

RECORD OF THE SENATE

WEDNESDAY, DECEMBER 13, 2000

RESUMPTION OF THE SESSION

At 10:14 a.m., the session was resumed with the Senate President, Hon. Aquilino Q. Pimentel Jr., presiding.

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

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

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

THIRD ADDITIONAL REFERENCE OF BUSINESS

BILL ON FIRST READING

The Acting Secretary [Atty. Reyes]. Senate Bill No. 2223, entitled

AN ACT GRANTING THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP) AN ADDITIONAL THREE (3) YEARS WITHIN WHICH TO TAKE APPROPRIATE LEGAL ACTION FOR THE CANCELLATION OF OFFICIALLY DOCUMENTED TITLES WHICH WERE ACQUIRED ILLEGALLY, AS PROVIDED UNDER SECTION 64 OF REPUBLIC ACT NO. 8371 OTHERWISE KNOWN AS "AN ACT TO RECOGNIZE, PROTECT AND PROMOTE THE RIGHTS OF INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES, CREATING THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES, ESTABLISHING IMPLEMENTING MECHANISMS, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES"

Introduced by Senator Honasan

The President. Referred to the Committee on Cultural Communities

RESOLUTIONS

The Acting Secretary [Atty. Reyes]. Proposed Senate Resolution No. 904, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON NATIONAL DEFENSE AND

SECURITY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORT OF A GERMAN PUBLICATION THAT HIS EXCELLENCY PRESIDENT JOSEPE JERCITO ESTRADA AND CHIEF GOVERNMENT NEGOTIATOR ROBERT AVENTAJADO POCKETED ABOUT \$6 MILLION IN RANSOM PAYMENTS TO SECURE THE RELEASE OF CERTAIN HOSTAGES OF THE ABUSAYYAF

Introduced by Senator Biazon

The President. Referred to the Committee on Rules

The Acting Secretary [Atty. Reyes]. Proposed Senate Resolution No. 905, entitled

RESOLUTION DIRECTING THE COMMITTEE ON FOREIGN RELATIONS AND COMMITTEE ON PUBLIC INFORMATION AND MASS MEDIA, TO INQUIRE IN AID OF LEGISLATION, ON THE FACTUAL BASIS OR THE LACK OF IT, OF THE REPORT IN *DER SPIEGEL* MAGAZINE THAT PRESIDENT JOSEPH E. ESTRADA AND FORMER CHIEF NEGOTIATOR ROBERT AVENTAJADO POCKETED PART OF THE \$20 MILLION RANSOM PAYMENT FOR THE FREEDOM OF CERTAIN HOSTAGES OF THE ABUSAYYAF

Introduced by Senator Roco

The President. Referred to the Committee on Rules

COMMITTEE REPORTS

The Acting Secretary [Atty. Reyes]. Committee Report No. 498 submitted by the Committee on Public Services on House Bill No. 775, introduced by Representative Cosalan, *et al.*, entitled

AN ACT GRANTING CALVARY GOSPEL TABERNACLE, INC., A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN FOR RELIGIOUS, NON-COMMERCIAL AND EDUCATIONAL PURPOSES RADIO AND TELEVISION BROADCASTING STATIONS IN THE CORDILLERA AUTONOMOUS REGION AND ORIENTAL MINDORO, NUEVA VIZCAYA AND ILOCOS SUR,

recommending its approval with amendments by substitution.

Sponsor: Senator Sotto III

Senator Tatad. Unless there are any individual amendments, I move that the period of individual amendments be closed.

MOTION OF SENATOR FLAVIER

(All Senators Present as Coauthors of S. No. 2222)

The Presiding Officer [Sen. Flavier]. Except to suggest that all the senators present be made coauthors, especially the reelectionists: Senators Enrile, Drilon and Flavier.

Senator Tatad. They should be mentioned first, Mr. President.

Senator Osmeña III. What about Osmeña, Mr. President?

The Presiding Officer [Sen. Flavier]. The gentleman is already the principal author, but the others will be made coauthors according to height. *[Laughter]*

Senator Tatad. The other coauthors who are running for reelection will have all the votes outside of Tanauan. *[Laughter]*

The Presiding Officer [Sen. Flavier]. Is there any objection to the motion? *[Silence]* There being none, the period of individual amendments is hereby closed.

APPROVAL OF S. NO. 2222 ON SECOND READING

Senator Tatad. Mr. President, I move that we vote on Second Reading on Senate Bill No. 2222.

The Presiding Officer [Sen. Flavier]. Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 2222.

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

Several Members. *Aye.*

The Presiding Officer [Sen. Flavier]. As many as are against the bill, say *nay*. *[Silence]*

Senate Bill No. 2222 is approved on Second Reading.

SUSPENSION OF CONSIDERATION OF S. NO. 2222

Senator Tatad. Mr. President, I move that we suspend consideration of Senate Bill No. 2222.

The Presiding Officer [Sen. Flavier]. Is there any objection? *[Silence]* There being none, consideration of Senate Bill No. 2222 is hereby suspended.

BILL ON SECOND READING

S. No. 2129—Strengthening the ARMM Organic Act (Continuation)

Senator Tatad. Mr. President, I move that we resume consideration of Senate Bill No. 2129 as reported out under Committee Report No. 393. This is the proposed amendments to the ARMM Organic Act.

The Presiding Officer [Sen. Flavier]. Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 2129 is now in order.

Senator Tatad. Mr. President, we were still in the period of interpellations, but the last proposed interpellator has since withdrawn his reservation to interpellate.

Senator Drilon. Mr. President.

The Presiding Officer [Sen. Flavier]. With the permission of the Majority Leader, Sen. Franklin M. Drilon is recognized.

Senator Drilon. Thank you, Mr. President. That is on the record. We made a reservation to interpellate. However, upon review of the interpellations done previously on this bill, we believe that all aspects have been covered and therefore we are withdrawing our reservation and just await the period of amendments.

Senator Tatad. We thank Senator Drilon for that manifestation and we move that we close the period of interpellations.

The Presiding Officer [Sen. Flavier]. Is there any objection? *[Silence]* There being none, the period of interpellations is hereby closed.

Senator Tatad. We are now ready to consider the committee amendments. With the consent of the Chamber, I move that the Senate President be recognized in his capacity as sponsor of the measure.

The Presiding Officer [Sen. Flavier]. The Senate President is recognized.

COMMITTEE AMENDMENTS

Senator Pimentel. Thank you, Mr. President. The committee amendments are as follows:

On page 3, line 4, delete the word "and" between the words "Norte" and "Zamboanga". There does not seem to have any objection, Mr. President.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On the same page and line, after the word "Zamboanga del Sur", insert the phrase AND THE NEWLY CREATED PROVINCE OF ZAMBOANGA SIBUGAY.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On the same page, line 5, between the words "Puerto Princesa", and "and", insert the word DIGOS, KORONADAL, TACURONG which are the new cities.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On the same page, line 19, delete the word "and" between the words "Norte," and "Zamboanga".

The Presiding Officer [Sen. Flavie]. Does the Chair take it that there will be a replacement of a comma (,)?

Senator Pimentel. There is a comma (.). Yes, Mr. President.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 5, line 27, the word "Valiues" was erroneously written. It should read "VALUES" without the letter (i). It is just a correction of the spelling.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 8, starting from line 16 to line 19, delete the whole Article IV, Devolution of Powers, so that Article V will now become Article IV.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved, with the understanding that there will be a renumbering.

Senator Pimentel. Thank you, Mr. President.

On page 9, line 28, after the word "copyrights", delete the punctuation mark period (.) and in lieu thereof, put a semicolon (;) and the word AND.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On the same page, between lines 28 and 29, insert: (N) FOREIGN TRADE. This is a part of an enumeration, Mr. President.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 13, starting from line 5, delete the phrase "At least a holder of a Bachelor's Degree in college duly accredited by the Department of Education, Culture and Sports of the central government", and in lieu thereof, place the phrase ABLE TO READ AND WRITE.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On the same page, Mr. President, after the figure "(P200,000.00)"...

The Presiding Officer [Sen. Flavie]. This is in line 18?

Senator Pimentel. The same page.

The Presiding Officer [Sen. Flavie]. Yes, but line 18? What line please? There is a "(P200,000.00)" in line 18.

Senator Pimentel. Just a minute, Mr. President. We are trying to...

Yes, the Acting Senate President is correct. It is in line 18, Mr. President.

The Presiding Officer [Sen. Flavie]. Yes, please proceed.

Senator Pimentel. After the figure "(P200,000.00)", insert the phrase SUBJECT TO THE SALARY STANDARDIZATION LAW.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 17, line 29, after the word "institutions", insert the phrase AND DECLARE REGIONAL HOLIDAYS.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 18, lines 24 and 25, delete the phrase "at least, a holder of a bachelor's degree from any college recognized by the department of education, culture and sports" and in lieu thereof, place the phrase ABLE TO READ AND WRITE.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 20, Mr. President, line 21, after the word "respectively", insert the phrase SUBJECT TO THE SALARY STANDARDIZATION LAW.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 22, line 17, insert the word VICE between the words "or" and "governor".

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On page 45, Mr. President, starting from lines 4 to 10, delete the word "emergency" and in lieu thereof place the word CALAMITY.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. And may I further request, Mr. President, that these particular amendments be considered an omnibus amendment.

The Presiding Officer [Sen. Flavie]. It is so noted.

Senator Pimentel. On page 57, line 22, delete...

The Presiding Officer [Sen. Flavie]. Page 57?

Senator Pimentel. Page 57, Mr. President, line 22, delete the words "Schools System" between the words "Regional" and "who", and in lieu thereof insert the words EDUCATIONAL SUBSYSTEM.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On the same page, line 11, delete the word "and" between the words "Zamboanga del Norte" and "Zamboanga del Sur"...

The Presiding Officer [Sen. Flavie]. What line again, please?

Senator Pimentel. The same page, line 11.

The Presiding Officer [Sen. Flavie]. Yes.

Senator Pimentel. Delete the word "and" between the words "Zamboanga del Norte" and "Zamboanga del Sur" and in lieu thereof, place a comma (,).

The Presiding Officer [Sen. Flavie]. Is this page 57? Because my line 11 does not have the word "Zamboanga".

Senator Pimentel. *Teka muna baka mali ito.* I am sorry for that error, I think, Mr. President, but... It is probably at the last page.

Mr. President, it is on page... We found it but we are still looking for the exact paging.

Mr. President, I am sorry about that. It is on page 71, line 11. Delete the word "and" between the words "Zamboanga del Norte" and "Zamboanga del Sur" and put a comma (,) between the two provinces mentioned.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. On the same page and line, Mr. President, after the word "Zamboanga del Sur", insert the phrase AND THE NEWLY CREATED PROVINCE OF ZAMBOANGA SIBUGAY.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. This is our last amendment, Mr. President. On the same page, line 12, between the words "Zamboanga" and "and", insert the names of the following cities... So there should be a comma (,) after the word "Zamboanga" then the following cities should be named thereafter like: DIGOS, KORONADAL, TACURONG, and Kidapawan, et cetera.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the amendment is approved.

Senator Pimentel. That will be the end of the committee amendments, Mr. President.

The Presiding Officer [Sen. Flavie]. The Majority Leader is recognized.

Senator Tatad. Mr. President, I move that we close the period of committee amendments.

The Presiding Officer [Sen. Flavie]. Is there any objection?
[Silence] There being none, the motion is approved.

Senator Guingona. Mr. President.

The Presiding Officer [Sen. Flavie]. Sen. Teofisto T. Guingona Jr. is recognized.

Senator Guingona. In the committee amendments, Mr. President, I am sorry I could not listen very closely.

As far as municipalities are concerned, has that already been deleted or amended?

Senator Pimentel. Not yet, Mr. President. We are still waiting for the gentleman's amendments.

Senator Guingona. But the distinguished sponsor is amenable to that. If it is a municipality that votes for inclusion and it is not the example given because it is not part of the... becomes part of the ARMM and away from the province.

Senator Pimentel. That is correct, Mr. President.

Unfortunately, that is what the Jakarta Agreement says. I do not know how we can really rationalize that provision of the agreement, Mr. President.

Senator Guingona. So, we will propose the necessary amendment.

Senator Pimentel. Yes. May we have that amendment by next week, Mr. President?

Senator Guingona. Yes, Mr. President.

The Presiding Officer [Sen. Flavie]. That will be treated as an individual amendment.

Senator Pimentel. Yes, individual amendment.

The Presiding Officer [Sen. Flavie]. Yes. So the motion to close the period of committee amendments stands.

SUSPENSION OF CONSIDERATION OF S. NO. 2129

Senator Tatad. May we request the Secretariat to prepare a clean copy of the bill, as amended by the committee, so that the members can have a better look at it for the individual amendments.

In the meantime, I move that we suspend consideration of Senate Bill No. 2129.

The Presiding Officer [Sen. Flavie]. Is there any objection? *[Silence]* There being none, the motion is approved.

BILL ON SECOND READING S. No. 1734 -- National Athletes, Coaches and Trainers Benefits and Incentives Act of 1999 (Continuation)

Senator Tatad. Mr. President, I move that we now resume consideration of Senate Bill No. 1734, the bill providing for cash incentives to national athletes. We are now in the period of individual amendments.

The Presiding Officer [Sen. Flavie]. Is there any objection? *[Silence]* There being none, the motion is approved.

The Chair has one individual amendment.

Senator Tatad. I ask that the distinguished sponsor Sen. Robert S. Jaworski be recognized to receive the individual amendments.

At this juncture, the Presiding Officer, Senator Juan M. Flavie, relinquished the Chair to the Honorable Senate President Aquilino Q. Pimentel Jr.

The President. Sen. Robert S. Jaworski is recognized.

Senator Tatad. Mr. President, we can go page by page. Page 1...

Senator Flavie. On page 1, Mr. President, line 3, after the word "sports".

The President. Before we proceed, Senator Flavie, may we just advert to the fact that we are now using...

Senator Tatad. We are now using the version with approved committee amendments as of December 12, 2000, Mr. President.

The President. Yes. Very good. I thank the gentleman for that.

Please proceed, Senator Flavie.

FLAVIE AMENDMENTS

Senator Flavie. Yes, Mr. President. On the first page, line 3—

The President. Line 3...

Senator Flavie. —after the word "sports", insert the words AND THROUGHSPORTS.

The President. AND THROUGHSPORTS. T-H-R-O-U-G-H?

Senator Flavie. Yes, Mr. President

The President. AND THROUGHSPORTS. All right.

Senator Flavie. Has it been accepted already?

Senator Jaworski. It is accepted, Mr. President.

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

Senator Flavie. On page 2, Mr. President, in line 8, change the Roman numeral "(I)" to small letter (i).

Senator Jaworski. It is accepted, Mr. President.

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