

## RECORD OF THE SENATE

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TUESDAY, JUNE 5, 2001

### OPENING OF THE SESSION

*At 4:05 p.m., the Senate President, Hon. Aquilino Q. Pimentel Jr., called the session to order.*

**The President.** The 55th session of the Senate in the Third Regular Session of the Eleventh Congress is hereby called to order.

We shall be led in prayer by Sen. Renato L. Compañero Cayetano.

*Everybody rose for the prayer.*

### PRAYER

**Senator Cayetano.** Let us rise and bow our heads to the Lord.

Dear God, our people are now divided between the poor and the not so poor due to events and circumstances triggered by many reasons and causes, without mentioning the divisive and bitter electoral exercise last May 14.

We seek, Lord, not to exacerbate the division in our already fragmented nation.

On the last two remaining days of the Eleventh Congress, may Your Senate be a steady bridge to forge a united and reconciled nation.

Grant us, therefore, Lord, Your servants in the Senate, the wisdom and perseverance to achieve this daunting task, trusting always that nothing is impossible if You are with us.

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

Amen.

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

### ROLL CALL DISPENSED WITH

**Senator Tatad.** Mr. President, I move that we dispense with the roll call.

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

### BILL ON SECOND READING S. No. 2282 — Plebiscite and Elections for the ARMM

**Senator Tatad.** Mr. President, I move that we consider Senate Bill No. 2282.

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

Consideration of Senate Bill No. 2282 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 Secretary.** Senate Bill No. 2282, entitled

AN ACT FIXING THE DATE OF THE PLEBISCITE FOR THE APPROVAL OF THE AMENDMENTS TO REPUBLIC ACT NO. 6734 AND SETTING THE DATE OF THE REGULAR ELECTIONS FOR ELECTIVE OFFICIALS OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO ON THE LAST MONDAY OF NOVEMBER 2001, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9054, ENTITLED "AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED 'AN ACT PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO,' AS AMENDED," AND FOR OTHER PURPOSES

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*The following is the whole text of the bill:*

Senate Bill No. 2282

AN ACT FIXING THE DATE OF THE PLEBISCITE FOR THE APPROVAL OF THE AMENDMENTS TO REPUBLIC ACT NO. 6734 AND SETTING THE DATE OF THE REGULAR ELECTIONS FOR ELECTIVE OFFICIALS OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO ON THE LAST MONDAY OF NOVEMBER 2001, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9054, ENTITLED "AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED

**'AN ACT PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO', AS AMENDED,' AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

**SECTION 1. Date of Plebiscite.** - The date of the plebiscite for the approval of the amendments under Republic Act No. 9045, shall be held not later than August 15, 2001.

**SEC. 2. First Regular Election.** - The first regular election for Regional Governor, Vice-Governor and Members of the Regional Legislative Assembly under Republic Act No. 9054 shall be held on November 26, 2001.

**SEC. 4. Rules and Regulations.** - The Commission on Elections shall promulgate the necessary rules and regulations to carry the purpose of this Act.

**SEC. 5. Repealing Clause.** - All laws, acts, decrees, executive orders, administrative regulations or part thereof inconsistent with this Act are hereby repealed or modified accordingly.

**SEC. 6. Separability Clause.** - If any provision of this Act is held unconstitutional, the other provisions not affected thereby shall be valid and binding.

**SEC. 7. Effectivity.** - This Act shall take effect upon publication in at least two (2) national newspapers of general circulation, and one (1) local newspaper of general circulation in the Autonomous Region in Muslim Mindanao.

Approved,

(Sgd.) Aquilino Q. Pimentel Jr.  
Senator

The President. The Majority Leader is recognized.

**SPONSORSHIP SPEECH OF SENATOR TATAD**

**Senator Tatad.** Mr. President, this bill as previously read is authored by the Senate President, and partakes of a very urgent nature because time is of the essence and we only have the next two days to act on it. Otherwise, we might end up with an entirely chaotic situation in Mindanao if we are unable to act on it at this time.

Section 3 of Article 18 of Republic Act No. 6734, entitled "An Act Providing for An Organic Act for the Autonomous Region in Muslim Mindanao" provides that any amendment to or revision of this Organic Act shall become effective only when approved by a majority of the votes cast in a plebiscite called for the purpose which shall be held not earlier than sixty (60) days or later than ninety (90) days after the approval of such amendment or revision.

Republic Act No. 6734 was later amended by Republic Act No. 9054 which lapsed into law on March 31, 2001. Therefore, as provided for by Section 3 of RA No. 6734, the last possible date for the plebiscite is on June 30, 2001 or 90 days thereafter.

However, the Commission on Elections, having just conducted the May 14, 2001 national and local elections, is burdened with many election concerns particularly the hearing, disposition and resolution of preproclamation and post-election cases; hence, it cannot possibly conduct the plebiscite even on that date. Moreover, the commission needs sufficient time for the conduct of an effective information campaign regarding this important electoral process.

In view of this, the Commission on Elections promulgated Resolution No. 4382, requesting Congress to postpone the conduct of the plebiscite for the ARMM amendatory law to a date not later than 45 days from June 30, 2001, and this would be August 15, 2001.

Section 7 of Article 18 of RA No. 9054 provides, among others, the date of the first regular elections of the Regional Governor, Regional Vice-Governor and members of the Regional Legislative Assembly under the Organic Act which shall be on the second Monday of September 2001 or September 10. However, that would be only 26 days from the proposed date of the plebiscite and the Commission on Elections would still have to canvass the results of the plebiscite to determine the provinces and cities to be covered by the first regular election as the basis for the allocation, printing and distribution of election forms, supplies and paraphernalia.

To enable the Commission on Elections to adequately prepare for the first regular election under the Organic Act, as amended, and taking into account the observation of Ramadan by our Muslim brothers sometime in December, the said election must be reset to November 26, 2001.

In view of this, Mr. President, I ask for the support of our colleagues for this urgent measure.

Mr. President, I believe there are any interpellations on this bill.

**The President.** The Chair does not see anyone raising his hand.

**Senator Tatad.** I move that the period of interpellations be closed.

**Senator J. Osmeña.** Mr. President.

**The President.** Sen. John H. Osmeña is recognized.

**Senator J. Osmeña.** No, Mr. President. I do not want to be a Roco here. I simply stood up to support this measure and I have, in fact, continuously inquired. I have been badgering the Commission on Elections to hold that plebiscite. I am glad that we have set a date and I note that the Majority Leader said that there will be confusion if we do not move the date of the plebiscite and the election.

My only observation is, I hope that there will be no confusion as a result of this bill, because confusion and chaos seems to be the order of the day in the Commission on Elections. *[Laughter]*

Thank you, Mr. President.

**Senator Tatad.** With the distinguished gentleman from Cebu looking over the shoulders of everyone, there would be no confusion. I am sure about that.

Mr. President, I move that the period of interpellations be closed.

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

**Senator Tatad.** Mr. President, there are no committee amendments. I move that the period of committee amendments be closed.

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

**Senator Tatad.** We are now ready to receive individual amendments, if there are any.

**The President.** Will the Majority Leader...

**Senator Tatad.** The Chair may wish to propose some.

#### PIMENTEL AMENDMENTS

**The President.** Yes. The first amendment is to correct the republic act under Section 1. Mr. Majority Leader, the correct number is 9054; it is not "9045".

**Senator Tatad.** I am sorry for that mistyping. It is 9054 instead of "9045".

**The President.** Yes. Can we accept that amendment?

**Senator Tatad.** It is accepted, Mr. President.

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

Then, Mr. Majority Leader, we would like to propose that a Section 3 be inserted—

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

**The President.** —and this should state the fact THAT THE INCUMBENT REGIONAL GOVERNOR, REGIONAL VICE-GOVERNOR, AND MEMBERS OF THE REGIONAL LEGISLATIVE ASSEMBLY OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO SHALL CONTINUE IN OFFICE PURSUANT TO EXISTING LAWS AND UNTIL THEIR SUCCESSORS SHALL HAVE BEEN DULY ELECTED AND QUALIFIED.

**Senator Tatad.** It is accepted, Mr. President.

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

Then, in Section 5, after the words "inconsistent with this act", we should probably include the following phrase: AND REPUBLIC ACT NO. 9012, which has to do also with the elections.

**Senator Tatad.** And maybe the word "act" should be capitalized.

**The President.** Yes, capitalize the word "act" and add the following phrase: AND REPUBLIC ACT NO. 9012.

**Senator Tatad.** It is accepted, Mr. President.

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

That seems to be all.

**Senator Tatad.** If there are no further amendments, I move that the period of amendments be closed.

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

## APPROVAL OF S. NO. 2282 ON SECOND READING

**Senator Tatad.** Mr. President, I move that we vote on Second Reading on Senate Bill No. 2282, as amended.

**The President.** Is there any objection? *[Silence]* There being none, we shall now vote on Second Reading on Senate Bill No. 2282, 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. 2282, as amended, is approved on Second Reading.

## SUSPENSION OF CONSIDERATION OF S. NO. 2282

**Senator Tatad.** Mr. President, I move that we suspend consideration of Senate Bill No. 2282.

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

CONFERENCE COMMITTEE REPORT ON  
S. NO. 1989/H. NO. 9827  
(Layout Designs of Integrated Circuits)

**Senator Tatad.** Mr. President, I move that we now consider the Bicameral Conference Committee Report on the disagreeing provisions of Senate Bill No. 1989 and House Bill No. 9827.

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

**Senator Tatad.** Mr. President, I ask that Sen. Ramon B. Magsaysay Jr. be recognized to introduce the report.

**The President.** Senator Magsaysay is recognized.

**Senator Magsaysay.** Thank you, Mr. President.

**Senator Tatad.** Mr. President, before Senator Magsaysay begins, today is the proclamation of the newly elected and reelected senators and also the birthday of Sen. Ramon B. Magsaysay Jr.

## SUSPENSION OF SESSION

I move that we suspend the session for one minute before he begins so that we will have the opportunity to shower him with kisses and embraces. *[Laughter]*

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

*It was 4:21 p.m.*

## RESUMPTION OF SESSION

*At 4:24 p.m., the session was resumed.*

**The President.** The session is resumed. Senator Magsaysay is recognized.

## REPORT OF SENATOR MAGSAYSAY

**Senator Magsaysay.** Thank you, Mr. President.

Mr. President, this is the Bicameral Conference Committee Report on the bills on Layout Design of Integrated Circuits. We have the honor of reporting the approval in the bicameral conference level of the legislation on layout design of integrated circuits last Wednesday, May 30, 2001.

The Senate panel headed by this representation and the House panel led by the chairman of the Committee on Trade and Commerce of the House, Representative Joey Sarte Salceda, met and harmonized Senate Bill No. 1989 and House Bill No. 9827. The following points highlighted the Bicameral Conference Committee, Mr. President:

1. Both bills are identical in almost all respects and hence, the two versions are integrated and adopted.

2. The approval of the bill is significant as it bridges the gap that is present in the Intellectual Property Rights Code or Republic Act No. 8293. Layout design was not included in the IP Code when it was enacted in 1996 pending the formulation of the framework for Topographies of Integrated Circuits by the World Trade Organization or WTO. Hence, layout design will complete the definition of intellectual property or IP as defined in the Code and as envisioned in the WTO-TRIPS Agreement. For the Senate, the report was concurred in and signed by Sen. Franklin Drilon, Sen. Juan Flavio Velasco and Sen. Sergio Osmeña III.

Thank you, Mr. President.

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

APPROVAL OF CONFERENCE COMMITTEE REPORT  
ON S. NO. 1989/H. NO. 9827

**Senator Tatad.** Mr. President, I move for the approval of the Conference Committee Report.

**The President.** Is there any objection? *[Silence]* There being none, voting on Third Reading on Senate Bill No. 2280 is now in order.

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

**The Secretary.** Senate Bill No. 2280, entitled

AN ACT CONVERTING THE J. H. CERILLES POLYTECHNIC COLLEGE IN THE MUNICIPALITY OF SAN MIGUEL, PROVINCE OF ZAMBOANGA DEL SUR INTO A STATE COLLEGE TO BE KNOWN AS THE J. H. CERILLES STATE COLLEGE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

**The Secretary. Senators**

Aquino-Oreta .....	Yes
Barbers .....	
Biazon .....	
Cayetano .....	Yes
Coseteng .....	
Defensor Santiago .....	
Drilon .....	Yes
Enrile .....	
Flavier .....	Yes
Honasan .....	
Jaworski .....	
Legarda-Leviste .....	
Magsaysay Jr. ....	Yes
Ople .....	
Osmeña (J.) .....	Yes
Osmeña III .....	Yes
Revilla .....	
Sotto III .....	Yes
Tatad .....	Yes
The President .....	Yes

#### APPROVAL OF S. NO. 2280 ON THIRD READING

**The President.** With 10 affirmative votes, no negative vote, and no abstention, Senate Bill No. 2280 is approved on Third Reading.

#### BILL ON THIRD READING S. No. 2281 — Leyte State University

**Senator Tatad.** Mr. President, I move that we vote on Third Reading on Senate Bill No. 2281. Copies of the bill were distributed to the members on June 1, 2001.

**The President.** Is there any objection? *[Silence]* There being none, voting on Third Reading on Senate Bill No. 2281 is now in order.

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

**The Secretary.** Senate Bill No. 2281, entitled

AN ACT CONVERTING THE VISAYAS STATE COLLEGE OF AGRICULTURE INTO A STATE UNIVERSITY TO BE KNOWN AS THE LEYTE STATE UNIVERSITY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

**Senator Tatad.** Mr. President, may I ask for a roll call vote.

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

**The Secretary. Senators**

Aquino-Oreta .....	Yes
Barbers .....	
Biazon .....	
Cayetano .....	Yes
Coseteng .....	
Defensor Santiago .....	
Drilon .....	Yes
Enrile .....	
Flavier .....	Yes
Honasan .....	
Jaworski .....	
Legarda-Leviste .....	
Magsaysay Jr. ....	Yes
Ople .....	
Osmeña (J.) .....	Yes
Osmeña III .....	Yes
Revilla .....	
Sotto .....	Yes
Tatad .....	Yes
The President .....	Yes

#### APPROVAL OF S. NO. 2281 ON THIRD READING

**The President.** With 10 affirmative votes, no negative vote, and no abstention, Senate Bill No. 2281 is approved on Third Reading.

#### BILL ON THIRD READING S. No. 2282 — Plebiscite and Election for the ARMM

**Senator Tatad.** Mr. President, I move that we vote on Third Reading on Senate Bill No. 2282. Copies of the bill were distributed to the members on June 1, 2001.

**The President.** Is there any objection? *[Silence]* There being none, voting on Third Reading on Senate Bill No. 2282 is now in order.

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

**The Secretary.** Senate Bill No. 2282, entitled

AN ACT FIXING THE DATE OF THE PLEBISCITE FOR THE APPROVAL OF THE AMENDMENTS TO REPUBLIC ACT NO. 6734 AND SETTING THE DATE OF THE REGULAR ELECTIONS FOR ELECTIVE OFFICIALS OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO ON THE LAST MONDAY OF NOVEMBER 2001, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9054, ENTITLED "AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO," AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED "AN ACT PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO," AS AMENDED, AND FOR OTHER PURPOSES

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

**The Secretary.**

June 5, 2001

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

Dear Senate President Pimentel:

Pursuant to the provisions of Article VI, Section 26 (2) of the Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 2282, entitled

AN ACT FIXING THE DATE OF THE PLEBISCITE FOR THE APPROVAL OF THE AMENDMENTS TO REPUBLIC ACT NO. 6734 AND SETTING THE DATE OF THE REGULAR ELECTIONS FOR ELECTIVE OFFICIALS OF THE AUTONOMOUS REGION IN MUSLIM MINDANAO ON THE LAST MONDAY OF NOVEMBER 2001, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9054, ENTITLED "AN ACT TO STRENGTHEN AND EXPAND THE ORGANIC ACT FOR THE

AUTONOMOUS REGION IN MUSLIM MINDANAO," AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6734, ENTITLED "AN ACT PROVIDING FOR THE AUTONOMOUS REGION IN MUSLIM MINDANAO," AS AMENDED, AND FOR OTHER PURPOSES,

to enable the Commission on Elections to adequately prepare for the holding of the plebiscite for the amendments of RA No. 6734 and the holding of the first regular ARMM elections provided for under its Organic Act, as amended.

Very truly yours,

(Sgd.) GLORIA MACAPAGAL ARROYO

cc: Hon. Feliciano R. Belmonte Jr.  
Speaker  
House of Representatives  
Quezon City

**Senator Tatad.** Mr. President, may I ask for a roll call vote.

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

**The Secretary.** *Senators*

Aquino-Oreta .....	Yes
Barbers .....	
Biazon .....	
Cayetano .....	Yes
Coseteng .....	
Defensor Santiago .....	
Drilon .....	Yes
Enrile .....	
Flavier .....	Yes
Honasan .....	
Jaworski .....	
Legarda-Leviste .....	
Magsaysay Jr. ....	Yes
Ople .....	
Osmeña (J.) .....	Yes
Osmeña III .....	Yes
Revilla .....	
Sotto III .....	Yes
Tatad .....	Yes
The President .....	Yes

APPROVAL OF S. NO. 2282 ON THIRD READING

**The President.** With 10 affirmative votes, no negative vote, and no abstention, Senate Bill No. 2282 is approved on Third Reading.

**Senator Tatad.** Mr. President, the Chair may wish to propose the names of the members of the Senate panel in case a bicameral conference is needed.

**The President.** The Majority Leader can kindly make the suggestion.

**Senator Tatad.** Maybe we can ask the House to simply accept our amendments.

**The President.** Yes. Probably, that would be the best way to do it. We will communicate with the House immediately.

**Senator Tatad.** Thank you very much, Mr. President.

#### BILL ON THIRD READING

#### H. No. 12228—The Administrative Naturalization Law of 2000

Mr. President, I move that we vote on Third Reading on House Bill No. 12228 as reported out under Committee Report No. 656.

**The President.** Is there any objection? *[Silence]* There being none, voting on Third Reading on House Bill No. 12228 is now in order.

The Secretary will please read the title of the bill.

**The Secretary.** House Bill No. 12228, entitled

#### AN ACT PROVIDING FOR THE ACQUISITION OF PHILIPPINE CITIZENSHIP FOR CERTAIN ALIENS BY ADMINISTRATIVE NATURALIZATION AND FOR OTHER PURPOSES

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

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

**The Secretary.**

June 5, 2001

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

Dear Senate President Pimentel:

Pursuant to the provisions of Article VI, Sec. 26(2) of the Constitution, I hereby certify to the necessity of the immediate enactment of House Bill No. 12228, entitled

#### AN ACT PROVIDING FOR THE ACQUISITION OF PHILIPPINE CITIZENSHIP FOR CERTAIN ALIENS BY ADMINISTRATIVE NATURALIZATION AND FOR OTHER PURPOSES,

to address the inadequacies of our Revised Naturalization Law of 1939 that has not given due consideration, regard and recognition to aliens born and residing in the Philippines.

Best wishes.

Very truly yours,

(Sgd.) GLORIA MACAPAGAL ARROYO

**Senator Tatad.** May I now ask for a roll call vote.

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

#### The Secretary. Senators

Aquino-Oreta .....	Yes
Barbers .....	
Biazon .....	
Cayetano .....	Yes
Coseteng .....	Yes
Defensor Santiago .....	
Drilon .....	Yes
Enrile .....	
Flavier .....	Yes
Honasan .....	
Jaworski .....	
Leviste .....	
Magsaysay Jr. ....	Yes
Ople .....	
Osmeña (J.) .....	Yes
Osmeña III .....	Yes
Revilla .....	
Sotto III .....	Yes
Tatad .....	Yes
The President .....	Yes

#### APPROVAL OF H. NO. 12228 ON THIRD READING

**The President.** With 11 affirmative votes, no negative vote, and no abstention, House Bill No. 12228 is approved on Third Reading.

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