



REPUBLIC OF THE PHILIPPINES
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Journal

SESSION NO. 55
Monday, February 17, 2020

**EIGHTEENTH CONGRESS
FIRST REGULAR SESSION**

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CALL TO ORDER

At 3:00 p.m., the Senate President, Hon. Vicente C. Sotto III, called the session to order.

PRAYER

Sen. Risa Hontiveros led the prayer, to wit:

Lord, today we pray to You through the prayers of world vision for women and children.

Dear Lord, touch the lives of girls even before they are born. Let them be born healthy and whole and let their parents love and cherish them as much as You do.

Lord, may You fulfill many girls' longing for wisdom and a better life. Bless them with quality education, school supplies, and a family that supports their scholastic goals.

Lord God, motivate families to turn away from damaging practices and protect their female children from all forms of harm.

Jesus, show Your compassion to the multitudes of girls and women who endure the damaging physical and relational effects of child marriage.

Holy Spirit, reveal alternatives to parents or change the hearts of those who consider giving up their daughters for social status or financial gain.

Heavenly Father, You are good. You delight in us when we honor You in our work; bring opportunities for employment or business that fulfills parents' desire to make life better for their children.

Thank you for organizations that provide small business loans to women. Bless these ventures so their families can live healthier and more secure lives.

And dear Lord, as millions of women and girls continue to walk every day to collect water, please walk beside them and keep them from harm. Bless the work of organizations that provide clean water so more women and girls can leave this task

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behind to lead more productive and meaningful lives.

Finally, Jesus, we come to You humbled by the struggles many girls faced every day. Restore them to trusting relationships and self-confidence. Inspire leaders to create policies that address the causes of sexual exploitation and forced labor against children like Carina and women like Ivy.

We thank you, Lord.

Amen.

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. Myra Marie D. Villarica, called the roll, to which the following senators responded:

Angara, S.	Marcos, I. R.
Binay, M. L. N. S.	Pacquiao, E. M. D.
Cayetano, P. S.	Pangilinan, F. N.
Dela Rosa, R. B. M.	Pimentel III, A. K.
Drilon, F. M.	Poe, G.
Gatchalian, W.	Revilla Jr., R. B.
Go, C. L. T.	Sotto III, V. C.
Gordon, R. J.	Tolentino, F. T. N.
Hontiveros, R.	Villanueva, J.
Lacson, P. M.	Villar, C. A.
Lapid, M. L. M.	Zubiri, J. M. F.

With 22 senators present, the Chair declared the presence of a quorum.

Senator Recto arrived after the roll call.

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

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Zubiri acknowledged the presence in the gallery of the following guests:

- Rep. Bai Princess Rihan Mangudadatu Sakaluran and Mayor Prince Raden Sakaluran of Lutayan, Sultan Kudarat; and

- Gov. Ismael Sali of Tawi-Tawi, along with Board Members Atty. John Anthony "Jet" Lim and Madi Tidal, Atty. Dayang Baguinda, and Association of Barangay Chairmen (ABC) President Sam Plana.

Senate President Sotto welcomed the guests to the Senate.

APPROVAL OF THE JOURNAL

Upon motion of Senator Zubiri, there being no objection, the Body dispensed with the reading of the Journal of Session No. 54 (February 12, 2020) and considered it approved.

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. 1335, entitled

AN ACT PROVIDING FOR THE FINANCIAL CONSUMER PROTECTION ACT

Introduced by Senator Revilla, Jr.

To the Committees on Banks, Financial Institutions and Currencies; and Trade, Commerce and Entrepreneurship

Senate Bill No. 1336, entitled

AN ACT MANDATING BANKING INSTITUTIONS TO STRENGTHEN THE FINANCING SYSTEM FOR AGRICULTURE, FISHERIES AND RURAL DEVELOPMENT IN THE PHILIPPINES

Introduced by Senator Revilla, Jr.

To the Committees on Agriculture, Food and Agrarian Reform; and Banks, Financial Institutions and Currencies

Senate Bill No. 1337, entitled

AN ACT ESTABLISHING THE RULES

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AND POLICIES ON THE DOMESTIC ADMINISTRATIVE ADOPTION PROCEEDING OF FILIPINO AND FOR OTHER PURPOSES

Introduced by Senator Revilla, Jr.

To the Committees on Women, Children, Family Relations and Gender Equality; Social Justice, Welfare and Rural Development; and Finance

Senate Bill No. 1338, entitled

AN ACT PUNISHING ANY PERSON WHO SHALL PROMOTE, FACILITATE, INDUCE ANOTHER TO ENGAGE IN THE ACT OF PROSTITUTION AND PUNISHING ANY PERSON WHO SHALL DERIVE MONEY OR PROFIT FROM PROSTITUTION, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Binay

To the Committees on Women, Children, Family Relations and Gender Equality; and Justice and Human Rights

Senate Bill No. 1339, entitled

AN ACT EXEMPTING FARMER COOPERATIVES AND ASSOCIATIONS ENGAGED IN THE TRADE OF ORGANIC FERTILIZERS FROM PAYMENT OF REGISTRATION, LICENSING FEES AND ADMINISTRATIVE CHARGES, GRANTING AMNESTY FOR PREVIOUS VIOLATIONS OF PRESIDENTIAL DECREE 1144 AND AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE 1144

Introduced by Senator Binay

To the Committees on Agriculture, Food and Agrarian Reform; Cooperatives; and Finance

Senate Bill No. 1340, entitled

AN ACT ASSISTING YOUNG ATHLETES

BY PROVIDING PROGRAMS AND INCENTIVES FOR THEIR DEVELOPMENT

Introduced by Senator Binay

To the Committees on Sports; and Government Corporations and Public Enterprises

RESOLUTIONS

Proposed Senate Resolution No. 323, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE PLANS OF THE GOVERNMENT'S ECONOMIC TEAM TO HANDLE, OFFSET, AND MITIGATE THE ECONOMIC EFFECTS OF THE ABROGATION OF THE VISITING FORCES AGREEMENT WITH THE UNITED STATES OF AMERICA

Introduced by Senator Marcos

To the Committee on Economic Affairs

Proposed Senate Resolution No. 324, entitled

RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO JOIN THE COMMUNITY OF MEMBER STATES OF THE UNITED NATIONS IN THE CELEBRATION OF INTERNATIONAL WOMEN'S DAY 2020

Introduced by Senator Binay

To the Committee on Rules

COMMITTEE REPORTS

Committee Report No. 46, prepared and submitted jointly by the Committees on Public Services; and Local Government, on Senate Bill No. 1341 with Senators Recto, Poe, Marcos, Angara, Villanueva, Revilla, Jr., and Tolentino authors thereof, entitled

AN ACT ALLOWING AND REGULATING THE USE OF MOTORCYCLES

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AS PUBLIC UTILITY VEHICLES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4136, OTHERWISE KNOWN AS THE LAND TRANSPORTATION AND TRAFFIC CODE, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 50, 128, 409, 1025 and 1262.

Sponsor: Senator Poe

To the Calendar for Ordinary Business

Committee Report No. 47, prepared and submitted jointly by the Committees on Agriculture, Food and Agrarian Reform; Basic Education, Arts and Culture; Finance; and Ways and Means, on Senate Bill No. 1342, with Senators Villar, Binay, Pangilinan, Lapid, Poe, and Revilla, Jr., as authors thereof, entitled

AN ACT ADDRESSING FOOD SECURITY CONCERN THROUGH INTEGRATING INSTRUCTIONAL GARDENS IN PRIMARY AND SECONDARY SCHOOL CURRICULA AND PROMOTING THE USE OF URBAN AGRICULTURE, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill Nos. 147, 257, 280, 587 and 1264.

Sponsor: Senator Villar

To the Calendar for Ordinary Business

Committee Report No. 48, submitted by the Committee on Public Information and Mass Media, on Senate Bill No. 670, introduced by Senator Revilla, Jr., entitled

AN ACT DECLARING AUGUST 30 OF EVERY YEAR AS "NATIONAL PRESS FREEDOM DAY,"

recommending its approval with amendments.

Sponsor: Senator Revilla, Jr.

To the Calendar for Ordinary Business

APPROVAL OF SENATE BILL NO. 1224 ON THIRD READING

Upon motion of Senator Zubiri, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1224, printed copies of which were distributed to the senators on December 10, 2019.

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

AN ACT INSTITUTIONALIZING COMPREHENSIVE VALUES EDUCATION IN THE K TO 12 CURRICULUM AS A CORE SUBJECT INCLUDING GOOD MANNERS AND RIGHT CONDUCT, AND FOR OTHER PURPOSES.

Secretary Villarica called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Pacquiao
Binay	Pangilinan
Cayetano	Pimentel
Dela Rosa	Poe
Drilon	Recto
Gatchalian	Revilla
Go	Sotto
Gordon	Tolentino
Hontiveros	Villanueva
Lacson	Villar
Lapid	Zubiri
Marcos	

Against

None

Abstention

None

With 23 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1224 approved on Third Reading.

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EXPLANATION OF VOTE OF SENATOR VILLANUEVA

Upon his motion, there being no objection, the explanation of vote of Senator Villanueva was deemed inserted into the record.

Following is Senator Villanueva's explanation of vote on Senate Bill No. 1224:

I wish to thank all of you, most especially the Chairman of the Committee on Basic Education, Senator Win Gatchalian, for giving value to Values Education that led to the speedy approval on Third Reading of Senate Bill No. 1224 or "An Act Institutionalizing Comprehensive Values Education in the K to 12 Curriculum as a Core Subject Including Good Manners and Right Conduct, and for Other Purposes."

We feel the urgency of legislating Senate Bill No. 1224 into a full-fledged law of the Republic, especially in light of the events that our nation is facing.

Sa lahat po ng nangyayari sa ating lipunan, malit man o malaki, simple o komplikado, lahat patungo sa tanong na: TAMA O MALI? MABUTI O MASAMA? At ang sagot po ay nakaugat sa ating mga pagpapahalaga bilang isang nilalang o isang sambayanan. Kaya, gusto nating magtakda nang sapat na oras kada araw sa ating mga paaralan para tulungan ang ating mga kabataang makapag-suri tungkol sa mga isyu, desisyon o anumang sitwasyong haharapin nila sa buhay: TAMA BA ITO O MALI? MABUTI BA ITO O MASAMA?

We can not overemphasize that our schools play a special role in the inculcation of nationalism, fostering of love of humanity, respect for human rights, strengthening ethical and spiritual values, encouraging critical and creative thinking, among others.

Yet, the last 30 years of emphasizing moral recovery (a descendant of then Senator Shahani's resolution laying the groundwork for the national campaign for moral recovery) has shown us that an attempt at *pagpapakatao* is not enough. It looked like the search within made us neglect to some extent the practical and physical reality outside.

Halimbawa, tama ba o mali ang patuloy na pagkandili sa mga POGO? Tama ba o mali na ipatigil ang pagpapadala ng mga manggagawa sa Kuwait? Tama ba o mali na magpatupad ng travel ban sa mga bansang may kumpirmadong

kaso ng COVID-19? Even these policy issues all boil down to our value system as a nation.

It is at this juncture that the present urgency of our Comprehensive Values Education Bill comes to the fore. We want to teach the younger generations of Filipinos right conduct and good manners in exercising the full extent of *Pagpapakatao* in all its levels and aspects, while at the same time guiding them in the pursuit of authentic happiness and freedom as human individuals.

This can only be done through a "whole school approach" because the entire education community is extricably linked with the development of values. Our top education leaders and classroom teachers never lose sight of the fact that the more integrated values is to the educational process as a whole, the better will be the outcome of imparting and forming values.

More so, the law that this Chamber passed in 2012, Republic Act No. 10533, or the Enhanced Basic Education Curriculum, emphasizes the "spiral approach" in educating the Filipino youth. That is why values formation should not stop at Grade 3 (Note: House version mandates the teaching of GMRC as a separate subject only up to Grade 3). Values formation is a continuous process of internalization until the last stage of education. Why limit it to the first four years of formal education?

Let me stress our belief that comprehensive values education should go beyond Grade 3 and our 12-year basic education cycle. That's why we're very happy to know that the Commission on Higher Education has taken the initiative to include "integrity subjects" at the college level — like Corruption 101 and People-Planet Profit. In the same vein, TESDA has also sought to integrate work values and ethics in its training regulations.

Allow me to raise another argument as to why we should not confine ourselves to the teaching of GMRC alone (which is the subject of the House version that was transmitted to this Chamber last week), and please indulge my passion for this subject matter.

If we just focus on GMRC, it is like replacing the country's human resource with robots. Robots could be programmed to perfect efficiency for all the arbitrarily defined good manners and right conduct. But robots remain simply programmed — incapable of conscious awareness, of reasoning, of morality — which Values Education can instill into the minds and hearts of our students.

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Paano mo naman tuturuan ang mga batang imaging magalang o matapat kung pagbukas nila ng kanilang smart phones, “fake news” at kabastusan ang nakikita nila? Paano mo sila didisiplinahin at tuturuan ng kagandahanhang asal kung sa labas ng apat na sulok ng clasroom ay sitwasyong kabaligtaran ng kanilang pinag-aaralan sa loob ng klasrum?

Makakatulong po ang ina ito na ipinasa natin ngayon para mas mabigyan ng diin ang kritikal na pagsusuri at mga pagpapahalagang nakapaloob sa iba’t ibang disiplina – ICT, Science, Sports at iba pa, gayundin ang pag-aangat ng antas ng kasanayan ng ating mga guro.

But do not get me wrong. As an advocate of technical and vocational education, we also value “education for work.” Of course, our industries want our schools to give more hours for learning on science, technology, engineering and mathematics, or STEM. But while technical skills can get the jobs done, there are already visible signs that the driving factor of future jobs is values education. And no less than our employers and industry leaders are beginning to notice and pay more attention to this essential skill—such as positive work ethic which is the primary reason why according to Jobstreet, PUP graduates are most preferred by employers.

Lastly, devoid of the potential to nurture values, education loses its heart and soul. There is no question on the importance of STEM as “core subjects” in the K-12 Program, but is it not that the core should be the education of the heart? Perhaps it is not coincidence that the word “CORE” comes from a Latin root word that means “HEART.”

Maraming, maraming salamat po sa pagpapahalagang ibinibigay ng bawat isa sa Senate Bill No. 1224.

God bless our beloved nation.

COMMITTEE REPORT NO. 31 ON SENATE BILL NO. 1240 (Continuation)

Upon motion of Senator Zubiri, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1240 (Committee Report No. 31), entitled

AN ACT INSTITUTIONALIZING BAMBOO INDUSTRY DEVELOPMENT IN THE PHILIPPINES, CREATING THE BAMBOO INDUSTRY DEVELOP-

MENT CENTER (BIDC), APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Senator Zubiri stated that the parliamentary status of the measure was still the period of amendments.

Thereupon, the Chair recognized Senator Pimentel, Sponsor of the measure, and Senator Drilon for his amendments.

MANIFESTATION OF SENATOR PIMENTEL

Senator Pimentel recalled that when the consideration of the measure was last suspended, there was a pending question from Senator Recto about the budget for the bamboo industry. He said that based on information gathered from different agencies, the total budget for 2020 dedicated for bamboo was around P598 million, broken down as follows: P10 million from the DTI for the Bamboo Industry Development Project; P1.2 million from the Shared Services Facilities; P276 million from the National Greening Program; P31.79 million from the support to the Harmonized National S&T Agenda of the Department of Science and Technology; P1.5 million from PCAARRD; P2.25 million from FPRDI; P1.9 million from TAPI Venture Capital Program under the Department of Science and Technology; P173.56 million from DOST SETUP Program; and P100 million appropriation as provided in the bill.

Senate President Sotto placed on record that the Body would be using the clean copy of the bill as of February 10, 2020 as the working draft for purposes of further individual amendments.

DRILON AMENDMENTS

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

Page 2

- Reword lines 14 to 19 to read as follows:
- C) *BAMBOO INDUSTRY DEVELOPMENT ROADMAP – REFERS TO THE COMPREHENSIVE NATIONAL INDUSTRIAL STRATEGY FOR THE PHILIPPINE BAMBOO INDUSTRY AND SHALL PROVIDE SPECIFIC PROGRAMS AND PROJECTS, INCLUDING THE TIMELINE*

FOR THE PROPAGATION, DEVELOPMENT AND MANAGEMENT, PROCESSING, UTILIZATION, BUSINESS DEVELOPMENT, AND COMMERCIALIZATION OF THE PHILIPPINE BAMBOO AND BAMBOO PRODUCTS.

Page 3

- On line 25, in the title of Section 5, delete the article “The” ;
- On line 28, after the acronym “(DTI),” insert the phrase OR HIS/HER DULY APPOINTED REPRESENTATIVE;
- On line 30, after the word “representative,” insert a comma (,);
- Still on line 30, change the word “co-chair” to CO-CHAIR;

Page 4

- On lines 3 to 9, reword subsection (e), to read as follows:

E THREE (3) REPRESENTATIVES FROM THE PRIVATE SECTOR AND THE NON-GOVERNMENTAL ORGANIZATIONS INVOLVED IN THE BAMBOO INDUSTRY AND AGRICULTURE. THEY WILL BE APPOINTED BY THE DTI SECRETARY FROM THE LIST OF AT LEAST SIX (6) NOMINEES SUBMITTED BY THE DIFFERENT ORGANIZATIONS AND ASSOCIATIONS. THEY ~~SHALL~~ HAVE A TERM OF THREE (3) YEARS, AND MAY BE RE-APPOINTED ONCE;

Senator Drilon stated that based on his experience as Executive Secretary he does not see the rationale why the three representatives from the private sector should be appointed by the President of the Philippines when they could be appointed by the DTI Secretary from a list of at least six nominees submitted by the different organizations to expedite the appointment.

Senate President Sotto pointed out that there are, in fact, still hundreds of vacant positions which do not have presidential appointees yet.

Senator Drilon agreed, pointing out that various laws inevitably made the officials presidential appointees even if the President does not know them at all because they were merely recommended by the Cabinet secretaries. He blamed the volume of appointees as the reason why work has been unnecessarily delayed.

PIMENTEL AMENDMENT

On page 3, line 28 until line 2 on page 4, on subsections "a", "b", "c" and "d" of Section 5, as proposed by Senator Pimentel, there being no objection, the Body approved to replace the word “appointed” with AUTHORIZED.

DRILON AMENDMENTS

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

- On page 4, after line 28, insert a new subsection “e,” to read as follows:
- E) REGULATE THE EXPORT OF BAMBOO POLES.
- Re-letter the succeeding subsections accordingly;

Page 5

- On line 1, delete the phrase “The Council shall continue to” and capitalize the letter “P” in the word “Provide”;
- On line 6, delete the acronym in parentheses “(BIDC)”;
- Wherever found in the bill, replace the acronym “BIDC” with CENTER;

Page 6

- On line 21, in the title of “SEC. 8,” delete the article “The”;
- On line 22, delete the phrase “on a permanent capacity”, and replace the phrase “President of the Republic of the Philippines” with DTI SECRETARY;
- On line 23, replace the words “DTI Secretary” with COUNCIL

PIMENTEL AMENDMENT

On page 6, line 26, after the word “development,” as proposed by Senator Pimentel, there being no objection, the Body approved to insert the following:

HE/SHE SHALL SERVE FOR A PERIOD OF SIX (6) YEARS. IN CASE OF VACANCY, THE PRESIDENT SHALL APPOINT A REPLACEMENT WHO SHALL SERVE ONLY

FOR THE DURATION OF THE UNEXPIRED TERM.

DRILON AMENDMENTS

On page 7, as proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments:

- On line 3, delete the acronym in parentheses "(DENR)"; and
- On lines 3 and 4, delete the phrase "In addition to its mandate under the Bamboo Plantation Development Program (BPDP)" and start the section with the article "The".

PIMENTEL AMENDMENT

On page 7, line 26, after the word "Industry," as proposed by Senator Pimentel, there being no objection, the Body approved to delete the acronym in parentheses "(DTI)."

DRILON AMENDMENTS

As proposed by Senator Drilon and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

Page 7

- On lines 20 and 21, delete the phrase "such as the DA-BAR";
- On line 23, after the word "as," replace the comma (,) with THE;
- On line 26, delete the phrase "continue to";
- On line 27, delete the words "co-operators such as, but not limited to,";
- On line 28, replace the word "or" with AND;
- Still on line 28, delete the comma (,) after the word "associations";
- On line 29, delete the word "furthermore" and capitalize the letter "t" in the article "the";
- On line 30, delete the phrase "under the DTI,";
- Still on line 30, delete the words "continue to";

Page 8

- On line 1, delete the acronym in parentheses "(DA)", and delete the comma (,) after the word "Agriculture";

- On lines 10 and 11, delete the phrase "in cooperation with the DENR, DTI and the DOST, and in consultation with DA and the National Commission on Indigenous People (NCIP) when necessary";
- On lines 13 and 14, delete the phrase "in their respective localities";

Page 8

- On line 19, after the word "shall," insert the words WHEN PRACTICABLE;

Senator Drilon recalled that during the period of interpellations, when he asked how long the provision has been there mandating that 25% percent of all the annual school desks and armchairs required of all public elementary and secondary schools nationwide that are procured by the Department of Education should be made of bamboo, the response was that the provision has been existing for the last 10 years and that what was originally required to be 20% was being proposed to become 25%, and when he further asked how far the requirement has been complied with, the reply was that it has not been complied with, and he could only surmise that the reason would be inadequate supply which makes it impossible to carry out the mandate. Thus, he proposed that instead of making it compulsory, it should be required only when practicable or where there are available raw materials.

- On line 20 and 21, delete the phrase "to investors in plantation development and bamboo processing factories";

Senator Drilon explained that the incentives should not be limited to investors in bamboo plantation but to all who are involved in the bamboo industry.

- On line 25, before the word "Plantation," insert the word BAMBOO;

INQUIRY OF SENATOR RECTO

At this juncture, Senator Recto asked why bamboo owners were being exempted from payment of forest charges, how much public lands was being considered, what authority the DENR has in exempting anyone from forest charges, who else are exempted from forest charges, and if there is a list.

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In reply, Senator Pimentel cited the following DENR Administrative Orders (DAO) as basis for the exemption in land rental under Section 16.

- DAO No. 96-29 dated October 10, 1996, on the Community-Based Forest Management Strategy, Section 2. Incentives to POs, subparagraph (3), exemptions from paying rent for use of the seeds.
- DAO No. 97-04 on the "Rules and Regulations Governing the Industrial Forest Management Program," dated March 4, 1997

Senator Pimentel explained that DAO No. 97-04 does not provide for payment of rent for the use of forest land but, instead, requires a government share which is negotiated between the DENR and the Integrated Forest Management Agreement (IFMA) holder. He said that the current default share is 5% of the gross income of the IFMA holder which goes to the government. He added that the plantation owners are holders of industrial forest management contracts with the DENR.

- DAO No. 99-53 on the regulations governing the Integrated Forest Management Program (IFMP) dated December 23, 1999

Senator Pimentel said that the DAO No. 99-53, dated December 23, 1999, does not also require payment of rent for the use of forest land. He also cited DAO No. 88-97 and DAO No. 96-24.

Asked if all the cited DAOs were in the nature of or similar to fiscal incentives, Senator Pimentel answered in the affirmative.

Senator Recto stated that the Body would soon be discussing the issues on fiscal incentives and that, in fact, the proposal of the Department of Finance was to repeal 90 laws that provide for fiscal incentives in order to reduce corporate income taxes. He pointed out that he does not mind having a development center for the bamboo industry if the intention is to boost the industry. However, he expressed reservations in creating a bamboo industry development council as he believed that the bureaucracy has too many councils, and in most cases where councils were created for certain industries, those industries either failed or collapsed because of too much government regulation; while

industries without regulatory councils such as mango, banana, and pineapple were going well. He also cautioned against granting too many incentives which might invite a presidential veto through the recommendation of the Department of Finance.

As regards the phrase "shall be given priority to access credit assistance and guarantee schemes being granted by government-owned, controlled [and or supported financial institutions" found in Section 16 (d), Senator Recto opined that it would be better to leave to the banks or to the guarantee corporations to determine as to who should be prioritized.

Senator Recto further noted on page 9, line 5, the phrase "shall be covered by the Philippine Crop Insurance Corporation (PCIC)," and he asked if bamboo farmers would automatically be covered. He likewise asked if rice farmers and corn farmers are automatically included in the Philippine Crop Insurance Corporation and, if they are not, why bamboo farmers would be automatically included.

Senator Recto clarified that his only objection to the measure would be the incentives as provided in paragraphs (a) to (h) of Section 16.

INQUIRY OF SENATOR PANGILINAN

Relative to the observations of Senator Recto, Senator Pangilinan also questioned the intent to exempt investors of plantation development and bamboo processing factories from payment of rent for using public lands and, at the same time, exempt them from paying forest charges. Senator Pimentel replied that there would be some incentives applicable to them.

Senator Pangilinan cited as an example the banana plantation managed by La Frutera in Maguindanao which has a land area of 1,500. He asked if the 1,500-hectare bamboo plantation would be required to pay rent if the plantation is located in public land and if the whole plantation, supposing it is a state-of-the-art bamboo processing factory, would be exempted from rental payment.

Likewise, relative to the incentive of allowing bamboo plantations to be accepted as collateral for loans, Senator Pangilinan asked if a public land could then be used as collateral for a loan. Senator



Pimentel replied that the borrower could only use as collateral what he or she or the corporation owns as an owner, for instance, the produce of the land.

At this juncture, Senator Drilon stated that the situation posed by Senator Pangilinan would fall as a chattel mortgage and not a real estate mortgage. Senator Pimentel agreed that the produce of the land and what the borrower has planted could be used as collateral. Senator Pangilinan then suggested the rewording of the amendment.

Senator Drilon suggested that Senator Pimentel come out with a language that would clearly spell out the security that could be accepted by the banks. Senator Pimentel agreed.

Senator Pangilinan also asked Senator Pimentel to consider incorporating a sunset clause on the incentives. Senator Pimentel agreed to having a sunset clause even as he pointed out that there is a natural time limit to the contract involving the public land since there is already an agreement involved.

MANIFESTATION OF SENATOR HONTIVEROS

At this juncture, Senator Hontiveros placed on record that during the period of interpellations, she already asked why the original exemption from payment of rent for the use of public lands which was Section 16 (*Incentives*), had a timeframe or a sunset clause, while the rest of the incentives did not have a time limit and she was told that the sunset clause had already been previously deleted.

Senator Hontiveros said that she would want Section 16 to be fairly formulated both for the bamboo industry as well as for the government. For instance, she stated that bamboo plantations in public lands should not be allowed to be used as collateral for loans in government-owned or controlled banks, unless it is a chattel mortgage. She also believed that if bamboo plantation and plantation development equipment are covered by the Philippine Crop Insurance Corporation, the same social protection must also be afforded to planters of other crops.

INQUIRY OF SENATOR LACSON

At this juncture, Senator Lacson asked if having a council is an incidental or a direct contributory factor to the failure of a certain industry. Senator Recto replied that many factors should be considered, including too much regulation and corruption. He clarified that he was merely stating a fact that the government might be dipping its hands into the industry too much.

At this juncture, Senator Pangilinan recalled that during the time when he chaired the Philippine Coconut Authority (PCA), the agency had the power to issue export and import permits of coconut products, similar to the power of the National Food Authority (NFA) to decide who can import rice. He said that this kind of power breeds corruption and becomes one of the major stumbling blocks to the development of the industry as the private sector would rather stay away due to over-regulation. He said that it was his time with the NFA that the agency tried to bring in private companies like Jollibee and San Miguel Corporation to participate in the importation of rice but they declined because of the well-established or well-entrenched network in the rice industry which has monopolized rice importation in collusion with corrupt NFA officials.

Senator Pimentel explained the bill was actually in response to the appeal from those involved in propagating the bamboo industry that they need government involvement through a specific body concentrating on bamboo-related issues, industry needs and some incentives.

MANIFESTATION OF SENATOR VILLAR

Senator Villar conveyed the sentiment of her colleagues that it would be better to do away with the council since there would be government agencies that could support the bamboo industry, like the Department of Environment and Natural Resources (DENR) which would oversee the planting of the bamboo, while the Department of Trade and Industry (DTI) and the Department of Science and Technology (DOST) could help in the processing of the bamboo, and the Department of Education (DepEd) could help by buying the bamboo for school chairs. She pointed out that 50 percent of the budget goes to overhead

13 88

expenditures and it would be better if the budget for the council could be given directly to the people.

Asked by Senator Drilon whether Senator Villar was proposing an amendment to delete all references to the council in the bill, Senator Villar answered in the affirmative. She clarified that she was merely voicing her opinion, as well as that of the other senators, that it was not necessary to create a council.

Senator Pimentel pointed out that the idea of a council came from a bill filed by Senator Villar. Senator Villar said that her opinion has changed after hearing the interpellations on the bill.

INQUIRY OF THE CHAIR

Asked by Senate President Sotto on the current status of the bamboo industry, Senator Pimentel replied that it has been struggling, primarily due to the fact that there is no one-stop-shop government agency that would guide the stakeholders on what to do, how to propagate bamboo, and where to ask for additional incentives. He said that without a council, the bamboo industry will remain in its present state.

Senate President Sotto stated that not having a council does not guarantee progress. He suggested that the Committee look into the existing councils that hamper the development of their respective industries.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 4:14 p.m.

RESUMPTION OF SESSION

At 5:07 p.m., the session was resumed.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1240

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

ADDITIONAL REFERENCE OF BUSINESS

The Secretary of the Senate read the following bills and resolution which the Chair referred to the committees here under indicated:

BILLS ON FIRST READING

Senate Bill No. 1343, entitled

AN ACT AMENDING SECTIONS 3, 4 AND 6 OF REPUBLIC ACT NO. 9006 ALSO KNOWN AS THE FAIR ELECTIONS ACT TO INCLUDE STATIC AND LED BILLBOARDS AND OTHER OUTDOOR ADVERTISING MEDIA AS LAWFUL ELECTION PROPAGANDA

Introduced by Senator Sotto III 2

To the Committee on Electoral Reforms and People's Participation

Senate Bill No. 1344, entitled

AN ACT CREATING PROGRAMS FOR INCARCERATED PARENTS AND THEIR CHILDREN

Introduced by Senator Binay

To the Committees on Women, Children, Family Relations and Gender Equality; Justice and Human Rights; and Finance

Senate Bill No. 1345, entitled

AN ACT ESTABLISHING THE OFFICE OF FLOOD RESEARCH AND POLICY TO PLAN, COORDINATE, CONDUCT, AND SHARE RESEARCH ON FLOODING, FLOOD PREVENTION, AND OTHER FLOOD-RELATED ISSUES

Introduced by Senator Binay

To the Committees on Public Works; National Defense and Security, Peace, Unification and Reconciliation; and Finance

13 88

Senate Bill No. 1346, entitled

AN ACT GRANTING BENEFITS AND PRIVILEGES TO FORMER PRESIDENTS AND VICE PRESIDENTS OF THE PHILIPPINES OR THEIR SURVIVING SPOUSES, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 5059, REPEALING REPUBLIC ACT NO. 2087, AND FOR THE PURPOSES

Introduced by Senator Binay

To the Committees on Civil Service, Government Reorganization and Professional Regulation; Ways and Means; and Finance

Senate Bill No. 1347, entitled

AN ACT AMENDING PRESIDENTIAL DECREE NO. 252 OTHERWISE KNOWN AS THE "PHILIPPINE INTERNATIONAL TRADING CORPORATION LAW," AS AMENDED BY PRESIDENTIAL DECREE NO. 1071 OTHERWISE KNOWN AS "REVISING THE CHARTER OF THE PHILIPPINE INTERNATIONAL TRADING CORPORATION"

Introduced by Senator Gordon

To the Committees on Government Corporations and Public Enterprises; and Finance

RESOLUTION

Senate Joint Resolution No. 11, entitled

JOINT RESOLUTION EXTENDING THE FRANCHISE OF ABS-CBN CORPORATION UNTIL 31, DECEMBER 2022

Introduced by Senator Drilon

MOTION OF SENATOR DRILON

At this juncture, Senator Drilon moved that Proposed Senate Joint Resolution No. 11 be referred principally to the Committee on Public Services where similar resolutions are pending, and secondarily to the Committee on Rules. He said that the resolution concerns the franchise of ABS-CBN which would

be heard by the Committee on Public Services on February 27, 2020.

SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

It was 5:10 p.m.

RESUMPTION OF SESSION

At 5:11 p.m., the session was resumed.

COMMITTEE REFERRAL

Amending his previous motion, Senator Drilon moved that Proposed Senate Joint Resolution No. 11 be referred directly to the Committee on Public Services.

Senate President Sotto said that, technically, the resolution should be referred first to the Committee on Rules because it is in the nature of a franchise measure that should emanate from the House of Representatives. However, he said that it has been the practice of the Chamber to proceed with the hearing without coming out with a committee report until the House version is transmitted to the Senate.

Senator Zubiri interposed no objection, saying that, in fact, during budget deliberations in the House, the Senate holds parallel hearings without coming out with a committee report.

Senator Drilon agreed, saying that the same goes with revenue bills which are sometimes heard in the Senate and are reported out even without reference to the House bill. He said that there are situations when the Rules are being interpreted liberally.

Upon motion of Senator Drilon, there being no objection, the Body approved the referral of Proposed Senate Joint Resolution No. 11 to the Committee on Public Services.

SENATE CONFEREES

Upon nomination by Senator Zubiri, there being no objection, Senate President Sotto designated the following as members of the Senate panel in the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 1224 (GMRC Act) and House Bill No. 5829: Senators Gatchalian as chair;

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and Senators Zubiri, Villanueva, Lacson and Hontiveros as members.

ADJOURNMENT OF SESSION

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

It was 5:14 p.m.

I hereby certify to the correctness of the foregoing.

M. Villarica
ATTY. MYRA MARIE D. VILLARICA
Secretary of the Senate

R P b w
Approved on February 18, 2020