

REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 12

Wednesday, August 18, 2004

**THIRTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 12
Wednesday, August 18, 2004

CALL TO ORDER

At 3:26 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Panfilo M. Lacson led the prayer, to wit:

Almighty God, creator of heaven and earth, merciful and ever forgiving, there are people in this world whose pleasure is to be spiteful of others. There are those who persecute us. There are those whose malevolence makes us look bad to others. There are those whose lies make life on earth miserable. We begin to wonder why You allow them to exist in our lifetime.

We may not be capable of loving them. We may find no respect for them. Yet, we pray that You teach us how not to hate them.

Most of all, we pray that You teach us how to forgive them.

All these we ask through Your Son, Jesus Christ.

ROLL CALL

Upon direction of the Chair, the Secretary of the Senate, Oscar G. Yabes, called the roll, to which the following senators responded:

Arroyo, J. P.	Lacson, P. M.
Biazon, R. G.	Lapid, M. L. M.
Cayetano, C. P. S.	Lim, A. S.
Defensor Santiago, M.	Madrigal, M. A.
Drilon, F. M.	Pangilinan, F. N.
Ejercito Estrada, J.	Pimentel Jr., A. Q.
Ejercito Estrada, L. L. P.	Revilla Jr., R. B.
Enrile, J. P.	Roxas, M.
Flavier, J. M.	

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

Senators Gordon, Osmeña and Villar arrived after the roll call.

Senator Angara was on official mission.

Senators Magsaysay and Recto were absent, the latter on account of sickness.

ACKNOWLEDGMENT OF THE PRESENCE OF GUEST

Senator Pangilinan acknowledged the presence of Mr. Nestor Ortiz Sulpico who had been commended by the Senate in Resolution No. 3 for his exemplary courage and honesty.

DEFERMENT OF THE APPROVAL OF THE JOURNAL

Upon motion of Senator Pangilinan, there being no objection, the Body deferred the consideration and approval of the Journal of Session No. 11 to a later hour.

DEFERMENT OF THE REFERENCE OF BUSINESS

At the instance of the Chair, there being no objection, the Reference of Business was deferred to a later hour.

SUSPENSION OF SESSION

Upon motion of Senator Arroyo, the session was suspended to allow the senators to greet Mr. Sulpico.

It was 3:30 p.m.

RESUMPTION OF SESSION

At 3:30 p.m., the session was resumed.

COMMITTEE MEMBERSHIPS

Upon nomination by Senator Pangilinan, on the part of the Majority, and Senator Pimentel, on the part of the Minority, there being no objection, the Body

Handwritten initials

elected the following senators to the committees hereunder indicated:

**COMMITTEE ON HEALTH
AND DEMOGRAPHY**

Members:

Lapid	Angara
Magsaysay	Ejercito Estrada (L)
Recto	Madrigal
Biazon	Lim
Roxas	
Gordon	

COMMITTEE ON FOREIGN RELATIONS

Members:

Arroyo	Angara
Biazon	Enrile
Gordon	Ejercito Estrada (J)
Lapid	Lacson
Recto	Lim
Revilla	Madrigal
Villar	
Magsaysay	

COMMITTEE ON TRADE AND COMMERCE

Members:

Gordon	Angara
Revilla	Osmeña
Recto	Lacson
Cayetano	Madrigal

COMMITTEE ON PUBLIC WORKS

Vice-Chairman:

Roxas

Members:

Gordon	Angara
Lapid	Ejercito Estrada (J)
Magsaysay	Lim
Cayetano	Osmeña
Recto	Lacson
Villar	
Biazon	

**COMMITTEE ON AGRICULTURE
AND FOOD**

Vice-Chairmen:

Biazon
Villar

Members:

Revilla	Angara
Recto	Ejercito Estrada (J)
Lapid	Lim
Cayetano	Osmeña

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:35 p.m.

RESUMPTION OF SESSION

At 3:41 p.m., the session was resumed.

**COMMITTEE ON
ACCOUNTABILITY OF
PUBLIC OFFICERS AND
INVESTIGATIONS**

Members:

Recto	Angara
Biazon	Enrile
Cayetano	Ejercito Estrada (J)
Gordon	Lacson
Lapid	Lim
Magsaysay	Madrigal
Revilla	Osmeña
Roxas	
Defensor Santiago	

COMMITTEE ON PUBLIC SERVICES

Chairman:

Arroyo

Members:

Recto	Angara
Roxas	Enrile
Gordon	Ejercito Estrada (J)
Cayetano	Lacson
Lapid	Lim
Villar	Osmeña

COMMITTEE ON AGRARIAN REFORM

Chairman:

Recto

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Members:

Arroyo	Ejercito Estrada (L)
Villar	Osmeña
Magsaysay	Madrigal
Cayetano	Lim

COMMITTEE ON PUBLIC ORDER
AND ILLEGAL DRUGS

Chairman:

Villar

Members:

Recto	Enrile
Gordon	Ejercito Estrada (J)
Revilla	Lacson
Lapid	Lim

COMMITTEE ON ENVIRONMENT
AND NATURAL RESOURCES

Chairperson:

Cayetano

Members:

Villar	Angara
Revilla	Enrile
Lapid	Ejercito Estrada (L)
Gordon	Lacson
Magsaysay	Madrigal
Recto	Osmeña
Roxas	
Biazon	

COMMITTEE ON SCIENCE
AND TECHNOLOGY

Chairman:

Magsaysay

Members:

Cayetano	Ejercito Estrada (L)
Lapid	Madrigal
Revilla	Lim

SUSPENSION OF SESSION

Upon motion of Senator Pimentel, the session was suspended.

It was 3:44 p.m.

RESUMPTION OF SESSION

At 3:44 p.m., the session was resumed.

COMMITTEE ON ENERGY

Chairperson:

Defensor Santiago

Members:

Arroyo	Angara
Biazon	Enrile
Gordon	Ejercito Estrada (J)
Lapid	Madrigal
Roxas	Osmeña
Recto	
Revilla	
Villar	

COMMITTEE ON NATIONAL DEFENSE
AND SECURITY

Members:

Cayetano	Angara
Flavier	Enrile
Gordon	Ejercito Estrada (L)
Lapid	Ejercito Estrada (J)
Magsaysay	Lacson
Revilla	Lim
Roxas	Madrigal
Defensor Santiago	Osmeña
Arroyo	
Recto	

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 3:46 p.m.

RESUMPTION OF SESSION

At 3:48 p.m., the session was resumed.

COMMITTEE ON TOURISM

Members :

Cayetano	Ejercito Estrada (L)
Lapid	Osmeña
Revilla	Madrigal

COMMITTEE ON GOVERNMENT
CORPORATIONS AND
PUBLIC ENTERPRISES

Chairman :

Gordon

Members :

Arroyo	Angara
Roxas	Enrile
Revilla	Lim
Recto	Osmeña

COMMITTEE ON CONSTITUTIONAL
AMENDMENTS, REVISION OF
CODES AND LAWS

Chairman :

Gordon

Members :

Cayetano	Angara
Recto	Enrile
Defensor Santiago	Lacson
Arroyo	Madrigal
Villar	Lim
Revilla	Osmeña

COMMITTEE ON GAMES,
AMUSEMENT AND SPORTS

Members :

Revilla	Ejercito Estrada (J)
Roxas	Lacson
Biazon	Lim
Arroyo	Osmeña

At this juncture, Senator Pangilinan manifested that the Minority had requested that the election of the chairpersons of the other committees be taken up next week.

**PRIVILEGE SPEECH
OF SENATOR ANGARA**

On behalf of Senator Angara, Senator Enrile delivered the following speech on the occasion of

the 126th birth anniversary of the late President Manuel Luis Quezon:

The late President Manuel Luis Quezon was born 126 years ago today in my native Baler. And in the celebration of his birth, we long not for Quezon, the myth. The nation, instead, is yearning for his bold, flesh-and-blood leadership and the contemporaries of his governance and deeds.

With class division at its breaking point and the credibility of the governing leaders low, fragile and vulnerable, no other past Filipino leader looms more timely and current than Quezon.

His frontier initiatives on social justice, which could have mended much of the ruptures and social ills we have today, can be lifted from the archives and applied with minimal revision. His deep sense of country and weight in the international stage could have made us a respected player, not a pushover, in international relations.

From Quezon came a grand blueprint to give hope, decent lives and equity for those living on the margin: land for the landless, legal recourse for those who have less in life, jobs for the jobless. He constantly reminded the elite not to abuse their wealth and privilege.

While stories abound on his Latin temper, his love for the good life and good clothes, his impulsive nature and his imperious character, the ones that are truly remembered and have left their deep mark on the nation were his encounters with people driven to desperation by hopelessness and poverty.

One was with a farmer driven to crude bomb making - an anarchist in the making - by poverty. Another was with a good Malacañang cook suspected to harbor communist leanings. And most were with would-be-prisoners. They were stories of Quezon and his uncanny grasp and

understanding of the hopes and fears of the Filipino Everyman.

When was the last time a president personally, and patiently listened, to those tragic and complex stories of men and women going to prison to give instant pardon to those meted out injustice? When was the last time there were such truly human encounters, without the benefit of photo-op sessions?

He often met the elite, of course. He was a friend to many of them. But he told them in no uncertain terms that there should not be the slightest impropriety in their dealings with the president.

Quezon said let social justice reign in this land and set the example. He gave away his land. The most memorable and symbolic perhaps was giving away more than 100 hectares of first class riceland at the foot of Mt. Arayat while the *Sosyalistas* were busy preaching land for the landless in the area and sowing the seeds for a peasant-based revolution.

The Marxists have a fond term for fusing theory and practice, for doing what one says. It is called *praxis* and Quezon, in a gesture of great leadership, applied this in a Marxist heartland. This is great leadership with a real sense of theater.

Until the late 1980, the Quezon family was still distributing the last of their estate. In his place in heaven, Manuel Luis Quezon must be very proud.

To say that Quezon was a leader ahead of his time does not really capture the driving force behind his quest for social justice and the compassion of his leadership towards the less fortunate. He was a leader who simply recognized universal truths, the true principles of justice and the humankind's quest for equity.

To give every man a chance in life - a fighting chance - is truly Manuel Luis Quezon's greatest legacy to the nation. And

this is what every leader, this generation and the next one, should take to heart and put into practice.

SUSPENSION OF SESSION

Upon request of Senator Pimentel, the session was suspended to allow the staff to set up the audio-visual system.

It was 4:00 p.m.

RESUMPTION OF SESSION

At 4:02 p.m., the session was resumed.

PRIVILEGE SPEECH OF SENATOR PIMENTEL

Availing himself of the privilege hour, Senator Pimentel delivered the following speech:

MEGA BUCKS BLIND COMELEC

The Commission on Elections (Comelec) is the body mandated by the Constitution to enforce and administer all laws and regulations relative to the conduct of an election, plebiscite, initiative, referendum, and recall. That is found in Article IX, paragraph C. Section 2, paragraph 1.

Manual count

Because the manual counting of the votes in our national elections has always been a source of shame for the country, Congress passed a law, Republic Act No. 8436, authorizing Comelec to computerize the count.

On October 29, 2002, the Comelec adopted in its Resolution 02-0170 a modernization program for the 2004 elections.

P3B for election modernization

So, in January 2003, President Gloria Macapagal Arroyo through Executive Order No. 172 and other issuances, authorized the

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release of P3 billion to the Comelec to fund the modernization program for the 2004 elections.

On April 15, 2003, the Comelec in an *en banc* resolution signed by Chairman Benjamin S. Abalos and Commissioners Rufino S.B. Javier, Luzviminda G. Tancangco, Ralph C. Lantion, Mehol K. Sadain, Resurrection Z. Borra and Florentino A. Tuason Jr., awarded the contract to Mega Pacific Consortium to supply the automated counting machines for purposes of the modernization program that we have mentioned earlier. Incidentally, Commissioners Tancangco and Lantion had retired. Only the other five remain in office. Two others — Virgilio Garcillano and Manuel Barcelona — have since been named to fill up the two seats left vacant by the retirees.

The Comelec subsequently opened Letters of Credit No. 003159/03 and 004134/03 to pay Mega Pacific for the automated counting machines that were delivered as will be detailed momentarily.

Contract invalidated

On January 13, 2004, the Supreme Court invalidated the contract due to the failure of the Comelec to observe the bidding procedures provided by law.

The invalidation of the contract by order of the Supreme Court, however, did not prevent Comelec from making questionable payments to Mega Pacific as follows:

The total contract price was P1,248,949,088.00, and Comelec paid Mega Pacific for 1,991 automated counting machines that were delivered the amount of P856,914,796.00.

The actual cost of the automated counting machines was only P550,810,150.00. And the difference and loss to the government, therefore, amounts to P306,104,646.00.

Additional losses of government

Moreover, the Comelec paid at the rate of exchange of US\$1 to P58 when the rate of exchange at that time was US\$1 to P55 resulting in an additional cost of P3 a dollar or P36,232,626.00.

The Comelec also agreed in the contract that the price of the automated counting machines would include certain taxes despite the fact that Mega Pacific was exempted from the payment of those taxes under the very terms of the contract.

The legitimate price for the ACMs (automated counting machines) was only P278,300.00 per unit but the Comelec paid almost double the amount at P430,394,017.00

Newsbreak confirms

A study made by *Newsbreak* in its August 16 of this year issue, more or less, supports the contention made earlier that Comelec made questionable payments to Mega Pacific as follows:

Total Comelec Budget for 1,991 ACMs	: P856,914,796.00
Actual Price of ACMs from SK C&C, the Korean Supplier	: 550,810,150.00
Difference	<u>: P306,104,646.00</u>
Comelec Payment/ACM unit in Mega Contract	: P 430,394.00
Actual ACMs unit cost in Mega purchase from SL C&C	: 276,650.00
Difference	<u>: P 153,744.00</u>

Who made a killing

Where did the difference between the actual Korean supplier price for the total number of ACMs delivered by Mega Pacific to the Comelec and the total amount of P306,104,646.00 thus far paid by the

Comelec to Mega Pacific go? Where did the difference go? Obviously, somebody made a killing in this onerous contract.

This is what I would like to ask the Blue Ribbon Committee to look into and establish the identities of the persons at the Comelec or elsewhere who made illegal money at the expense of the people, recommend their indictment and probably plug the loopholes in the law that make such scams possible.

It looks certain under the circumstances that just as the tantalizing beauty of Delilah blinded the mighty Samson and diverted him from his original mission to destroy the Philistines of old, the alluring sight of the mega bucks of the deal apparently seduced the supposedly staid members of the Comelec and distracted them from their primary goal to annihilate the modern day Philistines of our electoral system.

While we do not yet know for a fact who made money in this anomalous transaction, one thing is certain: the government lost a huge amount of money in this deal between the Comelec and Mega Pacific, and the people, also because the count was not automated or computerized in the May 10, 2004 elections. Thus, we had to go through a long, tedious, slow count of the result of the presidential election this year. Up to now, I might add, the results are in doubt because, in fact, Fernando Poe Jr., the leading challenger to the incumbent, had filed a protest with the Presidential Electoral Tribunal contesting her proclamation.

Originals with Comelec and Mega

I do not have the originals of the documents that back up the charges that are leveled against the unconscionable contract that Comelec and Mega Pacific had entered into.

I only have photocopies of the documents. But if the Senate and the Blue Ribbon Committee are minded to establish the truth of the charges, I would suggest that

we subpoena the Comelec and the Mega Pacific to produce the originals of the documents and submit them to the Committee.

President Gloria Macapagal Arroyo has time and again said that she will not allow corruption in government under her administration.

I suppose that those who claim to be her supporters cannot but support also her commitment to eradicate or at least minimize corruption in her administration.

The Comelec mess cited here would be a good place to start.

Word of the Supreme Court

For those who doubt whether or not we have a good case against this anomalous transaction, let me close with the statement of the Supreme Court dealing with Comelec-Mega Pacific contract in G.R. No. 159139 where the Supreme Court made the following findings:

x x x The Commission on Elections approved the assailed Resolution and awarded the subject Contract not only **in clear violation of law and jurisprudence**, but also in reckless disregard of its own bidding rules and procedure.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Chair referred the privilege speech of Senator Pimentel to the Committee on Accountability of Public Officers and Investigations.

SUSPENSION OF SESSION

With the permission of the Body, the Chair suspended the session.

It was 4:13 p.m.

RESUMPTION OF SESSION

At 4:15 p.m., the session was resumed.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Pangilinan acknowledged the presence of the members of the Provincial Board of Pampanga headed by Mr. Dong Gonzales.

COMMITTEE MEMBERSHIP

Upon nomination by Senator Pangilinan, on the part of the Majority, and by Senator Pimentel, on the part of the Minority, there being no objection, the following senators were elected to the Committee on Economic Affairs.

Chairman :

Roxas

Members :

Biazon	Osmeña
Arroyo	Enrile
Gordon	Angara
Revilla	Madrigal

SENATE CONCURRENT RESOLUTION NO. 3

(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration of Senate Concurrent Resolution No. 3, entitled

CONCURRENT RESOLUTION PROVIDING FOR THE LEGISLATIVE CALENDAR FOR THE FIRST REGULAR SESSION OF THE THIRTEENTH CONGRESS OF THE PHILIPPINES.

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

QUESTION OF PRIVILEGE OF SENATOR ENRILE

On a question of personal privilege, Senator Enrile recalled that in a privilege speech he delivered last July 27, 2004, he suggested that the Members buckle down to work and, if necessary,

forego rest and recreation to find solutions to the problems of the nation. In view thereof, he urged the Senate to suggest to the House of Representatives that instead of working only three days a week, both Houses should work from Monday to Friday. He said that if there are Members of the House or the Senate who want to go on official trips here or abroad, they may request the permission of the Speaker or the Senate President, as the case may be, so they would not be marked absent during sessions.

Senator Enrile stressed that the legislators should no longer take for granted the patience of the Filipino people or the problems of the nation. He said that as elected representatives, who had been given a mandate by the people, it is the obligation, duty and responsibility of the legislators to respond to the needs of the people with equal measure, by buckling down to work instead of going on vacation. He noted that the legislators should help save money, especially foreign exchange, instead of spending it on travels.

Senator Enrile stressed that he was advocating a change in the Senate's work ethics because it is the institution that is supposed to work hand-in-hand with the President. He observed that the proposed legislative calendar was scheduled on the assumption that a normal condition was prevailing in the country; however, he believed otherwise. He said that the senators have not even warmed their seats and already, they want to go on a month-long vacation from September 25 to October 24. He argued that this kind of schedule cannot be justified to the Filipino people given the fact that the Senate has no output as yet. So far, he said, the Members have debated on speeches on matters of national interest.

In closing, Senator Enrile stated that he and the Senate President share a common understanding of the problems of the country as well as its needs, and the responsibility that must be exercised to respond thereto.

REMARKS OF SENATOR PANGILINAN

Senator Pangilinan stated that a resolution may be passed addressing some of the issues raised by Senator Enrile but the Senate could only appeal

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to the House. He noted that the Members of the House, given their relationship with their constituents, need a longer break to interact with them. He clarified that he was not defending the Bigger House but was just voicing out his observations.

He informed the Body that the legislative calendar approved by the Senate must have the concurrence of the Bigger House, otherwise, a bicameral conference committee would have to be constituted to come up with a legislative calendar acceptable to both Houses.

Senator Enrile remarked that as a congressman, he observed that many of his colleagues did not really go home to their districts since it was not practical given the expense. He pointed out that congressmen who want to go to their districts, with the permission of the Speaker, could make their trips official so they would not be marked absent during the plenary sessions. He suggested that the congressmen come up with a rotation schedule for such trips. Likewise, in the Senate, he said, senators who have any business abroad could request the Senate President to authorize their trips. He observed that other people work eight hours a day, five days a week for a measly pay, while legislators who carry a heavier responsibility and attend to more serious national problems, work for less than eight hours a day, three days a week. He believed that the senators owe it to the people to respond to the needs of the nation in light of the current financial crisis.

MANIFESTATION OF SENATOR DEFENSOR SANTIAGO

Supporting Senator Enrile's proposal for the Body to have more working days in its legislative calendar, Senator Defensor Santiago however expressed reservations.

She suggested that a comparative study be conducted on the legislative calendar of other two-chamber democracies to find out the reasons for adopting such a schedule. As the legislative schedule practiced by the Philippine Congress was presumably patterned after that of the United States, she believed that such a practice could not be easily abandoned without a compelling reason, that is the public interest.

If the proposal would be for the senators to work five hours a day for the whole 365 days, she suggested that the members follow an 8:00-5:00 schedule where committee hearings would be held in the morning while plenary sessions would start at 2:00 pm. However, with such a schedule, she wondered how the Members could attend to official missions or speaking engagements; or how she, personally, would have the time to research on her bills and privilege speeches. With the organization of the committees, she supposed that the Members would be working in the morning as well which would leave her physically and mentally exhausted. She stated that this feeling of exhaustion is caused by the tension of always being in the eye of the media.

Senator Enrile clarified that he was not imposing a five-hour, five-day work week on the Members but only wanted to find a compromise. Moreover, he pointed out that the type of legislative calendar followed by the Senate is only practiced by affluent democracies and is unsuitable to the Philippines. He said that the Body could not afford to be lackadaisical as it has a heavy responsibility to address the economic, social and political problems of the country.

While he posed no objection to an in-depth study of the legislative calendars of other democracies, he however suggested that the Senate leadership discuss the matter with the House leadership. Should the House respond unfavorably to the matter and it would be taken up on the floor, he said, he would call for a vote on the proposed legislative calendar and let each senator be accountable to the people for his decision.

Senator Defensor Santiago stressed that it is important for the Body to spend more time discharging its basic function to legislate. One way to accomplish this, she said, would be for every Member to limit his interpellation to relevant matters and to substantial points in order to save time on discourse. She believed that their predecessors did not spend time talking about trivial matters in sessions.

REMARKS OF SENATOR OSMEÑA

Senator Osmeña stated that there seems to be some confusion about "work" in the Senate as

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referring only to that time spent by the Members in plenary session. He informed the Body that the time he spends in session is the least productive of his work in the Senate as his most substantive work is done when he attends hearings or inquiries and do research early in the morning or late in the evening. Moreover, he said that he did not want the public to get the impression that the Members only work for three hours a day from Monday to Wednesday because sometimes, they work up to seven days a week and hold hearings until the wee hours of the morning. He stated that Senator Enrile's suggestion for longer session days would pose a problem as the Senate would have to align its calendar with that of the House. For instance, he noted, the Senate holds session on a Thursday to tackle local measures; however, the Thursday session is not included in the count of session days as it is just an extension of the Wednesday session. He surmised that what Senator Enrile meant was that the Body should extend the plenary sessions to Friday, if necessary. But he pointed out that Thursdays and Fridays are usually reserved for Senate hearings. He suggested that the Body officially inform the public that the Senate also holds sessions on Fridays when it is necessary to consider and pass urgent legislations.

As for Senator Defensor Santiago's comment on speaking engagements, Senator Osmeña clarified that he had only accepted one or two speaking engagements in the last 12 months. However, he stressed that it is up to the senators to decide whether to accept such invitations or out-of-town engagements.

On another matter, he wondered what Senator Enrile meant when he said that the country is in a financial crisis since the Arroyo Administration in the past three years had claimed that the Philippines' economic growth rate has surged from 3% to 5%. He also expressed surprise at the claim of Cabinet members that the country needs to be rebuilt when it has not been destroyed in the first place.

Conceding that the Members work even outside of the Senate, Senator Enrile clarified that he was suggesting that the senators spend more time on legislative work such as attending committee hearings which would enable them to

distill issues which could be translated to legislations.

On the matter of the financial crisis, Senator Enrile believed that Senator Osmeña is well aware of it. He recalled that Senator Osmeña had given him a World Bank report which predicted that the economic growth of the Philippines in absolute terms would only be 2%, contrary to the rosy predictions of President Macapagal Arroyo and her economic managers. He contended that ordinary Filipinos do not understand such positive claims as they do not experience an economic boom in their lives. Moreover, he clarified that he was not trying to belittle the work of the Members or the function of the Senate. He stressed that people are feeling the economic pinch caused by rising prices of oil, electricity and water. He stressed the need to respond to the national condition by crafting legislations relative to the tax proposals of the administration.

PARLIAMENTARY INQUIRY OF SENATOR BIAZON

Asked by Senator Biazon whether the House of Representatives had already approved the legislative calendar, Senator Pangilinan replied in the affirmative as he added that it has not been transmitted yet to the Senate.

Asked what would happen if the two Houses approved two different legislative calendars, Senator Pangilinan replied that a bicameral conference committee would be constituted to reconcile the differences.

On whether it is possible to create a team to preliminarily discuss the matter with the House leadership to come up with a legislative calendar that is acceptable to both Houses, Senator Pangilinan informed the Body that before he presented the revised calendar to the Body, he conferred with the House Majority Leader and the revised calendar was a product of that consultation. In fact, he said, the House Majority Leader had expressed willingness to adopt the Senate version considering that the House has not yet transmitted its approved legislative calendar to the Senate.

REMARKS OF SENATOR EJERCITO ESTRADA (J)

Senator Ejercito Estrada (J) expressed support for the proposal of Senator Enrile that the Body work five days a week in view of the country's pressing problems. This, he believed, would erase the public perception that the work in the Senate is a perfect job for people who are semi-retired. He stressed that he and other neophyte senators would like to be a part of a working Senate.

REMARKS OF SENATOR GORDON

Senator Gordon stated that the proposal of Senator Enrile to do more work is noteworthy. He said that while he is a neophyte senator, he had worked in the Constitutional Convention in 1971 whose function then was basically the same as that of the Senate in the sense that there were committee hearings and sessions.

He agreed that there is a sense of urgency to resolve the country's problems; however, these problems have persisted throughout the country's history. He agreed with Senator Defensor Santiago that the question is whether the country has a qualitative Senate.

At the moment, he stated, the Body is still in the process of constituting committees but once this is done, there would be enough work for all the Members. He recalled asking the Body the other day to review the number of bills that were filed with sincerity. While he did not doubt the sincerity of the Members, he noted that many bills filed recently are bills that were already filed in the previous Congresses. He stated that the real work of the Senate is to enact legislations and set policies to address the priorities of the nation.

Senator Gordon noted that there has not been any executive caucus by the Majority and the Minority in spite of the call for cooperation by Senator Enrile in his first speech. More than the quantity of time, he believed that the Senate should be concerned more with the quality of time that is needed to discuss priorities set by the Executive, be it addressing the financial crisis, power shortage, power cost, unemployment, foreign policy or the

welfare of the OFWs. He appealed to the Members to come up with quality legislations that would better the life of every Filipino.

While it is true that it may be unproductive sometimes to just sit and listen in the plenary sessions, Senator Gordon said that he did not feel the same way because the Senate is just beginning its work. He stated that he was looking forward to a time when the Members would listen to each other, conduct committee hearings and researches, and get the people involved in making quality legislations that the country needed.

He suggested that the Members work as an executive committee to talk about priorities. Perhaps then, he said, the people would be impressed about the quality of the Senate.

SUSPENSION OF SESSION

With the permission of the Body, the Chair suspended the session.

It was 4:56 p.m.

RESUMPTION OF SESSION

At 5:00 p.m., the session was resumed.

REMARKS OF SENATOR OSMEÑA

Senator Osmeña felt he was alluded to when Senator Gordon mentioned the filing of numerous bills. He disclosed that he filed 300 bills this year because his staff has done sufficient work. He noted that there were outgoing senators who filed good bills that were not considered; that such bills should be refiled and considered by the Senate.

Senator Osmeña revealed that in his nine years in the Senate, the 165 measures that he authored or coauthored have been passed into law and many or at least half of those that he had refiled this Congress were bills that he had filed in 1995. He recalled that some of the measures that were passed into laws last year had been pending in Congress for 10 to 12 years but were made priority measures.

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On the statement that senators should file only qualitative bills, Senator Osmeña said that it was not a just statement because Senator Gordon has not read every bill that he had filed, hence, it is not good to judge whether or not a particular bill is not a quality bill. He stated that it is the chair of the committee who decides whether or not a bill should be considered. Also, he noted, it is usually the choice of the administration, with whom the Majority is aligned, which bills would be prioritized. He said that the LEDAC meeting is regularly held precisely for this purpose.

Senator Osmeña stated that there is a Senate tradition that in January of every year, the Senate President calls all the senators to a caucus to ask them which pet bills they wanted the Senate to consider. Those are the bills that the Senate would consider without much debate, and in case of differences with the House versions, are left to the bicameral conference committee to reconcile, he said.

He reminded the Body that in the Senate, like in the House, one has to be a self-starter. He said that he has seen legislators who floated through the years without exercising much effort, and nobody can complain; on the other hand, he has seen people apply themselves above and beyond the call of duty by working morning, noon and night without anybody prodding them. What is important, he stressed, is that the Members are aware of their responsibilities to the country and to the people who elected them.

Senator Osmeña stated that unlike the '50s and the '60s, in an interdependent world today, the Philippines has a budget that is one hundred times bigger, a more complicated economy, and serious issues to address like terrorism, kidnappings, and graft and corruption. He observed that admittedly, the senators in the past delivered more flowery speeches about legal issues and concepts but the Record shows that the discussions on economic issues do not even come close to what the senators are discussing on the floor these days. He stressed that the senators today have much work to do and more issues to understand.

Senator Enrile stated that in two instances, in 2002 and 2004, the government operated on re-enacted budgets. He said that Congress failed to enact the 2004 budget, hence, the government

today is operating on the 2003 budget, because it did not have sufficient time to scrutinize the complicated and voluminous budget. He stated that the Members cannot gloss over the Executive's expenditure program and renege on their responsibility to control the purse. He cautioned that the Body would be pressed for time if it adopted the legislative calendar; in fact, it might not even be able to pass the budget. This, he said, is an irresponsible act.

REMARKS OF SENATOR GORDON

Senator Gordon underscored that he was not passing judgment on anyone. He clarified that he and the other neophyte senators had asked Senator Osmena how he was able to file so many bills and his advice was to go to the archives and study the bills filed by past senators.

He stated that as far as the quality of the bills is concerned, judgment would be made by the committee when it considers the bills in meetings, and by the Body when it considers the bills in plenary session.

Senator Gordon stated that he wanted to support the proposal of Senator Enrile for fear that the Members might not be able to give justice to all the bills referred to committees because of the time element. He stated that it behooves each Member to file bills that are called for by the time.

He explained that when the Members appealed to Senator Enrile, they were not trying to get a break to go on vacation because all the senators wanted to work out their schedules to fit in the committee hearings, the sessions, and other matters such as research work and helping their constituents and accommodating media. He emphasized that it is the intention of each senator to work because there is an urgent need to work. He stated that he did not want the people to get the impression that the senators wanted to go on vacation.

MOTION OF SENATOR PANGILINAN

At this juncture, Senator Pangilinan moved to suspend consideration of Senate Concurrent Resolution No. 3 to give the Senate and the House time to confer and come up with a compromise legislative calendar by Monday, August 23.

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OBJECTION OF SENATOR OSMEÑA

Senator Osmeña objected as he argued that the issue should not drag on forever and that the Senate should come up with a stand. He recalled that during his first term, Congress adjourned for only two weeks in September, and in the last regular session, the break was three weeks. He pointed out that the Senate went on a break for the campaign period from February to May, and it went on a break in June and July. He said that the Senate has accomplished nothing since the start of the 13th Congress. Further, he revealed that when he multiplied the working weeks by three session days, it came out to 32 working weeks or 96 session days. He suggested that the 32 weeks be extended to 34 as he noted that traditionally, the Senate has 100 session days.

Senator Pangilinan clarified that under the revised legislative calendar, there will be two months of sessions followed by a one-month break. He pointed out that in the previous Congresses, there were sessions for one-and-a-half months and then a two-week break. He stressed that the number of sessions days is the same, give or take five days.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 5:16 p.m.

RESUMPTION OF SESSION

At 5:44 p.m., the session was resumed.

COMMITTEE AMENDMENT

On item No. 1, *Commencement of Session*, as proposed by Senator Pangilinan, there being no objection, the Body approved the change of "September 10, 2004" to SEPTEMBER 24, 2004.

PROPOSED COMMITTEE AMENDMENT

On item No. 2, *Adjournment of Session*, Senator Pangilinan proposed to change "September 11, 2004" to SEPTEMBER 25, 2004 and "October 3, 2004" to OCTOBER 24, 2004.

PROPOSED AMENDMENT OF SENATOR OSMEÑA

Senator Osmeña objected to the amendment to change "October 10, 2004" to OCTOBER 24, 2004. Instead, he proposed to retain "OCTOBER 10."

Senator Pangilinan did not accept the amendment to the committee amendment.

In explaining his proposed amendment, Senator Osmeña noted that under the committee amendment, the Senate would work for nine weeks from July 26 to September 24; it would adjourn from September 25; and after a vacation of almost 30 days, it would have sessions from October 25 to October 29. He believed that no senator would turn up during this week because some would extend their vacation from four weeks to six weeks, or until November 7. He said that in the five weeks following the recess (November 28 to December 17), it would be a sheer impossibility for the Senate to finish the national budget, and neither could the budget get through the first hearing which could be a DBCC hearing. He expressed the belief that the chairmen and staff of the various finance subcommittees would not have enough time to study the budget.

INQUIRY OF SENATOR ENRILE

Asked by Senator Enrile on the imperative need to adjourn the session from September 25 to October 24, Senator Pangilinan clarified that the Senate would not be inactive since it has been the practice to conduct committee hearings during the recess. He pointed out that in the committee amendment to Item No. 1, the session days were in fact extended by two weeks, for a total of 45 session days, which was rare in the previous legislative calendars. He said that this might have led some of the senators to think that it would be acceptable to extend the recess also by two weeks.

In reply to another query, Senator Pangilinan affirmed that the period for considering the national budget is from September to December of every year.

Senator Enrile wondered why there was a need for a long vacation during the time when the

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most critical piece of legislation—the national budget—has to be considered. Senator Pangilinan said that even while some senators would go on vacation, others would conduct hearings even during recess as disclosed by the Chair of the Committee of Finance who intended to conduct preliminary consultations on the budget even before the Senate goes on recess on September 24.

Upon query, Senator Pangilinan replied that he had no personal knowledge as to who would be going on vacation during the recess. Senator Enrile then requested Senator Pangilinan to submit to the Senate the names of the Members who would be going abroad during the recess and to state whether their trips are official or not. However, he believed that the official trip of the Senate President to attend the IPU convention is justifiable, especially since the Philippines would be hosting the IPU convention next year.

REMARKS OF SENATOR BIAZON

Senator Biazon informed the Body that he would go on an all-expense paid trip to represent Asia in the conference of the International Committee on Population Development in the third week of October. Senator Enrile stated that in such a situation, the Rules allow a Member, with the permission of the Senate President, to go on official mission. But to establish a period when senators can take a “vacation” is another matter that needs to be discussed, he said.

REMARKS OF SENATOR GORDON

Senator Gordon stated that while the legislative calendar says “Adjournment of Session,” the Senate would not go on vacation but only on recess and the Members would be holding hearings and doing research. Senator Enrile observed that the calendar very clearly states “adjournment.”

INQUIRY OF SENATOR OSMEÑA

Senator Osmeña asked whether it was also the stand of the Majority to call for a four-week vacation on September 25 to October 24. Senator Pangilinan replied that the Majority, together with some Members of the Minority, agreed to the proposal but the period would not be a vacation but simply an adjournment of session.

Senator Osmeña asked how the legislative calendars of the First, Second and Third Regular Sessions of the Twelfth Congress compare with the proposed legislative calendar in terms of non-working weeks.

PARLIAMENTARY INQUIRY OF SENATOR ROXAS

Noting the proceedings on the floor, Senator Roxas proposed to suspend the period of amendments and revert to the period of interpellations considering that the period of amendments is not the appropriate time for debates. He clarified that he was raising the matter so that the current proceedings would not be used by future Congresses as precedents for their own purposes.

REMARKS OF SENATOR OSMEÑA

As regards the inquiry of Senator Roxas, Senator Osmeña pointed out that the Body has an informal agreement that senators can raise questions even during the period of amendments. As a matter of fact, he said, on several occasions the Senate President himself asked to close the period of interpellations on condition that questions could be raised during the period of amendments.

Senator Enrile noted that the misunderstanding arose because the measure was brought up for discussion without any sponsorship speech, thus, the period of debate transcended into the period of amendments.

Senator Roxas stressed that the Body was following the Rules which could include the present proceedings as a precedent someday. He explained that his comments were meant to clarify the parliamentary status. He suggested suspending the period of amendments and reverting to the period of interpellations because the mix-up in the proceedings would confuse present and future generations studying Senate procedures.

REMARKS OF SENATOR ARROYO

Senator Arroyo stated that Senator Roxas, a former Majority Leader in the House of Representatives, had pointed out the mix-up in the periods of amendments and interpellations.

Calling the Body's attention to the legislative calendar, he noted that 15 session days were added to item No. 1 and deleted from item No. 2, thus, there was an offsetting. In effect, he said, the number of working days remains the same.

Senator Osmeña pointed out that Senator Arroyo was "comparing apples and oranges." He clarified that he was comparing the working weeks of last year and those of the year before when there was normally only a two-week break. In the proposed legislative calendar, he noted that there would only be six working weeks after the break, thus, the Senate would not have enough time to examine the 2005 national budget. He stressed that the annual budget is the most important bill that both Houses of Congress enact. He believed that there was no need to extend the recess as those who would be on official trips would not be marked absent. He stressed that it was important to show the public that the Senate is setting the example by working.

SUSPENSION OF SESSION

With the permission of the Body, the Chair suspended the session.

It was 6:12 p.m.

RESUMPTION OF SESSION

At 6:17 p.m., the session was resumed.

Senator Pangilinan did not accept the Osmeña amendment to his amendment.

Senator Osmeña read into the Record the number of nonworking weeks of the previous Congresses, from 1988 to 1994, except 1990 when no data was available. He said that past Congresses made do with a two-week break up to a maximum of three weeks. He wondered why the Body would now extend the break to four weeks.

Senate President Drilon stated that the proposed amendment would be put to a vote.

Senator Enrile moved for a nominal voting.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 6:21 p.m.

RESUMPTION OF SESSION

At 6:22 p.m., the session was resumed.

COMMITTEE AMENDMENT

On item No. 2, *Adjournment of Session*, Senator Pangilinan proposed to change "September 11, 2004" to SEPTEMBER 25, 2004; and "October 3, 2004" to OCTOBER 24, 2004.

Replying to Senator Roxas' query, the Chair stated that an *aye* vote would sustain the committee amendment.

Thereafter, Secretary Yabes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Arroyo	Lapid
Biazon	Pangilinan
Cayetano	Pimentel
Defensor Santiago	Revilla
Drilon	Roxas
Flavier	Villar
Gordon	

Against

Enrile
Estrada (J)
Estrada (L)
Lacson
Lim
Madrigal
Osmeña

With 13 senators voting in favor, seven against, and no abstention, the amendment was approved.

EXPLANATIONS OF VOTE

By Senator Osmeña

Explaining his negative vote, Senator Osmeña stated that those who voted *no* wanted to work longer hours and those who voted *yes* wanted to work shorter hours. He said that if the budget is not passed before session adjourns in December, the Minority should not be blamed. The Minority might ask a lot of valid questions on the measure, he added, but it would not be to delay its passage.

By Senator Roxas

Explaining his affirmative vote, Senator Roxas said that the work of a senator does not stop if there is no session because a recess is not a vacation. He assured the Body that he can work longer hours just like any other senator and that he is fully and conscientiously dedicated to his duties that include attending committee hearings, consulting the broad sectors of society, formulating and discussing policies with the Executive and the House of Representatives.

By Senator Arroyo

Senator Arroyo stated that there has been an allusion that those who voted *yes* do not want to work and those who voted *no* want to work. He said that no senator can beat his record of attendance in the Senate, and he has not traveled using government funds. The senators, he stated, should not make any pretense that they are hardworking because in committee hearings, based on experience, the sad reality is that it is very hard to get a quorum. He said that the Minority should attend the committee hearings not only when there are important matters to be taken up. There was a proposal, he pointed out, that the Senate President and House Speaker talk about the legislative calendar but the Minority turned it down as well as the proposal that the matter be settled in a caucus. He wondered why the senators quarrel over the extension of two weeks and use the budget deliberations as an excuse when the number of working days remains the same. In the past, he said, committee hearings on the budget took much longer than when the budget was taken up in plenary sessions which lasted for only a week.

Further, Senator Arroyo shared the sentiments of Senator Roxas and Senator Villar who talked to him privately about the matter. Having spent nine years as a Member of the House, he said that he knew the problem of mustering a quorum during sessions since the Members have to go home to their constituencies. Ignoring the sentiments of the House, he pointed out, does not promote bicameralism and it makes no sense to offend the House.

Voting in favor of the committee amendment, Senator Arroyo stressed that the matter was not a Majority-Minority issue but common sense.

By Senator Lapid

Expressing support for Senator Arroyo's stand, Senator Lapid noted that the Senate had a promising beginning when Senator Enrile called for unity. However, he said that there seems to be disunity because the other senators made it appear that those who voted for the committee amendment did not want to work. He pointed out that the Minority kept on insisting that the adjournment would be a vacation but this is not so. He emphasized that there is no vacation to argue about.

Stating that the senators are equals who should respect each other, Senator Lapid asked the veteran senators to help the neophytes who needed all the help they could get. For instance, he said, a senator who would deliver a speech should furnish the other senators with a copy ahead of time to ensure a smooth discussion on the floor.

By Senator Defensor Santiago

Explaining her affirmative vote, Senator Defensor Santiago stated that while she made certain reservations about the proposal to increase the working hours, she acted on the assurance of Senator Pangilinan that the calendar was arrived at after consultations with the House leadership which is a regular procedure in a bicameral Congress. If the Senate passed a calendar that is not acceptable to the House, she said that it would challenge the House's prerogative to consult with the Senate on any matter where intimate official relationships between the two Houses are concerned. She stressed that a Member of Congress who went through the rigors of an

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election learns very early that he has to compromise. She stated that she would like to support the Minority's proposal but there is no way that it is going to be accepted by the House. The Body, she said, would simply be wasting time and resources in debating a matter that is considered as nondebtable by the Bigger House.

By Senator Enrile

Explaining his negative vote, Senator Enrile said that he might not be able to equal the record of Senator Arroyo but in the Eighth Congress, he was the lone opposition Member and Minority Leader in the Senate for six years against 23 administration senators.

By Senator Cayetano

Casting an affirmative vote, Senator Cayetano stated that as a new legislator, it is her duty to her constituents, the Filipino people, to clarify that she did not vote *yes* with the intention of extending her vacation. In fact, she said, it was her intention to work just as hard as any Member by using the time when the Senate is not in session to meet with cause-oriented groups and to conduct very detailed research to come up with relevant bills. She stressed that she did not intend to file meaningless and superfluous bills which would only clog the various committees.

By Senator Ejercito Estrada (L)

In explaining her negative vote, Senator Ejercito Estrada (L) stated that perfect attendance is not the monopoly of Senator Arroyo because she herself had a perfect attendance for the past three years that she served as a senator.

REMARKS OF SENATOR OSMEÑA

Senator Osmeña noted that it was the second time that he heard Senator Arroyo brag about his presence in every session as if that were proof of the volume or quality of legislative work of a senator. He said that he was willing to compare the length of hours he works with any other senator. During the canvassing, he recalled that Senator Arroyo objected to Senator Pimentel's proposal to work eight hours a day because he wanted to work shorter hours. A holiday that is longer than

warranted, he pointed out, would create a not very welcome impression on the Filipino people and a negative image of the Senate.

Further, Senator Osmeña stated that it cannot be said that the House and the Senate do not always agree on the same matters as each House prepares its own version of a measure which would be hammered out in a bicameral conference. In fact, he said, the Senate has a better record of attendance than its House counterpart. Noting the difficulty of attending committee hearings, he proposed that the number of committees be reduced from 36 to 20 to avoid the predicament of any Member attending six or seven simultaneous hearings. He also noted that unless there are television cameras in the committee rooms, there would be no more than two senators at any hearing.

REMARKS OF SENATOR VILLAR

Senator Villar informed the Body that the Committees on Public Order and Illegal Drugs; and Finance intended to conduct hearings even during the break.

REMARKS OF SENATOR EJERCITO ESTRADA (J)

On the assertion of Senator Arroyo that historically the Senate had always experienced difficulty in mustering a quorum during committee hearings, Senator Ejercito Estrada (J) reminded the Body that there are 12 newly elected senators whose work ethics should not be compared with some senators who served in past Congresses.

COMMITTEE AMENDMENTS

As proposed by Senator Pangilinan, the following committee amendments were approved, one after the other:

1. On item No. 3, *Resumption of Session*, change "October 4, 2004" to OCTOBER 25, 2004;
2. On item No. 8, *Adjournment of Session*, change "April 24, 2005" to APRIL 10, 2005; and
3. On item No. 9, *Resumption of Session*, change "April 25, 2005" to APRIL 11, 2005.

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TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no other committee amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of committee amendments and proceeded to the period of individual amendments.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no individual amendment, upon motion of Senator Pangilinan, there being no objection, the Body closed the period of individual amendments.

ADOPTION OF SENATE CONCURRENT RESOLUTION NO. 3

Submitted to a vote and with 13 senators voting in favor, seven against, and no abstention, Senate Concurrent Resolution No. 3 was adopted by the Body.

MANIFESTATION OF SENATOR PANGILINAN

Senator Pangilinan manifested that the following senators who voted against the committee amendments also voted against the resolution: Senators Ejercito Estrada (L), Ejercito Estrada (J), Enrile, Lacson, Madrigal, Osmeña and Lim.

PROPOSED SENATE RESOLUTION NO. 52 TAKING INTO CONSIDERATION PROPOSED SENATE RESOLUTION NO. 53

Upon motion of Senator Pangilinan, there being no objection, the Body considered Proposed Senate Resolution No. 52, taking into consideration Proposed Senate Resolution No. 53, entitled

**RESOLUTION EXPRESSING THE
PROFOUND SYMPATHY AND
CONDOLENCE OF THE SENATE
TO SENATOR RAMON B.
MAGSAYSAY, JR FOR THE
DEMISE OF HIS MOTHER,
FORMER FIRST LADY OF THE
PHILIPPINES MRS. LUZ BANZON-
MAGSAYSAY.**

Deputy Secretary Reyes read the text of the Proposed Senate Resolution No. 52, to wit:

WHEREAS, Mrs. Luz Banzon-Magsaysay, former First Lady and mother of Senator Ramon B. Magsaysay, Jr., passed away on August 17, 2004;

WHEREAS, known for her warmth and simplicity and active involvement in many socio-civic programs especially with the Philippine National Red Cross, Mrs. Magsaysay was remembered as one of the most admired First Ladies;

WHEREAS, the entire Senate desires to extend its profound sympathy and condolence to Senator Magsaysay, Jr., in his hour of sorrow and bereavement: Now, therefore, be it

RESOLVED BY THE SENATE,
To express, as it hereby expresses, its profound sympathy and condolence to Senator Ramon B. Magsaysay, Jr., for the demise of his mother, former First Lady of the Philippines Mrs. Luz Banzon Magsaysay.

Thereafter, Deputy Secretary Reyes read Senate Resolution No. 53, to wit:

**RESOLUTION TO HONOR THE LIFE
AND MOURN THE DEATH OF
FORMER FIRST LADY LUZ
BANZON-MAGSAYSAY.**

Whereas, former First Lady Luz Banzon-Magsaysay, widow of beloved Philippine President Ramon F. Magsaysay, died of cardiac arrest yesterday, 17 August 2004 at the age of 89;

Whereas, her dedication to preserving her husband's memory through a life raised upon the foundations of her husband's legacy of believing in the inalienable worth and dignity of every Filipino;

Whereas, the warmth of her spirit and her selfless devotion and abiding love for the common Filipino made her one of the most admired first ladies of the Philippines;

Whereas, her unwavering support as a loving mother to her children - Senator Ramon B. Magsaysay, Jr., Mila Magsaysay-Valenzuela and Teresita Vargas (deceased)-made her a paragon of motherhood;

Whereas, her steadfast commitment to uplifting the lives of the Filipino people through actively working in many socio-civic programs, especially the Philippine National Red Cross where she served as honorary chairwoman for several years, made her a symbol of selfless service;

Now, therefore, be it resolved as it is hereby resolved, to honor the life and mourn the death of former First Lady Luz Banzon-Magsaysay.

ADOPTION OF PROPOSED SENATE RESOLUTION NOS. 52 AND 53

Upon motion of Senator Pangilinan, there being no objection, Proposed Senate Resolution Nos. 52 and 53 were adopted by the Body.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 6:54 p.m.

RESUMPTION OF SESSION

At 6:55 p.m., the session was resumed.

APPROVAL OF THE JOURNAL

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of the Journal of Session No. 11 and considered it approved.

COAUTHORS

At the instance of Senator Roxas, there being no objection, all senators were made coauthors of Proposed Senate Resolution No. 52.

REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

Senate Bill No. 701, entitled

AN ACT PRESCRIBING THE USE OF THE POLICE, FIRE OR RESCUE/ DISASTER LINE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

Introduced by Senator Villar Jr.

To the Committee on Public Order and Illegal Drugs

Senate Bill No. 702, entitled

AN ACT PENALIZING THE IMPROPER HANDLING OR SAFEKEEPING OF EVIDENCE OF A CRIME UNDER INVESTIGATION

Introduced by Senator Villar Jr.

To the Committees on Justice and Human Rights; and Public Order and Illegal Drugs

Senate Bill No. 703, entitled

AN ACT ALLOWING THE IMPORTATION OF LIVE ANIMALS, MEAT AND MEAT PRODUCTS ONLY FROM ZONES DECLARED BY THE OFFICE INTERNATIONAL DES EPIZOOTIES (OIE) AS FMD (FOOT AND MOUTH DISEASE) FREE ZONES WHERE VACCINATION IS NOT PRACTICED

Introduced by Senator Villar Jr.

To the Committee on Agriculture and Food

Senate Bill No. 704, entitled

AN ACT TO PLACE SAFETY NETS FOR FILIPINO RICE PRODUCERS BY IMPOSING TARIFFS IN LIEU OF QUANTITATIVE RESTRICTIONS ON RICE IMPORTS, DIRECTING TARIFF COLLECTIONS FROM RICE IMPORTS TO PROJECTS AND PROGRAMS THAT ENHANCE RICE PRODUCTIVITY AND INCREASE FARMERS' INCOMES, AND FOR OTHER PURPOSES

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Introduced by Senator Villar Jr.

**To the Committees on Agriculture and Food;
and Ways and Means**

Senate Bill No. 705, entitled

AN ACT PROVIDING FOR THE
PROMOTION OF BIO-ORGANIC
FARMING IN THE PHILIPPINES,
AND APPROPRIATING FUNDS
THEREOF

Introduced by Senator Villar Jr.

**To the Committees on Agriculture and Food;
and Finance**

Senate Bill No. 706, entitled

AN ACT CREATING A COFFEE
RESEARCH, DEVELOPMENT AND
EXTENSION CENTER AT THE
CAVITE STATE UNIVERSITY,
MUNICIPALITY OF INDANG,
PROVINCE OF CAVITE,
AUTHORIZING THE APPROPRIA-
TION OF FUNDS THEREFOR, AND
FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Agriculture and Food;
Ways and Means; and Finance**

Senate Bill No. 707, entitled

AN ACT RENAMING THE
DEPARTMENT OF AGRICULTURE
AS THE DEPARTMENT OF
AGRICULTURE AND FISHERIES

Introduced by Senator Villar Jr.

To the Committee on Agriculture and Food

Senate Bill No. 708, entitled

AN ACT AMENDING SECTION 13
PARAGRAPH (A) OF REPUBLIC ACT
NO. 9239, OTHERWISE KNOWN
AS THE "OPTICAL MEDIA ACT OF
2003," AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

**To the Committee on Public Information and
Mass Media**

Senate Bill No. 709, entitled

AN ACT PROVIDING FOR THE
LEGITIMATION OF CHILDREN
BORN TO PARENTS BELOW
MARRYING AGE, AMENDING
FOR THE PURPOSE THE FAMILY
CODE OF THE PHILIPPINES, AS
AMENDED

Introduced by Senator Villar Jr.

**To the Committees on Youth, Women and
Family Relations; and Constitutional
Amendments, Revision of Codes and Laws**

Senate Bill No. 710, entitled

AN ACT AUGMENTING THE MAXIMUM
VALUE OF THE FAMILY HOME
EXEMPT FROM EXECUTION,
FORCED SALE OR ATTACHMENT,
AMENDING FOR THE PURPOSE
ARTICLE 157 OF THE FAMILY
CODE OF THE PHILIPPINES,
AS AMENDED

Introduced by Senator Villar Jr.

**To the Committees on Justice and Human
Rights; and Youth, Women and Family Relations**

Senate Bill No. 711, entitled

AN ACT AMENDING ARTICLE 34
OF THE FAMILY CODE OF THE
PHILIPPINES OR EXECUTIVE
ORDER NO. 209

Introduced by Senator Villar Jr.

**To the Committees on Youth, Women and
Family Relations; and Constitutional
Amendments, Revision of Codes and Laws**

Senate Bill No. 712, entitled

AN ACT AMENDING ARTICLES 96,
124, 211 AND 225 OF THE NEW

FAMILY CODE TO PROVIDE FOR JUDICIAL INTERVENTION IN CASES OF DISAGREEMENT BETWEEN HUSBAND AND WIFE OVER THE ADMINISTRATION AND ENJOYMENT OF COMMUNITY PROPERTY, THE ADMINISTRATION AND ENJOYMENT OF CONJUGAL PARTNERSHIP PROPERTY AND THE EXERCISE OF PARENTAL AUTHORITY AND LEGAL GUARDIANSHIP OVER THE PERSON AND PROPERTY OF UNEMANCIPATED COMMON CHILD

Introduced by Senator Villar Jr.

To the Committees on Youth, Women and Family Relations; and Constitutional Amendments, Revision of Codes and Laws

Senate Bill No. 713, entitled

AN ACT MANDATING THE USE OF RECYCLABLE OR BIODEGRADABLE MATERIALS FOR THE PACKAGING OF CONSUMER PRODUCTS

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; Trade and Commerce; and Ways and Means

Senate Bill No. 714, entitled

AN ACT DECLARING AS UNLAWFUL THE USE OF POLYCARBON PLASTICS, STYROFOAM AND OTHER SYNTHETIC MATERIALS HARMFUL TO THE ENVIRONMENT AND ESTABLISHING A CRITERION FOR THE ENDORSEMENT OF ENVIRONMENT FRIENDLY CONSUMER PRODUCTS

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; and Trade and Commerce

Senate Bill No. 715, entitled

AN ACT REQUIRING THE RECYCLING AND THE UTILIZATION OF RECYCLED MATERIALS BY EDUCATIONAL INSTITUTIONS

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; Education, Arts and Culture; and Finance

Senate Bill No. 716, entitled

AN ACT TO PROTECT AND PROMOTE THE HEALTH OF THE PEOPLE THROUGH THE PREVENTION, CONTROL AND ABATEMENT OF AIR POLLUTION CAUSED BY SMOKE-BELCHING VEHICLES, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1181, AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; Public Services; and Finance

Senate Bill No. 717, entitled

AN ACT PROVIDING FOR THE INSTALLATION OF ANTI-POLLUTION DEVICES AS PRE-REQUISITE TO THE REGISTRATION AND ISSUANCE OF LICENSES AND LICENSE-PLATE NUMBERS TO VEHICLES NEWLY REGISTERED, AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Public Services; and Environment and Natural Resources

Senate Bill No. 718, entitled

AN ACT PROHIBITING THE MANUFACTURE, DISTRIBUTION, SALE OR USE OF AEROSOL CONTAINING CHLORO-FLUORO-CARBONS AND PROVIDING PENALTY FOR THE VIOLATION THEREOF

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Introduced by Senator Villar Jr.

**To the Committees on Trade and Commerce;
and Environment and Natural Resources**

Senate Bill No. 719, entitled

AN ACT PROVIDING FOR THE
REGULATION AND DISPOSAL OF
MEDICAL WASTES, DECLARING
CERTAIN ACTS UNLAWFUL,
PRESCRIBING PENALTIES
THERE TO, AND FOR OTHER
PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Health and
Demography; and Local Government**

Senate Bill No. 720, entitled

AN ACT REQUIRING LOCAL
GOVERNMENTS TO PLANT
TREES ALONG NATIONAL AND
LOCAL HIGHWAYS WITHIN ITS
TERRITORIAL BOUNDARIES
AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Local Government;
Environment and Natural Resources; and
Finance**

Senate Bill No. 721, entitled

AN ACT REQUIRING THE PLANTING
OF TREES IN OPEN SPACES
OF SUBDIVISION PROJECTS
DEVELOPED FOR RESIDENTIAL,
INDUSTRIAL, OR COMMERCIAL
PURPOSE, AND FOR OTHER
PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Environment and
Natural Resources; and Urban Planning,
Housing and Resettlement**

Senate Bill No. 722, entitled

AN ACT PROVIDING FOR THE
DEVELOPMENT OF PARKS AND
MINI-PARKS IN BARANGAYS,
MUNICIPALITIES, CITIES AND

**PROVINCES, AND FOR OTHER
PURPOSES**

Introduced by Senator Villar Jr.

**To the Committees on Public Works; Local
Government; and Finance**

Senate Bill No. 723, entitled

AN ACT ESTABLISHING PUBLIC
RECREATIONAL PARKS IN MAJOR
URBAN AREAS, APPROPRIATING
FUNDS THEREFOR AND FOR
OTHER PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Public Works; Local
Government; Ways and Means; and Finance**

Senate Bill No. 724, entitled

AN ACT GRANTING INCENTIVES TO
SUBDIVISION HOMEOWNERS
ASSOCIATIONS TO DEVELOP AND
MAINTAIN FORESTED AREAS
WITHIN THEIR SUBDIVISIONS,
AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Environment and
Natural Resources; and Urban Planning,
Housing and Resettlement**

Senate Bill No. 725, entitled

AN ACT PROVIDING FOR THE
PROTECTION AND CONSERVATION
OF ALL OBJECTS OF UNDER-
WATER CULTURAL HERITAGE
IN PHILIPPINE WATERS

Introduced by Senator Villar Jr.

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

Senate Bill No. 726, entitled

AN ACT DECLARING A NATIONAL
FRAMEWORK FOR THE
PROTECTION OF BIODIVERSITY
IN TERRESTRIAL, AQUATIC AND
AGRICULTURAL RESOURCES

AND CREATING THE INSTITUTIONAL MECHANISM FOR ITS IMPLEMENTATION

Introduced by Senator Villar Jr.

To the Committees on Science and Technology; Environment and Natural Resources; Ways and Means; and Finance

Senate Bill No. 727, entitled

AN ACT PROVIDING FOR THE CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES AND THEIR HABITATS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; Agriculture and Food; Ways and Means; and Finance

Senate Bill No. 728, entitled

AN ACT TO CONSERVE AND PROTECT THE PUBLIC FORESTS, MANGROVES AND WILDLIFE THEREIN THROUGH A PROGRAM OF RENEWAL, REFORESTATION AND REPLANTING, AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; and Finance

Senate Bill No. 729, entitled

AN ACT ESTABLISHING FOREST MANAGEMENT, UTILIZATION, CONSERVATION AND PRESERVATION CENTERS IN PROVINCES INHABITED PREDOMINANTLY BY MEMBERS OF INDIGENOUS CULTURAL COMMUNITIES AND UPLAND FAMILIES

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; Cultural Communities; and Finance

Senate Bill No. 730, entitled

AN ACT PROVIDING FOR THE PRESERVATION, REFORESTATION, AFFORESTATION AND SUSTAINABLE DEVELOPMENT OF MANGROVE FORESTS IN THE PHILIPPINES, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committee on Environment and Natural Resources

Senate Bill No. 731, entitled

AN ACT TO IMPROVE THE QUALITY OF BEACHES AND COASTAL RECREATION WATER

Introduced by Senator Villar Jr.

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

Senate Bill No. 732, entitled

AN ACT PROVIDING FOR THE CREATION OF RESERVATION AREAS FOR THE RESERVATION AND PROTECTION OF THE CORAL REEFS, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; and Local Government

Senate Bill No. 733, entitled

AN ACT ESTABLISHING THE COASTAL ENVIRONMENT PROGRAM, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Environment and Natural Resources; and Finance

Handwritten mark resembling the number 18.

Senate Bill No. 734, entitled

AN ACT REGULATING SHIPPING
VESSELS COASTING PHILIPPINE
WATERS FOR THE PROTECTION OF
SHORES

Introduced by Senator Villar Jr.

**To the Committees on Public Services; and
Environment and Natural Resources**

Senate Bill No. 735, entitled

AN ACT TO DEFINE AND PENALIZE
ACTS OF TERRORISM AND FOR
OTHER PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Public Order and
Illegal Drugs; Justice and Human Rights; and
Finance**

Senate Bill No. 736, entitled

AN ACT TO PREVENT AND CONTROL
MARINE POLLUTION FROM SHIPS
AND FIXED AND FLOATING
DRILLING RIGS AND OTHER
PLATFORMS, PROVIDE PENALTIES
THEREFOR, AND FOR OTHER
PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Environment and
Natural Resources; Public Services; and Finance**

Senate Bill No. 737, entitled

AN ACT PROVIDING FOR THE
IMPLEMENTATION OF THE
PROVISIONS OF THE 1992
INTERNATIONAL CONVENTION
ON CIVIL LIABILITY FOR OIL
POLLUTION DAMAGE AND THE
1992 INTERNATIONAL CONVEN-
TION ON THE ESTABLISHMENT
OF AN INTERNATIONAL FUND
FOR COMPENSATION FOR OIL
POLLUTION DAMAGE, PROVIDING

PENALTIES FOR VIOLATION
THEREOF, AND FOR OTHER
PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Environment and
Natural Resources; and Finance**

Senate Bill No. 738, entitled

AN ACT CREATING THE OFFICE OF
ENVIRONMENTAL EDUCATION,
DEFINING ITS FUNCTIONS
AND APPROPRIATING FUNDS
THEREFOR AND FOR OTHER
PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on Environment and
Natural Resources; Civil Service and
Government Reorganization; and Finance**

Senate Bill No. 739, entitled

AN ACT TO REQUIRE INDUSTRIES,
FACTORIES, COMPANIES, OR
ANY INSTITUTION, FIRM
OR ESTABLISHMENT USING
CHEMICALS AND THEIR BY-
PRODUCTS FOR PRODUCTION,
TO DEVELOP AND PROMOTE A
COMMUNITY ENVIRONMENT
INFORMATION PROGRAM

Introduced by Senator Villar Jr.

**To the Committees on Environment and
Natural Resources; and Trade and Commerce**

Senate Bill No. 740, entitled

AN ACT PROVIDING FOR A FIVE-
YEAR PUBLIC WORKS AND
HIGHWAYS INFRASTRUCTURE
PROGRAM

Introduced by Senator Villar Jr.

**To the Committees on Public Works; and
Finance**

Senate Bill No. 741, entitled

AN ACT CREATING THE MINDANAO RAILWAYS CORPORATION PRESCRIBING ITS POWERS, FUNCTIONS AND DUTIES, AND PROVIDING FOR THE NECESSARY FUNDS FOR ITS OPERATION

Introduced by Senator Villar Jr.

To the Committees on Government Corporations and Public Enterprises; Public Services; Ways and Means; and Finance

Senate Bill No. 742, entitled

AN ACT PROVIDING FOR THE OMNIBUS AMENDMENTS TO PRESIDENTIAL DECREE NO. 857, OTHERWISE KNOWN AS THE REVISED CHARTER OF THE PHILIPPINE PORTS AUTHORITY (PPA), AS AMENDED, TO RATIONALIZE THE FUNCTIONS OF THE PPA, AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

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

Senate Bill No. 743, entitled

AN ACT PUNISHING THE MALPRACTICE OF ANY MEDICAL PRACTITIONER IN THE PHILIPPINES AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committee on Health and Demography

Senate Bill No. 744, entitled

AN ACT PROVIDING HOSPITALIZATION, MEDICAL CARE AND

TREATMENT BY OTHER GOVERNMENT HOSPITALS TO PNP MEMBERS, AND TO PROVIDE FUNDS THEREFOR

Introduced by Senator Villar Jr.

To the Committees on Public Order and Illegal Drugs; and Finance

Senate Bill No. 745, entitled

AN ACT PROVIDING FOR EDUCATIONAL BENEFITS FOR THE MINOR CHILDREN OF SOLDIERS AND POLICEMEN WHO ARE KILLED BY INSURGENTS OR SLAIN IN THE LINE OF DUTY AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

To the Committees on Public Order and Illegal Drugs; National Defense and Security; and Finance

Senate Bill No. 746, entitled

AN ACT PROVIDING FOR A COLLEGIATE SCHOLARSHIP PROGRAM TO CHILDREN OF ALL OFFICERS OF THE PHILIPPINE NATIONAL POLICE (PNP) IN ANY STATE COLLEGE AND UNIVERSITY IN THE COUNTRY TO BE KNOWN AS "CHILDREN OF POLICE SCHOLARSHIP (COPS) PROGRAM" AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Villar Jr.

To the Committees on Public Order and Illegal Drugs; and Finance

Senate Bill No. 747, entitled;

AN ACT ESTABLISHING A PHILIPPINE NATIONAL POLICE TRUST FUND TO BE UTILIZED FOR SPECIFIED PROGRAMS AND PROJECTS, AND FOR OTHER PURPOSES

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Introduced by Senator Villar Jr.

**To the Committees on Public Order and
Illegal Drugs; and Finance**

Senate Bill No. 748, entitled

AN ACT GRANTING ASSISTANCE
AND SCHOLARSHIP FOR HIGHER
EDUCATION TO DESERVING
MEMBERS OF THE ARMED FORCES
OF THE PHILIPPINES AND THE
PHILIPPINE NATIONAL POLICE
AND THEIR DEPENDENTS AND
APPROPRIATING FUNDS
THEREFOR

Introduced by Senator Villar Jr.

**To the Committees on Public Order and
Illegal Drugs; National Defense and Security;
and Finance**

Senate Bill No. 749, entitled

AN ACT PROVIDING FOR AN
INCREASED SPECIAL GROUP
TERM INSURANCE COVERAGE
FOR THE MEMBERS OF THE
ARMED FORCES OF THE
PHILIPPINES INCLUDING THE
MEMBERS OF THE PHILIPPINE
NATIONAL POLICE, AMENDING
FOR THE PURPOSE PRESIDENTIAL
DECREE NO. 352, AS AMENDED,
AND FOR OTHER PURPOSES

Introduced by Senator Villar Jr.

**To the Committees on National Defense
and Security; Public Order and Illegal Drugs;
and Finance**

Senate Bill No. 750, entitled

AN ACT PROVIDING FOR THE
CONSTRUCTION OF A SOLDIER'S
MEMORIAL MONUMENT IN THE
RIZAL PARK, AUTHORIZING THE
APPROPRIATION OF FUNDS
THEREFOR AND FOR OTHER
PURPOSES

Introduced by Senator Villar Jr.

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

REMARKS OF SENATOR ENRILE

Senator Enrile expressed hope that the adjournment of session on Wednesday would not be a precedent as he cited Rule XIV, Section 40 of the Rules which provides that the Senate shall meet in session at three o'clock in the afternoon on week days. He suggested that, henceforth, the roll be called during the Thursday session. He stated that Thursday should be considered as a working day.

The Chair explained that the only reason why the session adjourns on Wednesday is that traditionally, Thursday is devoted to bills of local application and at the moment, the Senate has not received any from the Bigger House. Once local bills are transmitted to the Senate, he said, as a matter of practice, the session on Wednesday would be suspended and resumed on Thursday.

Thereafter, Senator Enrile suggested that local bills be considered on Friday morning since the Rules provide that the Senate shall meet every working day of the week.


The Chair stated that the suggestion of Senator Enrile would be acted upon at the appropriate time.

ADJOURNMENT OF SESSION

Upon motion of Senator Pangilinan, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, August 23, 2004.

It was 7:11 p.m.

I hereby certify to the correctness of the foregoing.


OSCAR G. XABES
Secretary of the Senate

Approved on August 23, 2004 *TS ellu*