

RECORD OF THE SENATE

MONDAY, JANUARY 8, 2001

OPENING OF THE SESSION

This being the day set by Presidential Proclamation No. 429 for the opening of a Special Session of the Congress of the Philippines to consider legislations for the implementation of Article VI, Section 26 (2) of the Constitution, the President of the Senate, Hon. Aquilino Q. Pimentel Jr., called the session of the Senate to order at 10:20 a.m.

The President. The first session of the Senate in the Fourth Special Session of the Eleventh Congress of the Philippines is hereby called to order.

Let us all stand for the opening prayer to be led by Sen. Teresa Aquino-Oreta.

After the prayer, Ms. Jamie Rivera will lead us in the singing of the national anthem. After which, she will also give another song, entitled "*Lord, Heal Our Land.*"

Everybody rose for the prayer.

PRAYER

Senator Aquino-Oreta.

Teach us Lord to be kind and gentle
in all the events of life:
in disappointment
in the thoughtlessness of others
in the insincerity of those we trusted
in the unfaithfulness of those we
have relied on.

Let us put ourselves aside, to think of
the happiness of others
To hide our little pains and heartaches so
that we may be the only one to suffer them.

Teach us, Lord, to profit by the suffering that
comes across our path.
Let us so use it that it may mellow us
Not to harden nor bitter us
That it may make us patient, not irritable,
That it may make us broad in our forgiveness
Not narrow, haughty and overbearing.

May no one be less good for having come
within our influence
No one less true, no one less kind

Less noble for having been a fellow traveler
in our journey towards eternal life.

As we go our rounds from one distraction to
another
Let us whisper from time to time
A word of love for You.

May our lives be lived in the supernatural
Full of power for good and strong in its purpose
of sanctity.

Amen.

NATIONAL ANTHEM

Everybody remained standing for the singing of the national anthem.

[Applause]

The President. We would like to congratulate and thank Ms. Jamie Rivera for that very appropriate song.

Thank you, Ms. Rivera.

The Secretary will please read the Proclamation of the President of the Philippines, calling Congress to a special session.

The Secretary.

MALACAÑAN PALACE
Manila

BY THE PRESIDENT OF THE PHILIPPINES PROCLAMATION NO. 429 CALLING THE CONGRESS OF THE PHILIPPINES TO A SPECIAL SESSION

Pursuant to the powers vested in me by the Constitution, I, JOSEPH EJERCITO ESTRADA, President of the Philippines, do hereby call the Congress of the Philippines to a Special Session from January 8 to 12, 2001 to urgently consider the passage of the following vital legislative measures on:

1. General Appropriations Act 2001;
2. Power Bill;
3. ARMM Organic Act;
4. New Central Bank Act;

BILL ON THIRD READING
S. No. 2225 -- Imposition of VAT on Certain Services

Senator Tatad. Madam President, I move that we vote on Third Reading on Senate Bill No. 2225. Copies of the bill were distributed to the members on December 21, 2000.

The Presiding Officer [Sen. Defensor Santiago]. Is there any objection? [*Silence*] There being none, voting on Third Reading on Senate Bill No. 2225 is now in order.

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

The Acting Secretary [Atty. Reyes]. Senate Bill No. 2225, entitled

AN ACT IMPOSING THE VALUE-ADDED TAX ON
CERTAIN SERVICES BEGINNING JULY 1, 2002,
AMENDING FOR THE PURPOSE SECTION 5 OF
REPUBLIC ACT NO. 8424, AS AMENDED, AND
FOR OTHER PURPOSES

The Presiding Officer [Sen. Defensor Santiago]. 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	
Magsaysay Jr.	Yes
Ople	
Osmeña (J.)	No
Osmeña III	
Revilla	Yes
Roco	
Sotto III	Yes
Tatad	Yes
The President	Abstain

EXPLANATION OF VOTE OF SENATOR PIMENTEL

Senator Pimentel. Madam President, may I just manifest that I have to abstain from any participation in this bill for the

reason that my little law office would be affected by a vote on this proposal.

The Presiding Officer [Sen. Defensor Santiago]. Thank you. Let the manifestation be entered in the *Record*.

APPROVAL OF S. NO. 2225 ON THIRD READING

With 15 affirmative votes, one negative vote, and no abstention, Senate Bill No. 2225...

Senator Tatad. Madam President, may we correct that.

The Presiding Officer [Sen. Defensor Santiago]. Yes, please.

Senator Tatad. The Senate President's vote is an abstention rather than a negative vote.

The Presiding Officer [Sen. Defensor Santiago]. That is right. The Chair stands corrected by the following: With 14 affirmative votes, one negative vote, and one abstention, Senate Bill No. 2225 is approved on Third Reading.

RESOLUTION ON THIRD READING

P. S. Res. No. 725 -- Ratification of the Nuclear Test Ban

Senator Tatad. Madam President, I move that we now vote on Third Reading on Proposed Senate Resolution No. 725. Copies of the bill were distributed to the members on the 4th of January 2001.

The Presiding Officer [Sen. Defensor Santiago]. Is there any objection? [*Silence*] There being none, voting on Third Reading on Proposed Senate Resolution No. 725 is now in order.

The Secretary will read only the title of the resolution.

The Acting Secretary [Atty. Reyes]. Proposed Senate Resolution No. 725, entitled

RESOLUTION CONCURRING IN THE RATIFI-
CATION OF THE COMPREHENSIVE NUCLEAR
TEST BAN TREATY

The Presiding Officer [Sen. Defensor Santiago]. 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	
Magsaysay Jr.	Yes
Ople	
Osmeña (J.)	Yes
Osmeña III	
Revilla	Yes
Roco	
Sotto III	Yes
Tatad	Yes
The President	Yes

APPROVAL OF P. S. RES. NO. 725 ON THIRD READING

The Presiding Officer [Sen. Defensor Santiago]. With 16 affirmative votes, no negative vote, and no abstention, Proposed Senate Resolution No. 725 is approved on Third Reading.

CONFERENCE COMMITTEE ON S. NO. 2225/H. NO. 8791
(Imposition of VAT on Other Services)

Senator Tatad. Madam President, I move that we now constitute the Senate panel to the Bicameral Conference Committee on the disagreeing provisions of Senate Bill No. 2225 and its House counterpart. For that purpose, I hereby nominate Sen. Juan Ponce Enrile as chairman and Senators Jaworski and Flavier, as members.

The Presiding Officer [Sen. Defensor Santiago]. Is that a nomination?

Senator Tatad. Yes, Madam President.

The Presiding Officer [Sen. Defensor Santiago]. Is there any objection to this nomination? *[Silence]* There being none, the nominations are unanimously approved by the Body.

MOTION OF SENATOR TATAD
(Transfer of S. No. 10621 from Justice & Human Rights
Committee to Ways and Means Committee)

Senator Tatad. Thank you, Madam President.

I move that we transfer House Bill No. 10621 from the Committee on Justice and Human Rights to which it had been earlier referred to the Committee on Ways and Means.

The Presiding Officer [Sen. Defensor Santiago]. Is there any objection to the motion? *[Silence]* There being none, the motion is approved.

BILL ON SECOND READING
S. No. 2129 – Strengthening the ARMM Organic Act
(Continuation)

Senator Tatad. Madam President, I move that we now resume consideration of Senate Bill No. 2129. We are still in the period of individual amendments. I ask that the distinguished sponsor, the Senate President, be recognized to receive proposed individual amendments, if there are any.

The Presiding Officer [Sen. Defensor Santiago]. The Senate President, Sen. Aquilino Q. Pimentel Jr., is recognized.

Senator Pimentel. Thank you, Madam President.

We have some individual amendments that have been furnished this representation which I would like now to read.

On page 2, delete lines 11 to 31. That is the proposed amendment, Madam President. On page 2, delete lines 11 to 31.

The Presiding Officer [Sen. Defensor Santiago]. Is there any comment on this proposed amendment? *[Silence]*

Senator Pimentel. I think everybody knows the amendment based on the records, Madam President.

Very briefly, Madam President, the amendment seeks to strike out proposals to allow the merger of municipalities into the Organic Act even if their provinces do not vote for inclusion. That is the essence of the proposed amendment. By striking it out, individual municipalities will no longer be allowed to become members or to opt for membership in the coverage of the Organic Act so long as their provinces do not wish to be included in the coverage of the Organic Act. That is the idea.

Senator Guingona. Madam President.

The Presiding Officer [Sen. Defensor Santiago]. Thank you. The Minority Leader is recognized.

Senator Guingona. Thank you, Madam President.

Just for clarification and to make it of record. This is also true, vice versa, of municipalities where Christians are dominant and would like to opt outside of ARMM. In other words, it applies to both situations.

Senator Pimentel. May we consider that as a separate amendment, if the Chair will allow.