

RECORD OF THE SENATE

THURSDAY, JULY 26, 1990

OPENING OF THE SESSION

At 4:17 p.m., the Honorable Jovito R. Salonga, President of the Senate, called the session to order.

The President. Binubuksan ang pulong ng Senado. Pangungunahan tayo sa panalangin ni Senador Butz Aquino sa pamamagitan ni Senador Guingona.

Everybody remained standing for the opening prayer.

PRAYER

Senator Guingona.

Lord, in this period of national calamity and crisis, give us the wisdom to learn, practice, and internalize the cooperative spirit.

Renew in us the cooperative virtues of mutual trust, self-reliance, and solidarity.

Show us the way to join hands, link arms, and pull our resources together in order to rebuild our devastated land.

And give us the strength to rise from the rubble of our shattered hopes to a new foundation of unity, peace, prosperity and authentic nationhood.

Amen.

The President. Babasahin ng Kalihim ang talaan ng mga Senador.

ROLL CALL

The Secretary.

Senator Heherson T. Alvarez Present
Senator Edgardo J. Angara Present*
Senator Agapito A. Aquino Present*

*Arrived after the roll call

**On official mission

Senator Juan Ponce Enrile Present*
Senator Joseph Ejercito Estrada Absent
Senator Neptali A. Gonzales Present
Senator Teofisto T. Guingona, Jr. Present
Senator Ernesto F. Herrera Present
Senator Sotero H. Laurel **
Senator Jose D. Lina, Jr. Present
Senator Ernesto M. Maceda Present
Senator Orlando S. Mercado Present
Senator John H. Osmeña Present
Senator Vicente T. Paterno Present
Senator Aquilino Q. Pimentel, Jr. Present
Senator Santanina T. Rasul Present
Senator Alberto G. Romulo Present
Senator Rene A. V. Saguisag Present
Senator Leticia Ramos Shahani Present*
Senator Mamintal Abdul J. Tamano Present
Senator Wigberto E. Tañada Present
Senator Victor S. Ziga Present
The President Present

The President. Labimpitong Senador ang dumalo sa ating pagpupulong. Mayroon tayong korum.

THE JOURNAL

Senator Guingona. Mr. President, I move that we dispense with the reading of the *Journal* of yesterday's session and consider the same as approved.

The President. Is there any objection? [Silence]
The Chair hears none; the motion is approved.

The Secretary will now proceed with the reading of the Order of Business.

REFERENCE OF BUSINESS

BILL ON FIRST READING

The Secretary. Senate Bill No. 1589, entitled

AN ACT DECLARING THE EDSA-ORTIGAS AVENUE JUNCTION IN PASIG, METRO MANILA AS A NATIONAL SHRINE, MONUMENT AND/OR LANDMARK, AMENDING FOR THE PURPOSE SECTION 2 OF PRESIDENTIAL DECREE NO. 260.

Introduced by Senator Maceda.

YES - 19

| | |
|------------------|------------------|
| Senator Alvarez | Senator Paterno |
| Senator Enrile | Senator Pimentel |
| Senator Gonzales | Senator Rasul |
| Senator Guingona | Senator Romulo |
| Senator Herrera | Senator Saguisag |
| Senator Lina | Senator Salonga |
| Senator Maceda | Senator Shahani |
| Senator Mercado | Senator Tamano |
| Senator Osmeña | Senator Tañada |
| Senator Ziga | |

NO - 0

ABSTENTION - 0

RESULT OF VOTING

The President. With 19 affirmative votes, no negative vote, and no abstention, House Bill No. 15277 is approved on Third Reading.

BILL ON THIRD READING Senate Bill No. 88 - Citizens' Soldier

Senator Guingona. Mr. President, I move that we vote on Third Reading on Senate Bill No. 88. Copies of the bill were distributed to all Members of the Senate on July 23, 1990.

The President. Voting on Third Reading on Senate Bill No. 88 is now in order. The Secretary will please read the title of the bill only, if there is no objection. *[There was none.]*

The Secretary. Senate Bill No. 88, entitled

AN ACT PROVIDING FOR THE DEVELOPMENT, ADMINISTRATION, ORGANIZATION, TRAINING, MAINTENANCE AND UTILIZATION OF CITIZENS SOLDIERS OR RESERVISTS OF THE ARMED FORCES OF THE PHILIPPINES AND FOR OTHER PURPOSES.

The President. The Senate will now proceed to vote

*With explanation of vote

on the bill. The Secretary will please call the roll.

The Secretary called the roll and the result of the voting is as follows:

YES - 19

| | |
|------------------|------------------|
| Senator Alvarez | Senator Paterno |
| Senator Enrile | Senator Pimentel |
| Senator Gonzales | Senator Rasul |
| Senator Guingona | Senator Romulo |
| Senator Herrera | Senator Saguisag |
| Senator Lina | Senator Salonga |
| Senator Maceda | Senator Shahani |
| Senator Mercado* | Senator Tamano |
| Senator Osmeña | Senator Tañada |
| Senator Ziga | |

NO - 0

ABSTENTION - 0

RESULT OF VOTING

The President. With 19 affirmative votes, no negative vote, and no abstention, Senate Bill No. 88 is approved on Third Reading.

EXPLANATION OF VOTE OF SENATOR MERCADO

Senator Mercado. Mr. President, I am voting in the affirmative. I would like to submit later my explanation of vote.

The following is the written explanation of vote of Senator Mercado.

The consolidated bill incorporates the desirable provisions of several other bills, including one duly approved by the House. As one of the co-authors of the Senate-approved version, I fully subscribe to the merits of this bill which formally sets up the Citizen Armed Force, alternatively known as the Reserve Force.

As finally approved, the bill sets out in detail the mission of the Reserve Force, in accordance with constitutional provisions, its organization, classification and development of the required manpower. It also provides

for the necessary training so that members of the Reserve Force are, from time to time, fully aware of their duties and responsibilities in case of national emergency which would necessitate mobilization.

Because I sincerely believe that it is the duty of every citizen of this Republic to come to the defense of the country in times of emergency, I vote affirmatively for the passage of this bill.

BILL ON SECOND READING
Senate Bill No. 155 - Local Government Code
(Continuation)

Senator Guingona. Mr. President, I move that we consider Committee Report No. 719 on Senate Bill No. 155. We are in the period of Committee amendments. I ask that we recognize Senator Pimentel.

The President. Senator Pimentel is recognized.

Senator Pimentel. Mr. President, may I suggest that we go page by page so that we can move along on Book I. There seems to be no amendment on page 1, Mr. President. Can we proceed to page 2?

The President. Are there no proposed amendments on page 1, Book I? All right.

Senator Pimentel. Can we move on to page 2, Mr. President?

The President. On page 2, are there any proposed amendments? [Silence] Apparently none.

Page 3? Apparently none. Page 4? Page 5?

Senator Pimentel. Pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and up to line 16 of page 16 have been deleted, Mr. President. So, we are now on page 16, Chapter II, starting from line 17 of page 16.

The President. All right. Are there any proposed amendments for page 16?

Senator Maceda. Mr. President.

The President. Senator Maceda is recognized.

Senator Maceda. Mr. President, may I just ask the Author if Section 6, as I read it, authorizes provinces, cities, and municipalities... The deletions here are not clear to me, that is why I was trying to figure out what is the intendment; before it used to be only Congress that would create. Are we now delegating to the provinces, cities, and municipalities authority to create or to change boundaries?

Senator Pimentel. No, Mr. President. For purposes of the creation of a province, city or municipality, an autonomous region or a metropolitan political subdivision, the action must be taken by Congress. In the case of the creation of a barangay, for example, or changes in its boundaries, this can be done either by the *sangguniang panlalawigan* or the *sangguniang panlungsod*, meaning, the province or the city. The municipality is not authorized to create a barangay or alter its boundaries.

Senator Maceda. I see. These standards are to be used by whom?

Senator Pimentel. Also by Congress as well as by the *sangguniang panlalawigan*, *sangguniang panlungsod* in the matter of the creation of barangays.

Senator Maceda. So, again, pardon me for being repetitious. Section 6 and Section 7 only contemplates the creation of barangays?

Senator Pimentel. Mr. President, the first part of Section 6, from line 22 to 27, particularly line 27, refers to the creation of the bigger political subdivisions up to the municipality level which can be done by Act of Congress.

The second part of Section 6 refers to the power of the *sangguniang panlalawigan* or *sangguniang panlungsod* to create a barangay.

Senator Maceda. Exactly, Mr. President. So, even without the first part, this is already an existing...

Senator Pimentel. Yes, correct.

Senator Maceda. ...power of Congress.