



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 62**  
Monday, February 14, 2011

**FIFTEENTH CONGRESS**  
**FIRST REGULAR SESSION**

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**SESSION NO. 62**  
Monday, February 14, 2011

**CALL TO ORDER**

At 3:33 p.m., the Senate President, Hon. Juan Ponce Enrile, called the session to order.

**PRAYER**

Sen. Juan Miguel F. Zubiri led the prayer, to wit:

*Let us bow our heads in the presence of the Lord.*

Lord, we thank You for giving us unconditional love. Through Your sacrifice on the cross, You showed us love that is blind to race, wealth and beauty.

Help us emulate St. Valentine—the patron of Christian marriage, youth and love.

Guide us to enrich our relationships with You, our family, our friends and the Filipino people—who are our everlasting treasures. Lord, teach us how to nurture our pledges to them that we may earn their trust and their love in return.

We also deeply thank You for our Senate President—another treasure—who helps us do our jobs wholeheartedly and who is celebrating his 87<sup>th</sup> birthday today. Grant him good health and make us be like him, who has a generous heart and is always young at heart.

Lord, we thank You for teaching us that: “Love is patient and kind; love does not envy or boast; it is not arrogant or rude. It does not insist on its own way; it is not irritable or resentful; it does not rejoice at wrongdoing, but rejoices with the truth.”

Today, dear Lord, help us seek decisions and actions that strengthen love especially today, on the day of hearts.

Amen.

**NATIONAL ANTHEM**


The Senate Choir led the singing of the national anthem and thereafter rendered the song, entitled *Ti Ayat*.

**REMARKS  
OF SENATE PRESIDENT ENRILE**

Senate President Enrile explained that the song *Ti Ayat* speaks about the love of a young person which is like a jasmine flower that blooms in April and the love of an old, senile man, which is bitter and cannot be swallowed.

**ROLL CALL**

Upon direction of the Chair, the Secretary of the Senate, Atty. Emma Lirio-Reyes, called the roll, to which the following senators responded:



Arroyo, J. P.	Legarda, L.
Cayetano, P. S.	Marcos Jr., F. R.
Defensor Santiago, M.	Osmeña III, S. R.
Drilon, F. M.	Pangilinan, F. N.
Ejercito Estrada, J.	Recto, R. G.
Enrile, J. P.	Revilla Jr., R. B.
Escudero, F. J. G.	Sotto III, V. C.
Guingona III, T. L.	Trillanes IV, A. F.
Honasan, G. B.	Zubiri, J. M. F.
Lapid, M. L. M.	

With 19 senators present, the Chair declared the presence of a quorum.

Senators Angara and Villar arrived after the roll call.

Senator Cayetano (A) was on official business.

Senator Lacson was absent.

#### **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. 61 (February 9, 2011) and considered it approved.

#### **BIRTHDAY GREETINGS**

At this juncture, on behalf of the entire Senate, Senator Sotto greeted Senate President Enrile on the occasion of his birthday.

In turn, Senate President Enrile thanked the Members and greeted them a Happy Valentine's Day.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended to allow the Members to greet Senate President Enrile.

*It was 3:41 p.m.*

#### **RESUMPTION OF SESSION**

At 3:42 p.m., the session was resumed with Senate President Pro Tempore Ejercito Estrada presiding.

#### **ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Sotto acknowledged the presence in the gallery of members of the Public Speaking Club of MGC-New Life Christian Academy.

Senate Pro Tempore Ejercito Estrada welcomed the guests to the Senate.

#### **PRIVILEGE SPEECH OF SENATOR SOTTO**

Availing himself of the privilege hour and using a slide presentation, Senator Sotto spoke on the alarming trend of using poppy seeds as condiments and the danger it poses.

*The full text of his speech follows:*

The poppy is a plant. The scientific name is *Papaver Somniferum*. It is the source of opium and of poppy seeds.

Because the poppy plant is beautiful with a distinctive bulb, its defenders claim that being beautiful is enough reason for its existence, an argument that may have some relevance today, being the day of love and hearts. This is the floral argument for the poppy plant.

Because poppy seeds derived from the poppy plant enhance the looks and taste of food and bakery products, bakers use the culinary argument as redeeming value of poppy seeds.

Under the old regime of Republic Act No. 6425, the Dangerous Drugs Act of 1972, defenders of the use of opium poppy seeds assert that poppy seeds were not categorically included in the definition of opium under Republic Act No. 6425 which merely mentioned opium and its active components and derivatives.

I remember having spoken before this Chamber during my first term as senator in the 9<sup>th</sup> Congress, and with the help of our Journal and Archives Divisions, my remarks on poppy seeds were found in the Senate Journal of 1996. It was a lonely task then to sound the alarm against poppy seeds for lack of convincing proof of their deadly potential. Many honestly considered them harmless food condiments.

Yet, I still maintain my position then, and do so more now, that poppy seeds are precursors of that dangerous-drugs source — the opium poppy plant. I have the evidence and I present it today in the Senate.

A couple of weeks ago, I was furnished with a report by the Dangerous Drugs Board - Technical Working Group that opium poppy seeds and opium poppy seed-laced food products are openly sold in our midst, in trendy groceries and bakeshops, and supermarkets.

Section 3, Article I of Republic Act 9165, otherwise known as "The Comprehensive Dangerous Drugs Act of 2002," defines opium poppy and includes the seed as part of the definition.

Section 4, Article II of Republic Act 9165, provides:

*Importation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals.* -- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall import or bring into the Philippines any dangerous drug, regardless of the quantity and purity involved, including any and all species of opium poppy or any part thereof or substances derived therefrom even for floral, decorative and culinary purposes.

x x x

This particular phrase was included in the law because of the findings then in 1996. Thus, the decorative and culinary arguments for the continued importation of these items are no longer availing because the law declares the opium poppy and any part thereof as illegal. It is, as the lawyers say, *mala prohibita*.

In order to verify the truth or falsity of the assertion that opium poppy seeds are openly sold in grocery stores, a test-buy was conducted in a high-end delicatessen in Quezon City for the purchase of the poppy seeds. The test-buy pushed through and the poppy seeds were subjected to laboratory examination.

Astonishingly, a curious thing happened. Members of the Dangerous Drugs Board-Technical Working Group succeeded in germinating opium poppy plants from the poppy seeds bought in that high-end grocery store in Quezon City. We have pictures of the sprouting poppy plants from the seeds bought as food condiments.

On the law enforcement side, the National Bureau of Investigation (NBI) and the Dangerous Drugs Board reported that a foreign national and owner of a chain of restaurants was arrested

by the NBI for trafficking dangerous drugs in Metro Manila.

NBI Director Magtanggol B. Gatdula identified the suspect as **Leeyouvenhouk Baroutian**, 51, married, Iranian and a resident of 850 G. Ibarra St., Sampaloc, Manila. He owns four world-class Persian Kebab Restaurants located in Santolan, Pasig City; Tomas Morato, Quezon City; Pioneer, Mandaluyong; and Sucat, Parañaque City. Investigation by the Reaction, Arrest and Interdiction Division (RAID) headed by Chief Ross Jonathan Galicia disclosed that the NBI received information about the proliferation of opium in Manila.

Sustained surveillance conducted pointed to suspect Baroutian, the source of the opium in the Manila area. He was arrested by a team of NBI operatives while transporting 15 grams of opium along Blumentritt St., Sampaloc, Manila. Thereafter, by virtue of a search warrant issued by Manila Executive Judge Amor Reyes, he was brought to his residence where more opium and marijuana were found. Found and seized were 55 grams of opium and nine grams of marijuana. He was brought to the NBI where he is detained. Baroutian was then referred to the Office of the Manila City Prosecutor for inquest proceedings. Probable cause was found to indict him for violation of Sections 5 and 11 of Article II of RA 9165 with no bail recommended.

Today, I alert the nation once again on these poppy seeds. They are not harmless. In fact, after an ingestion of these poppy seeds, one will test positive for opium in a drug test, as found by the Dangerous Drugs Board.

And for the most alarming revelation of my clarion call, we have found an opium poppy plantation in the soil of Barangay Paoay, Halsema Highway, Atok, Benguet, Cordillera Region. Based on the 2000 Annual Report, 440 pieces of fully grown opium poppy plants were destroyed on, more or less, 50 square meters of land area estimated to be worth P500,000.00.

Opium poppy plantation in our midst is no laughing matter. Today, such plantations abound in the Golden Triangle countries of Myanmar, Laos, and Thailand—this is the place they call "The Golden Triangle." No military operations of Thailand have ever penetrated that "Golden Triangle" up to now, even with the help of the United States Drug Enforcement Agency.

The same thing in the Middle East. In the Middle East, the places where these abound are referred to as "The Golden Crescent." They are Iran, Afghanistan, and Pakistan. This is the source of money of the *al-Qaeda*. No military offensive has ever been able to penetrate any of these opium poppy plantations.

Now, I am concerned because before World War II—just as an example of what has happened to our history on illegal drugs—we had no marijuana plantation in the Philippines. No marijuana. But it took only one flowerpot of marijuana after the World War II that a GI brought into the country to become today a significant grower of marijuana, with us ranking second only to Mexico in marijuana production.

And so, as I stand here today, I do not want this to happen again with respect to the poppy plant. Those seeds openly sold as food condiments today may well be the precursors of huge opium poppy plantations in the future. *Mahirap kalaban itong kartel ng opium*. If we can beat the cartel of the methamphetamine hydrochloride or *shabu* and marijuana plantations, I assure you, with the opium poppy plantations, the Majority Leader will not be standing here today.

For now, I want to call attention to this flagrant violation of Republic Act No. 9165 by supposedly reputed stores of high-end food and bakery products selling poppy seeds. I therefore urge all outlets of these poppy seeds to cease and desist from offering these as condiments. It is illegal. I also call on law enforcement operatives to include this information in their operations on anti-illegal drug activities.

In the Asean region, we are committed to eradicate illegal drugs by 2015. I am not that optimistic about it, but let it not be said that we were sleeping on the job. The law is clear. The mandate is there. Let us begin in earnest in this long and difficult road to make a drug-free Philippines. If that sounds hard to attain, I would settle for a drug-resistant Philippines.

#### INTERPELLATION OF SENATOR LEGARDA

At the onset, Senator Legarda noted that as Senator Sotto earlier stated, while the definition of illegal drugs in RA 6425 did not include opium poppy seeds, the Comprehensive Dangerous Drugs Act of 2002 clearly identified the poppy plant and its derivatives as illegal.

Senator Sotto affirmed, saying that RA 6425 merely stated “opium and its derivatives” but did not elaborate further, enabling some to claim that poppy seeds and poppy flowers were not included. He recalled that in 1996 the Bureau of Customs intercepted a shipment of poppy flowers and half a ton of poppy seeds and in the Senate investigation that ensued, the importers insisted that the poppy plants and seeds were not included in the law.

Precisely, he said, the Comprehensive Dangerous Drugs Act of 2002 clearly specified the sources of opium. He revealed that in an examination that was conducted, it was proven that seeds of dried ornamental poppy flowers still germinated.

Senator Legarda asked which government agency is responsible for the implementation of the law and why some people flagrantly violate it. She noted, however, that to the uninitiated, poppy seeds cannot be clearly distinguished from sesame seeds. Senator Sotto agreed that people are not aware that the poppy seeds in their food pose a danger to their health. He called on the Dangerous Drugs Board to look into reports that customers in some Persian restaurants are smoking drug-laced tobacco in Persian pipes or *shisha*.

Senator Legarda stated that she would give bakers, culinary experts, and flower shop owners who openly import the product the benefit of the doubt, as she surmised that they did so not for illegal purposes. She asked whether the government was actually the one violating the law because the Bureau of Food and Drug Administration (BFAD), for instance, has allowed the importation of poppy seeds. She noted that there is a very loose interpretation of the law and the people were not properly informed of the dangers of using poppy seeds.

Senator Sotto agreed and added that aside from the BFAD, the DDB, the Philippine Drug Enforcement Agency and the Department of Health would also be summoned to the hearing.

Asked on the effects of poppy seed-laced bakery products on the human body, Senator Sotto said that he was not sure about their effects or why culinary experts insist on using them. However, he cited a DDB report which says that a person who ingests poppy seeds will test positive for opium.

Senator Legarda stated that this is reason enough to ban the use of poppy seeds. She expressed support for the suggestion of Senator Sotto to summon the concerned agencies to the hearing to determine why they are not implementing the law and why they were allowing the importation of poppy seeds.

Senator Sotto hoped that the day's discussion would serve to enlighten people and discourage them from using poppy seeds in their products.

Asked whether the Cordillera farmers were aware that planting opium poppy seeds was against the law, Senator Sotto supposed that they could be aware of it since they knew that poppy plantations are similar to the marijuana plantations, which had been eradicated by the PNP and the PDEA.

Asked for what purpose these farmers were planting marijuana and/or poppy, Senator Sotto replied that the farmers plant poppy to eventually sell them as illegal drugs. He noted that even those who peddle marijuana as a medicinal drug do not have empirical data to prove that it is actually therapeutic. He also pointed out that even though heroin, which is derived from the poppy plant, is the source of a medicinal drug like morphine, the government prohibits the production or sale of this substance.

On whether the concerned LGUs could be contacted to verify the existence of marijuana and/or poppy plantations in their area, Senator Sotto explained that local government officials in these areas have been very cooperative with the authorities. In fact, he pointed out that through the joint efforts of the LGUs, the Department of Agriculture, the Department of Trade and even the Department of Labor and Employment, a successful sericulture program was launched wherein the farmers and their families enticed to plant mulberry trees in place of marijuana plants. However, he said that the program has yet to reach other areas where marijuana plantations are located.

As regards the Philippines' reputation for being a major exporter of marijuana, Senator Sotto said that statistics from the PDEA and the United Nations Office on Drugs and Crime revealed that the Philippines ranks second to Mexico as the world's biggest marijuana exporter. He surmised that the country's tropical climate has been conducive to the growth and proliferation of marijuana plantations

Senator Legarda lamented that such information reflects the lack of vigilance and negligence of law enforcers and the local authorities in curbing this drug problem despite the fact that it would not be difficult to determine the kind of crops/plants being grown by farmers in these areas. Senator Sotto expressed hope that the new administration would be more aggressive in eradicating such illegal plantations and in promoting sericulture programs such as those that have been successfully implemented in Cebu and Bukidnon.

In closing, Senator Legarda suggested that Senator Sotto request the participation of the Department of Agriculture and other concerned agencies in the upcoming hearing to ensure that local police authorities and the LGUs will be held responsible for eradicating these plantations within 30 days, particularly since these are located in less than 10 provinces.

#### **REFERRAL OF SPEECH TO COMMITTEES**

Upon motion of Senator Sotto, there being no objection, the Body referred his privilege speech and the interpellation thereon to the Committee on Public Order and Dangerous Drugs as the primary committee, and the Committee on Health and Demography and the Committee on Agriculture and Food as secondary committees.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 4:14 p.m.*

#### **RESUMPTION OF SESSION**

At 4:26 p.m., the session was resumed.

#### **APPROVAL OF SENATE BILL NO. 1052 ON THIRD READING**

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1052, printed copies of which were distributed to the senators on February 9, 2011.

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

AN ACT AMENDING ARTICLE 26 OF EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES, AS AMENDED.

Secretary Reyes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

Angara	Honasan
Arroyo	Legarda
Cayetano (P)	Marcos
Defensor Santiago	Sotto
Drilon	Trillanes
Ejercito Estrada	Zubiri
Guingona	

*Against*

None

*Abstention*

None

With 13 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1052 approved on Third Reading.

**APPROVAL OF SENATE BILL NO. 480 ON THIRD READING**

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Senate Bill No. 480, printed copies of which were distributed to the senators on February 9, 2011.

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

AN ACT AMENDING EXECUTIVE ORDER NO. 209, ALSO KNOWN AS THE FAMILY CODE OF THE PHILIPPINES, ARTICLE 111.

Secretary Reyes called the roll for nominal voting.

**RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

Angara	Honasan
Arroyo	Legarda
Cayetano (P)	Marcos
Defensor Santiago	Osmeña
Drilon	Sotto
Ejercito Estrada	Trillanes
Guingona	Zubiri

*Against*

None

*Abstention*

None

With 14 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 480 approved on Third Reading.

**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. 2683, entitled

AN ACT PENALIZING PERSONS DRIVING UNDER THE INFLUENCE OF ALCOHOL

Introduced by Senator Marcos Jr.

**To the Committees on Justice and Human Rights; and Public Services**

Senate Bill No. 2684, entitled

AN ACT REGULATING THE AQUARIUM AQUATIC LIFE COLLECTING INDUSTRY

Introduced by Senator Defensor Santiago

**To the Committee on Environment and Natural Resources**

Senate Bill No. 2685, entitled

AN ACT TO IMPROVE ATTENDANCE IN ELEMENTARY AND SECONDARY SCHOOLS

Introduced by Senator Defensor Santiago

**To the Committees on Education, Arts and Culture; and Finance**

Senate Bill No. 2686, entitled

AN ACT GRANTING SPECIAL INCENTIVES TO ATHLETES

Introduced by Senator Defensor Santiago

**To the Committees on Games, Amusement and Sports; Ways and Means; and Finance**

Senate Bill No. 2687, entitled

AN ACT CREATING A COMMISSION ON CRIMINAL JUSTICE REFORM

Introduced by Senator Defensor Santiago

**To the Committees on Justice and Human Rights; and Finance**

Senate Bill No. 2688, entitled

AN ACT PROVIDING FOR BICYCLE RIGHTS, CREATION OF LOCAL BIKEWAYS OFFICE (LBO), ESTABLISHING INFRASTRUCTURE IN RELATION THERETO AND FOR OTHER PURPOSES

Introduced by Senator Villar

**To the Committees on Public Services; and Local Government**

**RESOLUTIONS**

Proposed Senate Resolution No. 374, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED UNPRECEDENTED JAILBREAK IN ONE OF THE NATIONAL BUREAU OF INVESTIGATION'S DETENTION CENTERS IN MANILA

Introduced by Senator Defensor Santiago

**To the Committee on Justice and Human Rights**

Proposed Senate Resolution No. 375, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO

CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED NEED TO IMMEDIATELY CURB THE RAMPANT DEFORESTATION IN THE COUNTRY

Introduced by Senator Defensor Santiago

**To the Committee on Environment and Natural Resources**

Proposed Senate Resolution No. 376, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON WAYS TO PROMOTE CHEMICAL SAFETY AND STRENGTHEN THE NATIONAL IMPLEMENTATION OF THE STRATEGIC APPROACH TO INTERNATIONAL CHEMICALS MANAGEMENT (SAICM)

Introduced by Senator Defensor Santiago

**To the Committees on Environment and Natural Resources; and Health and Demography**

Proposed Senate Resolution No. 377, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON CONSTITUTIONAL AMENDMENTS, REVISION OF CODES AND LAWS, AND OTHER APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGATION THAT THERE ARE THOUSANDS OF MULTIPLE TERMER PUNONG BARANGAYS WHO WERE ALLOWED TO FILE THEIR CERTIFICATES FOR CANDIDACY, WIN, AND SERVE MORE THAN THREE TERMS IN VIOLATION OF THE THREE-TERM LIMIT RULE IN THE LOCAL GOVERNMENT CODE

Introduced by Senator Defensor Santiago

**To the Committees on Constitutional Amendments, Revision of Codes and Laws; and Local Government**



Proposed Senate Resolution No. 378, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE DWINDLING STATE OF OUR COUNTRY'S FORESTS, RANKED AS ONE OF THE WORLD'S MOST THREATENED, WITH THE END IN VIEW OF LAYING DOWN POLICY DIRECTIVES AIMED AT REHABILITATION, MANAGEMENT AND PROTECTION OF OUR REMAINING FOREST COVER

Introduced by Senator Villar

To the Committee on Environment and Natural Resources

COMMITTEE REPORT NO. 16  
ON SENATE BILL NO. 2671

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2671 (Committee Report No. 16), entitled

AN ACT STRENGTHENING THE CAREER EXECUTIVE SYTEM.

Senator Sotto stated that the parliamentary status was the period of committee amendments.

Thereupon, the Chair recognized Senator Trillanes, Sponsor of the measure.

#### COMMITTEE AMENDMENTS

As proposed by Senator Trillanes, there being no objection, the Body approved the following committee amendments, one after the other:

##### Page 1

1. On line 4, change the word "System" to SERVICE;

##### Page 2

2. On line 2, delete the phrase "under the 1987 Constitution";

3. On line 5, delete the phrase "across the executive class department, including government-owned and controlled corporations";
4. After subsection "(a)," insert a new subsection (b) to read as follows: CAREER EXECUTIVE SERVICE (CES) REFERS TO THE CORPS OF WELL-SELECTED AND DEVELOPMENT-ORIENTED CAREER EXECUTIVES WHO PROVIDE COMPETENT AND FAITHFUL SERVICE;
5. On line 8, reletter "(b)" as "C" and change the acronym "(CES)" in parentheses to (SYSTEM);
6. On line 12, reletter "(c)" as "D" and change the word "System" to SERVICE';
7. On line 16, reletter "(d)" as "E," after the words "Executive," insert the word SERVICE, and change the acronym "CEO" to CESO.

#### SUSPENSION OF SESSION

Upon motion of Senator Trillanes, the session was suspended.

*It was 4:36 p.m.*

#### RESUMPTION OF SESSION

At 4:45 p.m, the session was resumed.

At this juncture, Senator Drilon said that he was holding a copy of Senate Bill No. 2671 with the notation "with proposed committee amendments as of February 14, 2011, 3 p.m.", but there was no line 15 on page 2.

Senator Trillanes clarified that the working draft was Senate Bill No. 2671 (Committee Report No. 16) as filed. He said that the copy of Senator Drilon was the clean version of the bill with the committee amendments.

#### COMMITTEE AMENDMENTS

(Continuation)

As proposed by Senator Trillanes, there being no objection, the Body approved the following committee amendments, one after the other:

##### Page 2

1. On line 19, reletter "e" as "F", change the word "Officer" and hyphen (-) to SERVICE, and change the acronym "CEO-E" to CESE;

16

2. On line 20, change the word "System" to SERVICE;
3. On lines 20 and 21, delete the phrase "through the Civil Service Commission";
4. On line 23, reletter "F" as "G" and in between the words "Executive" and "Officers," insert the word SERVICE;
5. On line 24, change the word "Officer" and hyphen (-) to SERVICE, and replace the phrase "Civil Service Commission" with PRESIDENT;
6. On line 27, reletter "g" as "H" and in between the words "Executive" and "Officer," insert the word SERVICE;
7. On line 28, change "or" to AND;

**Page 3**

1. On line 4, change the acronym "CES" to SYSTEM;
2. On the line 5, after the word "service," insert the phrase IN THE EXECUTIVE BRANCH;
3. On line 6, delete comma (,) and the phrase "specifically those in the Executive Branch including Government-Owned and Controlled Corporations (GOCCs)";
4. On line 7, change "CES" to SYSTEM;
5. On line 9, change "System" to SERVICE, after the word "Board," delete the comma (,) and the phrase "through the Civil Service Commission"; and change the acronym "CES" to SYSTEM;
6. On line 12, change "System" to SERVICE;
7. On line 13, replace the word "administrative" with CONTROL AND;
8. On line 14, delete the comma (,) and the phrase "for purposes of policy and program coordination";
9. On line 15, replace "Chairperson" with MOST SENIOR COMMISSIONER;
10. On line 21, between the words "Executive" and "Officers," insert the word SERVICE;
11. On line 31, change the acronyms "CEOs" to CESOs and "CEO-Es" to CESEs; thereafter delete the period (.) and add the phrase *PROVIDED, THAT NO RULE, DECISION OR ANY ACTION OF THE BOARD SHALL BE VALID AND EFFECTIVE WITHOUT APPROVAL OF THE COMMISSION,*

**Page 4**

1. On lines 2 and 3, delete the phrase "third

level of the career service" and replace it with SYSTEM;

2. On line 5, in between the words "Executive" and "Officers," insert SERVICE;
3. On line 13, change the word "officer" to SERVICE;
4. On line 15, change the word "System" to SERVICE; change "CEO-Eligible" to CESE; and change "assigned" to APPOINTED;
5. On line 16, change "System" to SERVICE; and replace the phrase "given the entry rank as CEO" with RECOMMENDED FOR ORIGINAL APPOINTMENT TO CESO RANK;
6. On line 16, replace the phrase "Given the entry rank a CEO" with "RECOMMENDED FOR ORIGINAL APPOINTMENT TO CESO RANK BY THE";
7. On lines 17 and 19, replace "System" with SERVICE;
8. On line 21, change "CEO" to CESO;
9. On line 22, delete the phrase "based on eligibility" and the comma (,);
10. On line 24, change "CEO" to CESO;
11. On line 31, delete the phrase "while assigned to the position";
12. On line 32, change "CEO" to CESO;
13. On line 33, change "CEO" to CESO;

**Page 5**

1. On line 5, change "CEO" to CESO;
2. On line 3, after the word "competence," replace the comma (,) with the article AND;

**OMNIBUS AMENDMENT**

At the instance of the Chair, as proposed by Senator Triflanes, there being no objection, on page 5, line 12, and wherever found in the bill, change the acronym "CEO" to CESO and the word "System" to SERVICE.

**Page 5**

3. On line 7, replace the phrase "CEO-Eligible assigned" with CESE APPOINTED;
4. On line 14, replace the phrase "CEO-Eligibles" with CESOs; and change the word "from" to FOR;
5. On line 21, replace the words "choose from"

*PS*

with GIVE PREFERENCE AND PRIORITY TO;

6. On line 25, replace the word "Assignment" with APPOINTMENT;
7. On line 26, after the word "Executive," insert the word SERVICE; replace the word "Officer" and the hyphen (-) with SERVICE; and change the acronym "CEO-Es" to CESEs;
8. On line 27, replace the word "assignments" with APPOINTMENTS;
9. On line 28, change "CEO" to CESO, and "CEO-E" to CESE; and replace the word "assigned" with APPOINTED;
10. On line 29, change "shall" to MAY;
11. On line 31, replace the phrase "given assignments" with APPOINTED;
12. On line 32, delete the word "All";
13. On line 33, replace "likewise" with PREFERABLY, and "CEO-Eligibles" with CESEs;

**Page 6**

1. On line 1, replace the word "assigned" with APPOINTED;
2. On line 6, before the word "Discipline," insert the phrase APPEAL TO THE COMMISSION and a semicolon (;);

On the same line, before the word "Investigation," Senator Trillanes proposed to insert a new subsection (a) to read as follows:

(A) THE DETERMINATION, RESOLUTIONS AND DECISIONS OF THE BOARD ON MATTERS WITHIN ITS JURISDICTION WILL BE APPEALABLE TO THE COMMISSION WITHOUT PREJUDICE TO THE REQUIREMENTS OF EXHAUSTION OF ADMINISTRATIVE REMEDIES.

Asked by Senator Drilon whether the amendment to Section 7 which states that "Provided, that no rule, decision or any action of the Board shall be valid and effective without the approval of the Commission" had been approved, the Chair replied in the affirmative.

Senator Drilon thus questioned what appeal is referred to in the proposed amendment when under the amendment to Section 7, "no rule, decision or any action of the Board shall be effective and valid without the approval of the Commission."

Senator Trillanes withdrew the proposed amendment to Section 17.

Senator Drilon reserved the right to raise questions on the approved committee amendments at the proper time.

**Page 6**

3. On line 7, replace the word "assigning" with HEAD OF THE;
4. On line 8, change "shall" to MAY, and "appealable" to APPEALED;

Senator Drilon maintained that the Board cannot act on the appeal because all its decisions must be approved by the Civil Service Commission pursuant to the amended Section 7 of the bill. He asked how the process would work. Senator Trillanes withdrew the amendments.

Senator Drilon pointed out that the proviso on lines 9 to 11 of page 6 was irrelevant and no longer applicable because no decision of the Board can be effective without the approval of the Commission.

Asked by the Chair if the proviso would be deleted, Senator Drilon replied that he would submit a proposal at the appropriate time.

**Page 6**

5. Delete lines 8 to 11;
6. On lines 13 and 14, delete the phrase "Commission, upon the recommendation of the";
7. On line 15, replace the phrase "for CEO" with OF CESOs;

**Page 7**

1. Delete subsections (a), (b) and (c), and in lieu thereof, insert a new subsection (a) to read as follows:

(A) ALL RIGHTS PERTAINING TO THE CESOs AND CESEs WHICH SHALL HAVE ACCRUED PRIOR TO THE EFFECTIVITY OF THIS ACT SHALL BE RESPECTED.

2. Reletter the succeeding subsections accordingly;
3. On line 17, delete the phrase "who have not been assigned to positions";
4. On line 18, change "System" to SERVICE, and "required" to ALLOWED;

*[Handwritten signature]*

5. On line 19, change "Officer" and the hyphen (-) to SERVICE;
6. On line 29, delete the comma (,) and the phrase "in consultation with" and in lieu thereof, insert AND;
7. On line 30, delete the comma (,) after the word "Commission"; and in between the words "promulgate" and "implementing," insert the phrase JOINTLY THE.

As regards Section 21, Senator Drilon asked whether the IRRs would be promulgated jointly with the Commission as he noted that under Section 7, the Commission is supposed to approve the actions of the Board. Senator Trillanes clarified that the amendment only refers to the IRRs.

However, Senator Drilon reiterated that under Section 7, all the actions of the Board will not be effective until approved by the Commission.

Asked whether the IRRs would be approved jointly by the Commission and the Board, Senator Trillanes answered in the affirmative.

Senator Drilon asked whether the Body had approved the proposed committee amendment on Section 20 (*Transitory Provisions*) to include Subsection (a) stating that "all rights pertaining to CESO and CESEs which shall have accrued prior to the effectivity of this act shall be respected." Senator Trillanes replied in the affirmative.

That being the case, Senator Drilon sought clarification as to the fate of officials whose services were terminated because they did not have CESO eligibility. He reiterated the concern that the CESB could be illegally encroaching on the plenary power of the CSC as authorized under the 1987 Constitution. He noted that although Section 20(a) covers government executives who have acquired rights as a result of the numerous rulings of the CESB, others who have been prejudiced by a number of rulings of the CESB and have been terminated from the service are not covered by the amendment. Senator Trillanes clarified that these officials could still pursue their rights by filing cases questioning their termination through the CSC.

Senator Drilon stated at a proper time, he would introduce the appropriate amendment.

#### Page 7

1. On line 32, delete "or";
2. On line 36, replace the phrase "on the Civil Service Commission" with AND EXECUTIVE ORDER NO. 891 SERIES OF 2010;

#### Page 8

1. On line 10, change "and" to OR;
2. Reword the title of the bill as follows:  
AN ACT STRENGTHENING THE CAREER EXECUTIVE SERVICE.

#### CLEAN COPY

At the instance of Senator Drilon, there being no objection, the Chair directed the Secretariat to provide the Members with a clean copy of the amended version of the bill prior to the holding of the period of individual amendments in the next day's session.

#### TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no other committee amendment, upon motion of Senator Sotto, there being no objection, the Body closed the period of committee amendments.

#### SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 2671

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

#### COAUTHOR


Upon his request, Senator Revilla was made a coauthor of Senate Bill No. 2625

#### ADJOURNMENT OF SESSION

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

*It was 5:23 pm.*

I hereby certify to the correctness of the foregoing.

  
EMMA LIRIO REYES  
Secretary of the Senate

Approved on February 15, 2011