

[VOL. V, October 15, 1986]

R.C.C. NO. 108

Wednesday, October 15, 1986

OPENING OF SESSION

At 8:55 a.m., the Presiding Officer, the Honorable Francisco A. Rodrigo, opened the session.

THE PRESIDING OFFICER (Mr. Rodrigo): The session is called to order.

ROLL CALL

THE PRESIDING OFFICER (Mr. Rodrigo) : The Secretary-General will call the roll.

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 *
Calderon	Present	Rigos	Present
Castro de	Present	Rodrigo	Present
Colayco	Present	Romulo	Present
Concepcion	Present	Rosales	Absent
Davide	Present	Sarmiento	Present
Foz	Present	Suarez	Present
Garcia	Present	Sumulong	Present
Gascon	Present *	Tadeo	Present *
Guingona	Present	Tan	Present *
Jamir	Present	Tingson	Present *
Laurel	Present	Treñas	Present
Lerum	Present	Uka	Present
Maambong	Present	Villacorta	Present *
Monsod	Present		

The President is present.

The roll call shows 37 Members responded to the call.

THE PRESIDING OFFICER (Mr. Rodrigo): The Chair declares the presence of a quorum.

The Floor Leader is recognized.

MR. RAMA: Mr. Presiding Officer, I ask that Commissioner Davide, chairman of the Committee on the Legislative, be recognized.

THE PRESIDING OFFICER (Mr. Rodrigo) : Commissioner Davide is recognized.

MR. DAVIDE: Thank you, Mr. Presiding Officer.

This would refer to the matter of the Ordinance appended to the Constitution apportioning the seats for the House of Representatives. Last Monday the Ordinance was approved on Third Reading under a suspension of the Rules and there was no nominal voting. Some of the Commissioners view the absence of a nominal voting as perhaps a fatal defect even under suspended Rules, although I maintained earlier that under suspended Rules, nominal voting on Third Reading will not be necessary and this position was concurred in by the Presiding Officer and the Floor Leader at the time. To avoid any question regarding this matter, I move for a reconsideration of the Ordinance for possible approval on Third Reading by nominal voting. But before going into that, the committee has received a complaint from former Ambassador Lininding Pangandaman in the matter of apportionment of seats for Lanao del Sur wherein the body accepted the amendment of Commissioner Alonto transferring Masiu from the First District to the Second District. Ambassador Pangandaman invited our attention to RA 6406 entitled: "An Act Dividing the Province of Lanao del Sur into the provinces of Maranao and Lanao del Sur," which was approved on October 4, 1971. In the division, Masiu should really be in the First District because the First District under this Republic Act is actually a separate province; and our Second District, as recommended by the committee, actually corresponds to the second province within Lanao del Sur. So he maintains that transferring Masiu from the First District to the Second District might involve some legal issues.

I would like to hear a comment from Commissioner Alonto on this.

RECONSIDERATION OF APPROVAL OF RESOLUTION NO. 551
ON THIRD READING
(Apportionment Ordinance for the House of Representatives)

THE PRESIDING OFFICER (Mr. Rodrigo) : Is there any objection to the motion to reopen the consideration of Resolution No. 551? (*Silence*) The Chair hears none; the motion is approved.

Commissioner Alonto is recognized.

MR. ALONTO: The reason Masiu was transferred to the Second District was only for the purpose of equalizing the number of inhabitants from both districts. I was not aware of that Republic Act mentioned by Commissioner Davide and because of that, if we can legally return Masiu back to the First District, I would have no objection.

MR. DAVIDE: So, in that particular case, Mr. Presiding Officer, I move to reconsider the approval of the transfer of Masiu from the First to the Second District of Lanao del Sur.

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

MR. DAVIDE: Consequently, I propose that a correction be made on the printed copy wherein Masiu should immediately follow Tamparan for the First District of Lanao del Sur, and its deletion in the Second District. Since this is already the printed copy, I propose that such a correction be initialed by the President of the Commission.

THE PRESIDING OFFICER (Mr. Rodrigo) : Before we correct the printed copy, I think there should be a motion first to be approved by the body.

MR. DAVIDE: Yes, Mr. Presiding Officer. I move for the retention of Masiu in the First District of the Province of Lanao del Sur and the deletion of that word in the second District.

MR. OPLE: I second the motion, Mr. Presiding Officer.

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

MR. DAVIDE: I also move that such a correction be initialed by the President of the Commission in the final printed copy of the Ordinance.

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

MR. DAVIDE: The final matter concerns Region I, Benguet. I move for the approval of the restyling that was done. It would now appear as follows: "BENGUET WITH THE CITY OF BAGUIO, TWO (2) — FIRST DISTRICT: BAGUIO CITY; SECOND DISTRICT: ALL THE MUNICIPALITIES OF BENGUET."

THE PRESIDING OFFICER (Mr. Rodrigo) : Is there any objection? (*Silence*) The Chair hears none; the restyling is approved.

MR. RAMA: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Rodrigo) : The Floor Leader is recognized.

MR. UKA: Mr. Presiding Officer, may I request that a representative from Region XI be heard on the desire of the people in Region XI regarding their representation.

THE PRESIDING OFFICER (Mr. Rodrigo) : This is a formal session.

MR. UKA: The people desire that a part of Region XI that is contiguous be included. We should ascertain first the desire of Deputy Minister Banas on this.

THE PRESIDING OFFICER (Mr. Rodrigo) : Commissioner Uka himself, should express that. This is a plenary session.

MR. UKA: Yes, but he has just arrived and I do not know exactly what is it that they want.

The three towns falling within one district are not contiguous. One has to cross the sea in order to reach those areas.

MR. DAVIDE: Mr. Presiding Officer, may I answer that?

THE PRESIDING OFFICER (Mr. Rodrigo) : Commissioner Davide is recognized.

MR. DAVIDE: This refers to South Cotabato. The apportionment we have made follows the recommendation of the COMELEC. It is true that three municipalities in one district are separated by the Sarangani Bay from the three other municipalities, and one has to pass General Santos. The difficulty there is that General Santos should have a seat but it was disqualified later when we increased the population to 250,000 for a city to be qualified for a separate seat. So we joined up General Santos with other municipalities — that of Tupi, Polomolok and Tampakan. We feel, however, that it would really be very difficult to have one contiguous district in the sense that the land mass is together all the time. We have a peculiar situation of the existence of the Sarangani Bay. I was willing to accommodate this in the sense that probably we can do that, but the whole trouble is that we will have to completely restructure South Cotabato. I explained to Deputy Minister Banas that perhaps it can be done in the next apportionment.

THE PRESIDING OFFICER (Mr. Rodrigo) : Yes. Anyway, this is only for the first election.

MR. UKA: I see.

THE PRESIDING OFFICER (Mr. Rodrigo): After that, Congress can take over. But now we are pressed for time.

MR. RAMA: Mr. Presiding Officer.

THE PRESIDING OFFICER (Mr. Rodrigo): The Floor Leader is recognized.

NOMINAL VOTING ON RESOLUTION NO. 551
ON THIRD READING
(Apportionment Ordinance for the House of Representatives)

MR. RAMA: The parliamentary situation calls for a vote on Third Reading on the Ordinance respecting the redistricting of congressional districts. I move that we vote on Third Reading on the proposed ordinance regarding legislative districts.