

## [ VOL. II, July 30, 1986 ]

### R.C.C. NO. 43

Wednesday, July 30, 1986

#### OPENING OF SESSION

*At 9:43 a.m., the President, the Honorable Cecilia Muñoz Palma, opened the session.*

THE PRESIDENT: The session is called to order.

#### NATIONAL ANTHEM

THE PRESIDENT: Everybody will please rise to sing the National Anthem.

*Everybody rose to sing the National Anthem.*

THE PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Efrain B. Treñas.

*Everybody remained standing for the Prayer.*

#### PRAYER

MR. TREÑAS: Heavenly Father, we humbly ask Your divine guidance in our noble task to fulfill the sacred trust reposed in us to frame a fundamental law for our people.

Imbue us with Your Holy Spirit to enable us to enshrine in a Constitution the principles of brotherhood, liberty, justice and democracy which You have so kindly restored to us in Your miracle last February.

Inspire us with the same fervor of Your Holy Passion of the Cross so that we may be able to overcome the hatred and vindictiveness that are the natural fruits of more than a decade of ruthless suppression and persecution.

Lead us along the path of forgiveness and reconciliation towards the altar of wisdom and statesmanship so that in the end we may achieve our solemn goal of providing our people with a framework of government that guarantees to us our human rights and fundamental freedoms, secures to us and our posterity our God-given resources, and finds for us and the generations yet to come a respected place under the sun and among the family of nations.

This we ask You, Almighty Father, in the name of Jesus Christ, Your Son. Amen.

#### ROLL CALL

THE SECRETARY-GENERAL, *reading.*

Abubakar	Present *	Natividad	Present *
Alonto	Present *	Nieva	Present *
Aquino	Present *	Nolledo	Present
Azcuna	Present *	Ople	Present *
Bacani	Present *	Padilla	Present
Bengzon	Present	Quesada	Present
Bennagen	Present	Rama	Present
Bernas	Present *	Regalado	Present
Rosario Braid	Present	Reyes de los	Present *
Brocka	Present *	Rigos	Present
Calderon	Present	Rodrigo	Present
Castro de	Present	Romulo	Present
Colayco	Present	Rosales	Absent
Concepcion	Present	Sarmiento	Present *
Davide	Present	Suarez	Present
Foz	Present *	Sumulong	Present
Garcia	Present *	Tadeo	Present *
Gascon	Present *	Tan	Present
Guingona	Present	Tingson	Present
Jamir	Present	Treñas	Present
Laurel	Present	Uka	Present
Lerum	Present *	Villacorta	Present *
Maambong	Present *	Villegas	Present
Monsod	Present		

The President is present.

The roll call shows 29 Members responded to the call.

THE PRESIDENT: The Chair declares the presence of a quorum.

MR. CALDERON: Madam President.

THE PRESIDENT: The Assistant Floor Leader is recognized.

MR. CALDERON: I move that we dispense with the reading of the Journal of the previous session.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

#### APPROVAL OF JOURNAL

MR. CALDERON: Madam President, I move that we approve the Journal of the previous session.

THE PRESIDENT: Is there any objection? (*Silence*)

THE PRESIDENT: The Secretary-General will call the Reference of Business.

#### REFERENCE OF BUSINESS

*The Secretary-General read the following Communications, the President making the corresponding references:*

## COMMUNICATIONS

Letter from NCP Sgt. Tawasil A. Hataie, Bureau of Customs, Port of Zamboanga, proposing a constitutional provision requiring the government to extend humanitarian services to all departed government personnel/ officials who died while still in the government service regardless of position/ designation.

(Communication No. 375 — Constitutional Commission of 1986)

To the Committee on Social Justice.

Letter from Ms. Ester B. Sy-Quimsiam. Commission on Population, Welfareville Compound, Mandaluyong, Metro Manila, transmitting a position paper submitted by a group of private organizations regarding the population problem, saying that a people-oriented population welfare program has better and greater chances to bloom into full flowering if implemented along the lines of the new government's humane concern and sincere call for self-renewal.

(Communication No. 376 — Constitutional Commission of 1986)

To the Committee on Social Justice.

Letter from Mr. Jeremias U. Montemayor and Mr. Democrito T. Mendoza for the Trade Union Congress of the Philippines (TUCP), submitting its position paper on the American military bases in the Philippines recommending that the present Philippine-U.S. Mutual Defense Treaty be respected until its expiration in 1991.

(Communication No. 377 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Resolution from the Olongapo Jaycees, Inc., No. 12 Aquarius St., Lower Kalaklan, Olongapo City. signed by its President. Mr. Johnny B. Choa, recommending the retention of the United States bases in the Philippines after 1991.

(Communication No. 378 — Constitutional Commission of 1986)

Letter from Stop Trafficking of Pilipinos Foundation Inc. signed by its President. Minerva G. Laudico, and the other officers and members of the Board of Directors calling attention to the alarming resurgence of indecency in mass media and entertainment and expressing alarm at the manner in which the courts have ruled in favor of those who have no apparent regard for the dignity of women and for decent family relationship.

(Communication No. 379 — Constitutional Commission of 1986)

To the Committee on General Provisions.

Communication signed by Ms. Elsa M. Gavino and one hundred fifty others. urging that regulations on foreign investments and the determination of the areas of investment should be left to the legislature.

(Communication No. 380 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Letter from the Honorable Minister Candu I. Muarip of the Office of Muslim Affairs and Cultural Communities, transmitting proposals and resolutions drafted by a group of Muslim professionals, scholars, and academicians, embodying the general sentiments and common aspirations of the Muslim Filipinos and the tribal communities.

(Communication No. 381 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Communication from the Sangguniang Panlalawigan, La Trinidad, Benguet, and signed by its temporary Presiding Officer. Felix T. Cabading, transmitting Resolution No. 273, entitled: RESOLUTION THAT THE HONORABLE BODY ADOPT A STAND IN FAVOR OF ADMINISTRATIVE REGIONALIZATION AS AN ALTERNATIVE TO STATUS QUO. .

(Communication No. 382 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Communication from the Stop Trafficking of Pilipinos Foundation, Inc. signed by its President, Minerva G. Laudico, urging inclusion in the Constitution provisions mandating the State to ensure an out-of-school environment conducive to the moral education of the youth and reinforcing the right of children and young people to a sound intellectual and moral formation.

(Communication No. 383 — Constitutional Commission of 1986)

To the Committee on Human Resources.

Letter from Dr. Helen Agustin de Guzman of U.P. AND be elected with and in the same manner as the Medicine 1967, saying that it would be a wiser and President." more prudent move for the Constitutional Commission not to make a final pronouncement on the U.S. bases issue at this time and at such a hurried pace.

(Communication No. 384 — Constitutional Commission of 1986)

To the Committee on General Provisions.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.

CONSIDERATION OF PROPOSED RESOLUTION NO. 517 (Article on the Executive)  
*Continuation*

PERIOD OF AMENDMENTS

MR. RAMA: I move that we continue the consideration of Proposed Resolution No. 517 on the Article on the Executive. We are still in the period of amendments.

THE PRESIDENT: Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The honorable Chairman and members of the Committee on the Executive are requested to please come forward to receive the proposed amendments of the Commissioners.

At this juncture, may we take advantage of informing our Commissioners of our guests this morning. To my left, we have students from St. Scholastica's Grade School, St. Scholastica's College, the UP Physiology class and the Philippine Normal College. To my right, we have students from St. Bridget's High School and the Polytechnic University of the Philippines. We thank these students very much for attending and showing their interest in the deliberations of the Commission.

MR. RAMA: Madam President, I ask that Commissioner Davide be recognized.

THE PRESIDENT: Commissioner Davide is recognized.

MR. DAVIDE: Thank you, Madam President.

I have amendments to Section 3, page 1 of the substitute resolution adjusted to the bicameral legislature. The first portion would be just a transposition and would affect lines 14 and 16. After the second word "shall" on line 14, I propose to transpose thereto the portion of line 16 which reads: "have the same qualifications and term of office" and then add the word AND, so that the first sentence now will read as follows: "There shall be a Vice-President who shall HAVE THE SAME QUALIFICATIONS AND TERM OF OFFICE AND be elected with and in the same manner as the President."

MR. SUMULONG: The Committee accepts the amendment.

THE PRESIDENT: Will Commissioner Davide restate his amendment?

MR. DAVIDE: The first line of Section 3, as amended, would read as follows: "There shall be a Vice-President who shall HAVE THE SAME QUALIFICATIONS AND TERM OF OFFICE AND be elected with and in the same manner as the President."

THE PRESIDENT: The Committee has accepted the amendment. Is there any objection? (*Silence*) The Chair hears none; the amendment is approved.

MR. DAVIDE: On line 18 of the same section, I move for the deletion of the phrase "as provided in this Constitution."

MR. SUMULONG: The Committee accepts, Madam President.