



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 81

Monday, May 15, 2017

**SEVENTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 81
Monday, May 15, 2017

CALL TO ORDER

At 3:17 p.m., the Senate President, Hon. Aquilino “Koko” Pimentel III, called the session to order.

PRAYER

Sen. Risa Hontiveros led the prayer, to wit:

O Panginoon, salamat po para sa pagkakataong bumalik sa isang istilo ng pamumuhay na may higit na balanse at kalusugan.

Salamat sa pagkakataong makipagkita sa mga kaibigan at ipagdiwang ang kanilang mga mahahalagang karanasan sa buhay.

Maraming salamat para sa mga pananalita sa mga kadiwa at kapwa manlalakbay at pagbubuo ng higit na malawak at matibay na pagkakaisa para sa mas makataong balangkas ng mga patakaran sa ating bansa.

Lubos na pagpapasalamat para sa aming mga ina, para kay Inang Bayan,

at para kay Inang Kalikasan, mga prinsipyong feminino na nagbibigay-buhay sa aming mga pamilya, nagpapaalab sa kalooban at kamalayan ng sambayanan at nagbibigay-buhay sa sangnilikha.

Nawa’y sa papasok na linggo, mula sa lahat ng ito, humango kami ng lakas, tuwa, inspirasyon at gabay upang hamigin ang mga positibong enerhiya sa aming lipunan at bigyang daan ang isang mas makataong kinabukasan.


Siya nawa.

NATIONAL ANTHEM

The Senate Choir led the singing of the national anthem.

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Lutgardo B. Barbo, called the roll, to which the following senators responded:



Binay, M. L. N. S.	Pangilinan, F. N.
Drilon, F. M.	Pimentel III, A. K.
Ejercito, J. V. G.	Poe, G.
Escudero, F. J. G.	Recto, R. G.
Gatchalian, W.	Sotto III, V. C.
Honasan, G. B.	Villanueva, J.
Hontiveros, R.	Villar C. A.
Lacson, P. M.	Zubiri, J. M. F.
Pacquiao, E. M. D.	

With 17 senators present, the Chair declared the presence of a quorum.

Senators Aquino, Gordon and Trillanes arrived after the roll call.

Senator Angara was on official business "attending the 57th International Art Exhibition of La Biennale di Venezia that showcases the work of Filipino artists Ms. Lani Maestro and Mr. Manuel Ocampo," as indicated in the May 15, 2017 letter of the Senator's chief of staff.

Senator Cayetano was in "Beijing, China as part of the official delegation of President Rodrigo R. Duterte on his participation in the Belt and Road Forum" as indicated in the May 15, 2017 letter of the Senator's chief of staff.

Senator Legarda was on medical leave as indicated in the May 15, 2017 letter of the Senator's chief legal officer.

Senator De Lima was unable to attend the session as she was under detention.

APPROVAL OF THE JOURNAL

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 80 (May 10, 2017) and considered it approved.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Sotto acknowledged the presence in the gallery of the following guests:

- Former Mayor Calix Cataquiz of San Pedro City, Laguna;
- Former Mayor Annabelle Tangson of San Luis, Aurora; and
- Mr. Andrew Pelayo and Ms. Siarra Vernice Gamba-Pelayo, guests of Senator Hontiveros.

Senate President Pimentel welcomed the guests to the Senate.

APPROVAL OF SENATE BILL NO. 1365 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1365, printed copies of which were distributed to the senators on May 9, 2017.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the bill, to wit:

AN ACT EXTENDING THE VALIDITY
OF PHILIPPINE PASSPORTS,
AMENDING FOR THE PURPOSE
SECTION 10 OF REPUBLIC ACT
NO. 8239, OTHERWISE KNOWN AS
THE "PHILIPPINE PASSPORT ACT
OF 1996," AND FOR OTHER
PURPOSES.

Secretary Barbo called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Binay	Pacquiao
Drilon	Pangilinan
Ejercito	Pimentel
Escudero	Poe
Gatchalian	Recto
Gordon	Sotto
Honasan	Villanueva
Hontiveros	Villar
Lacson	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1365 approved on Third Reading.

PD 8/17

APPROVAL OF SENATE BILL NO. 1255 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1255, printed copies of which were distributed to the senators on May 10, 2017.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the bill, to wit:

AN ACT EXPANDING THE COVERAGE OF EXEMPTIONS FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR INFORMATION OBTAINED IN CONFIDENCE BY INCLUDING JOURNALISTS FROM BROADCAST, NEWS AGENCIES AND INTERNET PUBLICATIONS, AMENDING FOR THE PURPOSE SECTION 1 OF REPUBLIC ACT 53, AS AMENDED BY R.A. 1477.

Secretary Barbo called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Binay	Pacquiao
Drilon	Pangilinan
Ejercito	Pimentel
Escudero	Poe
Gatchalian	Recto
Gordon	Sotto
Honasan	Villanueva
Hontiveros	Villar
Lacson	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1255 approved on Third Reading.

APPROVAL OF SENATE BILL NO. 1353 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1353, printed copies of which were distributed to the senators on May 10, 2017.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the bill, to wit:

AN ACT INCREASING THE PENALTIES FOR THE REFUSAL OF HOSPITALS AND MEDICAL CLINICS TO ADMINISTER APPROPRIATE INITIAL MEDICAL TREATMENT AND SUPPORT IN EMERGENCY OR SERIOUS CASES, AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 702, OTHERWISE KNOWN AS "AN ACT PROHIBITING THE DEMAND OF DEPOSITS OR ADVANCE PAYMENTS FOR THE CONFINEMENT OR TREATMENT OF PATIENTS IN HOSPITALS AND MEDICAL CLINICS IN CERTAIN CASES" AS AMENDED BY REPUBLIC ACT NO. 8344, AND FOR OTHER PURPOSES.

Secretary Barbo called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Binay	Pacquiao
Drilon	Pangilinan
Ejercito	Pimentel
Escudero	Poe
Gatchalian	Recto
Gordon	Sotto
Honasan	Villanueva
Hontiveros	Villar
Lacson	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1353 approved on Third Reading.

MANIFESTATION OF SENATOR HONTIVEROS

On the passage of Senate Bill No. 1353 on Third Reading, Senator Hontiveros delivered the following manifestation:

*Wala ng mahirap na itataboy ng ospital.
Wala ng pamilyang mamumulubi sa pagpa-
pagamot.*

This was my campaign promise when I ran in 2016. But this was more than a campaign promise to me – it was a personal commitment borne of story after story of Filipinos denied access to emergency medical services simply because they could not immediately pay the hospital deposit: *si Misis na makukunan; si Tatay na inatake sa puso; si bunso na nag-susuka sa 'di malaman-laman na dahilan.*

May mga mukha at pangalan ang mga kwentong ito ng pagtataboy sa ospital. Kasama na dito ang mag-asawang Andrew at Siarra Pelayo, na namatayan ng anak dahil tinaboy sila ng private hospital na kanilang tinakbuhan. Nagagalak ako na nandito sila ngayong araw. It is for them, and for those similarly situated, that this bill was crafted.

Indeed, we have come one step closer today to our vision of universal health. The House of Representatives has already passed their version of this bill. As principal author and principal sponsor, I thank my cosponsors Senators Sotto, Pimentel, Drilon and Gordon, and the chair of the Committee on Health and Demography, Sen. JV Ejercito, for their earnest support.

Mabuhay ang Senado. Mabuhay ang sambayanan.

APPROVAL OF HOUSE BILL NO. 937 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, House Bill No. 937, printed copies of which were distributed to the senators on May 11, 2017.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the bill, to wit:

AN ACT DIVIDING BARANGAY NORTH BAY BOULEVARD SOUTH IN THE CITY OF NAVOTAS INTO THREE (3) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY NBBS PROPER, BARANGAY NBBS KAUNLARAN AND BARANGAY NBBS DAGAT-DAGATAN.

Secretary Barbo called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Recto
Gatchalian	Sotto
Honasan	Trillanes
Hontiveros	Villanueva
Lacson	Villar
Pacquiao	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 937 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 938 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, House Bill No. 938, printed copies of which were distributed to the senators on May 11, 2017.

Pursuant to Section 67, Rule XXIII of the Rules

of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the bill, to wit:

AN ACT DIVIDING BARANGAY TANGOS IN THE CITY OF NAVOTAS INTO TWO (2) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAYS TANGOS NORTH AND TANGOS SOUTH.

Secretary Barbo called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Recto
Gatchalian	Sotto
Honasan	Trillanes
Hontiveros	Villanueva
Lacson	Villar
Pacquiao	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 938 approved on Third Reading.

APPROVAL OF HOUSE BILL NO. 4402 ON THIRD READING

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, House Bill No. 4402, printed copies of which were distributed to the senators on May 11, 2017.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the bill, to wit:

AN ACT DIVIDING BARANGAY TANZA IN THE CITY OF NAVOTAS INTO TWO (2) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY TANZA 1 AND BARANGAY TANZA 2.

Secretary Barbo called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Binay	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Recto
Gatchalian	Sotto
Honasan	Trillanes
Hontiveros	Villanueva
Lacson	Villar
Pacquiao	Zubiri

Against

None

Abstention

None

With 18 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 4402 approved on Third Reading.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, there being no objection, the session was suspended to allow the Members of the Body to greet Senator Binay a happy birthday.

It was 3:33 p.m.

RESUMPTION OF SESSION

At 3:39 p.m., the session was resumed.

SENATE CONFEREES

Upon nomination by Senator Sotto, there being no objection, the Chair designated the following to constitute the Senate Panel in the bicameral

conference committee on the disagreeing provisions of Senate Bill No. 1365 and House Bill No. 4767, the measure extending the validity of Philippine passports: Senator Villar as chairperson; and Senators Villanueva, Gordon, Zubiri and Aquino as members.

REFERENCE OF BUSINESS

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

BILLS ON FIRST READING

Senate Bill No. 1448, entitled

AN ACT AUTHORIZING THE COURT TO REQUIRE COMMUNITY SERVICE IN LIEU OF DETENTION FOR THE PENALTY OF ARRESTO MENOR, AMENDING FOR THE PURPOSE CHAPTER FIVE, TITLE THREE, BOOK ONE OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

Introduced by Senator Sonny Angara

To the Committee on Justice and Human Rights

Senate Bill No. 1450, entitled

AN ACT TO REFORM THE BUDGET PROCESS BY ENFORCING GREATER ACCOUNTABILITY IN PUBLIC FINANCIAL MANAGEMENT (PFM), PROMOTING FISCAL SUSTAINABILITY, INSTITUTING AN INTEGRATED PFM SYSTEM, INCREASING BUDGET TRANSPARENCY AND PARTICIPATION, AND FOR OTHER PURPOSES

Introduced by Senator Legarda

To the Committee on Finance

RESOLUTIONS

Proposed Senate Resolution No. 371, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO

CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE STATE OF AGRICULTURAL MECHANIZATION OF THE COUNTRY AND THE IMPLEMENTATION OF THE AGRICULTURAL MECHANIZATION LAW, AND FOR OTHER PURPOSES

Introduced by Senator Cynthia A. Villar

To the Committee on Agriculture and Food

Proposed Senate Resolution No. 372, entitled

RESOLUTION COMMENDING AND CONGRATULATING SENATOR JUAN MIGUEL "MIGZ" F. ZUBIRI FOR HIS APPOINTMENT AS THE CHAIRMAN OF THE 2019 PHILIPPINE SEA GAMES ORGANIZING COMMITTEE

Introduced by Senator Aquilino "Koko" Pimentel III

To the Committee on Rules

Proposed Senate Resolution No. 373, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON) TO CONDUCT AN INQUIRY AND COMPREHENSIVE INVESTIGATION, IN AID OF LEGISLATION, ON THE PROCUREMENT OF THE TWENTY-ONE (21) UH 1H REFURBISHED HELICOPTERS AND THE ALLEGED IRREGULARITIES IN LINE WITH MODERNIZATION OF THE ARMED FORCES OF THE PHILIPPINES (AFP)

Introduced by Senator Sotto III

To the Committees on Accountability of Public Officers and Investigations; National Defense and Security; and Finance

Proposed Senate Resolution No. 374, entitled

RESOLUTION DIRECTING THE COM-

MITTEE ON ACCOUNTABILITY OF
PUBLIC OFFICERS AND INVESTI-
GATIONS (BLUE RIBBON) TO
CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON THE POSSI-
BLE MALFEASANCE, MISFEASANCE,
AND NONFEASANCE OF THE
COMMISSION ON ELECTIONS IN
THE IMPLEMENTATION OF
ELECTION LAWS

Introduced by Senator Richard J. Gordon

**To the Committees on Accountability of
Public Officers and Investigations; and
Electoral Reforms and People's Participation**

Proposed Senate Resolution No. 375, entitled

RESOLUTION DIRECTING THE
SENATE COMMITTEE ON PUBLIC
SERVICES TO CONDUCT AN
INQUIRY, IN AID OF LEGISLATION,
ON THE LAND TRANSPORTATION
AND FRANCHISE REGULATORY
BOARD'S (LTFRB) DRIVERS
BADGE PROGRAM

Introduced by Senator Grace Poe

To the Committee on Public Services

COMMUNICATIONS

Letter from the *Bangko Sentral ng Pilipinas*,
submitting to the Senate a copy of data on
outstanding Philippine external debt as of 31
December 2016, which were noted by the
Monetary Board on 16 March 2017.

**To the Committees on Economic Affairs;
and Finance**

Letter from the Philippine National Police, submitting
to the Senate the Quarterly Accomplishment
Report for the 4th Quarter of 2016 on
Confidential and Intelligence activities of the
PNP, PRO5, as required under Republic Act
No. 10717 (General Appropriations Act for
Fiscal Year 2016).

**To the Committee on Public Order and
Dangerous Drugs**

Letter from the Public-Private Partnership Center,
submitting to the Senate the Design-Build-
Transfer-Operate Agreement for the Tanauan
City Public Market Redevelopment Project,
dated 21 April 2016, between the City
Government of Tanauan and Guru Property
Management and Development Corporation,
pursuant to Republic Act No. 6957 (BOT Law),
as amended.

To the Committee on Public Works

Letter from the Department of Social Welfare and
Development, submitting to the Senate the List
of the Pantawid Pamilya Program Beneficiaries
as of December 2016 and Pantawid Pamilya
Program's 4th Quarter Accomplishment Report
for CY 2016 in compliance with Republic Act
No. 10924 or the General Appropriations Act
for Fiscal Year 2017 particularly the Special
Provision on the Conditional Cash Transfer
(CCT) Program.

**To the Committee on Social Justice, Welfare
and Rural Development**

Letter from Roy Cecil D. Ibay, dated 24 April 2017,
submitting to the Senate the 2016 Annual Report
of Digitel Mobile Philippines, Inc., in compliance
with Republic Act No. 9180.

To the Committee on Public Services

Letters from Atty. Enrico L. Español, submitting to
the Senate the 2016 Annual Reports of the
following: Smart Communications, Inc.; Smart
Broadband, Inc. in compliance with Republic
Act No. 8337; Connectivity Unlimited Resource
Enterprise, Inc. in compliance with Republic Act
No. 9130; and Primeworld Digital System, Inc.,
in compliance with Republic Act No. 8992.

To the Committee on Public Services

COMMITTEE REPORTS

Committee Report No. 62, prepared and submitted
by the Committee on Public Services on Senate
Bill No. 1449, with Senators Recto, Richard J.
Gordon, Joseph Victor Ejercito and Joel
Villanueva as authors thereof, entitled

AN ACT EXTENDING THE VALIDITY

PERIOD OF DRIVER'S LICENSES, AMENDING FOR THAT PURPOSE SECTION 23 OF REPUBLIC ACT NO. 4136, AS AMENDED BY BATAS BLG. 398 AND EXECUTIVE ORDER NO. 1011, OTHERWISE KNOWN AS THE LAND TRANSPORTATION AND TRAFFIC CODE,

recommending its approval in substitution of Senate Bill Nos. 271, 941 and 1224.

Sponsor: Senator Grace Poe

To the Calendar for Ordinary Business

Committee Report No. 63, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4848, introduced by Representative Pimentel, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE CITY OF BISLIG, PROVINCE OF SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment .

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 64, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4850, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF LOPEZ, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment .

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 65 submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4851, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN

THE MUNICIPALITY OF ATIMONAN, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment .

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 66, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4852, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF GUMACA, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment .

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 67, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4853, introduced by Representative Pimentel, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF BAROBO, PROVINCE OF SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 68, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4854, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF TAGKAWAYAN, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Cynthia A. Villar;

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Committee Report No. 69, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4855, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF QUEZON, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment .

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 70, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4856, introduced by Representative Pimentel, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF HINATUAN, PROVINCE OF SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 71, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4857, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF PEREZ, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 72, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4858, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN

THE MUNICIPALITY OF CALAUAG, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment .

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 73, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4859, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF PLARIDEL, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Cynthia A. Villar;

Committee Report No. 74, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4860, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF GUINAYANGAN, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment .



Sponsor: Senator Cynthia A. Villar;

Committee Report No. 75, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4861, introduced by Representative Tan (A.), entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF ALABAT, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Cynthia A. Villar; and

Committee Report No. 76, submitted jointly by the Committees on Agriculture and Food; and Finance, on House Bill No. 4862, introduced by Representative Gonzalez, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE CITY OF LIGAO, PROVINCE OF ALBAY AND APPROPRIATING FUNDS THEREFOR,

recommending its approval without amendment.

Sponsor: Senator Cynthia A. Villar

To the Calendar for Ordinary Business

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 3:52 p.m.

RESUMPTION OF SESSION

At 3:53 p.m., the session was resumed with Senator Ejercito presiding.

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 62 on Senate Bill No. 1449 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 62 ON SENATE BILL NO. 1449

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1449 (Committee Report No. 62), entitled

AN ACT EXTENDING THE VALIDITY OF THE PERIOD OF A DRIVER'S LICENSE, AMENDING FOR THE PURPOSE SECTION 23 OF REPUBLIC ACT NO. 4136, AS AMENDED BY BATAS PAMBANSA BLG. 398, OTHERWISE KNOWN AS THE LAND TRANSPORTATION AND TRAFFIC CODE.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Poe, sponsor of the measure.

SPONSORSHIP SPEECH OF SENATOR POE

Senator Poe, on behalf of the Committee on Public Services, submitted for plenary consideration Senate Bill No. 1449, entitled "An Act Extending the Validity Period of Driver's Licenses, Amending for that Purpose Section 23 of Republic Act No. 4136, as Amended by Batas Blg. 398 And Executive Order No. 1011, Otherwise Known As The Land Transportation And Traffic Code," under Committee Report No. 62.

The full text of Senator Poe's sponsorship speech follows:

Today, I proudly sponsor Senate Bill No. 1449 or An Act Extending the Validity Period of Driver's Licenses from the current three years to five years.

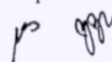
This is a very straightforward bill that may appear to be a simple amendment to Republic Act No. 4136, or the Land Transportation and Traffic Code, but greatly impacts the convenience of motorists in securing a license.

In 2016 alone, there were 5.8 million people who applied for a driver's license; this includes applications for a student permit. Just imagine how many people will benefit from this amendment.

Extending the validity of a driver's license is a commonsensical idea that should have been done a long time ago. *Hindi lang makakaiwas sa trapik at sa pagpila nang mahaba ang ating mga kababayan na nangangailangang mag-renew, pero nakakaiwas din sila sa red tape sa gobyerno.*

Although the LTO has already issued Administrative Order No. 2016-34 in line with the President's pronouncements to extend the validity of driver's licenses, we should bear in mind that an EO cannot amend a law.

What Congress prescribes, only Congress can amend. Thus, while we commend the Executive branch for initiating the steps that will pilot



the issuance of a five-year license, it is my position that passing this bill into law is still needed.

Once passed into law, the validity of a driver's license will not just be extended from three years to five years, but those without infractions during those five years may also be granted a 10-year license.

The new license will also have better security features. *Ngayon, kapag kinumpiska ng local government ang lisensya ng isang motorista na pasaway, gagawa lang ng affidavit of loss ang driver na iyun at makakakuha siya ng isa pang lisensya.* So there are instances when one person has two licenses.

With the new licenses, this will no longer be possible. The licenses will be connected to a system that will alert the LTO if the license was previously confiscated. This can be done through the biometrics features of the card.

Another problem of the current ID is the useless barcode on the card. *Wala pang laman yung mga barcode na yun.* The LTO has assured us that this will change with the issuance of the new card by August.

The barcode, when scanned, can easily inform police officers of any violation committed by the driver. Currently, the LTO requires deputized agents to upload a driver's violation by way of a temporary operator's permit within 24 hours. In the bill, we will require all agencies and even LGUs issuing traffic violations to continue this practice of uploading violations to the LTO's system within 24 hours.

This is the reason why it takes time to procure this type of card. *Hindi po ito parang school ID lang na napapagawa sa tabi-tabi.*

But the question we all want to ask is this: Will it cost more? The answer is no. *Baka bumaba pa.* From the current fee of P820, the LTO is expected to charge only around P 700 for the new cards.

Some may be apprehensive extending the validity of driver's licenses to five years, considering that there are a lot of bad drivers out there. The remedy for this has nothing to do with the period of validity of a driver's license, as the license can be revoked or suspended anytime by the LTO. The remedy is for the LTO to conduct better tests and implement training programs for motorists, especially those who drive public utility vehicles.

These solutions, however, will be the subject of a different committee hearing which I intend to hold.

I hope that my colleagues in the Senate will see to the immediate passage of this bill which will save all the drivers in this land millions of man-hours otherwise spent in queuing to get the permit to operate a motor vehicle.

COSPONSORSHIP SPEECH OF SENATOR RECTO

As cosponsor of Senate Bill No. 1449, Senator Recto delivered the following speech:

This sponsorship speech on the bill extending the driver's license validity from three years to five years and for its renewal extended to ten years will be very brief as the bill is simple, straightforward and needs no elaborate explanation.

Its benefits, however, will be enjoyed by millions of Filipinos.

The advantage of having the validity of driver's license extended is obvious from the drivers' point of view. This means no more long queues at the Land Transportation Office of drivers seeking to apply for renewal of driver's license. This will effectively reduce the long period of waiting for the LTO license card itself, and eliminates the need to pay alleged fixers to expedite processing of said license.

This is the best anti-red tape measure the government can adopt for LTO. It is not complicated and can derive results immediately at the least cost to the government and the public.

At this point, I wish to extend my gratitude to the chairperson of the committee, Sen. Grace Poe, for recognizing the merit and adopting my proposals on the bill as expressed during the committee hearing.

I refer to the provision that the fees charged for the driver's license should not be more than the government's procurement cost.

The efficiency of the government procurement system can result in the reduction of the cost of the license cards so that this proposed measure limits the fees to be charged by the government to be not higher than the actual cost of procurement.

The government should not earn extra income out of the issuance of license cards. This is a service to the public, and not part of the revenue generation efforts of the government. Besides, the income is remitted to the National Treasury and is not retained by the LTO to augment its budget for operational requirements.



Hence, NEDA, the government agency mandated to approve fees and charges of government agencies, should immediately adjust downward the approved fees for driver's license whenever the actual costs based on the bidding process and award of contract turns out lower than the approved rates.

The Committee has also appreciated my suggestion to include an online application process for the renewal of driver's licenses.

The availability of an online facility will definitely expedite the renewal of licenses at the least cost both to the LTO and the applicant. This will mean less human intervention on the licensing process and, thus, reduce corruption. The government saves also on paper and other operating costs.

The applicant will no longer need to queue at the LTO and saves him time and other personal expenses.

The time has come for a better system in driver's licensing. This bill will respond to the problems of delays and costs in the present system. It is common sense and costs nothing.

On this note, I urge this august Body to approve the bill.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1449

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bill.

MANIFESTATION OF SENATOR GORDON

Preliminarily, Senator Gordon informed the Body of the ongoing Senate exhibit of the "Mother of all Philippine Maps" prepared by Jesuit friar Pedro Murillo Velarde. He credited the holding of the exhibit to Mel Velarde, the CEO of Now Corporation and a graduate of Harvard University and Boston University who, while only eight years old, photographed him (Senator Gordon) while administering the oath of office President Diosdado Macapagal as President of the Constitutional Convention in place of his photographer-father who had become blind at that time.

He informed the Body that it was at the instance of Justice Carpio that Mr. Velarde purchased the P12.5 million map from the Duke and trustee of Northumberland estates when it was auctioned last November 4, 2014.

Amid the ongoing territorial conflict between the Philippines and other claimants, Senator Gordon explained that the map, which was drawn by Francisco Suarez and engraved by Nicolas dela Cruz Bagay, and which was donated by Mr. Velarde as a gift to the Filipino people through the Office of the Solicitor General, could be proof that the Philippines has control of the Spratlys (Los Bajos de Paragua) and Panatag Shoal (Bajo de Masinloc). He added that the map would be formally turned over to President Rodrigo Duterte during the celebration of Independence Day anniversary on June 12, 2017.

In a related matter, Senator Gordon said that it was very disconcerting to learn that there are plans for a joint exploration of Benham Rise by the Philippines and China. He clarified that even though he advocates friendship with the people of the Republic of China considering the fact that the Chinese have been living in the country for a long time and that many Filipinos have Chinese ancestry, it does not excuse the fact that the Chinese have run rampant on the country's claims and insulted the government by their tendency to intimidate the local fishermen and the Navy by bringing 50 ships into the Philippine area of responsibility.

He welcomed Mr. Velarde's generosity for giving the Senate Museum, through Senate President Pimentel, a copy of the 1734 map which shows the entire Philippine archipelago and proves the Philippines' historical claims to the disputed areas, including Sabah.

Commending Mr. Velarde for his altruism and sense of history to the Philippines, Senator Gordon suggested that a copy of the map ought to be displayed in all schools around the country so that the youth would be made aware of their roots.

He said that Mr. Velarde did not inherit but earned his fame and fortune, and that he is a Filipino who knows how to give back. He hoped that the people would not forget the country's historical treasures, artifacts and the people who served the country by keeping the historical records and sharing them to the museums.

Senator Gordon moved that Mel Velarde be commended by the Senate not only for his undertakings but also for his mentality to work hard and persevere at all times. He said that Mel Velarde

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survived all kinds of crises, like losing a father who got blind and coming from humble beginnings, but was able to overcome the challenges that came his way.

OMNIBUS SPONSORSHIP OF MARINE HATCHERY BILLS

Upon motion of Senator Sotto, there being objection, the Body allowed an omnibus sponsorship of the marine hatchery bills, without prejudice to their individual consideration.

SPECIAL ORDERS

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of the following from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 63 on House Bill No. 4848;
2. Committee Report No. 64 on House Bill No. 4850;
3. Committee Report No. 65 on House Bill No. 4851;
4. Committee Report No. 66 on House Bill No. 4852;
5. Committee Report No. 67 on House Bill No. 4853;
6. Committee Report No. 68 on House Bill No. 4854;
7. Committee Report No. 69 on House Bill No. 4855;
8. Committee Report No. 70 on House Bill No. 4856;
9. Committee Report No. 71 on House Bill No. 4857;
10. Committee Report No. 72 on House Bill No. 4858;
11. Committee Report No. 73 on House Bill No. 4859;
12. Committee Report No. 74 on House Bill No. 4860;
13. Committee Report No. 75 on House Bill No. 4861; and
14. Committee Report No. 76 on House Bill No. 4862;

MARINE HATCHERY BILLS

Upon motion of Senator Sotto, there being no objection, the following House bills were considered, on Second Reading, one after the other:

1. Committee Report No. 63 on House Bill No. 4848, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE CITY OF BISLIG, PROVINCE OF SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR;

2. Committee Report No. 64 on House Bill No. 4850, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF LOPEZ, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

3. Committee Report No. 65 on House Bill No. 4851, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF ATIMONAN, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

4. Committee Report No. 66 on House Bill No. 4852, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF GUMACA, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

5. Committee Report No. 67 on House Bill No. 4853, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF BOROBO, PROVINCE OF SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR;

6. Committee Report No. 68 on House Bill No. 4854, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF TAGKAWAYAN, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

7. Committee Report No. 69 on House Bill No. 4855, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE

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MUNICIPALITY OF QUEZON, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

8. Committee Report No. 70 on House Bill No. 4856, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF HINATUAN, PROVINCE OF SURIGAO DEL SUR AND APPROPRIATING FUNDS THEREFOR;

At this juncture, Senator Ejercito relinquished the Chair to Senate President Pimentel.

9. Committee Report No. 71 on House Bill No. 4857, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF PEREZ, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

10. Committee Report No. 72 on House Bill No. 4858, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF CALAUAG, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

11. Committee Report No. 73 on House Bill No. 4859, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF PLARIDEL, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

12. Committee Report No. 74 on House Bill No. 4860, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF GUINAYANGAN, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR;

13. Committee Report No. 75 on House Bill No. 4861, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF ALABAT, PROVINCE OF QUEZON AND APPROPRIATING FUNDS THEREFOR; and

14. Committee Report No. 76 on House Bill No. 4862, entitled

AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF LIGAO, PROVINCE OF ALBAY AND APPROPRIATING FUNDS THEREFOR.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

Thereupon, the Chair recognized Senator Villar, sponsor of the measures.

OMNIBUS SPONSORSHIP SPEECH OF SENATOR VILLAR

With the consent of the Body, Senator Villar delivered an omnibus speech covering the fourteen House bills, all pertaining to the establishment of marine hatcheries.

Following is the full text of Senator Villar's speech:

The Senate Committee on Agriculture and Food, jointly with the Committee on Finance, held two joint public hearings – on April 17 and last May 1 – to discuss House Bill Nos. 4848, 4850, 4851, 4852, 4853, 4854, 4855, 4856, 4857, 4858, 4859, 4860, 4861 and 4862 under Committee Report Nos. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75 and 76, respectively.

For brevity, I will not read the full titles of the bills and will just mention the bills' numbers and short titles. The fourteen (14) bills I am sponsoring are proposing the establishment of multi-species marine hatcheries.

Ten of the bills, House Bill Nos. 4850, 4851, 4852, 4854, 4855, 4857, 4858, 4859, 4860 and 4861 are authored by Rep. Angelina Tan of the Fourth District of the Province of Quezon, and will mandate the establishment of multi-species marine hatcheries in the Municipalities of Lopez, Atimonan, Gumaca, Tagkawayan, Quezon, Perez, Caluag, Plaridel, Guinayangan and Alabat, respectively, all of which are in the Province of Quezon.

The three others, House Bill Nos. 4848, 4853 and 4856 under Committee Report Nos. 63, 67 and 70, respectively, are authored by Rep. Johnny

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Pimentel of the Second District of Surigao del Sur, which mandate the establishment of multi-species marine hatchery in Bislig, Barobo and Hinatuan in the Province of Surigao del Sur.

The remaining House Bill No. 4862, authored by Rep. Fernando Gonzales of the Third District of Albay, mandates the establishment of multi-species marine hatchery in Ligao, Albay.

I would like to emphasize that our Committee closely coordinated and consulted with the Bureau of Fisheries and Aquatic Resources (BFAR) regarding the proposed legislations. They have provided us with recommendations, among which is that instead of establishing fishery research stations or centers, multispecies marine hatcheries should be established as those are more expansive in nature. Multi-species marine hatcheries cover breeding, hatching and rearing.

BFAR will provide the funding for the construction of the facilities, the purchase and installment of the necessary equipment, and will conduct training for recipient local government units on the management and operation of the facility. BFAR will manage it for two years, then after two years, they will turn it over to the local government units (LGUs).

Moreover, the species that should be bred and hatched is also upon the recommendation of BFAR and the concerned LGU to identify the most suitable for the area.

I believe that the proposed bills of our esteemed colleagues at the House of Representatives will really contribute to the growth and development of the fishery sectors and allied industries in the respective cities and municipalities in their areas. That, in turn, will increase the income of fisherfolk who, together with farmers, remain among the poorest in our country.

As we know, the goal of the Senate Committee on Agriculture and Food as well as this Representation is the sustainable growth and development of the agriculture sector and improving the plight of Filipino farmer and fisherfolk. I believe that the establishment of multi-species marine hatcheries in areas where they can provide the needed benefits to fisherfolk and fishing communities is a positive step in that direction.

The Department of Agriculture (DA) through BFAR also support the establishment of marine hatchery facilities as such are considered critical intervention and are specified in the 2016 to 2020 Comprehensive National Fisheries Industry

Development Plan. According to BFAR, the proposed legislation will have attained three aquaculture strategies cited in the said development plan. These are:

Strategy No. 1: secure quality fry/seed supply through coordinated investment in propagation facilities like brood stock, hatcheries and nurseries;

Strategy No. 4: invest on species with high commercial potentials; and

Strategy No. 6: optimize operation of mariculture parks.

I also would like to emphasize here that aquaculture or fish farming is crucial for our food security. There is an uptrend in aquaculture globally. The number of fish now harvested from farms has doubled or nearly tripled in recent years, and aquaculture is fulfilling nearly half the world's demand for fish. According to the U.N. Food and Agriculture Organization, aquaculture now provides 63.6 million tons of fish per year, which is not far behind the 67.2 million tons coming in via wild catch. As early as 2015, farming is expected to surpass fisheries as the main producer of fish. In fact, by 2050, which is 33 years from now, they are predicting that aquaculture will provide 100% of fish already.

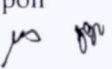
Having said all of that, at this point, I seek the urgent passage of House Bill Nos. 4848, 4850, 4851, 4852, 4853, 4854, 4855, 4856, 4857, 4858, 4859, 4860, 4861 and 4862 under Committee Report Nos. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75 and 76, respectively.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NOS. 4848, 4850, 4851, 4852, 4853, 4854, 4855, 4856, 4857, 4858, 4859, 4860, 4861 AND 4862

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bills.

MANIFESTATION OF SENATOR SOTTO

With the influx of House bills of local application being transmitted to the Senate for calendaring for First Reading, Senator Sotto stated that it takes a considerable time for the long titles to be read by the Senate Secretary and referred to the appropriate committees by the Senate President. He said that the practice slows down and impedes the process to finish important measures in the agenda. Upon



consultation with the Secretariat and upon reviewing the Senate Rules and the Constitution, he said that no specific rule could be found that requires the reading of the complete titles of the numerous local bills in plenary. Specifically, he cited Article VI, Section 26(2) of the Constitution which states, that "No bill passed by either House shall become a law unless it has passed three readings on separate days, and printed copies thereof in its final form have been distributed to its Members three days before its passage, except when the President certifies to the necessity of its immediate enactment to meet a public calamity or emergency. Upon the last reading of a bill, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter, and the yeas and nays entered in the Journal."

MOTION OF SENATOR SOTTO

Upon motion of Senator Sotto, there being no objection, the Body approved the reading of only the short titles of the House bills of local application by the Senate Secretary for its proper referral during the First Reading, without prejudice to reflecting the complete titles of the concerned local bills in the overhead projectors, as well as in the records of the Senate.

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 58 on Senate Bill No. 1399 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 58 ON SENATE BILL NO. 1399

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Senate Bill No. 1399 (Committee Report No. 58), entitled

AN ACT ESTABLISHING THE POLICE
LAW ENFORCEMENT COURTS,
GRANTING THESE EXCLUSIVE
ORIGINAL JURISDICTION OVER
VIOLATIONS OF CONSTITU-
TIONAL RIGHTS AND PNP RULES
OF ENGAGEMENT COMMITTED BY
THE POLICE, AMENDING BATAS

PAMBANSA BILANG 129, AS
AMENDED, OTHERWISE KNOWN
AS "THE JUDICIARY ACT OF 1980,"
APPROPRIATING FUNDS THERE-
FOR AND FOR OTHER PURPOSES.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the title of the bill was read without prejudice to the insertion of its full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Gordon, sponsor of the measure.

SPONSORSHIP SPEECH OF SENATOR GORDON

Senator Gordon stated that Senate Bill No. 1399 was a product of the joint investigation that was conducted on extrajudicial killings. He mentioned that Senators Lacson and Legarda are coauthors, along with the members of the Committee on Justice and Human Rights.

Senator Gordon stated that the bill was not only a reaction but a cogent involvement and intervention by the legislature on the issues of extrajudicial killings, salvaging and riding-in-tandem crimes. He said that the Committees on Public Order and Dangerous Drugs and Justice and Human Rights have come up with several bills relating to the EJK issue, like the motorcycle bill which is due for interpellation.

Pointing out what the bill provides, Senator Gordon cited the Constitution, specifically Article X, Section 21 and Article XVI, Section 6, to wit:

"Article X, Section 21. The preservation of peace and order within the regions shall be the responsibility of the local police agencies which shall be organized, main-tained, supervised, and utilized in accordance with applicable laws. The defense and security of the regions shall be the responsibility of the National Government"; and

"Article XVI, Section 6. The State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law."

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Senator Gordon recalled that when he was a member of the Constitutional Commission, he opposed the nationalization of the police force into one national police force because he believed that when one agency within the police force becomes corrupt, the whole national police system would be involved and be categorized as corrupt, inefficient or incompetent.

He then adverted to the following provisions of the Philippine Constitution: Article II, Section 4, "The prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State, and in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render, personal, military or civil service;" and Article II, Section 5, "The maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessing of democracy."

Senator Gordon said that the country was being practically besieged by all parties as everyone has become very concerned with the prevailing crime situation occurring in the last several decades. He recalled that when he visited Washington, DC during his earlier days as a senator, the issue of extrajudicial killings in the country has been asked of him while he was lobbying for the veteran's bill. He said that the US Congress threatened not to approve the veteran's bill because of the extrajudicial killings.

He said that in the past, the people have been very cavalier about the matter as they seemed to have adopted an attitude of passiveness and apathy. However, he said that times have changed and that it is time to show the world that the Philippines is capable of fixing the problem. He said that it was rather unfair for the country to be labeled as having a very bad crime situation when there are other situations in other countries that are far worse and merit the attention of the world such as in Chicago, USA.

Senator Gordon said that he was not intending to insult the Internal Affairs Service (IAS) of the PNP by calling them "IWAS," but he opined that they have been remiss in their duties, or perhaps have chosen to say that their hands are tied, as they offer all kinds of excuses like due process. He added that it takes years for a simple administrative matter to put a policeman under the heel of discipline.

Senator Gordon said that as of August 2016, the IAS has reported only 839 pending cases, while the NAPOLCOM data from 2010 to 2015 show 1,255 cases pending against nearly 4,000 police officers. He added that data gathered from the Office of the Ombudsman for the first semester of 2016 show that 515 cases have been filed against PNP officers. He noted that based on the data, it seems that people are afraid to file cases as they get lost in the whole bureaucracy of the national police system.

Senator Gordon said that while there are several venues for the filing of cases against PNP personnel, Atty. Firduasi Masnar of the NAPOLCOM Legal Affairs Service has admitted that there is presently no central database for police officers under investigation or facing any form of disciplinary action.

Without the spotlight on any agency tasked with investigating cases involving police officers, he said that the cases would take time, the reason why the objective of the bill is to shine the spotlight of responsibility on the law in the matter of police cases involving violation of constitutional rights as well as crimes perpetrated by the police upon the public.

Citing excerpts from the EJK Committee Report, Senator Gordon said that the police must be expected to perform their duties vigorously but, in so doing, they have no license to use overwhelming force or eliminate criminals acting as judge, jury and executioner. He said that there are no shortcuts, and that the police force must follow the rules of engagement and the rule of law in their operations against illegal drugs.

He explained that under the Social Contract Theory, the police must realize that they are given the privilege and authority to carry guns and enforce the law to protect and serve the citizenry and that the uniform and badge that they wear and the gun that they use, give them the responsibility and the power over the person's rights, liberty and property. And it is only fair, he said, that when the police officers violate trust and the social contract and use the guns against innocent civilians or illegally execute people, they must be summarily punished and removed from the service and made to answer appropriate criminal charges.

Senator Gordon said that one of the solutions of the Committee is to create police courts. He said that

by passing the bill, the Supreme Court, even without a budget appropriations to begin with, could immediately designate certain courts in the provinces as police courts and start implementing the appointment of special courts and special appellate courts to focus on crimes involving police officers.

Moreover, he said that the Supreme Court would designate existing RTCs to handle civil and criminal cases involving the abuse of authority of on- or off-duty PNP members, including their civil and criminal cases other than their violation to the PNP organization or of PNP operational procedures and other police protocols designed to protect the lives of the accused. He said that the Supreme Court could also designate appellate police courts from among the divisions of the Court of Appeals which shall handle all appeals coming from the police courts and appeals over the decision and resolution of the NAPOLCOM. He added that the Supreme Court shall provide periodic and continuous program for training so that they would be familiar with police procedures in terms of rules of engagement.

Senator Gordon suggested that police courts have exclusive, original jurisdiction to hear and decide the following cases: all civil and criminal cases including the Revised Penal Code and the special laws against members of the PNP, whether in or off duty, all civil and criminal cases including the Revised Penal Code and special laws other than a violation of a member of PNP rules PNP operational procedures, rules of engagement and other police protocols; all complaints for violation of constitutional rights where one of the accused is a member of the PNP; and issuance of a writ of habeas corpus where there is evidence that the victim is held under the custody of any member of the PNP.

He said that the bill likewise provides that the DOJ assign prosecutors to prosecute cases within the jurisdiction of the police corps; that it shall also provide a mechanism to ensure the speedy resolution of preliminary investigations within 30 days from the receipt of the complaint, and that there should be speedy and continuous hearing so as not to harass the police officer given that a delay in the case would result in the inefficiency of a person.

Senator Gordon said that the bill also provides that the Public Attorney's Office (PAO) represent PNP members who are personally charged with violations cognizable before the police courts as acts

directly connected to the performance of their lawful duties as police officers without need of evidence of indigency. He said that the PNP shall ensure adequate legal representation of its force by agreements with free legal services, like the IBP and other reputable law organizations, to protect the police from unnecessary harassment.

Senator Gordon said that in order to ensure continuous prosecution and trial of civil or criminal case upon filing before a prosecutor for preliminary investigation of the police court for trial, the Chief PNP and the NAPOLCOM shall be informed in writing of the case filed against any member of the PNP. He said that it shall be necessary for the PNP to seek approval from the police court, to which the case is assigned, of any transfer/reassignment of the accused PNP personnel subsequent to the filing of the case and the PNP shall ensure the attendance of its accused personnel in all hearings before the prosecutor and the police court.

Senator Gordon likewise said that the appellate police courts shall have exclusive, appellate jurisdiction to hear appeals over the following cases: decisions/resolutions of the police courts; decisions of the NAPOLCOM in administrative cases over uniformed members of the PNP; decisions/resolutions of the CSC in administrative cases over non-uniformed members of the PNP; and decisions and orders of the police courts to be appealed in the same manner and subject to the same conditions as the appeals in ordinary Regional Trial Courts.

Senator Gordon said that the Supreme Court shall promulgate special rules of procedure for the transfer of cases to the new courts during the transition period as well as the disposition of police cases, with the aim of providing the public fair, impartial and speedy disposition of cases.

Finally, to ensure that there is money or budget for the bill, Senator Gordon said that the Supreme Court shall be allowed to use 10% of the income derived from the filing and other court fees under Rule 141 of the Rules of Court for research and other operating expenses, including capital outlay.

Senator Gordon recalled that during the committee hearings, Court Administrator Midas Marquez said that the Office of the Court Administrator can already recommend to the Supreme Court the designation of existing RTCs as police courts,

especially in the cities of Manila, Quezon, Pasay, Caloocan, Makati, Pasig, Mandaluyong, Muntinlupa, Laoag, Baguio, Santiago, Dagupan, Olangapo, Cabanatuan, San Jose, Angeles, Cavite, Batangas, Lucena, Naga, Iriga, Legaspi, Roxas, Iloilo, Bacolod, Dumaguete, Tacloban, Cebu, Tagbilaran, Surigao, Butuan, Cagayan de Oro, Davao, General Santos, Oroquieta, Ozamis, Dipolog, Zamboanga, Pagadian, Iligan and in other places as the Supreme Court may deem necessary.

He said that Attorney Marquez even indicated his willingness to send the recommendations of the Supreme Court to the Committee on Justice and Human Rights on the cases being filed and heard, especially by the designated police courts in cases being appealed, from NAPOLCOM to the specially-designated courts. He said that the Supreme Court has been very cooperative, and that no less than Chief Justice Sereno has expressed her approval and support for the bill.

In closing, Senator Gordon expressed confidence that the bill would make a difference in the lives of the people in the midst of the accusations of alleged EJKs by the UN and others. He hoped that the bill would help the CHR ensure that the country, through the Senate, has its eyes, heart and mind open to protect the public from rogue police officers as it seeks to protect the police from people who would wish to harass them.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1399

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bill.

COMMITTEE REPORT NO. 61 ON SENATE BILL NO. 1444 (Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1444 (Committee Report No. 61), entitled

**AN ACT DECLARING PROTECTED
AREAS AND PROVIDING FOR
THEIR MANAGEMENT, AMENDING
FOR THIS PURPOSE REPUBLIC ACT
NO. 7586, OTHERWISE KNOWN AS**

THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) ACT OF 1992, AND FOR OTHER PURPOSES.

Senator Sotto stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Villar, sponsor of the measure, and Senator Hontiveros for her interpellation.

INTERPELLATION OF SENATOR HONTIVEROS

Senator Hontiveros asked whether Senator Villar would be amenable during the period of amendments to delete the phrase "IF FEASIBLE" on page 33, line 2, to make the gender quota in the National Integrated Protected Areas System Act (NIPAS) mandatory, as the Magna Carta of Women mandates that at least 40% women should make up planning bodies like the Protected Areas Management Bureau (PAMB). Senator Villar expressed willingness to accept the amendment.

Senator Hontiveros asked on the rationale for reducing the NGO or PO representation from three representatives to one, noting that with the reduction, only four would represent the interests of the non-government groups – one each from the NGO, from the indigenous peoples sector, from the academe and from the private sector. She said that the question is especially relevant on questionable government projects where there are not enough nongovernment representatives in the PAMB. She then asked how fiscalization could be ensured within the PAMB if NGO representation would be minoritized.

Senator Villar replied that while the current act, RA 7586, provided for three representatives from the NGOs and people's participation which was reduced to one in the proposed measure, one representative from the IPS, one from the academic community and one from the private sector were added so that there are now four instead of three representatives. She added that to make the representation wider, representatives from the national government, like NEDA, DA, DOST and DND, were included. She explained that the addition of nongovernment representatives from the IP sector, the academe, and the private sector to the four representatives from the national government would somehow balance the representation in

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the PAMB. Senator Hontiveros pointed out that on the contrary, there would be imbalance in favor of government representatives because there would be regional directors from the national government agencies, like the Departments of Agriculture, Science and Technology, National Defense and NEDA.

Senator Villar pointed that there would be representatives from the barangays where the areas would be located who could represent the people in the locality if they have problems with the PAMB.

Asked by Senator Villar on who she would like to include as representatives, Senator Hontiveros noted that there would be an overwhelming number of government representatives in the PAMB against nongovernment representatives because in addition to the representatives that she and Senator Villar had already identified, there would also be the DENR regional director, the governor or governors of the respective provinces, the district representatives and the mayors.

Noting the comparative experience of Senator Villar with the boards of the state colleges and universities (SUCs), which are in charge of the sensitive matter of education, Senator Hontiveros said that the PAMB is dealing equally, if not even more, with the sensitive matter of the environment. She said that at the proper time, she would ask Senator Villar if she would be willing to retain the number of NGO representatives from the currently proposed reduction of one to the current three. Senator Villar accepted the proposal of Senator Hontiveros.

Adverting to Section 11, subsection C of page 30, Senator Hontiveros asked on the specific role the district representatives would play within an executive planning body, pointing out that the members of Congress as legislators are restricted to oversight functions.

Senator Villar replied that the legislator, as member of the PAMB, helps decide on the policies of the protected area in their district and could ask the government for budgetary support for their programs.

Agreeing that as Members of Congress, they set policy and provide for budgets, Senator Hontiveros believed that their role after the passage of laws would be restricted to oversight functions. She said

that at the proper time, she would propose an amendment relative thereto.

Adverting to page 44, line 20 which provides that "the LGUs shall not impose property tax and issue a new tax declaration for areas covered by the protected area," Senator Hontiveros asked if it would mean that the property tax shall go entirely to PAMB and would not be shared between PAMB and LGUs, even if property taxes are important sources of funds, especially of cash-strapped LGUs.

Senator Villar replied that the provision refers only to government properties inside the protected areas and does not apply to properties owned by private entities within the protected areas. She said that she would have the provision clarified because the power of LGUs to impose appropriate taxes cannot be curtailed. Senator Hontiveros agreed.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no other interpellation, upon motion of Senator Sotto, there being no objection, the Body closed the period of interpellations.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1444

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bill.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 5:06 p.m.

RESUMPTION OF SESSION

At 5:32 p.m., the session was resumed.

COMMITTEE REPORT NO. 57 ON SENATE BILL NO. 1397

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1397 (Committee Report No. 57), entitled

AN ACT PENALIZING AND PREVENTING THE USE OF MOTORCYCLES OR SCOOTERS IN THE COMMISSION OF CRIMES THROUGH THE USE OF BIGGER PLATE NUMBERS AND IDENTIFICATION MARKS, REGULATION OF BACKRIDERS AND FOR OTHER PURPOSES.

Senator Sotto stated that the parliamentary status was the period of interpellations.

Thereupon, the Chair recognized Senator Gordon, sponsor of the measure, and Senator Drilon for his interpellation.

SUSPENSION OF SESSION

Upon motion of Senator Drilon, the session was suspended.

It was 5:33 p.m.

RESUMPTION OF SESSION

At 5:39 p.m., the session was resumed.

INTERPELLATION OF SENATOR DRILON

At the outset, Senator Drilon asked if the old plate numbers would still be valid under the measure. Senator Gordon replied that old plate numbers would be phased out and eventually a color coding scheme would be assigned to the big plate numbers so that the region to which the motorcycle was registered could be easily identified.

Asked if the duration of the phase-out period for old plate numbers was specified in the bill, Senator Gordon said that he did not put the period as it was a matter of implementation of the law. Nonetheless, he said that he is open to suggestions regarding the matter.

Senator Drilon said that he was more inclined to leave the determination of the phase-out period with the LTO, being in the best position to handle such administrative matter.

Asked who would bear the cost of the new plate numbers, Senator Gordon said that it would be borne by the motorcycle owner as it is overwritten by the police power of the State that owning a motorcycle

is not a right but a privilege, and registration is a privilege.

To Senator Drilon's concern that there might be a question of fairness in that system where the valid plate numbers would be invalidated by the passage of a law and by charging such cost to the motorcycle owners, Senator Gordon explained that the cost of plate numbers has always been charged to the vehicle owners as part of owning a vehicle, whether big or small. Furthermore, he said that he has envisioned the bill to put a stop to the death of thousands of people being killed with the use of motorcycles, with their plate numbers deliberately removed therefrom, by imposing graver penalties for the non-usage or illegal usage of bigger plate numbers.

As regards the size and other specifications of the plate numbers, Senator Gordon said that he would leave the determination of the specifications, including the size, to the LTO subject to a congressional oversight committee to note the impact of such change on bigger plate numbers.

Asked if a congressional oversight committee is necessary for the purpose, Senator Gordon asserted that the size and design of plate numbers must be specified to avoid a situation where the implementor would overlook the intention of the law or would fall under pressure of people who would say that the size of plate numbers were too big or onerous.

To the suggestion that it would be better to indicate the minimum size of the plate number in the law in order to give LTO the leeway to increase the same instead of creating a congressional oversight committee, Senator Gordon agreed.

Asked if there would be a bearing on the ability of the LTO to deliver new plate numbers or to solve the backlog of plate numbers with the change of motorcycle plates inasmuch as there is delay in the issuance of license plates, Senator Gordon clarified that the delay was due to the temporary restraining order (TRO) issued by the Supreme Court. Also, he said that it is incumbent upon Congress to "propagandize" with the courts the measure's necessity because any delay would cause more deaths.

Asked what would happen to the outstanding TRO in the event the bill is passed into law, Senator Gordon stated that there would be a new procurement and the previous plate numbers would cease to be effective.

Senator Drilon surmised that the TRO was issued because of alleged violations of the Procurement Act, and he pointed out that the moment the bill is passed into law, the same procurement process that was the subject of the TRO, would have to be followed again. He then asked if Senator Gordon has reviewed the petition to ascertain if it is possible to implement the new law in view of the TRO, because, otherwise, same issues regarding the procurement process might be raised again.

In reply, Senator Gordon averred that the issue of anomalous transactions does not die but goes on, and since the transaction was anomalous, the provisions the Anti-Graft and Corrupt Practices Act or the Government Procurement Reform Act were violated. As regards the issuance of new license plates numbers, he said that it would have to go through another procedure where the LTO would be under severe notice, the reason he was proposing the creation of an oversight committee for the procurement, to ensure non-delay.

Expressing respect for Senator Gordon's opinion, Senator Drilon placed on record, as guide to the implementors of the law regarding the bill's legislative intent, that the LTO as an implementing agency can proceed and procure larger license plates upon effectivity of the law even with the TRO previously issued by the Supreme Court still in effect.

Senator Gordon believed that the suppliers should not be forgiven for their malfeasance or misfeasance in the previous procurement, but that there must be no delay in the procurement of new and bigger licensed plates.

Asked on the principal purpose of the law, Senator Gordon said that the intention was to take a bite out of crime, inasmuch as thousands of people have been killed by riding-in-tandem motorcyclists. Since they ride on motorcycles without plate numbers, or with small plate numbers which are hardly seen in the dark, he lamented that criminals are able to take advantage of such weakness or hiatus of the law which exempts them from criminal liability. To obviate the matter, he said that he was proposing bigger plate numbers so that people and the police could see the perpetrators right away even before the commission of the crime, and that in the absence of a plate number or a small plate number, the motorcycle owner would be directed to procure a bigger plate number. In the case of a lost plate

number, he said that such loss must be reported; otherwise, they would be penalized.

Senator Gordon reiterated that the objective of the bill is to prevent the increase of crimes perpetrated by riding-in-tandem criminals whose victims never found justice.

Senator Drilon stated that as lawyers, they are aware of the "overbreadth doctrine" under the Constitution, which states that a proper government purpose, which is subject to state regulations such that in the prevention of crimes, due process may not be achieved by means which unnecessarily sweep its subject broadly.

Asked why the "overbreadth doctrine" is not applicable, Senator Gordon said that the overlying provision is the police power of the State. Considering the ordinate number of riding-in-tandem cases, he pointed out that the general welfare must be protected; peace and order must be attained; and the reputation of the country as a peaceful democratic country following the rule of law and respecting human rights must come into the picture, all of which promote the general welfare clause or the police power of the State to limit the rights of individuals since rights are not infinite. He assured that laws would be adopted to protect the victims instead of protecting the criminals by preventing them from thriving as riding-in-tandems.

Asked on the effectivity of the law, Senator Gordon replied that the law would be effective fifteen days after publication and after the implementing rules and regulations on the issuance of bigger licensed plates have been established.

Adverting to Section 5 of the bill, Senator Drilon asked why should a motorcycle or scooter without a bigger plate number be confiscated if it is the LTO itself that has not issued yet the license plates. In reply, Senator Gordon said that since the LTO is mandated to implement the law, they must immediately produce the necessary system to issue the color-coded plate numbers before implementing the law.

Senator Drilon said that at the appropriate time, he would propose to amend Section 5 to make it clear that the provision would only be effective as soon as the LTO is able to deliver the bigger plate numbers.

Adverting to Section 6 and Section 7 of the measure, Senator Drilon asked if both provisions

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punish the persons committing the crime through the use of a motorcycle or with the backrider/s.

Senator Gordon replied that the provision included the proposal of Senator Sotto that a person committing a crime with a backrider shall be penalized with life imprisonment. He agreed that the penalty on Section 7 should be lower and should be amended accordingly.

Asked whether the registered owner of the motorcycle has any liability even if he is neither the rider nor the one driving the vehicle used in the commission of a crime, Senator Gordon explained that the owner would be liable if he fails to report that his motorcycle has been stolen or has been used in the commission of a crime. This, he said, is part of the rule on Section 10(c), which states that "if the registered owner of the motorcycle or scooter fails to timely report to the LTO the loss of his bigger license plate, he or she shall be punished with a fine of not less than Ten Thousand Pesos"; however, the owner would be covered by the penalty of life imprisonment if he is found to be a co-conspirator in a crime that results in murder.

Noting that such a penalty presupposes that there is a conspiracy, Senator Drilon asked whether the owner would incur any liability supposing his vehicle was stolen and used to commit the crime. Senator Gordon clarified that under Section 10(c), the owner is fined if he fails to report the loss of his vehicle. However, he expressed willingness to accept an amendment to the bill in such situations where the loss of the vehicle resulted in a crime.

Adverting to Section 10(c) which refers to the loss of the bigger license plate and the failure of the registered owner of the motorcycle to report the same, Senator Drilon asked whether the vehicle owner would still be liable if the license plate is intact but the motorcycle was used for the commission of the crime. Senator Gordon said that the owner has three calendar days from the date of the loss of his license plate to apply for a new one. He clarified, though, that the owner is not liable if his vehicle was used in a crime, provided that he was not part of the conspiracy.

On whether being a backrider *per se* is a punishable offense, Senator Gordon explained that under the Sotto amendment, a backrider who is with the perpetrator when the crime is being committed

would have to be charged as part in the commission of the crime. But he clarified that while there is a common presumption that a backrider is part of the crime, he is not considered to be a criminal if he acted to prevent the commission of the criminal act since he has a duty to protect others.

Senator Drilon believed that in the absence of proof that the backrider was a conspirator or have aided in the commission of the crime, the presumption that a person could be punished by simply being a backrider could not stand scrutiny and would be problematic. Senator Gordon expressed openness to amending the provision such that the burden of proof would be placed on the backrider to argue that he was not part of the crime.

But Senator Drilon pointed out that doing so would be tantamount to putting the criminal justice system in reverse since the individual concerned would have to prove his innocence, Senator Gordon said that the potential backrider ought to be made aware that the person he was riding with was a criminal so that he would not ride the vehicle.

As regards the suggestion of Senate President Pimentel that the measure should impose a duty for the backrider to report his having witnessed the criminal act, Senator Drilon opined that it should be after the fact. He believed that the mere fact that a person is a backrider should not in itself constitute a crime.

On whether a motorcycle driver would incur any liability if he was not aware that his backrider would shoot someone while on board his vehicle, Senator Gordon replied that the prosecutor would have to prove the guilt of the motorcycle driver.

Senator Drilon noted that the mere fact that it was the backrider that committed the offense does not necessarily make the driver criminally liable unless it is shown that he somehow conspired or qualifies as an accessory to the crime. Senator Gordon pointed out that any prosecuting lawyer would find it hard to believe that the driver did not know that the backrider was going to shoot someone since he would have to position the motorcycle in such a way that the shooter would take the shot.

Senator Drilon noted that there was nothing in the measure which says that the mere fact that a crime is being committed by the backrider also makes the

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driver liable for the crime unless it is shown by competent evidence that he acted as an accessory. Senator Gordon admitted that there was none.

Adverting to the title of bill, Senator Drilon asked if the use of the motorcycle is a aggravating circumstances and whether the measure penalizes both the failure to use a larger license plate and the use of the motorcycle in the commission of the crime. Senator Gordon replied in the affirmative, saying that both would be penalized.

If it is both, Senator Drilon asked if the measure would be consistent with the requirement that a bill should only have one subject. Senator Gordon explained that since the use of a motorcycle is already an aggravating circumstance in the Revised Penal Code, not using the prescribed plate numbers is also a punishable offense. However, Senator Drilon pointed out that the proposed measure is a special law that requires no occasion to use the aggravating circumstance which imposes a higher degree of punishment.

Senator Gordon said that it was his intention to have two objective laws which could somehow be adjusted by rewording the title to read: "An Act Penalizing the Failure to Use Bigger Plate Numbers and Identification Marks for All Motorcycles and Scooters."

Senator Drilon said that he found it difficult combining the two ideas in the title of the bill without violating the constitutional requirement that a bill must only have one subject matter as expressed in the title. He expressed his intention to re-examine the matter and to propose amendments, if necessary, to remove the possibility of the law being held unconstitutional because of its failure to follow the single subject matter rule in the title. In the meantime, he said, he would await the committee amendments and requested Senator Gordon to consider the arguments he had earlier raised. He expressed his intention to raise questions once the amendments are introduced in order to ensure that the issues that he had raised are addressed in the committee amendments.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1397

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bill.

ADDITIONAL REFERENCE OF BUSINESS

The Secretary of the Senate read the following Senate bills which the Chair referred to the committees hereunder indicated:

BILLS ON FIRST READING

Senate Bill No. 1451, entitled

AN ACT STRENGTHENING THE MILITARY AND UNIFORMED PERSONNEL PENSION SYSTEM, CREATING THE MILITARY AND UNIFORMED PERSONNEL INSURANCE FUND, AMENDING SECTIONS 3 AND 24 OF REPUBLIC ACT NUMBER 8291, AND FOR OTHER PURPOSES

Introduced by Senator Recto

To the Committees on Government Corporations and Public Enterprises; National Defense and Security; Ways and Means; and Finance

Senate Bill No. 1452, entitled

AN ACT AUTHORIZING THE COURT TO REQUIRE COMMUNITY SERVICE IN LIEU OF IMPRISONMENT FOR THE PENALTIES OF ARRESTO MENOR AND ARRESTO MAYOR, AMENDING FOR THE PURPOSE CHAPTER 5, TITLE 3, BOOK I OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

Introduced by Senator Richard J. Gordon

To the Committee on Justice and Human Rights

SENATE CONFEREES

Upon nomination by Senator Sotto, there being no objection, the Senate President designated the following as members of the Senate panel in the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1353 (Anti-Hospital Deposit Act) and its counterpart House bill: Senator

Ejercito as chairman, and Senators Hontiveros, Binay and Villanueva as members.

MANIFESTATION OF SENATOR SOTTO

Senator Sotto stated that Senator Villar has been officially designated by Senator Cayetano as acting presiding chair to hear and sponsor all pending measures with the Committee on Agrarian Reform pertaining to agriculture and agrarian reform credit condonation. He said that the Committees on Agrarian Reform and Agriculture and Food would have a joint public hearing within the week.

CHANGE OF REFERRAL

Upon motion of Senator Sotto, there being no objection, the Chair referred Senate Bill No. 932 (Anti-Red Tape Act of 2007) and Senate Bill No. 982 (amending Sections 8 and 9 of the Anti-Red Tape Act), both of which were originally referred to the Committee on Civil Service, Government Reorganization and Professional Regulation, to the Committee on Trade, Commerce and Entrepreneurship.

Senator Sotto stated that Senate Bill Nos. 932 and 982 would be consolidated with Senate Bill No. 1311 under Committee Report No. 33. He added that the authors have been informed of the change of referral.

PARLIAMENTARY INQUIRY OF SENATOR DRILON

Senator Drilon asked if the changes in the referral were consistent with the jurisdiction of the different committees as defined in the Rules. Senator Sotto answered in the affirmative, saying that Senators Zubiri and Trillanes had manifested the same in their respective letters.

ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of the following day.

It was 6:24 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. LUTGARDO B. BARBO

Secretary of the Senate

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Approved on May 16, 2017