



REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 36

Thursday, October 12, 2006

**THIRTEENTH CONGRESS
THIRD REGULAR SESSION**

SESSION NO. 36
Thursday, October 12, 2006

CALL TO ORDER

At 11:35 a.m., the Senate President, Hon. Manny Villar, called the session to order.

PRAYER

The Body observed a minute of silent prayer.

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.	Flavier, J. M
Arroyo, J. P.	Gordon, R. J.
Biazon, R. G.	Lacson, P. M.
Cayetano, C. P. S.	Lim, A. S.
Drilon, F. M	Magsaysay Jr., R. B.
Ejercito Estrada, J	Pangilinan, F. N.
Ejercito Estrada, L. L. P.	Villar, M.
Enrile, J. P.	

With 15 senators present, the Chair declared the presence of a quorum.

Senator Lapid, who was on official mission, arrived after the roll call.

Senator Defensor Santiago was on sick leave.

Senators Madrigal, Osmeña, Pimentel, Recto, Revilla and Roxas were absent.

**DEFERMENT OF THE
APPROVAL OF THE JOURNALS
OF SESSION NOS. 34 AND 35**

Upon motion of Senator Pangilinan, there being no objection, the Body deferred the consideration and approval of the Journals of Session Nos. 34 and 35.

REFERENCE OF BUSINESS

The Secretary of the Senate read Senate Bill No. 2491, which the Chair referred to the Committee on Local Government, entitled

AN ACT AUTHORIZING THE
SANGGUNIANG PANLALAWIGAN,
SANGGUNIANG PANLUNGSOD,
OR SANGGUNIANG BAYAN, TO
DECLARE WORKING OR NON-
WORKING SPECIAL HOLIDAYS IN
THEIR RESPECTIVE LOCALITIES
TO COMMEMORATE SIGNIFICANT
HISTORIC EVENTS, PROVIDING
GUIDELINES THEREFOR, AND FOR
OTHER PURPOSES

Introduced by Senator Lim

**ACKNOWLEDGMENT OF THE
PRESENCE OF GUESTS**

At this juncture, Senator Pangilinan acknowledged the presence of a delegation from the Malolos Marine Fishery School and Laboratory headed by Mrs. Catalina Ventura.

**APPROVAL OF HOUSE BILL NO. 5500
ON THIRD READING**

Upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, House Bill No. 5500, printed copies of which were distributed to the senators on October 9, 2006.

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

AN ACT CONVERTING THE MUNICI-
PALITY OF NAVOTAS INTO A

HIGHLY URBANIZED CITY TO BE KNOWN AS THE CITY OF NAVOTAS

Secretary Yabes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

- | | |
|----------------------|------------|
| Angara | Flavier |
| Arroyo | Gordon |
| Biazon | Lacson |
| Cayetano | Lim |
| Ejercito Estrada (J) | Magsaysay |
| Ejercito Estrada (L) | Pangilinan |
| Enrile | Villar |

Against

None

Abstention

None

With 14 senators voting in favor, none against, and no abstention, the Chair declared House Bill No. 5500 was approved on Third Reading.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 11:39 a.m.

RESUMPTION OF SESSION

At 11:42 a.m., the session was resumed.

COMMITTEE REPORT NO. 58 ON SENATE BILL NO. 2231

(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 2231 (Committee Report No. 58), entitled

AN ACT AMENDING REPUBLIC ACT NO. 8436, ENTITLED AN ACT AUTHORIZING THE COMMISSION

ON ELECTIONS TO USE AN AUTOMATED ELECTION SYSTEM IN THE MAY 11, 1998 NATIONAL OR LOCAL ELECTIONS AND IN SUBSEQUENT NATIONAL AND LOCAL ELECTORAL EXERCISES, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

Senator Pangilinan stated that the parliamentary stage was still the period of individual amendments. He explained that during the previous session, the Body tried but failed to reconcile diverse and different views and positions on certain key provisions of the bill.

Whereupon, the Chair recognized Senator Gordon, Sponsor of the measure.

Senator Gordon stated that pending before the Body when it adjourned the previous session was Senator Ramos' proposed amendment to implement the AES beyond 2007 which he did not accept. That being the case, he moved that said proposed amendment be submitted to a vote.

Senator Biazon seconded the motion.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 11:45 a.m.

RESUMPTION OF SESSION

At 11:48 p.m., the session was resumed.

REMARK OF SENATOR ENRILE

Senator Enrile stated that with the Sponsor's rejection of the proposed amendment of Senator Ferras, there was nothing to act upon. He said that the parliamentary situation is whether the Body should close the period of individual amendments and then vote on the bill.

MOTION TO CLOSE THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no other individual amendment, Senator Pangilinan moved to close the period of individual amendments.

Handwritten initials 'js' at the bottom right of the page.

At this juncture, Senator Ejercito Estrada (J) asked whether Senators Osmeña and Roxas have been informed that the period of amendments would be closed.

Senator Pangilinan believed that since Senators Osmeña and Roxas were present the previous night and were aware that the Body would hold its session today, their absence could mean that they were waiving their right to proceed with their individual amendments.

SUSPENSION OF SESSION

Upon motion of Senator Ejercito Estrada (J), the session was suspended.

It was 11:48 a.m.

RESUMPTION OF SESSION

At 12:05 p. m., the session was resumed.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 12:08 p.m.

RESUMPTION OF SESSION

At 12:08 p.m., the session was resumed.

Senator Pangilinan reiterated his motion to close the period of individual amendments.

OBJECTION OF SENATOR EJERCITO ESTRADA (J)

Senator Ejercito Estrada (J) objected to the procedure of acting on the motion without the presence of the Minority Leader. He added that he was also standing for the rights of his colleagues in the Minority who were not present at the moment. He asked for a clean copy of the bill incorporating all the approved amendments.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 12:10 p. m.

RESUMPTION OF SESSION

At 12:11 p.m., the session was resumed.

Upon resumption, Senator Pangilinan informed the Body that Senator Ejercito Estrada (J) has withdrawn his request for a clean copy of the bill, given the precedent that the Body has followed with respect to urgent measures that needed to be approved on Second and Third Readings.

The Chair called for a vote on the Pangilinan motion.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

Thereupon, the Chair asked those in favor of the Pangilinan motion to raise their hands and, thereafter, asked those who were against it to do the same.

With 10 senators voting in favor, none against, and two abstaining, the Body closed the period of amendments on Senate Bill No. 2231.

MANIFESTATION OF SENATOR EJERCITO ESTRADA (J)

Senator Ejercito Estrada (J) manifested that he abstained from voting on the motion, clarifying that although he has nothing against the bill, he was simply protecting the rights of the other Members who wanted to further amend the bill. He asserted that the Body could not just approve the bill without scrutinizing and amending it properly.

APPROVAL OF SENATE BILL NO. 2231 ON SECOND READING

Thereupon, submitted to a vote and there being no objection, Senate Bill No. 2231 was approved on Second Reading.

PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, the Secretary of the Senate read the President's certification as to the necessity of the immediate enactment of Senate Bill No. 2331, to wit: ~~45~~

ps

MALACAÑANG PALACE

March 20, 2006

HON. FRANKLIN M. DRILON
Senate President
Philippine Senate
Pasay City

Dear Senate President Drilon:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 2231, under Committee Report No. 58, entitled:

AN ACT AMENDING REPUBLIC ACT NO. 8436, ENTITLED AN ACT AUTHORIZING THE COMMISSION ON ELECTIONS TO USE AN AUTOMATED ELECTION SYSTEM IN THE MAY 11, 1998 NATIONAL OR LOCAL ELECTIONS AND IN SUBSEQUENT NATIONAL AND LOCAL ELECTORAL EXERCISES, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES,

to address the urgent need of enabling the Commission on Elections (COMELEC) to proceed with the modernization of the electoral process through an automated election system, thus ensuring honest, peaceful and credible elections that inspire the confidence of the people.

Best wishes.

Very truly yours,

(Sgd.) GLORIA ARROYO

cc: HON. JOSE C. DE VENECIA JR.
Speaker
House of Representatives
Quezon City

**APPROVAL OF SENATE BILL NO. 2231
ON THIRD READING**

In view of the presidential certification, upon motion of Senator Pangilinan, there being no objection, the Body considered, on Third Reading, Senate Bill No. 2231.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Pangilinan, the Secretary of the Senate read only the title of the bill, to wit:

AN ACT AMENDING REPUBLIC ACT
NO. 8436, ENTITLED AN ACT

AUTHORIZING THE COMMISSION ON ELECTIONS TO USE AN AUTOMATED ELECTION SYSTEM IN THE MAY 11, 1998 NATIONAL OR LOCAL ELECTIONS AND IN SUBSEQUENT NATIONAL AND LOCAL ELECTORAL EXERCISES, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

The Secretary of the Senate called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Flavier
Arroyo	Gordon
Biazon	Lim
Cayetano	Magsaysay
Ejercito Estrada (J)	Pangilinan
Ejercito Estrada (L)	Villar
Enrile	

Against

None

Abstention

None

With 13 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 2231 approved on Third Reading.

**EXPLANATION OF VOTE
OF SENATOR BIAZON**

Senator Biazon said that he voted in favor of the bill considering that he had been twice a victim of cheating using the manual system. He disclosed that in the hearings of the Committee on National Defense and Security which he chairs, conclusive evidence indicated massive cheating in the last elections. He asserted that it is common knowledge that manual counting, especially at the municipal and provincial levels, is vulnerable to massive cheating. But if the new system would still not work, he prayed that God help the country.

AF

ms

**COMMITTEE REPORT NO. 84
ON HOUSE JOINT RESOLUTION NO. 1**
(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of House Joint Resolution No. 1 (Committee Report No. 84), entitled

**JOINT RESOLUTION TO EXEMPT
CERTAIN MUNICIPALITIES EM-
BODIED IN BILLS FILED IN CONG-
RESS BEFORE JUNE 30, 2001 FROM
THE COVERAGE OF REPUBLIC
ACT NO. 9009.**

Senator Pangilinan stated that the parliamentary status was still the period of interpellations.

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

SUSPENSION OF SESSION

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

It was 12:21 p.m.

RESUMPTION OF SESSION

At 12:22 p.m., the session was resumed with Senate President Pro Tempore Flavier presiding.

Upon resumption, Senator Lim moved to close the period of interpellations.

Senator Pangilinan stated that he was assuming that Senator Pimentel would no longer interpellate even if he had intimated that he was crafting the language of his proposed amendments.

**TERMINATION OF THE PERIOD
OF INTERPELLATIONS**

Upon motion of Senator Pangilinan, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

REMARKS OF SENATOR LIM

Senator Lim stated that the measure has been intensely discussed and debated in various fora and

in addition to the public hearings conducted by the Committee on Local Government last year, the Body convened two caucuses on September 13 and 18 to allow all concerned sectors to air their views. He disclosed that, as agreed upon, he met with the principal authors of the resolution and the officers of the League of Cities last October 6 to find a middle ground while keeping to the principles of justice and fairness. He stated that the committee amendments reflected this middle ground.

COMMITTEE AMENDMENTS

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

1. On page 1, in the second "Whereas" clause, replace the words and figure "fifty-six (56)" with FIFTY-SEVEN (57);
2. On the same page, in the same "Whereas" clause, change the words and figure "twenty-three (23)" to TWENTY-FOUR (24);
3. On page 2, amend the "Whereas" clause to read as follows:

WHEREAS, IN THE INTEREST OF FAIRNESS AND JUSTICE, THERE IS A NEED TO OFFER A LEGAL REMEDY TO THE TWENTY-FOUR (24) MUNICIPALITIES WHICH APPLIED FOR CITY STATUS DURING THE ELEVENTH CONGRESS, AND AFFECTED BY THE IMPLEMENTATION OF REPUBLIC ACT NO. 9009: *NOW, THEREFORE, BE IT;*

4. On the same page, line 25, delete the words "Mati, Davao Oriental," and in lieu thereof, insert the words LOS BAÑOS, LAGUNA;
5. On the same page, line 26, delete the conjunction "and";
6. On the same page, line 27, replace the words "Guihulngan, Negros Oriental" with TUBOD, LANA DEL NORTE;
7. On the same page, after line 27, insert a new line to wit: (24) TAYABAS, QUEZON; and
8. Thereafter, insert the following new paragraphs:

RESOLVED, FURTHER, TO IMPLEMENT THIS GRANT OF EXEMPTION, SUBJECT TO THE FOLLOWING GUIDELINES:

(1) NOTHING IN THIS RESOLUTION SHALL BE CONSTRUED TO EXEMPT THE HEREIN LISTED MUNICIPALITIES FROM

ps

THE REQUIREMENTS OF THE LOCAL GOVERNMENT CODE OF 1991 PRIOR TO ITS AMENDMENT BY REPUBLIC ACT NO. 9009 FOR THEIR CONVERSION INTO CITIES.

(2) THE DATE OF CERTIFICATION AS TO THE QUALIFICATION FOR CITY STATUS OF THE ABOVE LISTED MUNICIPALITIES SHOULD BE BASED PRIOR TO THE EFFECTIVITY OF REPUBLIC ACT NO. 9009.

(3) ANY MUNICIPALITY LISTED HEREIN THAT IS CONVERTED INTO A CITY SHALL RECEIVE ITS SHARE OF THE INTERNAL REVENUE ALLOTMENT (IRA) BASED ON THE FOLLOWING SCHEDULE:

FIRST YEAR AS CITY OF IRA	: 50%
SECOND YEAR AS CITY OF IRA	: 62.5%
THIRD YEAR AS CITY OF IRA	: 75%
FOURTH YEAR AS CITY OF IRA	: 82.5%
FIFTH AND SUCCEEDING YEARS OF IRA	: 100%

PROVIDED, THAT THE CITY SHALL CONTINUE TO RECEIVE ITS SHARE OF THE IRA AS A MUNICIPALITY FROM THE IRA SHARE OF MUNICIPALITIES AND THE BALANCE SHALL BE TAKEN FROM THE IRA SHARE OF CITIES ACCORDING TO THE ABOVE SCHEDULE. THEREAFTER, THE IRA SHARE OF THE CITY SHALL EXCLUSIVELY BE COMPUTED AND TAKEN FROM THE SHARE OF IRA OF CITIES.

(4) UPON THE EFFECTIVITY OF THIS JOINT RESOLUTION, ALL APPLICATIONS FOR THE GRANT OF CITY STATUS SHALL BE GOVERNED BY THE PROVISIONS OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AS AMENDED BY REPUBLIC ACT NO. 9009.

Senator Lim stated that in deference to Senator Pimentel, the father of the Local Government Code, he would accept the latter's proposed amendments even without reading them so that the Body could close the period of amendments.

Senator Pangilinan explained that he was merely relying on Senator Pimentel's desire to introduce his amendments personally at a later date.

Senator Lim appealed to the Body to make a decision out of respect to the congressmen who have been coming to the Senate to show their support for the resolution. He pointed out that the Members could still propose amendments during the bicameral

conference. He asked why the poor municipalities should be deprived of the opportunity for advancement. He urged the Body to act on the resolution before the recess. He then moved for the termination of the period of amendments.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 12:37 p.m.

RESUMPTION OF SESSION

At 12:42 p.m., the session was resumed.

TERMINATION OF THE PERIOD OF AMENDMENTS

In order to break the impasse and to be fair to the congressmen who have been coming to the session to appeal their case, Senator Enrile moved that the Body close the period of amendments and approve the resolution on Second Reading without prejudice to the right of the Minority to move for its reconsideration.

Senator Magaysay seconded the motion.

There being no objection, the Body closed the period of amendments.

APPROVAL OF HOUSE JOINT RESOLUTION NO. 1 ON SECOND READING


Submitted to a vote, there being no objection, House Joint Resolution No. 1, was approved on Second Reading, without prejudice to its reconsideration.

SUSPENSION OF CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 1

Upon motion of Senator Pangilinan, there being no objection, the Body suspended consideration of the resolution.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 12:45 p.m. 

RESUMPTION OF SESSION

At 12:48 p.m., the session was resumed.

**COMMITTEE REPORT NO. 46
ON HOUSE BILL NO. 692**

(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of House Bill No. 692 (Committee Report No. 46), entitled

AN ACT GRANTING CABLE LINK AND HOLDING CORP. A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN CABLE/COMMUNITY ANTENNAE TELEVISION SYSTEMS IN THE PHILIPPINES.

Senator Pangilinan stated that the parliamentary status was still the period of interpellations.

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

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 12:49 p.m.

RESUMPTION OF SESSION

At 12:49 p.m., the session was resumed.

Upon resumption, Senator Pangilinan informed the Body of Senator Osmeña's reservation to interpellate on the bill.

Senator Arroyo said that the way he understood it, Senator Osmeña was interested in introducing amendments to the bill.

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 12:50 p.m.

RESUMPTION OF SESSION

At 12:51 p.m., the session was resumed.

**SUSPENSION OF CONSIDERATION
OF HOUSE BILL NO. 692**

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

**COMMITTEE REPORT NO. 94
ON HOUSE BILL NO. 4429**

(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on Second Reading, of House Bill No. 4429 (Committee Report No. 94), entitled

AN ACT GRANTING THE PUERTO PRINCESA BROADCASTING CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE CITY OF PUERTO PRINCESA AND ALL THE MUNICIPALITIES IN THE PROVINCE OF PALAWAN.

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

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no reservation for interpellation, upon motion of Senator Ejercito Estrada (J), there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

COMMITTEE AMENDMENTS

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

1. On page 5, before Sec. 9 (*Self-Regulation by and Undertaking of the Grantee*), insert a new section to read as follows:

SEC. ____. *TAX PROVISIONS.* – THE GRANTEE, ITS SUCCESSORS OR ASSIGNS, ~~AA~~

SHALL BE SUBJECT TO THE PAYMENT OF ALL TAXES, DUTIES, FEES OR CHARGES AND OTHER IMPOSITIONS UNDER THE NATIONAL INTERNAL REVENUE CODE (NIRC) OF 1997, AS AMENDED, AND OTHER APPLICABLE LAWS: *PROVIDED*, THAT NOTHING HEREIN SHALL BE CONSTRUED AS REPEALING ANY SPECIFIC TAX EXEMPTIONS, INCENTIVES OR PRIVILEGES GRANTED UNDER ANY RELEVANT LAW: *PROVIDED, FURTHER*, THAT ALL RIGHTS, PRIVILEGES, BENEFITS AND EXEMPTIONS ACCORDED TO EXISTING AND FUTURE BROADCASTING STATION FRANCHISES SHALL LIKEWISE BE EXTENDED TO THE GRANTEE.

THE GRANTEE SHALL FILE THE RETURN WITH THE CITY OR MUNICIPALITY WHERE ITS PRINCIPAL PLACE OF BUSINESS IS LOCATED AND PAY THE TAXES DUE THEREON TO THE COMMISSIONER OF INTERNAL REVENUE OR HIS DULY AUTHORIZED REPRESENTATIVE IN ACCORDANCE WITH THE NIRC AND THE RETURN SHALL BE SUBJECT TO AUDIT BY THE BUREAU OF INTERNAL REVENUE;

2. On the same page, before Sec. 10 (*Warranty in Favor of National and Local Governments*), insert a new section to read as follows:

SEC. ____ . *OBLIGATION OF GRANTEE.*
 - ANY PERSON AGGRIEVED BY ANY REMARK, REPORT, STATEMENT, COMMENTARY OR THE LIKE BY BROADCASTERS USING THE SAME FACILITIES OF THE GRANTEE SHALL HAVE THE RIGHT TO REPLY IN THE SAME PROGRAM OR ANY OTHER PROGRAM THE AGGRIEVED PARTY MAY CHOOSE.;

3. On page 6, between lines 9 and 12, delete the phrase "time it has achieved the status of a national broadcasting network. A "national broadcasting network" is hereby defined as one that operates three or more radio and/or television stations," and in lieu thereof, insert the following:

COMMENCEMENT OF ITS OPERATIONS. THE PUBLIC OFFERING SHALL COMPLY WITH THE RULES AND REGULATIONS OF THE SECURITIES AND EXCHANGE COMMISSION.;

4. On the same page, between lines 13 and 14, insert a new section to read as follows:

SEC. ____ . *EQUALITY CLAUSE.* - EXCEPT FOR TAXES, ANY ADVANTAGE, FAVOR, PRIVILEGE, EXEMPTION, OR IMMUNITY GRANTED UNDER EXISTING FRANCHISES, OR MAY HEREAFTER BE GRANTED, SHALL *IPSO FACTO* BECOME PART OF THIS FRANCHISE AND SHALL BE ACCORDED IMMEDIATELY AND UNCONDITIONALLY TO THE HEREIN GRANTEE: *PROVIDED, HOWEVER*, THAT THE FOREGOING SHALL NEITHER APPLY TO NOR AFFECT PROVISIONS OF BROADCASTING FRANCHISES CONCERNING TERRITORY COVERED BY THE FRANCHISE, THE LIFE SPAN OF THE FRANCHISE, OR THE TYPE OF SERVICE AUTHORIZED BY THE FRANCHISE.; and

5. Renumber the sections accordingly.

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.

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.

APPROVAL OF HOUSE BILL NO. 4429 ON SECOND READING

Submitted to a vote, there being no objection, House Bill No. 4429 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 4429

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

COMMITTEE REPORT NO. 46 ON HOUSE BILL NO. 692

(Continuation)

Upon motion of Senator Pangilinan, there being no objection, the Body resumed consideration, on ~~10~~

Second Reading, of House Bill No. 692 (Committee Report No. 46), entitled

AN ACT GRANTING CABLE LINK AND HOLDING CORP. A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN CABLE/COMMUNITY ANTENNAE TELEVISION SYSTEMS IN THE PHILIPPINES.

Senator Pangilinan stated that the parliamentary status was still the period of interpellations.

Thereupon, the Chair recognized Senator Arroyo, Sponsor of the measure, and Senator Ejercito Estrada (J) for his manifestation.

MANIFESTATION OF SENATOR EJERCITO ESTRADA (J)

Senator Ejercito Estrada (J) manifested that Senator Osmeña has withdrawn his reservation to interpellate Senator Arroyo on the bill.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

Upon motion of Senator Pangilinan, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

COMMITTEE AMENDMENTS

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

1. On page 2, line 9, delete the letter "s" from the word "leases";
2. On page 6, before Section 10 (*Self-Regulation by and Undertaking of Grantee*), insert a new section to read as follows:

SEC. ____ *TAX PROVISIONS.* — THE GRANTEE, ITS SUCCESSORS OR ASSIGNS, SHALL BE SUBJECT TO THE PAYMENT OF ALL TAXES, DUTIES, FEES OR CHARGES AND OTHER IMPOSITIONS UNDER THE NATIONAL INTERNAL REVENUE CODE (NIRC) OF 1997, AS AMENDED, AND OTHER APPLICABLE LAWS: *PROVIDED*, THAT NOTHING HEREIN SHALL BE CONSTRUED AS

REPEALING ANY SPECIFIC TAX EXEMPTIONS, INCENTIVES OR PRIVILEGES GRANTED UNDER ANY RELEVANT LAW: *PROVIDED, FURTHER*, THAT ALL RIGHTS, PRIVILEGES, BENEFITS AND EXEMPTIONS ACCORDED TO EXISTING FUTURE CABLE/COMMUNITY ANTENNAE TELEVISION SYSTEMS SHALL LIKEWISE BE EXTENDED TO THE GRANTEE.

THE GRANTEE SHALL FILE THE RETURN WITH THE CITY OR MUNICIPALITY WHERE ITS PRINCIPAL PLACE OF BUSINESS IS LOCATED AND PAY THE TAXES DUE THEREON TO THE COMMISSIONER OF THE INTERNAL REVENUE OR HIS DULY AUTHORIZED REPRESENTATIVE IN ACCORDANCE WITH THE NIRC AND THE RETURN SHALL BE SUBJECT TO AUDIT BY THE BUREAU OF INTERNAL REVENUE.; and

3. On page 7, line 2, after the word "stations," insert a comma (,) and the phrase *TRANS-MITTERS, FACILITIES AND EQUIPMENT;* and
4. Renumber the sections accordingly.

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.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

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

APPROVAL OF HOUSE BILL NO. 692 ON SECOND READING

Submitted to a vote, there being no objection, House Bill No. 692 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 692

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

js

SUSPENSION OF SESSION

Upon motion of Senator Pangilinan, the session was suspended.

It was 1:01 p.m.

RESUMPTION OF SESSION

At 1:03 p.m., the session was resumed.

SPECIAL ORDERS

Upon motion of Senator Pangilinan, there being no objection, the Body approved the transfer of the following House bills to the Calendar for Special Orders:

- 1) Committee Report No. 129 on House Bill No. 1308;
- 2) Committee Report No. 130 on House Bill No. 3043;
- 3) Committee Report No. 131 on House Bill No. 5095;
- 4) Committee Report No. 132 on House Bill No. 462;
- 5) Committee Report No. 133 on House Bill No. 4327;
- 6) Committee Report No. 134 on House Bill No. 4393;
- 7) Committee Report No. 135 on House Bill No. 4739;
- 8) Committee Report No. 136 on House Bill No. 4976;
- 9) Committee Report No. 137 on House Bill No. 5061;
- 10) Committee Report No. 138 on House Bill No. 5071;
- 11) Committee Report No. 139 on House Bill No. 5116;
- 12) Committee Report No. 140 on House Bill No. 5117;
- 13) Committee Report No. 141 on House Bill No. 5124;
- 14) Committee Report No. 142 on House Bill No. 5125;

15) Committee Report No. 143 on House Bill No. 5126; and

16) Committee Report No. 144 on House Bill No. 5127.

CONSIDERATION OF HOUSE BILLS ON SECOND READING

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the following House bills were considered on Second Reading:

- 1) Committee Report No. 129 on House Bill No. 1308, entitled

AN ACT ESTABLISHING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF ZAMBOANGA SIBUGAY TO BE STATIONED AT THE MUNICIPALITY OF IMELDA, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (J) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND PROVIDING FUNDS THEREFOR;

- 2) Committee Report No. 130 on House Bill No. 3043, entitled

AN ACT CREATING FOUR ADDITIONAL REGIONAL TRIAL COURT BRANCHES AND TWO ADDITIONAL MUNICIPAL TRIAL COURT BRANCHES WITH STATION AT THE CITY OF ANTIPOLLO, AMENDING FOR THE PURPOSE BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AND APPROPRIATING FUNDS THEREFOR;

- 3) Committee Report No. 131 on House Bill No. 5095, entitled

AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT TO BE STATIONED AT THE MUNICIPALITY OF DUMALAG, AND FOUR BRANCHES OF THE MUNICIPAL TRIAL COURT TO BE STATIONED AT THE MUNICIPALITIES OF TAPAZ, SAPIAN, CUARTERO AND SIGMA OF THE PROVINCE OF CAPIZ, AMENDING FOR THE PURPOSE SECTION 14(G) AND SECTION 30 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED,

12

APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES;

- 4) Committee Report No. 131 on House Bill No. 462, entitled

AN ACT CREATING TWO ADDITIONAL REGIONAL TRIAL COURTS IN THE PROVINCE OF SARANGANI WITH SEATS AT THE MUNICIPALITY OF ALABEL, AMENDING FOR THE PURPOSE PARAGRAPH (I), SECTION 14 OF BATAS PAMBANSA BLG. 129, AS AMENDED, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980";

- 5) Committee Report No. 133 on House Bill No. 4327, entitled

AN ACT CREATING ONE ADDITIONAL REGIONAL TRIAL COURT BRANCH FOR THE PROVINCE OF NORTHERN SAMAR, WITH STATION AT THE MUNICIPALITY OF SAN ISIDRO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (I) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND PROVIDING FUNDS THEREFOR;

- 6) Committee Report No. 134 on House Bill No. 4393, entitled

AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF LANAO DEL SUR TO BE STATIONED AT THE MUNICIPALITY OF TAO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (M) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR;

- 7) Committee Report No. 135 on House Bill No. 4739, entitled

AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH IN SHARIFF AGUAK, MAGUINDANAO AND TWO MUNICIPAL TRIAL COURT IN CITIES BRANCHES IN COTABATO CITY, AMENDING FOR THIS PURPOSE SECTIONS 14(M) AND 29 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE

"JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND PROVIDING FUNDS THEREFOR;

- 8) Committee Report No. 136 on House Bill No. 4976, entitled

AN ACT CREATING FIVE ADDITIONAL METROPOLITAN TRIAL COURT BRANCHES FOR THE CITY OF PARAÑAQUE, AMENDING FOR THE PURPOSE SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR;

- 9) Committee Report No. 137 on House Bill No. 5061, entitled

AN ACT CREATING TWO ADDITIONAL BRANCHES OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF COMPOSTELA VALLEY TO BE STATIONED AT THE MUNICIPALITIES OF COMPOSTELA AND MABINI, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (L) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR;

- 10) Committee Report No. 138 on House Bill No. 5071, entitled

AN ACT CREATING TWO BRANCHES OF THE REGIONAL TRIAL COURT AND AN ADDITIONAL BRANCH OF THE MUNICIPAL TRIAL COURT IN CITIES FOR THE PROVINCE OF CEBU TO BE STATIONED AT THE CITY OF TALISAY, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (H) AND SECTION 29 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR;

- 11) Committee Report No. 139 on House Bill No. 5116, entitled

AN ACT CREATING AN ADDITIONAL BRANCH OF THE MUNICIPAL TRIAL COURT IN THE MUNICIPALITY OF DAET, PROVINCE OF CAMARINES NORTE, AMENDING FOR THE

PURPOSE SECTION 30 OF BATAS PAMBANSA BILANG 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR

- 12) Committee Report No. 140 on House Bill No. 5117, entitled

AN ACT CREATING TWO ADDITIONAL BRANCHES OF THE MUNICIPAL TRIAL COURTS IN CITIES (MTCC) IN THE CITY OF SAN JOSE DEL MONTE, PROVINCE OF BULACAN, AMENDING FOR THE PURPOSE SECTION 29 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR;

- 13) Committee Report No. 141 on House Bill No. 5124, entitled

AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF CEBU TO BE STATIONED AT THE MUNICIPALITY OF BOGO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (H) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED BY REPUBLIC ACT NO. 7154, AND APPROPRIATING FUNDS THEREFOR

- 14) Committee Report No. 142 on House Bill No. 5125, entitled

AN ACT CREATING THREE BRANCHES OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF LAGUNA TO BE STATIONED AT THE MUNICIPALITY OF CABUYAO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES;

- 15) Committee Report No. 143 on House Bill No. 5126, entitled

AN ACT CREATING FOUR ADDITIONAL METROPOLITAN TRIAL COURT BRANCHES FOR CALOOCAN CITY, WITH STATIONS AT CALOOCAN

CITY NORTH AND CALOOCAN CITY PROPER, AMENDING FOR THE PURPOSE SECTION 27 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980", AS AMENDED, AND APPROPRIATING FUNDS THEREFOR; and

- 16) Committee Report No. 144 on House Bill No. 5127, entitled

AN ACT CREATING AN ADDITIONAL BRANCH OF THE MUNICIPAL TRIAL COURT IN THE MUNICIPALITY OF LA TRINIDAD, PROVINCE OF BENGUET, AMENDING FOR THE PURPOSE SECTION 30 OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980."

Thereupon, the Chair recognized Senator Enrile for the sponsorship.

OMNIBUS SPONSORSHIP OF THE BILLS

Upon motion of Senator Enrile, there being no objection, the Body allowed an omnibus sponsorship of the bills, without prejudice to their individual consideration.

SPONSORSHIP SPEECH OF SENATOR ENRILE

In sponsoring the House bills, Senator Enrile delivered the following speech:

Your Committee on Justice and Human Rights presents for the consideration of this Chamber a number of committee reports which all seek to create various additional lower courts throughout the country. These are:

1. House Bill No. 1308 (CR 129) – Creating One RTC in Imelda, Zamboanga Sibugay;
2. House Bill No. 3043 (CR 130) – Creating Four Additional RTCs and Two Additional MTCCs in Antipolo City;
3. House Bill No. 5095 (CR 131) – Creating One RTC in Dumalag and Four MTCs in Tapaz, Sapián, Cuartero and Sigma, Capiz;
4. House Bill No. 462 (CR 132) – Creating Two Additional RTCs in Alabel, Sarangani;
5. House Bill No. 4327 (CR 133) – Creating One RTC in San Isidro, Northern Samar; *MB*

6. House Bill No. 4393 (CR 134) – Creating One RTC in Wao, Lanao del Sur;
7. House Bill No. 4739 (CR 135) – Creating One Additional RTC in Shariff Aguak and Two MTCCs in Cotabato City, Maguindanao;
8. House Bill No. 4976 (CR 136) - Creating Five Additional MeTCs in Parañaque City;
9. House Bill No. 5061 (CR 137) – Creating Two Additional RTCs in Compostela Valley, to be stationed at Compostela and Mabini;
10. House Bill No. 5071 (CR 138) – Creating Two RTCs and One Additional MTCC in Talisay, Cebu;
11. House Bill No. 5116 (CR 139) – Creating One Additional MTC in Daet, Camarines Norte;
12. House Bill No. 5117 (CR 140) – Creating Two Additional MTCCs in the City of San Jose del Monte, Bulacan;
13. House Bill No. 5124 (CR 141) – Creating One Additional RTC in Bogo, Cebu;
14. House Bill No. 5125 (CR 142) – Creating Three RTCs in Cabuyao, Laguna;
15. House Bill No. 5126 (CR 143) – Creating Four Additional MeTC in Caloocan City, to be stationed at Caloocan City North and Caloocan City Proper;
16. House Bill No. 5127 (CR 144) – Creating One Additional MTC in La Trinidad, Benguet;
17. House Bill No. 5128 (CR 145) – Creating one RTC in Pilar, Bataan;
18. House Bill No. 5135 (CR 146) – Creating One Additional RTC in Pili, Camarines Sur;
19. House Bill No. 5305 and Senate Bill No. 2442 (CR 147) – Creating Two Additional RTCs in Tacloban, Leyte; and
20. House Bill No. 5306 (CR 148) – Creating One Additional RTC in Rosario, Batangas;

These bills all amend Batas Pambansa Bilang 129, or the Judiciary Reorganization Act of 1980, as amended.

At present, according to the Supreme Court, Office of the Court Administrator (OCA), the caseloads of the courts within or adjacent to the territorial jurisdiction of the said cities and municipalities are way above the ideal number of cases that may be efficiently handled and decided on by the judges assigned thereto. This slow disposition of cases due to case overload inevitably leads to a slow administration and

dispensation of justice, whether for the complainant or the petitioner or for the accused or the respondent. In order to alleviate the clogging of the dockets in the courts, additional salas that will equally shoulder and share the numerous cases for trial and decision have to be created.

When these bills are enacted, there will be a total of 46 additional local courts, broken down as follows:

TOTAL ADDITIONAL RTCs	24
TOTAL ADDITIONAL MeTCs	9
TOTAL ADDITIONAL MTCCs	7
TOTAL ADDITIONAL MTCs	<u>6</u>
TOTAL ADDITIONAL COURTS	46

Based on the estimates submitted by the Office of the Court Administrator, the creation of these additional courts will entail an appropriation of approximately P199 million. At first glance, the amount may seem too high an expense to be spent on a single endeavor of the government. However, realistically speaking, said amount may even just be minimal— only a token of our supposed commitment to our constituents to ensure that justice prevail in all corners of our homeland.

No less than the Constitution, Section 15 of Article VIII, mandates that cases are to be resolved within a certain period – within twenty-four (24) months from the date of submission for the Supreme Court, and, unless reduced by the Supreme Court, twelve months for all lower collegiate courts, and three (3) months for all other lower courts. Similarly, no less than the organic law guarantees in the Bill of Rights, Article III, Section 16, the people's right to speedy disposition of their cases before all judicial, quasi-judicial or administrative bodies. When cases are way above the number that can be feasibly handled and resolved by a judge or a magistrate, such mandate and guarantee of the supreme law of the land will be in vain, unless remedial measures are taken to address this predicament we find ourselves in.

Statistics from the Supreme Court – Office of the Court Administrator indicate that the cases filed in court increase every year, and most of these cases are criminal cases. While we do empathize with the victims of crimes as well as with their relatives and loved ones, we, however, could not also tolerate the situation wherein many of our people who are accused of a crime, especially those who are innocent or victims of circumstance and cannot afford to post bail, to languish in jail longer than they should, perhaps beyond the authorized length of time imposable on the crime for which they are

ms

charged – just because the court, where their case is pending, cannot immediately act on the case, as it also has to act on other equally important cases.

The Revised Rules of Criminal Procedure, under Section 2 of Rule 119, provide that “In no case shall the entire trial period exceed one hundred eighty (180) days from the first day of trial, except as otherwise authorized by the Supreme Court.” Theoretically and ideally, such 180-day rule should be an all-inclusive period, which includes the days when the case is not set for trial. However, this does not happen in practice. Until the time we have sufficient number of courts which are proportionate to the number of cases filed and pending before it, the aforesaid rule shall remain a mere theoretical instruction.

“Justice delayed is justice denied.” Once again we reiterate this age-old maxim, this adage which in a few words expresses so well the imperativeness of the need of the courts to expeditiously resolve disputes. Otherwise, the delay in the disposition of cases will undermine the people’s faith in the judiciary, and more importantly, the people’s confidence and trust in the existence of justice in our country.

It is high time, therefore, that we addressed this need for additional courts, especially in this day and time when the people are losing hope in obtaining justice through legal processes; when our constituents seem to have lost faith that the government can address their needs and the injustices they suffer.

In view of this, I urge our colleagues to lend their support in the passage of this bill into law.

SUSPENSION OF CONSIDERATION OF HOUSE BILLS

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

SPECIAL ORDERS

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

1. Committee Report No. 145 on House Bill No. 5128
2. Committee Report No. 146 on House Bill No. 5135

3. Committee Report No. 147 on House Bill No. 5305
4. Committee Report No. 148 on House Bill No. 5306

CONSIDERATION OF HOUSE BILLS ON SECOND READING

With the unanimous consent of the Body, upon motion of Senator Pangilinan, the following House bills were considered on Second Reading:

1. House Bill No. 5128 (Committee Report No. 145), entitled

AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE MUNICIPALITY OF PILAR, PROVINCE OF BATAAN, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (C) OF BATAS PAMBANSA BLG. 129, OTHERWISE KNOWN AS THE “JUDICIARY REORGANIZATION ACT OF 1980,” AS AMENDED BY REPUBLIC ACT NO. 7154, AND APPROPRIATING FUNDS THEREFOR;

2. House Bill No. 5135 (Committee Report No. 146), entitled

AN ACT CREATING AN ADDITIONAL REGIONAL TRIAL COURT BRANCH IN THE CAPITAL TOWN OF PILI, PROVINCE OF CAMARINES SUR, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (C) OF BATAS PAMBANSA BLG. 129, AS AMENDED BY REPUBLIC ACT NO. 7154, OTHERWISE KNOWN AS THE “JUDICIARY REORGANIZATION ACT OF 1980,” AND APPROPRIATING FUNDS THEREFOR;

3. House Bill No. 5305 (Committee Report No. 147), entitled

AN ACT CREATING TWO ADDITIONAL REGIONAL TRIAL COURT BRANCHES IN THE PROVINCE OF LEYTE TO BE STATIONED IN THE CITY OF TACLOBAN, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (F) OF BATAS PAMBANSA BLG. 129, AS AMENDED BY REPUBLIC ACT NO. 7154, OTHERWISE KNOWN AS THE “JUDICIARY REORGANIZATION ACT OF 1980,” AND APPROPRIATING FUNDS THEREFOR; and ~~for~~

ps

4. House Bill No. 5306 (Committee Report No. 148), entitled

AN ACT CREATING AN ADDITIONAL BRANCH OF THE REGIONAL TRIAL COURT IN THE PROVINCE OF BATANGAS TO BE STATIONED AT THE MUNICIPALITY OF ROSARIO, AMENDING FOR THE PURPOSE SECTION 14, PARAGRAPH (E) OF BATAS PAMBANSA BLG. 129, AS AMENDED BY REPUBLIC ACT NO. 7154, OTHERWISE KNOWN AS THE "JUDICIARY REORGANIZATION ACT OF 1980," AND APPROPRIATING FUNDS THEREFOR.

MANIFESTATION OF SENATOR PANGILINAN

Senator Pangilinan manifested that House Bill Nos. 5128, 5135, 5305 and 5306 were covered under the omnibus sponsorship speech of Senator Enrile.

COAUTHORS

At the instance of Senator Enrile, Senators Pangilinan, Ejercito Estrada, Gordon and Lapid were made coauthors of the House bills.

SUSPENSION OF CONSIDERATION OF HOUSE BILLS

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

MANIFESTATION OF SENATOR PANGILINAN

Senator Pangilinan manifested that Senator Lapid has requested that his affirmative vote on Senate Bill No. 2231 be reflected in the record.

ADDITIONAL REFERENCE OF BUSINESS

The Executive Director for Legislation read the following committee reports which the Chair assigned to the Calendar for Ordinary Business:

Committee Report No. 150, submitted jointly by the Committees on Public Order and Illegal Drugs; Justice and Human Rights; and Public Information and Mass Media, re

Privilege Speech of Senator Richard J. Gordon and the interrogations thereon

delivered on August 9, 2004, entitled "Justice for Journalists and Judges"

Proposed Senate Resolution No. 28, introduced by Senators Pimentel Jr., M.A. Madrigal and Lim, entitled

RESOLUTION CALLING FOR THE INVESTIGATION, IN AID OF LEGISLATION, BY THE APPROPRIATE SENATE COMMITTEE ON THE MURDER OF BROADCASTER ROGER MARIANO AND TO INSTITUTE REFORMS TO PROTECT MEDIA PRACTITIONERS IN THE EXERCISE OF THE FREEDOM OF THE PRESS;

Proposed Senate Resolution No. 50, introduced by Senator Miriam Defensor Santiago, entitled

RESOLUTION EXPRESSING THE SENSE OF CONDOLENCE OF THE SENATE ON THE DEMISE OF KALINGA RTC JUDGE MILNAR LIMAWEN AND DIRECTING THE SENATE COMMITTEE ON JUSTICE TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE SERIES OF DEATHS OF MEMBERS OF THE JUDICIARY IN ORDER TO PROVIDE LEGISLATION THAT WILL PROMOTE THEIR SAFETY AND PROTECTION;

Proposed Senate Resolution No. 90, introduced by Senator Miriam Defensor Santiago, entitled

RESOLUTION DIRECTING AN INQUIRY, IN AID OF LEGISLATION, ON THE SERIES OF HARASSMENT CASES AND DEATHS OF JOURNALISTS IN THE PHILIPPINES;

Proposed Senate Resolution No. 181, introduced by Senator Mar Roxas, entitled

RESOLUTION URGING THE COMMITTEE ON PUBLIC INFORMATION AND MASS MEDIA TO

hs

CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE FINDINGS OF AN INTERNATIONAL MEDIA ORGANIZATION THAT THE PHILIPPINES WAS THE SECOND MOST DANGEROUS PLACE FOR JOURNALISTS IN THE YEAR 2004;

Proposed Senate Resolution No. 233, introduced by Senator Pimentel Jr., entitled

RESOLUTION DIRECTING THE SENATE COMMITTEES ON PUBLIC INFORMATION AND MASS MEDIA; AND PUBLIC ORDER AND ILLEGAL DRUGS TO INVESTIGATE, IN AID OF LEGISLATION, THE KILLING OF JOURNALIST MARLENE GARCIA-ESPERAT, AND TO INSTITUTE MEASURES TO PROTECT MEMBERS OF JOURNALISM PROFESSION WHO EXPOSE MISDEEDS IN THE GOVERNMENT;

Proposed Senate Resolution No. 252, introduced by Senator Manny Villar, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE FINDINGS OF THE NEW YORK-BASED COMMITTEE TO PROTECT JOURNALISTS WHICH IDENTIFIED THE PHILIPPINES AS THE MOST MURDEROUS COUNTRY FOR JOURNALISTS, WITH THE END VIEW OF RECOMMENDING POLICY MEASURES TO PROTECT PRESS FREEDOM AND TO CARRY OUT THE RESOLUTE IMPLEMENTATION OF JUSTICE IN THE COUNTRY;

Proposed Senate Resolution No. 257, introduced by Senator Ramon "Bong" Revilla Jr., entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO INVESTIGATE, IN AID

OF LEGISLATION, THE SERIES OF DEATHS OF JOURNALISTS IN THE COUNTRY, FOR THE PURPOSE OF FORMULATING POLICY MEASURES TO SOLVE AND END THESE KILLINGS TO RESTORE PEACE AND ORDER IN THE COUNTRY;

Proposed Senate Resolution No. 267, introduced by Senator Manny Villar, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE FINDINGS OF THE NETHERLANDS-BASED INTERNATIONAL ASSOCIATION OF PEOPLE'S LAWYERS WHICH LABELED THE PHILIPPINES AS THE MOST DANGEROUS PLACE FOR LAWYERS AND JUDGES, WITH THE END VIEW OF RECOMMENDING POLICY MEASURES TO PROTECT THE MEMBERS OF THE LEGAL PROFESSION AND TO PREVENT THE SPATE OF VIOLENCE AND INTIMIDATION DIRECTED AGAINST THEM;

Proposed Senate Resolution No. 305, introduced by Senator Miriam Defensor Santiago, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION ON THE INCREASING INCIDENCE OF HARASSMENTS AND KILLINGS OF LAWYERS AND JUDGES; and

Proposed Senate Resolution No. 420, introduced by Senator Miriam Defensor Santiago, entitled

RESOLUTION DIRECTING AN INQUIRY, IN AID OF LEGISLATION, ON THE KILLINGS OF LAWYERS AND MEMBERS OF THE JUDICIARY,

AS

JO

recommending the adoption of the recommendations and their immediate implementation.

Sponsors: Senators Manny Villar, Arroyo, Ramon "Bong" Revilla Jr., Gordon, Pimentel Jr., M.A. Madrigal, Lim, Miriam Defensor Santiago, Mar Roxas, and the Members of the Committees on Public Order and Illegal Drugs; Justice and Human Rights; and Public Information and Mass Media.

INQUIRY OF SENATOR EJERCITO ESTRADA (J)

Asked by Senator Ejercito Estrada (J) whether there would be a session the following day, the Chair replied in the negative.

Further, Senator Ejercito Estrada (J) asked if he could be arrested for a pending libel case while Congress is on recess.

SUSPENSION OF SESSION

Upon motion of Senator Gordon, the session was suspended.

It was 1:21 p.m.

RESUMPTION OF SESSION

At 1:22 p.m., the session was resumed.

Upon resumption, Senator Gordon said that the *sine die* adjournment is on June 9, 2007, and until then, Congress is deemed on session and as such, Senator Ejercito Estrada (J) cannot be arrested.

Senator Gordon took the opportunity to thank the Members and the staff for their patience. He expressed hope that the Senate would come up with better laws.

REMINDER OF THE CHAIR


Also in connection with Senator Ejercito Estrada's inquiry, the Chair reminded the Body of a standing resolution authorizing all permanent committees to hold meetings, hearings or conferences during the recess.

ADJOURNMENT OF SESSION

Upon motion of Senator Gordon, there being no objection, the President Pro Tempore declared the session adjourned until three o'clock in the afternoon of Monday, November 6, 2006.

It was 1:25 p.m.

I hereby certify to the correctness of the foregoing.


OSCAR G. YABES
Secretary of the Senate
llr *ms* *48*

Approved on November 6, 2006