

## RECORD OF THE SENATE

WEDNESDAY, NOVEMBER 18, 1992

### OPENING OF THE SESSION

*At 3:14 p.m., the Honorable Neptali A. Gonzales, President of the Senate, called the session to order.*

**The President:** Binubuksan ang ika-38 pagpupulong ng Senado. Tayo ay tumindig at pangungunahan tayo sa panalangin ni Senador Raul S. Roco.

*Everybody remained standing for the opening prayer.*

### PRAYER

**Senator Roco:**

Lord,

Give us fortitude in our studies,  
lucidity in our speeches,  
purity in our intentions,  
fidelity to our trust,  
generosity to our people,  
wisdom in our judgments,  
and humility in our self-assessments--

that we may be an instrument of Your peace,  
and a servant of Your people.

Amen.

### ROLL CALL

**The President:** Babasahin ng Kalihim ng Senado ang talaan ng mga Senador.

**The Secretary:**

Senator Heherson T. Alvarez .....	Present
Senator Edgardo S. Angara .....	Present*
Senator Agapito A. Aquino .....	Present*
Senator Rodolfo G. Biazon .....	Present
Senator Anna Dominique M.L. Coseteng..	**
Senator Teofisto T. Guingona, Jr. ....	Present
Senator Ernesto F. Herrera .....	Present
Senator Jose D. Lina, Jr. ....	Present*
Senator Gloria Macapagal-Arroyo .....	Present
Senator Ernesto M. Maceda .....	Present
Senator Orlando S. Mercado .....	Present

\*Arrived after the roll call

\*\*On Official mission

Senator Blas F. Ople .....	Present*
Senator John H. Osmeña .....	Present
Senator Santanina T. Rasul .....	Present
Senator Ramon B. Revilla .....	Present
Senator Raul S. Roco .....	Present
Senator Alberto G. Romulo .....	Present
Senator Leticia R. Shahani .....	Present*
Senator Vicente C. Sotto III .....	Present
Senator Wigberto E. Tañada .....	Present
Senator Francisco S. Tatad .....	Present
Senator Arturo Tolentino .....	Present*
Senator Freddie Webb .....	Present*
The President .....	Present

**The President:** Sixteen Senators having answered the roll call, the Chair declares the existence of a quorum.

### THE JOURNAL

**Senator Romulo:** Mr. President, I move that we dispense with the reading of the *Journal* of yesterday's session and consider the same as approved.

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

### REFERENCE OF BUSINESS

### BILLS ON FIRST READING

**The Secretary:** Senate Bill No. 941, entitled

AN ACT PROVIDING THAT THE INCOME TAX RETURN SHALL BE THE SOLE BASIS FOR DETERMINING THE FINANCIAL CAPACITY OF A CREDIT APPLICANT BY BANKS AND OTHER FINANCIAL INSTITUTIONS AND PROVIDING PENALTIES FOR ANY VIOLATION THEREFOR, AMENDING FOR THE PURPOSE SECTION SEVENTY-SIX OF REPUBLIC ACT NUMBERED THREE HUNDRED AND THIRTY-SEVEN, AS AMENDED.

Introduced by Senator Herrera.

**The President:** Referred to the Committees on Banks, Financial Institutions and Currencies; and Ways and Means.

**The Secretary:** Senate Bill No. 942, entitled

AN ACT REQUIRING GOVERNMENT AGENCIES AND GOVERNMENT OWNED

the crime of hazing, new copies embodying all the Committee amendments should be prepared and distributed to the Members?

**Senator Romulo:** Yes, Mr. President. The bill with the Committee amendments and other amendments thereof would be prepared so that when we take this up tomorrow, then it would be clear to all after they have read the clean copy.

Thank you, Mr. President.

**The President:** Thank you.

BILL ON SECOND READING  
Senate Bill No. 252--Book Publishing Industry  
(Continuation)

**Senator Romulo:** Mr. President, I move that we resume consideration of Senate Bill No. 252 as reported out under Committee Report No. 28.

**The President:** Resumption of consideration of Senate Bill No. 252 is now in order.

**Senator Romulo:** Mr. President, we have closed the period of interpellations. We are now in the period of Committee amendments.

I ask that the distinguished Gentleman from Aurora and Quezon, Senator Edgardo Angara, be recognized.

**The President:** The Chairman of the Committee on Education, Arts and Culture is hereby recognized for purposes of Committee amendments.

COMMITTEE AMENDMENTS

**Senator Angara:** Thank you, Mr. President. I wish to submit the Committee amendments to Senate Bill No. 252.

On page 3, line 15, delete the word "through the establishment of".

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

I understand that the Committee amendments have been reduced to writing.

**Senator Angara:** Yes, Mr. President. We anticipated a clean copy being asked, so we had the Committee amend-

ments incorporated in a new draft, which we are to distribute later. We will do it after all the Committee amendments have been approved.

**The President:** The Gentleman may then proceed.

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

On page 3, after line 20, insert a new subparagraph (6) and renumber the succeeding subparagraphs accordingly. The new subparagraph (6) will read as follows:

(6) TO PROMOTE THE TRANSLATION AND PUBLICATION OF SCIENTIFIC AND TECHNICAL BOOKS AND CLASSIC WORKS IN LITERATURE AND THE ARTS.

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

**Senator Angara:** This reflects, Mr. President, the amendment of Senator Shahani.

On page 4, line 5, after the word "Cultural" insert the words ORGANIZATION (UNESCO).

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

**Senator Angara:** On page 4, between lines 8 and 9, insert a new subparagraph which will read as follows:

(11) TO PROMOTE WHENEVER APPROPRIATE THE USE OF RECYCLED/ WASTE PAPER AND OTHER INEXPENSIVE LOCAL MATERIALS IN THE MANUFACTURE OF BOOKS TO REDUCE THE COST OF SUCH LOCALLY PRODUCED BOOKS.

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

**Senator Angara:** This reflects the amendment of Senator Mercado, Mr. President.

On page 5, line 10, after the word "books" insert the words OR OTHER PERIODICALS SUCH AS APPROPRIATE OR SELECTED COMICS AS INSTRUCTIONAL OR TEACHING MATERIALS.

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

**Senator Angara:** On page 5, lines 20 to 28, the first

paragraph of Section 6 is amended to read as follows:

**SEC. 6. NATIONAL BOOK DEVELOPMENT BOARD**  
- THERE IS HEREBY ESTABLISHED A NATIONAL BOOK DEVELOPMENT BOARD, HEREINAFTER REFERRED TO AS THE BOARD, ATTACHED FOR BUDGET PURPOSES TO THE NATIONAL COMMISSION ON CULTURE AND ARTS, TO BE COMPOSED OF TWO (2) REPRESENTATIVES FROM GOVERNMENT, TWO (2) REPRESENTATIVES SELECTED FROM THE NOMINEES OF ORGANIZATIONS OF PRIVATE BOOK PUBLISHERS, AND ONE (1) REPRESENTATIVE FROM THE ACADEMIC COMMUNITY ALL TO BE APPOINTED BY THE PRESIDENT.

**Senator Maceda:** Mr. President.

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

**Senator Maceda:** Mr. President, with regard to the last sector, the academic community, I was wondering whether the Sponsor might be willing to increase this to two, with the additional one to be reserved to the student sector.

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

**The President:** All right, how will it read now?

**Senator Angara:** So the last line will read, Mr. President. AND TWO (2) REPRESENTATIVES, ONE (1) FROM THE ACADEMIC COMMUNITY AND THE OTHER FROM THE STUDENT SECTOR ALL TO BE APPOINTED BY THE PRESIDENT.

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

**Senator Angara:** This amendment reflects both the amendments of Senator Maceda and Senator Roco, Mr. President.

On page 6, line 2, delete the word "appointive" and in lieu thereof insert the word THE.

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

**Senator Angara:** On page 6, line 2, after the word "serve" insert the word FOR.

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

**Senator Angara:** Mr. President, on page 6, line 8, delete the word "operating".

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

**Senator Angara:** On page 7, line 15, insert the word NATIONAL between the words "the" and "Book".

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

**Senator Angara:** On page 7, line 15, delete the word "Plan" and in lieu thereof, insert the word BOARD.

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

**Senator Angara:** On page 7, line 19, after the word "shall", insert the words WITHIN THREE (3) YEARS FROM THE EFFECTIVITY OF THIS ACT.

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

**Senator Angara:** On page 7, line 26, after the word "Government" place a comma and insert the words WITHIN SAID PERIOD.

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

**Senator Angara:** On page 8, lines 15 to 24, Section 9 should be amended to read as follows:

**SEC. 9. INCENTIVES FOR BOOK DEVELOPMENT.**  
- THE BOOK PUBLISHING INDUSTRY SHALL BE CONSIDERED A PREFERRED AREA OF INVESTMENT UNDER THE INVESTMENT PRIORITIES PLAN AND SHALL ENJOY THE CORRESPONDING INCENTIVES PROVIDED UNDER EXECUTIVE ORDER NO. 226, AS AMENDED, OTHERWISE KNOWN AS THE OMNIBUS INVESTMENTS CODE OF 1987.

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

**Senator Angara:** This amendment reflects the suggestion of Senator Maceda, Mr. President.

On page 8, lines 25 to 28, Section 10 should be amended to read as follows:

SEC. 10. PENALTIES. - ANY PERSON WHO VIOLATES ANY PROVISION OF THIS ACT SHALL BE PUNISHED BY A FINE NOT EXCEEDING TEN THOUSAND PESOS (P10,000.00) OR IMPRISONMENT OF NOT MORE THAN FIVE (5) YEARS, OR BOTH, AT THE DISCRETION OF THE COURT.

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

**Senator Angara:** On page 9, line 8, delete the words "six (6) months" and in lieu thereof, insert the words "SIXTY (60) DAYS".

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

**Senator Angara:** On page 9, lines 14 to 17, Section 13 is amended to read as follows:

SEC. 13. REPEALING CLAUSE. - EXECUTIVE ORDER NO. 492 SERIES OF 1991 IS HEREBY REPEALED. ALL OTHER LAWS, DECREES, RULES, REGULATIONS AND OTHER ADMINISTRATIVE ISSUANCES OR PROVISIONS THEREOF WHICH ARE CONTRARY TO OR INCONSISTENT HERewith ARE HEREBY REPEALED OR MODIFIED ACCORDINGLY.

**The President:** Is there any objection? [Silence] The Chair hears none; the amendment is approved.

**Senator Angara:** This reflects the suggestion of Senator Osmeña, Mr. President.

**The President:** All right.

**Senator Angara:** So, in summary, Mr. President, that is the totality of Committee amendments.

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

**Senator Romulo:** Mr. President, I move that we close the period of Committee amendments.

**The President:** Is there any objection? [Silence] There being none, the period of Committee amendments is hereby closed.

#### SUSPENSION OF THE SESSION

**Senator Romulo:** Mr. President, may I ask for a one-minute suspension of the session.

**The President:** The session is suspended if there is no objection. [There was none.]

*It was 6:33 p.m.*

#### RESUMPTION OF THE SESSION

*At 6:33 p.m., the session was resumed.*

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

#### SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 252

**Senator Romulo:** Mr. President, I move that we suspend consideration of Senate Bill No. 252 so that a clean copy can be mimeographed and we can take this up again tomorrow.

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

#### BILL ON SECOND READING Senate Bill No. 32--Increasing Fines and Penalties for Tax Evasion (Continuation)

**Senator Romulo:** Mr. President, I ask that we now resume consideration of Senate Bill No. 32 as reported out under Committee Report No. 7.

**The President:** Resumption of consideration of Senate Bill No. 32 is now in order.

**Senator Romulo:** Mr. President, we are still in the period of interpellations, but I understand there are no more interpellations.

In view thereof, I ask that we close the period of interpellations.

**The President:** Is there any objection? [Silence] There being none, the period of interpellations is hereby closed.

**Senator Romulo:** Mr. President, before I ask for the suspension of consideration of Senate Bill No. 32, may I present the substitute bill that we have presented which incorporates the Committee amendments. May I ask that this be considered as the basis for the subsequent amendments.

**The President:** Is the Majority Leader and principal Author of Senate Bill No. 32 referring to a new copy of this