committee on the disagreeing provisions of House Bill No. 9158 and Senate Bill No. 1168, after having met and fully discussed the subject matter, hereby report to their respective Houses the following, that:

1. Both versions were adopted as working drafts;
2. Upon motion of the House panel, both panels agreed to adopt an omnibus amendment to insert the phrase "and industrial" between the words "laundry" and "detergent" throughout the bill.
3. Section 1. *Declaration of Policy*, of the Senate version was adopted as Section 1 of the reconciled version.
4. Section 2. *Definition of Terms*, of the Senate version was adopted as Section 2 of the reconciled version with the inclusion of the definition of Industrial detergent, Laundry detergent and Natural oleochemical to read as follows:
 - b) *Industrial detergent* shall refer to any cleaning product not designed for laundering different fabrics in the family wash but is mostly used in the manufacturing industry, such as but not limited to the beverage industry, textile industry, meat, fish and fruit canning, dairy product processing and food processing industry;
 - c) *Laundry detergent* shall refer to a product

containing a surfactant and other ingredients, formulated to clean and care for the many different fabrics in the family wash; and

- d) *Natural oleochemical* shall refer to chemicals derived from processing plant-based natural oils such as but not limited to coconut, palm, palm kernel, sunflower, and rapeseed.

5. Section 3 of the reconciled version was rehash-ed and adopted from Section 4 of the Senate version and Section 3 of the House version to read as follows:

"Sec. 3. *Labels*. - In addition to the requirements for the labeling of products pursuant to Republic Act No. 7394, otherwise known as "The Consumer Act of the Philippines," all laundry and industrial detergent labels must contain the following information legibly written or printed with indelible ink: (a) name of product; (b) name of trade name and address of the person or company producing, importing or marketing the product; and (c) statement of the manufacturer or importer that the product does not contain hard surfactants."

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14. The title of the House version was adopted as the title of the reconciled version.

In case of conflict between the statements/ amendments stated in this Explanatory Statement and that of the provisions of the reconciled version in the accompanying Conference Committee Report, the provisions of the latter shall prevail.

(Sgd.) RAMON B. MAGSAYSAY JR.
Chairman, Senate Panel

(Sgd.) VICENTE A. SANDOVAL
Chairman, House Panel

SPECIAL ORDERS

Senator Tatad. Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders, Committee Report No. 382 on Senate Bill No. 2112, entitled

AN ACT PROMOTING AND REGULATING THE OPERATION OF CABLE TELEVISION IN THE PHILIPPINES, AND FOR OTHER PURPOSES.

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

BILL ON SECOND READING S. No. 2112—Cable Television Act of 2000

Senator Tatad. Mr. President, I move that we consider on Second Reading Senate Bill No. 2112 as reported out under Committee Report No. 382.

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

Consideration of Senate Bill No. 2112 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 [Atty. Reyes]. Senate Bill No. 2112, entitled

AN ACT PROMOTING AND REGULATING THE OPERATION OF CABLE TELEVISION IN THE PHILIPPINES, AND FOR OTHER PURPOSES

Senator Tatad. Mr. President, for the sponsorship, I ask that the chairman of the Committee on Public Services, Sen. Vicente Sotto III be recognized.

The President. Sen. Vicente Sotto III is recognized to sponsor Senate Bill No. 2112.

SPONSORSHIP SPEECH OF SENATOR SOTTO

Senator Sotto. Thank you, Mr. President.

Mr. President, it is with pleasure that I rise to sponsor today Senate Bill No. 2112 - "AN ACT PROMOTING AND REGULATING THE OPERATION OF CABLE TELEVISION IN THE PHILIPPINES, AND FOR OTHER PURPOSES."

As a brief background, cable television was first introduced in Baguio City in 1969 to bring terrestrial signals from broadcasting stations in Manila to Baguio. In 1977, former President Marcos issued PD No. 1512 granting "Sinemakulay" a national franchise to operate cable TV. This law effectively made the cable TV industry a monopoly.

With the thrust of the Aquino administration towards liberalization of certain industries, the cable TV industry included, EO No. 205 was issued opening up the cable TV industry to interested persons and entities that can prove their legal, technical and financial capability to operate a CATV system.

A further boost in the industry was provided by EO No. 436 that expressly authorized CATV operators to carry advertisements.

Since the liberalization of the industry, cable television operators sprouted in almost all parts of the country with more than 750 operators with an approximate subscriber base reaching around 600,000. To date, the cable industry may be