

[VOL. I, July 02, 1986]

R.C.C. NO. 22

Wednesday, July 2, 1986

OPENING OF SESSION

At 5:11 p.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 Christian S. Monsod.

Everybody remained standing for the Prayer.

PRAYER

MR. MONSOD: Almighty Father, four weeks ago, You brought us together — Commissioners, staff and employees — to participate in the writing of the Constitution. It was an honor to be chosen. How many are asked to be a part of such a historic document?

Since that time, we have come to realize the enormity of our task and our own limitations. But we have also come to recognize the talents and the goodness in one another. We have realized that, coming as we do from different backgrounds and places, with different interests and even biases, there is one thing we hold in common. We all love this country even if we express it in different ways.

As we move ahead, we also know that we can only accomplish our work, if we continue to depend on one another and learn to trust one another even more than we do now.

Merciful Father, be gentle with us when we fail. Give us the grace of an open mind, of compassion, of enthusiasm and the will to prevail. Above all, hold us together — Commissioners, staff and employees — in the palm of Your hand always.

This we ask of You through Jesus Christ, Your Son our Lord, who lives and reigns with You, now and forever Amen.

ROLL CALL

THE PRESIDENT: 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
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	Absent
Laurel	Present	Uka	Present
Lerum	Present	Villacorta	Present
Maambong	Present	Villegas	Present
Monsod	Present		

The President is present.

The roll call shows 45 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 Chair hears none; the motion is approved.

MR. CALDERON: Madam President, I move that we proceed to the Reference of Business.

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

The Secretary-General will read the Reference of Business.

REFERENCE OF BUSINESS

The Secretary-General read the following Proposed Resolutions on First Reading and Communications, the President making the corresponding references:

PROPOSED RESOLUTIONS ON FIRST READING

Proposed Resolution No. 358, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A PROVISION THAT NO PARTY OR CANDIDATE SHALL HAVE MEMBERSHIP IN THE REGISTRATION BOARDS, BOARD OF ELECTION INSPECTORS, AND BOARD OF CANVASSERS BUT SHALL BE ENTITLED TO APPOINT WATCHERS.

Introduced by Hon. Davide, Jr.

To the Committee on Constitutional Commissions and Agencies.

Proposed Resolution No. 359, entitled:

RESOLUTION TO INCLUDE IN THE PROPOSED CONSTITUTION SECTION 4 (1) OF ARTICLE IV OF THE 1973 CONSTITUTION WITH MODIFICATION SO AS TO FURTHER STRENGTHEN THE RIGHT OF THE PEOPLE TO PRIVACY OF COMMUNICATION AND CORRESPONDENCE.

Introduced by Hon. Treñas.

To the Committee on Citizenship, Bill of Rights, Political Rights and Obligations and Human Rights.

Proposed Resolution No. 360, entitled:

RESOLUTION TO INCLUDE IN THE PROPOSED CONSTITUTION SECTION SIX OF ARTICLE IV OF THE 1973 CONSTITUTION WITH MODIFICATIONS SO AS TO STRENGTHEN AND MAKE MANDATORY THE RIGHT THEREIN GRANTED TO THE PEOPLE TO INFORMATION ON MATTERS OF PUBLIC CONCERN.

Introduced by Hon. Treñas.

To the Committee on Citizenship, Bill of Rights, Political Rights and Obligations and Human Rights.

Proposed Resolution No. 361, entitled:

RESOLUTION TO INCLUDE IN THE PROPOSED CONSTITUTION A NEW PROVISION EMPOWERING LOCAL GOVERNMENTS TO LEVY AND COLLECT TAXES UNIQUE, DISTINCT AND EXCLUSIVE TO THEM AND TO SPEND THE REVENUES RAISED THEREFROM IN ORDER TO MAKE LOCAL AUTONOMY REALLY MEANINGFUL AND EFFECTIVE.

Introduced by Hon. Treñas.

To the Committee on Local Governments.

Proposed Resolution No. 362, entitled:

RESOLUTION TO INCLUDE A PROVISION IN THE NEW CONSTITUTION DECLARING THAT IT SHALL SUPERSEDE ALL PREVIOUS CONSTITUTIONS.

Introduced by Hon. Suarez and Jamir.

To the Committee on Amendments and Transitory Provisions.

Proposed Resolution No. 363, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION AN ARTICLE VESTING ADMINISTRATIVE SUPERVISION OF INFERIOR COURTS IN THE MINISTRY/DEPARTMENT OF JUSTICE.

Introduced by Hon. Guingona, Abubakar, Bennagen, Rigos, Suarez, Tingson, Uka, Villacorta and Villegas.

To the Committee on the Judiciary.

Proposed Resolution No. 364, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION AN ARTICLE ON THE TERM OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES.

Introduced by Hon. Guingona.

To the Committee on the Legislative.

Proposed Resolution No. 365, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION PROVISIONS ON THE NATIONAL POLICE COMMISSION, THE NATIONAL POLLUTION CONTROL COMMISSION, THE JUDICIAL COMMISSION, THE COMMISSION ON GOOD GOVERNMENT, AND THE COMMISSION ON HUMAN RIGHTS AS ADDITIONAL INDEPENDENT CONSTITUTIONAL COMMISSIONS.

Introduced by Hon. Garcia and Sarmiento.

To the Committee on Constitutional Commissions and Agencies.

Proposed Resolution No. 366, entitled:

RESOLUTION TO PROVIDE IN THE NEW CONSTITUTION THAT ALL KINDS OF IDLE OR ABANDONED LANDS NOT PUT TO APPROPRIATE USE AS DEFINED BY LAW WITHIN FIVE YEARS FROM RATIFICATION OF THE NEW CONSTITUTION SHALL BE FORFEITED IN FAVOR OF THE STATE TO BE DISTRIBUTED TO BENEFICIARIES OF LAND REFORM

Introduced by Hon. Nolloedo.

To the Committee on Social Justice.

Proposed Resolution No. 367, entitled:

RESOLUTION TO PROVIDE IN THE NEW CONSTITUTION THAT THE DEATH PENALTY IMPOSED ON AN ACCUSED MUST BE RESOLVED BY THE SUPREME COURT WITHIN TWO YEARS FROM DATE OF JUDGMENT OTHERWISE THE SAME SHALL BE REDUCED TO LIFE IMPRISONMENT EXCEPT IF THE ACCUSED BY WRITTEN MANIFESTATION INSISTS ON THE RESOLUTION OF HIS PLEA OF INNOCENCE.

Introduced by Hon. Nolloedo.

To the Committee on the Judiciary.

Proposed Resolution No. 368, entitled:

RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION A PROVISION THAT THE STATE SHALL ADOPT A TRADE POLICY THAT WILL GIVE PRIORITY TO THE REQUIREMENTS OF THE DOMESTIC OVER THE EXPORT SECTOR.

Introduced by Hon. Suarez, Jamir and Tadeo.

To the Committee on the National Economy and Patrimony.

Proposed Resolution No. 369, entitled:

RESOLUTION PROPOSING TO GRANT SPECIAL CORPORATIONS THE RIGHT TO ACQUIRE IN OWNERSHIP LANDS OF PUBLIC DOMAIN.

Introduced by Hon. Tingson.

To the Committee on the National Economy and Patrimony.

Proposed Resolution No. 370, entitled:

RESOLUTION RECOGNIZING THE RIGHT OF A CITIZEN TO BOYCOTT AN ELECTION.

Introduced by Hon. Sarmiento.

To the Committee on Citizenship, Bill of Rights, Political Rights and Obligations and Human Rights.

Proposed Resolution No. 371, entitled: