

EN BANC

[G.R. No. 129118, July 19, 2000]

AGRIPINO A. DE GUZMAN, JR., NARCISO M. ARABE, LETICIA T. ENDOMA, ARISTIDES A. RAMOS, PANCHE M. RIVERA, TERESITA A. DE CASTRO, CANDIDA C. HABANA, AZUCENA C. FALCON, MARIA LUZ P. CAEDO, YOLANDA V. RIO, RUBEN S. ANIEVAS, LELISA L. SANCHEZ, VILLARDO A. TRINIDAD, ENRIQUE CH. ZUNIGA, ROMEO A. GONZALES, CASIANO G. ATUEL, JR., GEMMA L. BANARES, PERFECTO T. CAMPOS, ARNULFO A. AGUILAR, RUDOLPH R. MELON, MAGDALENA M. LAO, MARINA GERONA, FLORIANA O. DE GUIA, EMETERIO B. BRUCAL, NILDA C. CONCHA, YOLANDA P. FERMA, TEOTISTA C. ANGKIKO, FRANCISCO V. TRIAS, JENELYN E. ESTERNON, MILAGROS M. ABELLAR, ALICIA T. MOJICA, ELVIRA E. BAYBAY, PRICILLA P. GOLFO, ELISEA M. HIERCO, TERESITA L. DIMACUHA, MYRNA GUILLERMO, GRACIANO R. SAMELA, JR., NIMFA M. LAGASCA, JOSEFINA P. JARENO, NORMA V. ORDENES, FRANCISCO T. SERVANDO, VIOLETA M. ANONUEVO, ALFREDO O. BAYANI, MARIO J. RAMOS, EME FEROLINO, LEONIDES P. COMIA, MILAGROS E. GENEBLAZO, LORNA L. MENORCA, REYNALDO DE LA CRUZ, ROMULO A. FAZ, LIMUEL G. GADO, REY G. FABELLA, DOMINGUITO G. TACASA, IMELDA R.B. ROTONI, TITA FOJA, NOEMI F. CASTRO, LILIA B. CAWALING, ROBERT A. REYES, CONCEPCION H. PARRENO, SERAFIN L. OLMEDO, ADOLFO L. ALLAN, PROSPERO D. CASTRO, ROSELLER C. GAPULAO, GLICERIO B. LAURENTE, BERNICE E. BERNABE, ADINA L. FERNANDEZ, ANITA M. PAALAN, ROSA P. PINOON, INOCENCIA P. DANGUE, JULITA E. MENDOZA, ELENA O. RAMOS, GENE BE BARTE, FLORENCIA Z. MAGANITO, PABLO A. ARGAS, PEDRO S. LUNA, CARMELITA P. LAUREL, VICTORINO I. MARASIGAN, ROMEO M. MENDOZA, JUAN C. MALABANAN, MANUEL B. ABRELI, JOSEPH T. MACAHIYA, LEONOR P. ARADA, JULIA G. PEREZ, MODESTO M. VILLADELREY, ARNULFO Y. FAJILAN, MARLON P. HERRERA, JAIME A. BISCOCHO, MICHAEL D. CASTILLO, MILAGROS H. BAYLOSIS, ARSENIO T. GUSTE, ALFREDO V. ORAYANI, DANTE A. PENAMANTE, ROMEO A. DE CHAVEZ, MANUEL M. ILAGAN, ALFREDO O. MANZA, JR., DOMINGO B. GUNIO, FIDEL V. PALERACIO, VICENTE V. DEL MORO, JUSTINO R. DEQUILLA, ERNESTO A. RUZOL, ROMEO D. DELGADO, ERLINDA P. MAGSINO, VERONICA R. CAMBRONERO, NORMA A. DEQUINA, WELLIE R. RAVINA, CORAZON T. LOPEZ, REMEDIOS R. QUIZON, LORETA E. VERGARA, MELECIA M. ASTRERA, VICENTA R. SAMANTE, HELEN M. CUENTO-BUENDICHO, ANICIA V. MORALES, RISALINA C. GONZALES, ROSARIO CHARITO R. PABELLON, LOLITA L. MALADAGA, MAXIMO A. GLINDO, WILFREDO A. RODELAS, CELSO O. ROGO, RAMON C. VALENCIA,

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UY, JR., JESUS B. LAVA, SENORA C. CALAGOS, RAFAEL A. PAYOD, MACARIO L. CIEGO, SALVADOR T. CRUZ, VIRGINIA V. BESAS, RAUL S. FIGUERDA, EDGAR R. DELOS REYES, TERESO R. ROSEL, JOSE J. MABANGUE, PRIMO D. PALOMO, JOHN C. YANGZON, ROMULO D. JABON, FIDENCIO Z. LA TORRE, JR., LETICIA R. MACARIOLA, CARLOS P. VARELA, JR., ANTONIO L. PEDRAZA, SALVACION A. LAMBAN, LINO L. JAPSON, EUNIA H. VACAL, ANTONIO F. VALDEZ, NATIVIDAD E. PRADO, LORENZO C. MERKA, GAUDIOSO A. RUEGO, ETERIO Z. ABOCEJO, DEMETRIA O. COROLLO, MARIA S. OBEN, ARTHUR V. LEYSON, PEDRO L. AVILA, DOMINADOR S. RODILLA, MARCIAL MAGPATOC, FEDERICO D. BARCELON, EVANGELINE DELA ROSA, ELENO GIL, ARSENIA GARCIA, HUMILDA ALICUM, DIOSDADO CAS, ABRAHAM MASAJOY, SAMUEL ORALLO, AMELIA OLORES, CANDIDO URBANO, LOURDES FRIAS, ROEL SORIANO, EMELDA AGUSTIN, PAQUITO SORIANO, GERMAN BALOLONG, BENJAMIN C. ROSARIO, EFREN BUYA, LEONIDA LEGASPI, TOMAS ABELLA, JR., JOVENCIA CANTO, JUAN DACONO, MIGUEL BAUTISTA, LORNA PASCUAL, FERDINAND BRAGANZA, PRISCILLA PEREZ, ALMA LUZ SORIANO, JUAN VALENCIA, JR., JULIAN APOSTOL, ROSARIO GUICO, BONITA VIDAL, GUIA GARCIA, LEOCADIO GINEZ, CATALINA BANEZ, VERONICA TABILIN, ELVIRA CALSADO, ALIPIO LOPEZ, JOSEPHINE MALANA, PIO ANONUEVO, ELMA DEL ROSARIO, RUFINO FLORES, ANTONIO ORDONEZ, CARMEN CLAVERIA, ESTRELLA RAMOS, PETITIONERS, VS. COMMISSION ON ELECTIONS, RESPONDENT.

D E C I S I O N

PURISIMA, J.:

At bar is a petition for *certiorari* and prohibition with urgent prayer for the issuance of a writ of preliminary injunction and temporary restraining order, assailing the validity of Section 44 of Republic Act No. 8189 (RA 8189) otherwise known as "The Voter's Registration Act of 1996".

RA 8189 was enacted on June 10, 1996 and approved by President Fidel V. Ramos on June 11, 1996. Section 44 thereof provides:

"SEC. 44. *Reassignment of Election Officers.* - No Election Officer shall hold office in a particular city or municipality for more than four (4) years. Any election officer who, either at the time of the approval of this Act or subsequent thereto, has served for at least four (4) years in a particular city or municipality shall automatically be reassigned by the Commission to a new station outside the original congressional district."

By virtue of the aforequoted provision of law, the Commission on Elections (COMELEC) promulgated Resolution Nos. 97-0002^[1] and 97-0610^[2] for the implementation thereof. Thereafter, the COMELEC issued several directives^[3] reassigning the petitioners, who are either City or Municipal Election Officers, to different stations.

Aggrieved by the issuance of the aforesaid directives and resolutions, petitioners found their way to this Court via the present petition assailing the validity of Section 44 of RA 8189, contending that:

I

SECTION 44 OF REPUBLIC ACT NO. 8189 VIOLATES THE 'EQUAL PROTECTION CLAUSE' ENSHRINED IN THE CONSTITUTION;

II

SECTION 44 OF REPUBLIC ACT NO. 8189 VIOLATES THE CONSTITUTIONAL GUARANTEE ON SECURITY OF TENURE OF CIVIL SERVANTS;

III

SECTION 44 OF REPUBLIC ACT NO. 8189 CONSTITUTES A DEPRIVATION OF PROPERTY WITHOUT DUE PROCESS OF LAW;

IV

SECTION 44 OF REPUBLIC ACT NO. 8189 UNDERMINES THE CONSTITUTIONAL INDEPENDENCE OF COMELEC AND COMELEC'S CONSTITUTIONAL AUTHORITY TO NAME, DESIGNATE AND APPOINT AND THEN REASSIGN AND TRANSFER ITS VERY OWN OFFICIALS AND EMPLOYEES;

V

SECTION 44 OF REPUBLIC ACT NO. 8189 CONTRAVENES THE BASIC CONSTITUTIONAL PRECEPT [Article VI, SECTION 26(1), Phil. Constitution] THAT EVERY BILL PASSED BY CONGRESS SHALL EMBRACE ONLY ONE SUBJECT WHICH MUST BE EXPRESSED IN THE TITLE THEREOF; and

VI

SECTION 44 OF REPUBLIC ACT NO. 8189 IS VOID FOR FAILURE TO COMPLY WITH THE CONSTITUTIONAL REQUIREMENT [ARTICLE VI, SECTION 26 (2)] OF THREE READINGS ON SEPARATE DAYS AND DISTRIBUTION OF PRINTED COPIES IN ITS FINAL FORM THREE DAYS BEFORE ITS PASSAGE.

Petitioners' contentions revolve on the pivotal issue, whether Section 44 of RA 8189 is valid and constitutional.

The petition is barren of merit. Section 44 of RA 8189 enjoys the presumption of validity, and the Court discerns no ground to invalidate it.

Petitioners theorize that Section 44 of RA 8189 is violative of the "equal protection clause" of the 1987 Constitution because it singles out the City and Municipal