

JOURNAL NO. 100

Saturday, October 4, 1986

CALL TO ORDER

At 10:02 a.m., the President of the Constitutional Commission, the Honorable Cecilia Muñoz Palma called the session to order.

NATIONAL ANTHEM AND PRAYER

The National Anthem was sung followed by a prayer led by Mr. Roberto R. Concepcion, to wit:

Merciful Father, fountain of all good,
As we look in retrospect
At the work of this Commission
During the last four months,
As we assess the magnitude and quality
Of our individual and collective endeavors,
As we ponder on the nature and significance
Of the conflicts and other obstacles
We have solved and surmounted
In the pursuit of our common objective,
We perceive the magnitude of our debt of
gratitude to You
For the beneficent influence of Your grace,
Our complete dependence upon Your
Holy Will
and the bigness of Your Sacred Heart.
We beg You, our Lord and Shepherd to sustain us,
To provide us with further strength
And impart to us the light of Your wisdom
To the end that we may complete the New
Constitution
In line with the demands of a just, humane
and democratic society,
With the honest conviction and collective will
of the Members of this Convention,

And, as far as practicable,
with the general requirements of Constitution
making.

As we approach the end of our undertaking,
With mixed feelings of joy
In the accomplishment of our mission as a
Body,

And with the hope and fervent prayer
That our fundamental law
May effectively contribute
to the stabilization of our government,
the promotion of understanding and unity
among the Filipino people,
and of their welfare and prosperity,
As well as of sorrow at the thought
that this Commission must soon be dissolved
and its Members will part ways,
for each to meet his own destiny.

Oh! Lord of lords; grant us
The grace to reach the finish line
In a spirit of brotherhood and friendship,
Fortified by the feeling
That we have done our level best
for our country and the people,
Bolstered up by the common anxieties
and warm associations,
And the enduring pleasure of being together
in the quest for truth and justice,
for freedom and equality,
and for a lasting peace for all.

For this Constitutional Commission
And its distinguished Officers and Members,
We earnestly pray to our Savior and Redeemer
To extend His bountiful blessings

That their work of love
and devotion to the Fatherland
may merit due recognition from all.
And lastly, please accept my heartfelt gratitude
for the courtesies extended to me by the
Commission and its Officers and particularly
for the expressions of personal consideration
and esteem of my dear Colleagues in this
Body, which I hope to fondly remember and
treasure till the end of my days.
This I ask You, Lord, to grant us.
Amen.

ROLL CALL

Upon direction of the Chair, the Secretary-General of the Commission called the Roll and the following Members responded.

Aquino, F. S.	Ople, B. F.
Azcuna, A. S.	Padilla, A. B
Bernas, J. G.	Muñoz Palma, C
Rosario Braid, F	Quesada, M. L. M
De Castro, C. M	Rama, N. G
Colayco, J. C.	Regalado, F. D
Concepcion, R. R.	Rodrigo, F. A
Davide, H. G.	Romulo, R. J
Foz, V. B.	Sarmiento, R V.
Guingona, S. V.C	Suarez, J. E
Jamir, A. M. K.	Sumulong, L. M
Laurel, J. B.	Tadeo, J. S. L.
Lerum, E. R.	Tan, C.
Maambong, R. E	Uka, L. L
Nieva, M. T. F	Villacorta, W. V.
Nolledo, J. N.	

With 32 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

Abubakar Y. R.	Garcia, E. G.
Alonto. A. D.	Gascon, J. L. M. C.
Bacani, T. C.	Monsod, C. S.
Bengzon, J. F. S	Natividad, T. C
Bennagen, P. L	De los Reyes, R. F
Calderon, J. D	Treñas, E. B

Mr. Rosales was sick.

Mr. Tingson was on official mission.

Mr. Villegas notified the Constitutional Commission, through the Secretariat, of his absence.

READING AND APPROVAL OF THE JOURNAL

On motion of Mr. Rama, there being no objection, the reading of the Journal of the previous session was dispensed with and the said Journal was approved by the Body.

REFERENCE OF BUSINESS

On motion of Mr. Rama, there being no objection, the Body proceeded to the Reference of Business.

REFERRAL TO COMMITTEES OF COMMUNICATIONS

Upon direction of the Chair, the Secretary-General read the titles of the following Communications which were, in turn, referred by the Chair to the Committees hereunder indicated:

Communication No. 1043 — Constitutional Commission of 1986

Letter from former MP Helena Z. T. Benitez, National President, Girl Scouts of the Philippines, 901 Padre Faura, Manila, submitting for consideration of the Constitutional Commission, proposed constitutional provisions concerning the child — its role in nation-building and the promotion of its physical intellectual, moral, emotional, and social well-being.

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 1044 — Constitutional Commission of 1986

Letter from Mr. Gregorio M. Batalla of Sipocot, Camarines Sur, urging the inclusion in the Constitution of a provision that would mandate the government to give salaries to barangay captains

TO THE COMMITTEE ON LOCAL GOVERNMENTS

Communication No. 1045 — Constitutional Commission of 1986

Letter from Ms. Patrocinio del Rosario, President, Aklan Public School Retirees Association, Batan, Aklan, seeking a constitutional provision that would relieve the plight of government retirees, especially the retired public school teachers

TO THE COMMITTEE ON SOCIAL JUSTICE

Communication No. 1046 — Constitutional Commission of 1986

Communication from Mayor Baltazar A. Gimolatan of the Municipality of Liloy, Zamboanga del Norte, transmitting Resolution No. 73 of the Sangguniang Bayan of Liloy, fully supporting Resolution No. 130 of the Sangguniang Panglungsod of the City of Dipolog, proposing the creation of a new region to be composed of the provinces of Zamboanga del Norte, Misamis Occidental, Zamboanga del Sur, the cities of Dipolog, Dapitan, Oroquieta, Ozamis, Tangub, and Pagadian

TO THE COMMITTEE ON THE LEGISLATIVE

Communication No. 1047 — Constitutional Commission of 1986

Letter from Mr. Tomas Crisologo Valeros of San Jose Norte, Manabo, Abra, submitting for consideration by the Constitutional Commission a xerox copy of "Constitution for the Republic of the Philippines", written by himself

TO THE STEERING COMMITTEE

Communication No. 1048 — Constitutional Commission of 1986

Letter from Mr. Manuel A. Argel of Vigan, Ilocos Sur, suggesting that in order to resolve the issue of unicameralism and bicameralism, two questions should be asked in the plebiscite — one

asking for approval of the constitution, and the other, asking for the people's choice between unicameral and bicameral legislature.

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

Communication No. 1049 — Constitutional Commission of 1986

Letter from Mr. Juan J. Angeles of 1842 F. Agoncillo St., Malate, Manila, advocating that the President and the Vice-President should submit themselves to the elections of 1987

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

Communication No. 1050 — Constitutional Commission of 1986

Telegram from Ms. Nelia A. Mitra of Makati Metro Manila, seeking a no-vote on the proposed presidential election

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

Communication No. 1051 — Constitutional Commission of 1986

Letter from Mr. Romulo M. del Rosario, President, DEHECHO, Inc., Manila City Hall, transmitting a resolution adopted by DEHECHO, expressing several concepts on "The Rights and Protection of Children and Youth and the Rights, Responsibilities and Liabilities of Mothers" for possible inclusion in the constitution

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 1052 — Constitutional Commission of 1986

Letter from Mr. Vicente T. Ataviado, Maasin, Southern Leyte, suggesting that in the plebiscite on the proposed constitution, the controversial provisions should be presented separately, with the voters made to choose between two alternatives after voting yes or no on the whole document

TO THE COMMITTEE ON AMENDMENTS AND TRANSITORY PROVISIONS

UNFINISHED BUSINESS: COMMITTEE REPORT NO. 38 ON PROPOSED RESOLUTION NO. 540 ON THE ARTICLE ON TRANSITORY PROVISIONS

On motion of Mr. Rama, there being no objection, the Body resumed consideration, on Second Reading, of the Proposed Resolution No. 540 (Committee Report No. 38), entitled:

Resolution to incorporate in the new Constitution an Article on Transitory Provisions.

Thereupon, the Chair recognized the Chairman and Members of the Committee on Transitory Provisions.

POINT OF INFORMATION OF MR. SUAREZ

Mr. Suarez informed the Chair that in accordance with the arrangement agreed upon, the Members would consider the remaining proposals contained in the Addendum, specifically on:

1. the possible reversion of lands which may have exceeded the allowable ownership limit in the new Constitution, submitted by Mr. Regalado; and
2. the provision on the Declaration of Principles governing foreign military bases.

The second proposal, Mr. Suarez stated, could be taken up later with Section 7 on the tenure of the incumbent President and Vice-President and Section 8 on the Presidential Commission on Good Government which have been deferred.

Thereafter, he asked that the Body proceed to a discussion of new sections being proposed by the Members.