

## RECORD OF THE SENATE

THURSDAY, DECEMBER 17, 1992

### RESUMPTION OF THE SESSION

*At 10:51 a.m., the session was resumed with the Honorable Neptali A. Gonzales, President of the Senate, presiding.*

**The President:** The session is hereby resumed.

**Senator Romulo:** Mr. President, may I ask the Secretary to read the Additional Reference of Business.

**The President:** The Secretary is hereby directed to do so.

### FOURTH ADDITIONAL REFERENCE OF BUSINESS

#### BILL ON FIRST READING

**The Secretary:** Senate Bill No. 1010, entitled

AN ACT TO RECOGNIZE ALL FORMER MEMBERS OF THE HUKBALAHAP WHO RESISTED AND FOUGHT THE JAPANESE IN WORLD WAR II AS ELEMENTS OF THE UNDERGROUND FORCES IN THE PHILIPPINES TO AVAIL OF ALL BENEFITS APPLICABLE TO VETERANS OF SAID WAR, AND FOR OTHER PURPOSES.

Introduced by Senator Aquino.

**The President:** Referred to the Committee on National Defense and Security.

### COMMITTEE REPORTS

**The Secretary:** Committee Report No. 54, submitted by the Committee on Labor, Employment and Human Resources Development on Senate Bill No. 142, introduced by Senators Herrera, Tatad, Angara, Ople, Romulo, Revilla, and Webb, entitled

AN ACT STRENGTHENING FURTHER THE RIGHT OF ALL WORKERS TO SECURITY OF TENURE BY RESTRICTING FIXED PERIOD OR TERM OF EMPLOYMENT IN WORK ACTIVITIES WHICH ARE USUALLY NECESSARY OR DESIRABLE IN THE USUAL BUSINESS OR TRADE OF THE EMPLOYER, AMENDING FOR THIS PURPOSE ARTICLE 280 OF PRESIDENTIAL DECREE NO. 442 AS AMENDED,

OTHERWISE KNOWN AS THE "LABOR CODE OF THE PHILIPPINES",

recommending its approval without amendment.

Sponsor: Senator Herrera

**The President:** To the Calendar for Ordinary Business.

**The Secretary:** Committee Report No. 55, submitted by the Committee on Labor, Employment and Human Resources Development on Senate Bill No. 346, introduced by Senators Herrera, Tatad, Angara, Ople, Romulo, Revilla, and Webb, entitled

AN ACT CONFERRING JURISDICTION ON THE PHILIPPINE OVERSEAS EMPLOYMENT ADMINISTRATION (POEA) TO AWARD DAMAGES, AMENDING THEREBY SECTION 3 (D), EXECUTIVE ORDER NO. 247 AND FOR OTHER PURPOSES,

recommending its approval without amendment.

Sponsor: Senator Herrera

**The President:** To the Calendar for Ordinary Business.

### SPECIAL ORDERS

**Senator Romulo:** Mr. President, I ask that Senate Bill No. 142 under Committee Report No. 54 be transferred from the Calendar for Ordinary Business to the Calendar for Special Orders.

**The President:** Is there any objection to the said motion? [Silence] Hearing none, the motion is approved.

**Senator Romulo:** Likewise, Mr. President, for Senate Bill No. 346 under Committee Report No. 55 from the Calendar for Ordinary Business to the Calendar for Special Orders.

**The President:** Is there any objection to the motion? [Silence] Hearing none, the motion is approved.

**Senator Romulo:** Mr. President, on a question of personal privilege, I ask that the distinguished Senator from Catanduanes and Quezon City, Senator Francisco "Kit" Tatad be recognized.

**The President:** Senator Francisco Tatad is hereby recognized.

These proposals will be crucial to the successful implementation of the programs of this Administration.

(Sgd.) FIDEL V. RAMOS

**The President:** Referred to the Committee on Rules.

### RESOLUTION

**The Secretary:** Proposed Senate Resolution No. 251, entitled

RESOLUTION DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE CONDUCT AND EVALUATION OF THE BIDDING, THE NEGOTIATIONS AND TRANSACTIONS LEADING TO THE AWARD OF THE BIDS OF THE OECF ASSISTED PROJECT - MACTAN (CEBU) INTERNATIONAL AIRPORT.

Introduced by Senator Osmeña.

**The President:** Referred to the Committee on Accountability of Public Officers and Investigations.

### BILL ON THIRD READING Senate Bill No. 176--Hazing as a Crime

**Senator Romulo:** Mr. President, I move that we vote on Third Reading on Senate Bill No. 176. Copies of the bill were distributed to all the Members of the Senate on December 14, 1992.

**The President:** Voting on Third Reading on Senate Bill No. 176 is now in order.

The Secretary will please read only the title of the bill, if there is no objection. *[There was none.]*

**The Secretary:** Senate Bill No. 176, entitled

AN ACT INSTITUTING THE CRIME OF HAZING AND AMENDING FOR THAT PURPOSE SECTION ONE, CHAPTER ONE, TITLE EIGHT OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS "THE REVISED PENAL CODE."

**The President:** The Senate will now proceed to vote on the bill. The Secretary will please call the roll.

*The Secretary called the roll and the result of the voting was as follows:*

YES - 15

|                  |                   |
|------------------|-------------------|
| Senator Alvarez  | Senator Osmeña    |
| Senator Biazon   | Senator Rasul     |
| Senator Gonzales | Senator Romulo    |
| Senator Guingona | Senator Sotto     |
| Senator Lina     | Senator Tañada    |
| Senator Maceda   | Senator Tatad     |
| Senator Mercado  | Senator Tolentino |
| Senator Ople     |                   |

NO - 0

ABSTENTION - 0

### RESULT OF VOTING

**The President:** With 15 affirmative votes, no negative vote, and no abstention, Senate Bill No. 176 is approved on Third Reading.

### BILL ON SECOND READING

Senate Bill No. 925--Municipal Libraries and Barangay Reading Centers  
(Continuation)

**Senator Romulo:** Mr. President, I move that we resume consideration of Senate Bill No. 925 as reported out under Committee Report No. 33.

**The President:** Resumption of consideration of Senate Bill No. 925 is now in order.

**Senator Romulo:** Mr. President, we are still in the period of amendments. I ask that the distinguished Lady from Mindanao, Senator Santanina Rasul, be recognized.

**The President:** Senator Rasul is recognized.

### COMMITTEE AMENDMENTS

**Senator Rasul:** Thank you, Mr. President.

Mr. President, for the record, the amendments submitted have been distributed twice already. So, I feel certain that the distinguished Members of this Chamber are already familiar

with the amendments which we proposed.

The first amendment is on the title, Mr. President. We propose to insert the word PROVINCIAL between the words "OF" and "CITY", so that the title will now read: "AN ACT PROVIDING FOR THE ESTABLISHMENT OF PROVINCIAL, CITY AND MUNICIPAL LIBRARIES AND BANGKAY READING CENTERS THROUGHOUT THE PHILIPPINES."

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

**Senator Rasul:** On page 1, Section 2, lines 11 to 12, we propose to delete the phrase: "Department of Education, Culture and Sports" and replace it with the word NATIONAL LIBRARY.

**The President:** Is there any objection to this amendment? [Silence] Hearing none, the amendment is approved.

**Senator Rasul:** On the same page, line 14, insert the word ADDITIONAL before the word "public".

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

**Senator Rasul:** On the same line, Mr. President, delete the phrase "in every city" and substitute it with the phrase TO SERVE ALL PROVINCES, CITIES, and change "municipality" to MUNICIPALITIES.

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

**Senator Rasul:** On the same page, line 15, put A between "and" and "reading".

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

**Senator Rasul:** On the same line, delete "s" in "centers" to make it singular.

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

**Senator Rasul:** On page 2, line 2, insert the phrase THE ESTABLISHMENT OF between the words "that" and

"such".

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

**Senator Rasul:** Still on the same line, delete "y" from "library" and add IES to make the word plural.

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

**Senator Rasul:** On line 3, the same page, delete the word "established".

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

**Senator Rasul:** On line 3, insert the phrase THE DEVELOPMENT between the words "on" and "a", then delete the word "a" on the same line and change the word "prepared by" to "OF".

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

**Senator Rasul:** On line 4, the same page, delete "Department of Education Culture and Sports" and replace it with NATIONAL LIBRARY.

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

**Senator Rasul:** On page 2, lines 8 to 15, delete the entire proviso.

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

**Senator Rasul:** On lines 16 to 18, Section 3, delete the whole section with the exception of the title, and in lieu thereof, place the sentence: THE DEPARTMENT OF EDUCATION, CULTURE AND SPORTS (DECS) SHALL PROVIDE THE NECESSARY AND ADEQUATE SPACE UNTIL SUCH TIME AS THE LOCAL GOVERNMENT UNITS CONCERNED WILL HAVE PROVIDED FOR THE REQUISITE BUILDINGS AND GROUNDS, PROVIDED, THAT THE SUBSEQUENT ESTABLISHMENT OF THE PUBLIC LIBRARIES AND READING CENTERS SHALL BE AN INTEGRAL PART OF THE DEVELOPMENT PLAN OF EACH LOCAL GOVERNMENT UNIT.

**The President:** Is there any objection? [Silence] There

being none, the amendment is approved.

**Senator Rasul:** On the same page, line 20, insert the word **INITIALLY** between the words "cover" and "a".

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

**Senator Rasul:** On lines 22 to 23, delete the phrase "with regards to the establishment" and in lieu thereof, place the phrase **IN THE ALLOCATION**.

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

**Senator Rasul:** On page 3, line 1, delete the word "sixty" and in lieu thereof, place the words **ONE HUNDRED AND TWENTY**.

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

**Senator Rasul:** On the same page, line 2, delete the word "DECS" and in lieu thereof, place **NATIONAL LIBRARY**.

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

**Senator Rasul:** On the same page, line 7, insert the phrase **PUBLIC LIBRARIES AND** between the words "The" and "barangay", and delete the word "offer" and replace it with **HAVE**.

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

**Senator Rasul:** On line 8, delete the word "services" and in lieu thereof, place the word **FUNCTIONS**.

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

**Senator Rasul:** On line 9, delete the phrase "It shall" and replace it with the word **TO**.

**The President:** Is there any objection? [Silence] Hearing none, the same is approved.

**Senator Rasul:** On line 12, delete the phrase "It shall" and replace it with **IN THE CASE OF BARANGAY READING CENTERS TO**.

**Senator Gungona:** Mr. President.

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

**Senator Gungona:** On lines 9 to 11, before we go to 12, Mr. President, will the distinguished Sponsor agree to an amendment to this?

**Senator Rasul:** What is the amendment, Mr. President?

#### GUINGONA AMENDMENT

**Senator Gungona:** To make available to the members of the community reading materials of wide array, **INCLUDING READING MATERIALS PRESCRIBED BY THE DECS**.

**Senator Rasul:** It is accepted, Mr. President.

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

**Senator Rasul:** On line 14, Mr. President, delete the phrase "It shall" and substitute it with **TO**.

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

**Senator Rasul:** On line 20, delete the phrase "It shall" and likewise substitute it with **TO**.

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

**Senator Rasul:** And to make the chronology complete, Mr. President, change the letter "b" to D, "c" to B, and "d" to C.

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

**Senator Rasul:** On the same page, line 22, Section 6, delete the title "Funding" and in lieu thereof, place **APPROPRIATIONS**.

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

**Senator Rasul:** On lines 22 to 29, delete the sentence beginning with the word "The" and ending with the word "barangay".



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

**Senator Rasul:** And in lieu thereof, Mr. President, place the sentence THERE IS HEREBY APPROPRIATED FOR THE ENSUING FISCAL YEAR AND ANNUALLY THEREAFTER AN AMOUNT OUT OF ANY FUND IN THE NATIONAL TREASURY NOT OTHERWISE APPROPRIATED AND FROM SUCH OTHER FUNDS AS ARE PRESENTLY BEING ALLOCATED BY LOCAL GOVERNMENT UNITS FOR THE PURPOSE; PROVIDED, THAT THE SUBSEQUENT BUDGET FOR THE PURPOSE SHALL BE INCLUDED IN THE ANNUAL BUDGET OF THE NATIONAL LIBRARY AND, PROVIDED FURTHER, THAT THE ESTABLISHMENT AND MAINTENANCE OF PUBLIC LIBRARIES AND BARANGAY....

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

**Senator Rasul:** On page 4, line 6, delete the word "quarter" and change it with the word YEAR.

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

**Senator Rasul:** On the same line, change the phrase "Secretary of the DECS" with DIRECTOR OF THE NATIONAL LIBRARY.

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

**Senator Rasul:** On page 4, line 9, delete the phrase "Department of Education, Culture and Sports" and in lieu thereof, place NATIONAL LIBRARY.

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

**Senator Rasul:** On line 13, insert the phrase MANAGEMENT OF PUBLIC LIBRARIES AND READING CENTERS AND FOR THE between the words "effective" and "implementation".

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

**Senator Rasul:** Those are all the amendments, Mr. President.

**The President:** Are there individual amendments?

**Senator Romulo:** Mr. President, there are no other individual amendments and, therefore, I move that we close the period of amendments, Committee and individual.

**The President:** Is there any objection? [Silence] Hearing none, the period of amendments, whether Committee or individual, is hereby ordered closed.

#### APPROVAL OF SENATE BILL NO 925 ON SECOND READING, AS AMENDED

**Senator Romulo:** Mr. President, I move that we vote on Senate Bill No. 925, as amended, on Second Reading.

**The President:** We shall now vote on the bill, as amended, on Second Reading.

As many as are in favor of the bill, will please say Aye.  
[Several Senators: Aye]

As many as are against will please say Nay. [Silence]

Senate Bill No. 925 is approved on Second Reading, as amended.

#### BILL ON SECOND READING Senate Bill No. 578--Women Below 18 as Models for Advertisement (Continuation)

**Senator Romulo:** Mr. President, I move that we resume consideration of Senate Bill No. 578 under Committee Report No. 39.

**The President:** Resumption of consideration of Senate Bill No. 578 is now in order.

**Senator Romulo:** Mr. President, we are in the period of amendments.

May I ask that the distinguished Lady from Pangasinan, Senator Leticia Ramos-Shahani be recognized.

**The President:** Senator Shahani is recognized.

**Senator Shahani:** Thank you, Mr. President.

#### COMMITTEE AMENDMENTS

Mr. President, there are some Committee amendments which are being proposed and these are the ones which are now up for approval: