



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 30
Monday, October 4, 2010

FIFTEENTH CONGRESS
FIRST REGULAR SESSION

SESSION NO. 30
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CALL TO ORDER

At 3:29 p.m., the Senate President, Hon. Juan Ponce Enrile, called the session to order.

PRAYER

The Body observed a minute of silent prayer.

NATIONAL ANTHEM

The Senate Choir led the singing of the national anthem and thereafter rendered the song, entitled "Bayan Ko."

ROLL CALL

Upon direction of the Chair, the Secretary of the Senate, Atty. Emma Lirio-Reyes, called the roll, to which the following senators responded:

Angara, E. J.	Lapid, M. L. M.
Arroyo, J. P.	Legarda, L.
Drilon, F. M.	Osmeña III, S. R.
Ejercito Estrada, J.	Recto, R. G.
Enrile, J. P.	Revilla Jr., R. B.
Escudero, F. J. G.	Sotto III, V. C.
Honasan, G. B.	Zubiri, J. M. F.

With 14 senators present, the Chair declared the presence of a quorum.

Senator Cayetano (A) arrived after the roll call.

Senators Cayetano (P), Marcos and Pangilinan were on official mission abroad.

Senator Villar was likewise on official mission.

Senator Defensor Santiago was on sick leave.

Senators Guingona and Lacson were absent.

Senator Trillanes was unable to attend the session as he was under detention.

At this juncture, Senate President Enrile relinquished the Chair to Senate President Pro Tempore Ejercito Estrada.

APPROVAL OF THE JOURNAL

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 29 (September 29, 2010) and considered it approved, subject to the motion of Senator Sotto, duly approved by the Body, that in fairness to Senators Osmeña, Pangilinan, Recto and Villar, who were marked absent in the day's session, they should be considered and marked "present" since they were already in the Senate premises when the session was adjourned quite early. He added that Senator Revilla should be marked on official mission abroad instead.

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ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Sotto acknowledged the presence in the gallery of the Entrepreneurial Management students from the Polytechnic University of the Philippines-Taguig City Campus.

The Senate President Pro Tempore welcomed the guests to the Senate.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 3:37 p.m.

RESUMPTION OF SESSION

At 3:44 p.m., the session was resumed.

REFERENCE OF BUSINESS

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

BILLS ON FIRST READING

Senate Bill No. 2549, entitled

AN ACT TO PROMOTE AND SUPPORT THE DEVELOPMENT AND GROWTH OF THE PHILIPPINE FILM INDUSTRY, CREATING FOR THIS PURPOSE THE PHILIPPINE FILM COMMISSION, DEFINING ITS POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

Introduced by Senator Ejercito Estrada

To the Committees on Public Information and Mass Media; Ways and Means; and Finance

Senate Bill No. 2550, entitled

AN ACT PROVIDING FOR THE MAGNA CARTA FOR ENVIRONMENT AND NATURAL RESOURCES PERSONNEL

Introduced by Senator Zubiri

To the Committees on Environment and Natural Resources; Civil Service and Government Reorganization; and Finance

Senate Bill No. 2551, entitled

AN ACT REMOVING THE ALLOWABLE SYSTEMS LOSS FROM PRIVATE UTILITY COMPANIES AND REDUCING THE CAP RECOVERABLE SYSTEM LOSSES OF RURAL ELECTRIC COOPERATIVES FROM FOURTEEN PERCENT (14%) TO FIVE PERCENT (5%) AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7832, AS AMENDED BY SECTION 43(f) OF REPUBLIC ACT NO. 9136, AND REPUBLIC ACT NO. 8424, AS AMENDED BY REPUBLIC ACT NO. 9337, AND FOR OTHER PURPOSES

Introduced by Senator Villar

To the Committees on Public Services; Energy; and Ways and Means

Senate Bill No. 2552, entitled

AN ACT INSTILLING FISCAL DISCIPLINE IN THE PUBLIC SECTOR BY SPECIFYING PRINCIPLES OF RESPONSIBLE FINANCIAL MANAGEMENT AND PROMOTING FULL TRANSPARENCY AND ACCOUNTABILITY IN GOVERNMENT REVENUE, EXPENDITURE AND BORROWING PROGRAMS

Introduced by Senator Villar

To the Committees on Finance; Economic Affairs; and Ways and Means

Senate Bill No. 2553, entitled

AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8293, ENTITLED AN ACT PRESCRIBING THE INTELLECTUAL PROPERTY CODE AND ESTABLISHING THE INTELLECTUAL PROPERTY OFFICE, PROVIDING FOR ITS

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POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

Introduced by Senator Villar

To the Committees on Trade and Commerce; and Constitutional Amendments, Revision of Codes and Laws

RESOLUTIONS

Proposed Senate Resolution No. 218, entitled

RESOLUTION URGING THE COMMITTEE ON CULTURAL COMMUNITIES AND COMMITTEE ON FOREIGN RELATIONS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO DETERMINE WHETHER SENATE CONCURRENCE IN THE RATIFICATION OF INTERNATIONAL LABOUR ORGANIZATION CONVENTION NO. 169, OTHERWISE KNOWN AS THE "INDIGENOUS AND TRIBAL PEOPLES' CONVENTION, 1989," TAKING INTO CONSIDERATION ITS BENEFITS AND LEGAL, SOCIAL AND POLITICAL IMPLICATIONS GIVEN THE PRESENT CIRCUMSTANCES AND THE EXISTING INDIGENOUS PEOPLE'S RIGHTS ACT, WOULD SERVE THE INTERESTS OF OUR COUNTRY

Introduced by Senator Legarda

To the Committees on Foreign Relations; and Cultural Communities

Proposed Senate Resolution No. 219, entitled

RESOLUTION DIRECTING THE COMMITTEE ON HEALTH AND DEMOGRAPHY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PREPAREDNESS OF THE GOVERNMENT, PARTICULARLY THE DEPARTMENT OF HEALTH, TO THWART THE OCCURRENCE OF NEW DELHI METALLO-B-LACTAMASE-1 (NDM-1) IN THE COUNTRY AND TO CONTAIN AND

MINIMIZE THE HEALTH RISK IT MAY CAUSE TO THE CITIZENS

Introduced by Senator Villar

To the Committee on Health and Demography

Proposed Senate Resolution No. 220, entitled

RESOLUTION DIRECTING THE COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE FEASIBILITY OF BANNING HIGH SULFUR DIESEL IN THE LIGHT OF WORSENING AIR QUALITY IN METRO MANILA

Introduced by Senator Villar

To the Committees on Environment and Natural Resources; and Health and Demography

Proposed Senate Resolution No. 221, entitled

RESOLUTION URGING THE COMMITTEE ON BANKS, FINANCIAL INSTITUTIONS AND CURRENCIES TO REVIEW, IN AID OF LEGISLATION, THE EXISTING STATUTES, POLICIES AND JURISPRUDENCE REGARDING CREDIT CARD INTEREST RATES AND PENALTIES

Introduced by Senator Villar

To the Committees on Banks, Financial Institutions and Currencies; and Trade and Commerce

Proposed Senate Resolution No. 222, entitled

RESOLUTION URGING THE COMMITTEES ON JUSTICE AND HUMAN RIGHTS; PUBLIC ORDER AND ILLEGAL DRUGS, AND OTHER APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, OF THE WANTON DISREGARD OF THE ANTI-HAZING LAW AND THE SAID LAW'S

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**APPARENT FAILURE TO PREVENT
THE DEATHS AND PHYSICAL
INJURIES OF STUDENTS AND
TEACHERS ALIKE**

Introduced by Senator Villar

**To the Committees on Justice and Human
Rights; and Public Order and Illegal Drugs**

Proposed Senate Resolution No. 223, entitled

**RESOLUTION COMMENDING THE
PHILIPPINE RED CROSS IN
ALLEVIATING HUMAN SUFFER-
ING IN ITS HUMANITARIAN
COOPERATION AND PARTNER-
SHIP WITH THE HONG KONG RED
CROSS DURING THE QUIRINO
GRANDSTAND BUS HOSTAGE
CRISIS AND ITS AFTERMATH**

Introduced by Senator Zubiri

To the Committee on Rules

Proposed Senate Resolution No. 224, entitled

**RESOLUTION URGING THE SENATE
COMMITTEES ON EDUCATION,
ARTS AND CULTURE; AND CIVIL
SERVICE AND GOVERNMENT
REORGANIZATION TO REVISIT
REPUBLIC ACT 9298 OR THE
PHILIPPINE ACCOUNTANCY ACT
OF 2004, WITH THE END IN VIEW
OF ADDRESSING THE SHORTAGE
OF ACCOUNTANTS IN THE
COUNTRY CITING RECENT
REPORTS THAT THEY HAVE
BEEN LEAVING THE COUNTRY IN
DROVES TO WORK ABROAD**

Introduced by Senator Villar

**To the Committees on Education, Arts and
Culture; and Civil Service and Government
Reorganization**

COMMUNICATION

Letter from the Office of the President of the Philip-
pines, dated 13 September 2010, acknowledging

receipt of Senate Resolution No. 17, dated
1 September 2010.

To the Archives

PROPOSED SENATE RESOLUTION NO. 223

Upon motion of Senator Sotto, there being no
objection, the Body considered Proposed Senate
Resolution No. 223, entitled

**RESOLUTION COMMENDING THE
PHILIPPINE RED CROSS IN
ALLEVIATING HUMAN SUFFER-
ING IN ITS HUMANITARIAN
COOPERATION AND PARTNER-
SHIP WITH THE HONG KONG RED
CROSS DURING THE QUIRINO
GRANDSTAND BUS HOSTAGE
CRISIS AND ITS AFTERMATH.**

With the permission of the Body, upon motion of
Senator Sotto, only the title of the resolution was
read without prejudice to the insertion of its full text
into the Record of the Senate.

The Chair recognized Senator Zubiri for the
sponsorship.

**SPONSORSHIP SPEECH
OF SENATOR ZUBIRI**

In sponsoring Proposed Senate Resolution
No. 223, Senator Zubiri initially presented a summary
of the assistance extended by the Philippine National
Red Cross (PNRC) to law enforcers and victims
of the August 23, 2010 Quirino Grandstand Bus
Hostage Crisis, to wit:

- Six ambulance teams of the PNRC were dis-
patched to the Quirino grandstand while other
Metro Manila chapters were activated to render
assistance and the blood bank was alerted to
be ready to supply blood should the need arise
for it;
- PNRC Social Services conducted critical stress
debriefing on nine hostage victims and facilitated
their transfer from the command outpost back to
the Manila Pavilion Hotel;
- PNRC ambulance teams also transported four
victims to the Manila Doctors Hospital and
another to the Ospital ng Maynila;

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- PNRC Chair Richard Gordon, who was in Hong Kong at the time of the incident, communicated with the Hong Kong Red Cross and provided a tracing report of all victims that night;
- In the aftermath, interviews and newspaper articles including one published by the Chinese newspaper *Hong Kong Economic Times* credited the humanitarian efforts of the PNRC members in coordination with their counterparts in Hong Kong;
- PNRC Social Worker Noemi Abon comforted Fu Chak Yin, the 10-year old son of one of the fatalities in the hostage incident, and suggested that the money offered by the family to express their gratitude for her assistance be donated to the Hong Kong Red Cross; and
- Hong Kong Red Cross (HKRC) Secretary General KM Chan as well as HKRC Acting Head for International Relief Services Betty Lau thanked PNRC Chairman Gordon for the assistance given by the organization to the hostages, the latter committing US\$110,000 as financial assistance to the victims of Typhoon *Ondoy*.

In recognition of the cited accomplishments and for living up to the Red Cross' motto "*Always First, Always Ready, Always There,*" Senator Zubiri urged the Members to commend the following members of the PNRC: Chairman Gordon, Secretary General Gwen Pang, Social Services Manager Aida Beltajar, Emergency Response Unit National Field Representative Leo Ebajo, Social Worker Noemi Abon, staff members Beverly Molina and Marco Abrazado, as well as volunteers and personnel of the national headquarters and the chapters of Manila, Pasay and Caloocan cities.

In closing, Senator Zubiri lauded the PNRC and HKRC for demonstrating their capacity to rise above a strained relationship between Filipinos and the Hong Kong Chinese and, as such, urged the Body to pass the resolution.

INTERPELLATION OF SENATOR DRILON

Asked by Senator Drilon on the number of resolutions that had been passed by the Senate commending organizations like the Philippine National Red Cross, Senator Zubiri recalled that only one such resolution had been adopted by the Body.

At this juncture, Senator Sotto pointed out that since the start of the 15th Congress, the Body only adopted four resolutions. He added that upon the recommendation of Senator Drilon, resolutions of commendation were referred to the Committee on Rules to ensure that certain procedures would be followed such as having the author sponsor the resolution himself/herself.

Senator Drilon explained that he raised the issue to ensure that resolutions of commendation would have value to the recipient because they are passed after going through a careful review.

Relative thereto, Senator Drilon asked on the number of times that the PNRC had been commended by the Senate. Senator Sotto said that Proposed Resolution No. 223 was the first commendation for the PNRC for the 15th Congress. He said that the Secretariat could provide information on similar resolutions that had been passed in the previous Congresses.

For his part, Senator Zubiri pointed out that the fact that the resolution also commends the Hong Kong Red Cross is a way of rebuilding the country's relationship with China. He informed the Body that the proposal was made by former Senator Gordon.

INTERPELLATION OF SENATOR ARROYO

Asked by Senator Arroyo if he is a ranking member of the Philippine National Red Cross, Senator Zubiri replied that he is a member of the Philippine National Red Cross Board of Governors.

Senator Arroyo asked whether it would have been more proper had Senator Zubiri asked him or some other senator to sponsor the resolution, saying that had he been asked, he would have willingly and passionately sponsored it. Senator Zubiri believed that there was no harm if he himself sponsored the resolution honoring the men and women of the PNRC who have sacrificed their time and effort during times of tragedy, because his membership in the PNRC Board of Governors is voluntary, he has not received any remuneration, and his services are *pro bono*.

REMARKS OF SENATOR SOTTO

Senator Sotto associated himself with the sentiments of Senator Zubiri as he thanked Senator Drilon

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for calling the attention of the Body that indeed, it passed a similar resolution a few weeks ago. He stated that the Committee has been very stringent in allowing the consideration of resolutions of commendation and has always followed the rule that an author has to sponsor his/her resolution if he/she wants the Body to adopt the same.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 223

Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 223 was adopted by the Body.

MANIFESTATION OF SENATOR CAYETANO (A)

Senator Cayetano (A) stated that many people would be speaking about the World Teacher's Day celebration the next day, October 5, 2010, acknowledging the role that teachers played not only in the classrooms as they teach students to become better citizens but also during the elections.

Saying that he simply wanted to take advantage of the presence of Senator Drilon, finance committee chair, and the fact that there is a new Administration, he disclosed that the Department of Education (DepEd) got a P32 billion increase in its 2011 budget that includes an allocation for the hiring of 10,000 additional teachers. He stated that although the 2010 budget already included that item, not all 10,000 plantilla positions were filled, thus the DepEd has realized some savings.

Senator Cayetano (A) underscored that if education is brought down to its most important factor, it is the teachers. Thus, he believed that it would be good if the DepEd could study the proposal to give them an additional pay by devoting 10% of the P32 billion increase that would translate to roughly P500 additional monthly pay, or 20% of P32 billion or P1,000 additional monthly pay as a fitting way to honor the teachers who have been left behind in terms of salary because of their sheer number. He asserted that there is a way of giving the increase by sourcing it from savings from unfilled plantilla positions.

Senator Cayetano (A) recalled that in the Arroyo Administration, other government organizations that have fewer personnel were granted several salary

increases and rightly so, especially in the case of the AFP and the PNP whose personnel risk their lives as they perform their duties. However, he pointed out that in the case of teachers, the salary increase has come far and few between probably because they number 500,000. He pointed out that while there is a Salary Standardization Law (SSL) that recently granted a salary increase in yearly tranches, the provision on a regular salary increment every three years in the Magna Carta for Public School Teachers (R.A. 4670), which was passed in 1966, has not been followed.

As the Senate joins the rest of the nation in recognizing the teachers in tomorrow's celebration, Senator Cayetano (A) asked the Aquino Administration to seriously study the proposal to grant P1,500 additional pay to teachers for the last three months of 2010 that can be sourced from the savings realized from 10,000 unfilled teachers' positions or from the unprogrammed funds, as he took note of the P32 billion increase in the 2011 national budget for that very purpose.

COMMITTEE MEMBERSHIP

Nominated by Senator Sotto, there being no objection, the following senators were elected to the Committee on Ethics and Privileges:

Chair	:	Cayetano (A)
Members	:	
		<i>Majority</i> <i>Minority</i>
		Defensor Santiago Arroyo
		Honasan
		Legarda
		Marcos
		Lapid

OVERSIGHT COMMITTEE MEMBERSHIPS

Upon motion of Senator Sotto, there being no objection, the membership of Senator Cayetano (A) in the Joint Congressional Oversight Committee on Clean Water Act was withdrawn.


Senator Sotto manifested that Senator Cayetano (A) was designated as member representing the Minority in the Oversight Committee on Public Expenditures and the Select Oversight Committee on Intelligence Funds, Programs and Activities.

ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, the Senate President Pro Tempore declared the session adjourned until three o'clock in the afternoon of the following day.

It was 4:08 p.m.

I hereby certify to the correctness of the foregoing.


EMMA LIRIO REYES
Secretary of the Senate

Approved on October 5, 2010