

## 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 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. Flavier].** That will be treated as an individual amendment.

**Senator Pimentel.** Yes, individual amendment.

**The Presiding Officer [Sen. Flavier].** 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. Flavier].** 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. Flavier].** 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. Flavier, 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 Flavier.** On page 1, Mr. President, line 3, after the word "sports".

**The President.** Before we proceed, Senator Flavier, 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 Flavier.

#### FLAVIER AMENDMENTS

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

**The President.** Line 3...

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

**The President.** AND THROUGH sports. T-H-R-O-U-G-H?

**Senator Flavier.** Yes, Mr. President

**The President.** AND THROUGHSPORTS. All right.

**Senator Flavier.** 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 Flavier.** 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.

**Senator Flavier.** Same page. Mr. President, line 10, change Roman numeral "(II)" to small letters (ii).

**Senator Jaworski.** I accept it, Mr. President.

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

**Senator Flavier.** On page 3, Mr. President—

**Senator Tatad.** Before that, Mr. President.

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

#### TATAD AMENDMENTS

**Senator Tatad.** May we amend lines 10 to 13 of page 2 by restructuring the sentence a little bit just to keep the grammatical flow. Instead of the present construction, I propose the following: PARTICIPATED IN BY NOT LESS THAN FIFTY PERCENT (50%) OF THE NUMBER OF COUNTRIES PARTICIPATING IN THE OLYMPIC GAMES ALTHOUGH NOT SANCTIONED BY THE INTERNATIONAL OLYMPIC COMMITTEE.

**Senator Jaworski.** It is accepted, Mr. President.

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

**Senator Tatad.** Now on the same page, lines 29 to 30, I would like to propose an amendment subject to the answer of our distinguished colleague. In lieu of FORMULATED AT THE EARLIEST POSSIBLE TIME, would the sponsor not be more receptive to a more specific time frame? What would be the earliest time required to formulate a program?

**Senator Jaworski.** Within six months.

**Senator Tatad.** So, we can say TO BE FORMULATED WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM THE APPROVAL OF THIS ACT.

**Senator Jaworski.** It is accepted, Mr. President.

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

#### FLAVIER AMENDMENTS

**Senator Flavier.** On page 3 now, if I may be allowed. Line 23, Mr. President.

**The President.** Page 3, line 23.

**Senator Flavier.** Delete the word "Philippine" and in lieu thereof insert the word NATIONAL.

**Senator Jaworski.** It is accepted, Mr. President.

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

**Senator Flavier.** On page 4, Mr. President, line 28, insert the word WINNING between the words "THE" and "ATHLETES."

**Senator Jaworski.** Is that "winning", Mr. President?

**Senator Flavier.** Winning, W-I-N-N-I-N-G.

**The President.** Is that on page 3?

**Senator Flavier.** On page 4, line 28.

**Senator Jaworski.** It is accepted, Mr. President.

**Senator Tatad.** May we go back to line 27 of the same page?

**The President.** All right. We hold in abeyance the approval of that amendment.

The Majority Leader is recognized.

#### TATAD AMENDMENT

**Senator Tatad.** May we replace the word "EXCEPT" with PROVIDED?

**The President.** That is found in what line?

**Senator Tatad.** Line 27, Mr. President.

**Senator Jaworski.** It is accepted, Mr. President.

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

There is also an amendment of Senator Flavier in line 28 to insert the adjective "WINNING" between the words "THE" and "ATHLETES." Is there any objection? *[Silence]* There being none, the amendment is approved.

**Senator Tatad.** Mr. President, in line 29, just a query to the distinguished sponsor. On the word "EQUALLED", should recognition not be limited to those who have surpassed existing records or previous placings?

**Senator Jaworski.** Mr. President, the reason for such is that if they equal, let us say, a winning as a bronze medalist, a silver medalist, then they will be entitled.

**Senator Tatad.** I am satisfied with the answer, Mr. President. There is no amendment.

The President. Senator Flavier is recognized.

FLAVIER AMENDMENT

Senator Flavier. Mr. President, an omnibus amendment on the page which will specifically refer to lines 14, 16, 21 and 23, the word "Medalists", please delete letter "s" from the word "Medalists" so that it will become singular.

Senator Jaworski. It is accepted, Mr. President.

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

Senator Flavier. On page 5, Mr. President, line 15...

Senator Tatad. Anterior amendment, Mr. President.

The President. Senator Tatad is recognized.

TATAD AMENDMENTS

Senator Tatad. On the same page, line 6, between the words "ACT" comma (,) and "WON", I propose to insert the word HAD.

The President. HAD WON.

Senator Jaworski. It is accepted, Mr. President.

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

Senator Tatad. And in line 7, between the words "OLYMPIC" and "ASIAN", I move to replace the word "AND" with OR.

Senator Jaworski. It is accepted, Mr. President.

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

FLAVIER AMENDMENTS

Senator Flavier. On the same page, Mr. President, if I may.

The President. On page 5, yes.

Senator Flavier. In line 15, between the words "the" and "competition", insert the word INTERNATIONAL.

Senator Jaworski. It is accepted, Mr. President.

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

Senator Flavier. On the same page, Mr. President, in line 18, insert the words OR TRAINERS between the words "coaches" and "shall".

Senator Jaworski. It is accepted, Mr. President.

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

Senator Flavier. On the same page, line 20, insert the words OR TRAINERS between the words "coaches and shall".

Senator Jaworski. It is accepted, Mr. President.

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

Senator Flavier. On page 6, line 5, delete the letters "UM" in the word "PERCENTUM".

The President. Ten percent.

Senator Flavier. To read TEN PERCENT.

Senator Jaworski. It is accepted, Mr. President.

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

Senator Flavier. That is all, Mr. President.

Senator Jaworski. Thank you, Mr. President.

The President. Senator Roco is recognized.

ROCO AMENDMENT

Senator Roco. Yes. On page 6, Mr. President, may we suggest an additional paragraph. We appreciate that the committee has been so gracious as to put in this new paragraph after our interpellation. But may we suggest another additional paragraph if we could prevail upon the committee to consider this.

A new paragraph between lines 8 and 9, so that it will read as follows, subject to style: FIVE (5) PERCENT OF THE NATIONAL SPORTS DEVELOPMENT FUND SHALL BE SET ASIDE TO BE ADMINISTERED BY THE SECRETARY OF THE DEPARTMENT OF EDUCATION, CULTURE AND SPORTS FOR THE SELECTION OF INDIVIDUAL ATHLETES IN THE PUBLIC ELEMENTARY AND HIGH SCHOOLS IN TRACK AND FIELD, SWIMMING, BADMINTON, PING-PONG AND SIMILAR INDIVIDUAL SPORTS EVENTS WHERE THE PHILIPPINES CAN DEVELOP INTO WORLD-CLASS COMPETITORS.

It is a special fund. I know that there is another bill but this is an add-on. So there is a special fund, and what I was describing to our good friend, where in every elementary they will select these athletes, I am only concerned with sports events where we can compete internationally, Mr. President.

**The President.** One question, Senator Roco, before the sponsor answers.

**Senator Roco.** Yes, please.

**The President.** Would the gentleman want to limit this to public elementary schools only?

**Senator Roco.** Maybe I should remove the word "PUBLIC", yes—FOR ALL ELEMENTARY AND HIGH SCHOOLS so that they can select. The idea is so that they can have—they will be given special assistance to select even if it is only in the first two months of school. Everybody should select the fastest runner and the fastest swimmer, and the best ping-pong player so that there is a pool of talents and that from elementary they can be spotted.

**Senator Jaworski.** Mr. President, presently, there are programs that are being handled by the Department of Education, Culture and Sports through institutionalized sports activities, where it does the participation and ultimate selection of those who could hopefully come up into the arena that we are talking about which is the PSC. But we welcome this. This could be an additional fund that could be directed specifically to some of those sports that were mentioned by the honorable senator. I just want the honorable senator and this Body to know that in the possibly new reorganization of the sports sector that we are trying to promote, we are then going to identify exactly through a scientific approach what sports we can actually participate in, that are based on the physiological, cultural topography and so many other factors that are relative to a possible excellence or achievement especially in the international arena of sports.

**The President.** So subject to style then, the amendment is accepted?

**Senator Jaworski.** Yes, Mr. President.

**The President.** Any objection? *[Silence]* There being none, the amendment is accepted, subject to style.

**Senator Roco.** Thank you very much.

**Senator Jaworski.** Thank you very much, Mr. President.

**Senator Magsaysay.** Mr. President.

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

**Senator Magsaysay.** Will the sponsor accept an individual amendment?

**Senator Jaworski.** Coming from the honorable senator from Zambales and the whole Philippines, anytime.

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

Well, this is a simple amendment that will give some benefit when a national athlete dies.

#### MAGSAYSAY AMENDMENT

There will be a new Section 7 on page 4. We have the new section DEATH BENEFITS. It states:

**SEC. 7. DEATH BENEFITS.** - UPON THE DEATH OF ANY NATIONAL ATHLETE, COACH OR TRAINER AS PROVIDED FOR IN THE NEXT PRECEDING SECTION, HIS PRIMARY BENEFICIARIES SHALL BE ENTITLED TO A LUMP SUM BENEFIT OF P30,000 TO COVER FOR HIS FUNERAL SERVICES; PROVIDED, THAT IF HE HAS NO PRIMARY BENEFICIARIES, HIS OR HER SECONDARY BENEFICIARIES SHALL BE ENTITLED TO THE SAME.

**Senator Jaworski.** Mr. President, does the gentleman mean any athlete or trainer or coach that is accredited by the PSC as a competitor, even if he has not won, will then be extended this benefit? Or is the gentleman referring to only the winning athletes?

**Senator Magsaysay.** This is "any national athlete" as described by the definition.

**Senator Jaworski.** The amendment is accepted, Mr. President.

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

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

**Senator Magsaysay.** Then, of course, to renumber the succeeding sections, Mr. President.

**The President.** Yes, that is included.

**Senator Jaworski.** Thank you very much, Mr. President.

**The President.** Are there any other amendments?

**Senator Tatad.** There being no further individual amendments, I move that the period of individual amendments be closed, Mr. President.

**The President.** Yes, but before we do that, what word shall we use, "trainors" or "trainers"? There seems to have been some suggestion that we use the word "trainors".

**Senator Jaworski.** Trainers, I guess.

**The President.** Trainors or trainers?

**Senator Tatad.** "Trainors" is, I think, more widely used.

PIMENTEL AMENDMENT

**The President.** That is right. So we use the word TRAINORS then as an omnibus amendment.

Also in Section 9, this is on page 5, line 12, "Coaches and TRAINORS" is the way the sentence opens here. So we use the word "OR" as part of the overall omnibus amendments to this effect. "Coaches OR TRAINORS".

**Senator Jaworski.** All right.

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

The Majority Leader is recognized.

APPROVAL OF S. NO. 1734 ON SECOND READING

**Senator Tatad.** Mr. President, I move that we vote on Second Reading on Senate Bill No. 1734, as amended.

**The President.** Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 1734, 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. 1734, as amended, is approved on Second Reading.

SUSPENSION OF CONSIDERATION OF S. NO. 1734

**Senator Tatad.** Mr. President, I move that we suspend consideration of Senate Bill No. 1734.

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

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

**Senator Enrile.** Mr. President.

**The President.** Senator Enrile is recognized.

**Senator Enrile.** Mr. President, I would like to bring to the attention of the Chamber a request from the people of the Second District of Ilocos Sur regarding the cityhood of the town of Candon. They are asking if this could be taken up by the Chamber at the proper time.

**The President.** I suppose so.

**Senator Enrile.** Thank you, Mr. President. I have to take this floor because of the presence of the distinguished congresswoman from that district. She is now in our hall. Thank you.

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

**Senator Tatad.** Mr. President, I move to suspend this session until 10 o'clock...

**Senator Roco.** Mr. President.

**The President.** Senator Roco is recognized.

**Senator Roco.** Just to take up from the gentleman, may we also schedule for Special Orders, as the chairman might report, the Ligao bill? We do have a commitment to the prospective city of Ligao.

**The President.** That is correct.

**Senator Roco.** So, if there can be a possible schedule, we are running out of time.

**The President.** We will try to accommodate as many as we can, Mr. Senator.

**Senator Roco.** No, this one was a commitment.

**The President.** That is correct. Even before the revamp.

**Senator Tatad.** I think we discussed that in our meeting yesterday morning with the Speaker.

**The President.** That is right. That is correct.

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

**The President.** We will do what can be done.

**Senator Jaworski.** Mr. President, before we suspend the session, I just want to take this opportunity to thank my honorable