

## RECORD OF THE SENATE

WEDNESDAY, JANUARY 10, 2001

### OPENING OF THE SESSION

*At 10:26 a.m., the Senate President, Senator Aquilino Q. Pimentel Jr., called the session to order.*

**The President.** The second session of the Fourth Special Session of the Eleventh Congress of the Philippines is hereby called to order.

Let us all stand for the opening prayer of Sen. Renato *Compañero* Cayetano which will be read for us by Senator Flavier.

*Everybody rose for the prayer.*

### PRAYER

**Senator Flavier.** Prayer of Senator Renato L. Cayetano.

Father, through Your Son, Jesus, we ask You to dwell amongst us. As we open our hearts and minds to You, grant that we be instruments to fulfill Your holy will. May we lift up to You the burden we carry on our shoulders, so that we may readily face the tasks that lie before us.

Bless the members of this institution, our staff and all the government servants of this country. Grant them the sincerity and dedication that will help our countrymen face the problems and concerns enveloping our country today.

Make us instruments of peace and paragons of integrity, so that the healing of our country shall begin within and amongst ourselves. As leaders and public servants, grant that through our deeds, we be able to uphold the dignity of the people and institution we represent. We ask You, Heavenly Father, that within and outside this humble institution, O Lord, we become vanguards of truth so that at the end of the day, justice shall be done.

Above all, Heavenly Father, we pray for the Filipino people, who, amidst the suffering, the pain, the confusion, hunger, poverty and tragedy that have stricken our country, continue to patiently wait and hope for peace. At the end of the day, Lord, may we be able to leave this noble institution and stand before You and know in our hearts that Your will has been done.

We ask these in the name of Jesus Christ, Your Son.

Amen.

**The President.** The Secretary will please call the roll.

### ROLL CALL

**The Secretary, reading:**

Senator Teresa Aquino-Oreta .....	Present*
Senator Robert Z. Barbers .....	Absent
Senator Rodolfo G. Biazon .....	Present
Senator Renato L. <i>Compañero</i> Cayetano ...	Absent
Senator Anna Dominique M.L. Coseteng ...	Present
Senator Miriam Defensor Santiago .....	Present**
Senator Franklin M. Drilon .....	Present*
Senator Juan Ponce Enrile .....	Present
Senator Juan M. Flavier .....	Present
Senator Teofisto T. Guingona Jr. ....	Present
Senator Gregorio B. Honasan .....	Present
Senator Robert S. Jaworski .....	Present
Senator Loren B. Legarda-Leviste .....	Present*
Senator Ramon B. Magsaysay Jr. ....	Present
Senator Blas F. Ople .....	Present*
Senator John Henry R. Osmeña .....	Absent
Senator Sergio R. Osmeña III .....	Absent
Senator Ramon B. Revilla .....	Absent
Senator Raul S. Roco .....	Present
Senator Vicente C. Sotto III .....	Present*
Senator Francisco S. Tatad .....	Present
The President .....	Present

**The President.** With 12 senators present, there is a quorum.

The Majority Leader is recognized.

### THE JOURNAL

**Senator Tatad.** Mr. President, I move that we dispense with the reading of the *Journal* of Session No. 1 of the Fourth Special Session of the Eleventh Congress of the Philippines and consider the same as approved.

**The President.** Is there any objection? [*Silence*] There being none, the motion is approved.

**Senator Tatad.** Mr. President, I move that we proceed to the Reference of Business.

\* Arrived after the roll call

\*\* On official mission

Public Officers and Investigations; and Environment and Natural Resources

COMMITTEE REPORT

**The Acting Secretary** [Atty. Reyes]. Committee Report No. 522, prepared and submitted jointly by the Committees on Ways and Means; Justice and Human Rights; Constitutional Amendments, Revision of Codes and Laws; and Finance on Senate Bill No. 2232 with Senator Enrile as author thereof, entitled

AN ACT ELEVATING THE RANK OF THE COURT OF TAX APPEALS (CTA) TO THE LEVEL OF A COLLEGIATE COURT WITH SPECIAL JURISDICTION, ENLARGING ITS ORGANIZATIONAL STRUCTURE, EXPANDING ITS JURISDICTION, AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT NO. 1125, AS AMENDED, OTHERWISE KNOWN AS THE LAW CREATING THE COURT OF TAX APPEALS, AND FOR OTHER PURPOSES,

recommending its approval in substitution of Senate Bill No. 2179, taking into consideration House Bill No. 10621.

Sponsor: Senator Enrile

**The President.** To the Calendar for Ordinary Business

The Majority Leader is recognized.

BILL ON SECOND READING

**S. No. 2129 – Strengthening the ARMM Organic Act**  
(Continuation)

**Senator Tatad.** Mr. President, yesterday, we agreed to produce a clean copy of Senate Bill No. 2129. The clean copy is now before the members since the clock struck at ten o'clock this morning. I believe we can now proceed to consider the same. I move that we now resume consideration of Senate Bill No. 2129.

**Senator Drilon.** Mr. President.

**The President.** Sen. Franklin M. Drilon is recognized.

**Senator Drilon.** May I just ask for a few minutes, Mr. President, to go over the bill?

SUSPENSION OF SESSION

**Senator Tatad.** Mr. President, I move that we suspend the session for a few minutes.

**The President.** Is there any objection? [Silence] There being none, the session is suspended for one minute.

It was 10:38 a.m.

RESUMPTION OF SESSION

At 10:39 a.m., the session was resumed.

**The President.** The session is resumed. The Majority Leader is recognized.

SPECIAL ORDERS

**Senator Tatad.** Mr. President, I move that we transfer from the Calendar for Ordinary Business to the Calendar for Special Orders Committee Report No. 522 on Senate Bill No. 2232, entitled

AN ACT ELEVATING THE RANK OF THE COURT OF TAX APPEALS (CTA) TO THE LEVEL OF A COLLEGIATE COURT WITH SPECIAL JURISDICTION, ENLARGING ITS ORGANIZATIONAL STRUCTURE, EXPANDING ITS JURISDICTION, AMENDING FOR THE PURPOSE CERTAIN SECTIONS OF REPUBLIC ACT NO. 1125, AS AMENDED, OTHERWISE KNOWN AS THE LAW CREATING THE COURT OF TAX APPEALS, AND FOR OTHER PURPOSES.

**The President.** Is there any objection? [Silence] There being none, the motion is approved.

BILL ON SECOND READING

**S. No. 2232 - Elevating the Court of Tax Appeals to the Level of a Collegiate Court**

**Senator Tatad.** Mr. President, I move that we consider on Second Reading Senate Bill No. 2232 under Committee Report No. 522.

**The President.** Is there any objection? [Silence] There being none, the motion is approved.

Consideration of Senate Bill No. 2232 is now in order. With the permission of the Body, the Secretary will read only the title of the bill without prejudice to inserting in the *Record* the whole text thereof.

**The Acting Secretary** [Atty. Reyes]. Senate Bill No. 2232, entitled

AN ACT ELEVATING THE RANK OF THE COURT OF TAX APPEALS (CTA) TO THE LEVEL OF A COLLEGIATE COURT WITH SPECIAL JURISDICTION, ENLARGING ITS ORGANIZATIONAL STRUCTURE, EXPANDING ITS JURISDICTION, AMENDING FOR THE PUR-

**Senator Tatad.** Yes, Mr. President.

**The President.** Is there any objection? *[Silence]* There being none, consideration of Senate Bill No. 2232 is suspended.

BILL ON SECOND READING

**S. No. 2129 -- Strengthening the ARMM Organic Act**  
(Continuation)

**Senator Tatad.** Mr. President, I move that we now resume consideration of Senate Bill No. 2129 as reported out under Committee Report No. 393.

**The President.** Is there any objection? *[Silence]* There being none, resumption of consideration of Senate Bill No. 2129 is now in order.

APPROVAL OF S. NO. 2129 ON SECOND READING

**Senator Tatad.** Mr. President, I move that we vote on Second Reading on Senate Bill No. 2129, as amended.

**The President.** Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 2129, as amended.

As many as are in favor of the bill, say *aye*.

Several Members. *Aye*.

**The President.** As many as are against the bill, say *nay*.  
*[Silence]*

Senate Bill No. 2129, as amended, is approved on Second Reading.

**Senator Tatad.** Mr. President, this is a certified measure. I ask the Secretary to read the certification.

**The President.** The Secretary will now read the certification.

**The Acting Secretary** [Atty. Reyes].

December 2, 2000

HON. AQUILINO Q. PIMENTEL JR.  
Senate President  
Philippine Senate  
Pasay City

Dear Senate President Pimentel:

May I respectfully transmit herewith the letter of even date of His Excellency, President Joseph Ejercito

Estrada, reiterating the certification of the immediate enactment of Senate Bill No. 2129, entitled

AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE MUSLIM AUTONOMOUS REGION IN MINDANAO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED "AN ACT PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO," AS AMENDED,

pursuant to the provisions of Section 26(2), Article VI of the Constitution.

Best regards.

Very truly yours,

(Sgd.) RONALDO B. ZAMORA  
Executive Secretary

Cc: Hon. Arnulfo P. Fuentebella  
Speaker  
House of Representatives  
Quezon City

**The President.** The Majority Leader is recognized.

BILL ON THIRD READING

**S. No. 2129 -- Strengthening the ARMM Organic Act**

**Senator Tatad.** Mr. President, I move that we vote on Third Reading on Senate Bill No. 2129.

**The President.** Is there any objection? *[Silence]* There being none, voting on Third Reading on Senate Bill No. 2129 is now in order.

The Secretary will please read only the title of the bill.

**The Acting Secretary** [Atty. Reyes]. Senate Bill No. 2129, entitled

AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE MUSLIM AUTONOMOUS REGION IN MINDANAO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED "AN ACT PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO," AS AMENDED

**The President.** We shall now vote on the bill and the Secretary will call the roll.

**The Acting Secretary [Atty. Reyes]. Senators**

Aquino-Oreta .....	Yes
Barbers .....	
Biazon .....	Yes
Cayetano .....	
Coseteng .....	Yes
Defensor Santiago .....	Yes
Drilon .....	Yes
Enrile .....	Yes
Flavier .....	Yes
Guingona Jr. ....	Yes
Honasan .....	Yes
Jaworski .....	Yes
Legarda-Leviste .....	Yes
Magsaysay Jr. ....	Yes
Ople .....	Yes
Osmeña (J.) .....	No*
Osmeña III .....	
Revilla .....	
Roco .....	
Sotto III .....	Yes
Tatad .....	Yes
The President .....	Yes

**The President. What is the result of voting?**

Sen. John Osmeña is just entering the hall. We are voting on the Organic Act and I understand the distinguished gentleman has a reservation.

Sen. John H. Osmeña is voting *no* and he will explain his vote.

So far, the Chair would like to announce that there are 16 affirmative votes, and one negative vote, to be explained by Sen. John Osmeña.

We will recognize him first. We will then recognize Senator Aquino-Oreta.

**EXPLANATION OF VOTE OF SENATOR J. OSMEÑA**

**Senator J. Osmeña.** Thank you, Mr. President.

This is to register my negative vote. I have stood constantly, persistently and I have been very consistent and I would just like to make a reservation to put all of these in writing and put it in the *Record*.

Thank you, Mr. President.

\* With explanation of vote

**The President.** The reservation is noted. So the Chair would like to reiterate.

*Editorial Note: As of press time no written explanation of vote has been submitted by the Office of Senator John Osmeña.*

**APPROVAL OF S. NO. 2129 ON THIRD READING**

With 16 affirmative votes, one negative vote, and no abstention, Senate Bill No. 2129 is approved on Third Reading.

**CONFERENCE COMMITTEE ON S. NO. 2129/H. NO. 7883  
(Strengthening the ARMM Organic Act)**

**Senator Tatad.** Mr. President, I move that we constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2129 and House Bill No. 7883.

For that purpose, I hereby nominate the Senate President as chairman, and as members: Sen. Juan Ponce Enrile and Sen. Juan M. Flavir.

**The President.** Thank you. So the persons named will constitute the Senate panel for purposes of the Bicameral Conference Committee.

Is there any objection? [*Silence*] There being none, it is so constituted.

**Senator Tatad.** I move that we proceed to the Second Additional Reference of Business.

**The President.** Is there any objection? [*Silence*] There being none, the motion is approved.

The Secretary will read the Second Additional Reference of Business.

**SECOND ADDITIONAL REFERENCE OF BUSINESS****RESOLUTIONS**

**The Acting Secretary [Atty. Reyes].** Senate Concurrent Resolution No. 35, entitled

**CONCURRENT RESOLUTION PROVIDING FOR THE  
ADJOURNMENT OF THE SPECIAL SESSION OF  
THE CONGRESS OF THE PHILIPPINES NOT**