

REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 82

Monday, May 9, 2005

**THIRTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 82
Monday, May 9, 2005

CALL TO ORDER

At 3:48 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Richard J. Gordon led the prayer, to wit:

Dear Lord,

This assembly in times past has often asked for peace, for unity, for development, for justice, and for many other things.

Lord, today, we simply ask for Your love and that we all be worthy of that love.

Amen.

NATIONAL ANTHEM

The Department of Energy Chorale led the singing of the national anthem and, thereafter, rendered the song entitled *Hanggang Langit*.

ROLL CALL

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

Angara, E. J.	Lacson, P. M.
Arroyo, J. P.	Lapid, M. L. M
Biazon R. G.	Lim, A. S.
Cayetano, C. P. S.	Madrigal, M. A.
Drilon, F. M.	Magsaysay Jr., R. B.
Ejercito Estrada, J.	Osmeña III, S. R.
Ejercito Estrada, L. L. P.	Pimentel Jr., A. Q.
Enrile, J. P.	Recto, R. G.
Flavier, J. M.	Revilla Jr., R. B.
Gordon, R. J.	Roxas, M.

With 20 senators present, the Chair declared the presence of a quorum.

Senators Pangilinan and Villar were on official mission, the former abroad.

Senator Defensor Santiago was absent on account of illness.

APPROVAL OF THE JOURNAL OF SESSION NO. 81

Upon motion of Senator Cayetano, there being no objection, the Body dispensed with the reading of the Journal of Session No. 81 and considered it approved.

REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

Senate Bill No. 1993, entitled

AN ACT PROVIDING FOR THE
TRANSFER OF SCIENCE AND
TECHNOLOGY AND THE PRACTICE
OF PROFESSION IN THE PHILIP-
PINES BY OVERSEAS FILIPINO
PROFESSIONALS

Introduced by Senator Magsaysay Jr.

**To the Committees on Science and Techno-
logy; Justice and Human Rights; and Ways and
Means**

Senate Bill No. 1994, entitled

AN ACT TO STRENGTHEN THE
SOCIAL SECURITY SYSTEM
THEREBY AMENDING FOR THIS
PURPOSE, REPUBLIC ACT NO. 1161,
AS AMENDED, OTHERWISE
KNOWN AS THE SOCIAL
SECURITY LAW

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Introduced by Senator Mar Roxas

To the Committees on Labor, Employment and Human Resources Development; and Constitutional Amendments, Revision of Codes and Laws

Senate Bill No. 1995, entitled

AN ACT TO ESTABLISH THE MONITORING AND SUPERVISORY FRAMEWORK FOR THE LIQUEFIED PETROLEUM GAS (LPG) INDUSTRY, PROVIDE ADDITIONAL POWERS TO THE DEPARTMENT OF ENERGY, DEFINE AND PENALIZE CERTAIN ACTS

Introduced by Senator Mar Roxas

To the Committees on Trade and Commerce; and Energy

Senate Bill No. 1996, entitled

AN ACT TO ESTABLISH A SOCIALIZED AND LOW-COST HOUSING LOAN RESTRUCTURING PROGRAM, PROVIDING THE MECHANISMS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Biazon

To the Committee on Urban Planning, Housing and Resettlement

Senate Bill No. 1997, entitled

AN ACT TO PROMOTE ENTREPRENEURSHIP BY STRENGTHENING DEVELOPMENT AND ASSISTANCE PROGRAMS TO MICRO, SMALL AND MEDIUM SCALE ENTERPRISES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6697, AS AMENDED, OTHERWISE KNOWN AS THE "MAGNA CARTA FOR SMALL ENTERPRISES" AND FOR OTHER PURPOSES

Introduced by Senators Mar Roxas, Gordon, Manuel "Lito" Lapid and Ramon "Bong" Revilla Jr.

To the Committees on Economic Affairs; Banks, Financial Institutions and Currencies; and Finance

Senate Bill No. 1998, entitled

AN ACT PROVIDING FOR A COMPREHENSIVE HAZARDOUS AND RADIOACTIVE WASTES MANAGEMENT, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

Introduced by Senator Pia "Compañera" S. Cayetano

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

COAUTHOR

Senator Roxas manifested that Senator Cayetano is coauthor of Senate Bill No. 1997.

MANIFESTATION OF SENATOR MADRIGAL

Senator Madrigal manifested that together with Senators Lim, Pimentel and Lacson, she filed a resolution honoring the life and legacy of Luis Taruc who passed away last Wednesday and was buried last Sunday.

SUSPENSION OF SESSION

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

It was 3:48 p.m.

RESUMPTION OF SESSION

At 3:55 p.m., the session was resumed.

ADDITIONAL REFERENCE OF BUSINESS

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

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RESOLUTIONS

Proposed Senate Resolution No. 253, entitled

RESOLUTION CALLING FOR THE
CREATION OF A CULTURE OF
DISASTER PREPAREDNESS IN THE
PHILIPPINES THROUGH THE
UTILIZATION OF SCIENTIFIC
TOOLS AND THE DISSEMINATION
OF DISASTER REACTION
MANUALS

Introduced by Senators Gordon and Angara

To the Committee on National Defense and
Security

Proposed Senate Resolution No. 254, entitled

RESOLUTION HONORING THE LIFE
AND LEGACY OF LUIS TARUC

Introduced by Senators M.A. Madrigal and
Pimentel Jr.

To the Committee on Rules

PROPOSED SENATE RESOLUTION NO. 254

Upon motion of Senator Cayetano, there being
no objection, the Body considered Proposed Senate
Resolution No. 254, entitled

RESOLUTION HONORING THE LIFE
AND LEGACY OF LUIS TARUC.

Secretary Yabes read the text of the resolution,
to wit:

WHEREAS, Luis Taruc, guerrilla veteran,
and one of the leaders of the Hukbong
Bayan Laban sa mga Hapon (HUKBALAHAP),
the guerrilla movement against the Japanese
imperial forces formed in March 1942, was born
in Santa Monica, Tarlac, to poor peasants, on 21
June 1913;

WHEREAS, Luis Taruc studied at the
University of Manila (now the Pamantasang
Lungsod ng Maynila) for two years (1932-34)
and then became involved in the cause of the
Philippines' landless peasants;

WHEREAS, Luis Taruc was strongly
drawn to Marxism, he joined the Socialist Party
of the Philippines in 1935 founded by Don Pedro
Abad Santos known as the "Grand Old Man of
San Fernando, Pampanga";

WHEREAS, as Don Pedro Abad Santos'
disciple, Luis Taruc carried on the former's
movement of peasant mobilization for land
reform;

WHEREAS, Luis Taruc narrated his
struggles as an ideologist in his world-renowned
book, "Born of the People," which influenced
another legendary hero of the freedom struggle,
South African leader Nelson Mandela;

WHEREAS, Luis Taruc's espousal of armed
struggle, and his conviction and incarceration by
the state, afforded him the opportunity to reflect
on relinquishing armed struggle, leading to his
subsequent strong belief that Filipinos should
not harm fellow Filipinos, but that instead, peace,
harmony, social justice and dignity are best
fostered by genuine, peaceful development and
social reform;

WHEREAS, his commitment to a more just
society for all Filipinos, in particular peasants
and veterans, led him to lobbying for their
interests;

WHEREAS, to the last days of his life, he
demonstrated his dedication to reconciliation
and social justice and never once compromised
his principles for the sake of expediency and
personal gain;

WHEREAS, Luis Taruc's life provides a
lesson to all Filipinos about the urgent and
essential importance of social justice and its
practical application.

NOW, THEREFORE, BE IT RESOLVED,
as it is hereby resolved to:

- (1) Extend our deepest sympathy and condolences to the family of Luis Taruc; and,
- (2) Express our admiration for the historic contributions made by Luis Taruc over his long and distinguished career of freedom-fighting and struggle to improve the welfare of the poor.

Thereupon, the Chair recognized Senator Madrigal
for the sponsorship.

SPONSORSHIP SPEECH OF SENATOR MADRIGAL

In sponsoring Proposed Senate Resolution No. 254, Senator Madrigal delivered the following speech:

Ka Luis Taruc, as he was fondly known, had a heart attack last Wednesday evening and died on Friday. He was buried last Sunday and I and our distinguished colleague, Sen. Alfredo S. Lim, were there for the last rites.

To me, the death of Ka Luis Taruc is a loss for the country because he was a heroic man. Ka Luis Taruc, in the long years that he lived, never took a day off and died, so to speak, on the saddle. He was never incapacitated. Before his heart attack on Wednesday, he was still working until the weekend with the poor, planting trees and doing many things to alleviate suffering.

His death is also equally important because I believe that by honoring him in death, we will also be pushing the ideals and principles for which he lived.

Ka Luis Taruc was a disciple of Perico Abad Santos, my granduncle. He was also a disciple of Jose Abad Santos, my grandfather. Jose Abad Santos had to die in order to be a hero.

To me, Ka Luis was a living hero because he was a man who dedicated his life to the service of country. It saddened me though to read about a footnote in history that had been glossed over.

This is not a commentary nor judgment on the actions of the Liberal Party of which our distinguished and beloved Senate President is a member. This is simply the musings and ponderings of a lonely person who was saddened by the death of someone she admired. It saddened me to learn that in the 1946 elections, Ka Luis Taruc was elected to the House of Representatives under the Democratic Alliance which was a loose grouping of progressive professionals who opposed collaborators and sought social

reforms. I now quote what was written in the papers:

“Despite much harassment during the electoral campaign, Taruc and all the Democratic Alliance candidates in Central Luzon won seats in Congress. President Manuel Roxas (Liberal Party), however, passed a resolution ousting three duly elected senators and nine congressmen including those of the Democratic Alliance on the spurious charge of electoral fraud.”

The move reportedly ensured the passage in Congress of the Parity Amendment and other unequal treaties like the Bell Trade Act and the Military Bases Agreement that the United States were pushing.

Disappointed, the Huks openly declared their orientation, renamed their group *Hukbong Magpalaya sa Bayan* (People's Liberation Army) and launched an armed insurrection. Some historians consider this the forerunner of the present-day New People's Army, although, I wish to disagree on that because Ka Luis Taruc was more a socialist than a communist.

I ask: What if these people were allowed to take their seats being duly elected senators and congressmen? What if these people who early on already sought reforms for social justice, reforms for the poor, were allowed to sit? I wonder how such a poor man – and he died penniless, I know, because I had to pay for his funeral expenses – could have been charged with electoral fraud. This is beyond me.

These are just questions. These are a series of “what ifs.” What could have happened if the victory of the Democratic Alliance was not overturned?

To me, it is a sad footnote in history because as we all know, victors always rewrite history. I would just like to bring this out because in the period of mourning for a great man whom I consider one of the great Philippine heroes, although he was not a martyr, this sad footnote of history is somewhat lost. What if these people were

allowed to exercise their rights and fight for the poor? What if these people were allowed to block the Parity Amendment, the Bell Trade Act? What if the bases were not allowed? Perhaps history would have been rewritten.

I cannot judge if it would have been better or not. Although it was done through a democratic process — I even talked to the Minority Leader about it because I was not yet born at that time and history books are really not very clear about it — I wonder how under the 1935 Constitution, just by sheer force of the majority of the Senate and the House, these people were expelled through charges of electoral fraud.

I believe very much that Ka Luis Taruc was a man who never sold his soul. He never compromised when principle was at stake, and he never surrendered principled decisions for political gain or personal expediency. I say this because in this day and age where things are moving so fast, where our country is embroiled in certain moral, economic turmoil, the definition of heroism has somehow been lost. To me, these are people who died for their principles, people who stood up and stuck to their gumption when all else failed. I believe these are the unsung heroes and such is Ka Luis Taruc.

Another unsung hero in my book is Sergio Osmena, the grandfather of Senator Serge Osmeña. Don Sergio, as he was fondly called by those who knew him, was the Vice President of the Commonwealth government and subsequently assumed the presidency following the death of President Quezon.

I admire him because his heroism was unsung and touching — it is not what “normal people” do. When he ran for reelection, this man refused to use government funds on the ground that people already knew what he was doing; they have had two years of his administration. And he said it would be a waste to spend the people’s money to campaign. To me, this is heroism, extraordinary deeds of normal men

in extraordinary times. It is my opinion that this heroism of Don Sergio Osmeña is not found in the present day. He was a sitting president who, because of his principled stand, refused to use his power and might in his reelection bid and he subsequently lost.

I would like to thank the Senate for allowing a confused senator to ponder and muse. In this time of debates on VAT, I have meditated like a monk to see what I should do and how I should act. But it is the principles of people like Ka Luis Taruc and Don Sergio Osmeña that have kept me strong and, perhaps, that shall guide me in making the right decisions in this Chamber not only on present issues but also on other issues to come.

I think it is worth mentioning that for the first time in this Chamber, a lot of the progeny of past senators and presidents are together. We have our distinguished colleague, Senator Ramon B. Magsaysay, the son of President Magsaysay who, I think, accepted the surrender of Ka Luis Taruc. We have Senator Roxas, grandson of President Roxas. We have, of course, the grandson of President Osmeña, Senator Sergio Osmeña III, and the much-fatigued author and sponsor of the Senate VAT version, our colleague, Senator Ralph Recto, the grandson of the late great mind, Senator Claro M. Recto.

It is my wish that all of us will pray for those who have gone, big or small, who have somehow contributed to what our country is today. We pray that those spirits guide us to make the Senate a place where decisions are made not on expediency but because it is for the real good of the people and because of principles. Not to say that my decision is better than the others or that one decision is better than the rest, but perhaps to say we have to reflect on the guiding precedents set by our founding fathers to help us make decisions for a country that is in turmoil, a country that has economic and labor problems, a country that has a devastated environment, so that the spirits of these great men may guide us.

11

116

COSPONSORSHIP SPEECH OF SENATOR LIM

In cosponsoring Proposed Senate Resolution No. 254, Senator Lim delivered the following speech:

Sa kapahintulutan ng ating iginagalang na Senadora Madrigal, nais ko pong basahin ang isang tula na ginawa ni Ka Luis Taruc na binasa kahapon sa misa ng kanyang apo:

INANG BAYAN PILIPINAS

Mutyang Inang Bayan
Sa aking pagpanaw,
huwag mo akong iyakan,
Ang kamatayan ko ay pahinga lamang,
Kapiling mo ako maski na kailan
Sa pinak, sa bundok at sa kapatagan
Sa kapayapaan kahit sa digmaan.

Yaman, katanyagan, hindi ko hinangad
Marami sa atin yan ang hinahanap
Aral nina Rizal, Bonifacio, Abad Santos
ang aking tinupad;
Ang bilin ni Kristo, sarili'y limutin
sinunod ko nang tapat.

Pag-ibig sa Diyos
Pag-ibig sa bayan
Pag-ibig sa lahat
Lalo na sa ating uring anak pawis
Uring naghihirap.

Paalam, mahal kong inang bayang mutya
Mamatay akong tapat sa adhika!
Ang tanging lilisan katawan kong lupa,
sa aking prinsipyong alam na ng madla.

Hindi ako nanlamig
Hindi ako nanghina
Ang tataglayin ko hanggang kay Bathala.

Nakalulungkot na isang bayani ng bayan na nagpakasakit, nagsakripisyo upang ipaglaban ang kanyang minamahal na bayan ay hindi sa Libingan ng mga Bayani nahimlay. Sana po mapag-isipan ito ng mga kinaukulan na si Ginoong Luis Taruc, bagama't noong unang humawak ng sandata sa paghihimagsik laban sa mga kalaban nating Hapones ay napagbintangan na kumikiling siya sa komunismo. Nguni't hindi po siya komunista. Sosyalista po na siyang

itinatag naman ng butihing lolo ni Senadora Madrigal na si Don Perico Abad Santos na nakatatandang kapatid ng isang bayani rin ng bayan, si Justice Jose Abad Santos, na binaril ng mga Hapon sa Mindanao nang siya'y pinipilit na itakwil ang sariling bansa at sumama sa pamahalaan ng mga Hapones.

Ang sabi po ni Gat Andres Bonifacio, "Anong pag-ibig pa ang hihigit sa pagkadalalay at pagkadakila gaya ng pag-big sa tinubuang lupa. Wala na nga, wala na nga." Meron din pong sinabi si Gat Andres Bonifacio sa kanyang Dekalogo ng Katipunan: "Sa taong may hiya, ang bawa't salita ay panunumpa."

Mga magandang salawikain nguni't ang suliranin natin dito ay tila nakalimutan na ng ating mga kababayan — yoong mga ipinakitang kapuri-puri at kahanga-hangang halimbawa at gawain o mga wikain. Nabanggit ni Senadora Jamby Madrigal, ang iginagalang ng lahat, ang lolo ni Senador Sergio Osmeña, ang yumaong Pangulong Sergio Osmeña Sr. Idadagdag ko na rin ang yumaong Pangulong Ramon Magsaysay, na ang magiting na anak ay naririto. Pangulong Manuel L. Quezon, Pangulong Manuel Roxas, Senador Claro M. Recto, Senador Paredes, Senador Primicias, Senador Sumulong, Senador Diokno, Senador Laurel, dating Pangulong Laurel. Mga bayani ng bayan. Napakarami po nila. Ang ipinagtataka ko ay kung bakit ni bahid man lamang sa kaisipan ng kasalukuyang mamamayan ay hindi sumasagi ang alaala ng mga ginintuang kaugalian ng mga bayani ng bayan.

Ang nangyayari po puro pansamantalang kapakanan. Interes pulitikal ang namamayani sa ating mahal na bayan. Siguro ay mag-umpisa tayo dito sa Senado. Tayo na ang maglunsad ng mga gawaing makapagbabalik-gunita ng mga nagawa at ginintuang sinabi ng mga bayani ng ating bayan. Iwaglit na natin sa ating katauhan ang hindi magandang gawain katulad ng pagkukunwari, panlililang, panloloko at pang-aapi sa mahihirap na ipinaglaban hanggang sa huling sandali ng hininga ni Ka Luis Taruc.

Sabi ng kanyang nag-iisang anak na si Dr. Romeo Taruc, nanonood daw po sa telebisyon si Ka Luis Taruc noong a-primero ng Mayo, Labor Day. Nakita niya sa telebisyon na ang kapulisan na dapat sanang nagbibigay-proteksyon at depensa sa karapatan ng mamamayan ang siya pang nangungunang sumikil sa mga karapatang pantao ng mga taong gusto lamang magsiwalat ng kanilang damdamin tungkol sa nararamdaman nilang kahirapan.

Sana ay maging aral ito sa lahat ng nanunungkulan sa pamahalaan, mula sa pinakamataas hanggang sa pinakamababang katungkulan, na tayo ay naririto dahil sa kagustuhan at pagtitiwala ng mamamayan. Dapat nama'y taas noo nating harapin ang ating pagtupad sa sinumpaang tungkulin. Sa araw-araw na ginawa ng Panginoon Diyos, ang dapat na dadamdamin natin ay makapaglingkod nang malinis, masinop, marangal at wagas alang-alang sa bayan at sa mamamayan. Bayan muna bago ang lahat.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

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

CAYETANO AMENDMENT

On page 1, lines 1 and 2 of the second "WHEREAS" clause, as proposed by Senator Cayetano, there being no objection, the Body approved the deletion of the parentheses and the phrase "(now the Pamantasang Lungsod ng Maynila)."

TERMINATION OF THE PERIOD OF AMENDMENTS

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

COAUTHORS

With the permission of Senator Madrigal, all the senators present were made coauthors of Proposed Senate Resolution No. 254: Senate President Drilon, Senators Flavier, Angara, Biazon, Cayetano, Ejercito Estrada (L), Enrile, Lapid, Magsaysay, Recto and Revilla.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 254

Upon motion of Senator Cayetano, there being no objection, Proposed Senate Resolution No. 254 was adopted by the Body.

SUSPENSION OF SESSION

Upon motion of Senator Cayetano, the session was suspended.

It was 4:24 p.m.

RESUMPTION OF SESSION


At 4:27 p.m., the session was resumed.

ADJOURNMENT OF SESSION

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

It was 4:27 p.m.

I hereby certify to the correctness of the foregoing.


OSCAR G. YABES
Secretary of the Senate
MB / elw

Approved on May 10, 2005