

**JOURNAL NO. 38**

Thursday, July 24, 1986

CALL TO ORDER

At 9:44 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. Decoroso R. Rosales, to wit:

Almighty and benevolent God, with bowed heads and humble hearts, we fervently beseech Thee to baptize this Assembly with the fire of the Holy Spirit, that we may be enlightened and inspired to formulate a new charter that would truly embody and enshrine the dreams, sentiments, ideals and aspirations of our suffering people. Grant this to us, Oh Most Merciful Lord.

Holy Virgin, Mother of God, at whose behest our Lord, Jesus Christ, performed the first miracle at the wedding celebration in Cana, with bended knees, we pray for Thy Motherly intercession and invoke Thine aid. *Mater Christi, ora pro nobis.*

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.	Quesada, M. L. M.
Bacani T. C.	Rama, N. G.
Bennagen, P.	Regalado, F. D.
L.	
Rosario	De Los Reyes, R. F.
Braid, F.	
Brocka, L. O.	Rigos, C. A.
Calderon, J.	Rodrigo, F. A.
D.	
De Castro,	Romulo, R. J.
C. M.	
Colayco, J.	Rosales, D. R.
C.	
Concepcion,	Sarmiento, R. V.
R. R.	
Davide, H.	Suarez, J. E.

G.	
Foz, V. B.	Sumulong, L. M.
Guingona, S.	Tan, C.
V. C.	
Jamir, A. M.	Tingson, G. J.
K.	
Monsod, C.	Treñas, E. B.
S.	
Nieva, M. T.	Uka, L. L.
F.	
Nolledo, J.	Villacorta, W. V.
N.	
Muñoz	Villegas, B. M.
Palma, G.	

With 34 Members present, the Chair declared the presence of a quorum.

The following Members appeared after the Roll Call:

Abubakar, Y.	Laurel, J. B.
R.	
Alonto, A. D.	Lerum, E. R.
Azcuna, A.	Maambong, R. E.
S.	
Bengzon, J.	Natividad, T. C.
F. S.	
Bernas, J. G.	Ople, B. F.
Garcia, E. G.	Padilla, A. B.
Gascon, J. L.	Tadeo, J. S. L.
M. C.	

On July 11, 1986, Mr. Colayco was on official mission.

#### READING AND APPROVAL OF THE JOURNAL

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

#### REFERRAL TO COMMITTEES OF RESOLUTION

Upon direction of the Chair, the Secretary-General of the Commission read the title of the proposed Resolution which was, in turn, referred by the Chair to the Committee hereunder indicated:

Proposed Resolution No. 532, entitled:

RESOLUTION EXPRESSING THE PROFOUND APPRECIATION OF THE  
CONSTITUTIONAL COMMISSION TO THE NATIONAL MOVEMENT FOR  
FREE ELECTIONS (NAMFREL) FOR THE INVALUABLE ASSISTANCE IN  
ORGANIZING PROVINCIAL CONSULTATIONS

Introduced by Honorable Sarmiento, Villacorta and Quesada

TO THE STEERING COMMITTEE

COMMUNICATIONS

Communication No. 288-Constitutional Commission of 1986

Communication from the (Southern) Philippines Physics Society, signed by its President, Mr. Gerardo C. Maxino, seeking to convert the Philippine Atomic Energy Commission into a constitutional body

TO THE COMMITTEE ON GENERAL PROVISIONS

Communication No. 289 — Constitutional Commission of 1986

Letter from Judge Delilah Vidallon Magtolis of the Metropolitan Trial Court of Metro Manila, Branch XLI, Quezon City, addressed to the Honorable Cirilo A. Rigos, proposing a constitutional provision on the teaching of religion in public elementary schools and high schools

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No 290 — Constitutional Commission of 1986

Letter from Mr. Roque B. Dajao of Mantahan, Maasin, Southern Leyte, proposing a provision to make mandatory the establishment of vocational schools (secondary and college levels) in all capital towns of the country

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 291 — Constitutional Commission of 1986

Letter from the Philippine Chamber of Communications, Inc., signed by Mr. Santiago Morales of Room 525, SMS Bldg., 120 Juan Luna, Binondo, Manila, suggesting a constitutional provision that only citizens of the Philippines shall be allowed to sit in the governing body of any public utility and no foreigner or corporation, association, or any other entity which is not wholly owned by Filipinos shall be allowed to manage, control, administer or operate public utilities

TO THE COMMITTEE ON NATIONAL ECONOMY AND PATRIMONY

Communication No. 292 — Constitutional Commission of 1986

Resolution from the Philippine Federation of Savings and Loan Banks, Inc., Room 306, Puso ng Maynila Bldg., corner U.N. Avenue and Mabini Street, Ermita, Manila, signed by its President, Noli B. Bajada and other Members of the Board of Directors, proposing a constitutional provision which would inculcate credit worthiness in the youth

TO THE COMMITTEE ON HUMAN RESOURCES

Communication No. 293 — Constitutional Commission of 1986

Resolution NO. 07 S. 1986, of the Southern Philippine Muslim Youth Association, c/o P.O. Box 5452, Iligan City, signed by its national Chairman, Datu Camad M. Ali, urging consideration and full implementation of the *Bangsa Moro Autonomous Government* within the framework of the national sovereignty and territorial integrity of the Philippines

TO THE COMMITTEE ON LOCAL GOVERNMENTS

Communication No. 294 — Constitutional Commission of 1986

Letter from Mr. Ernesto P. Tupas of Rosal Grande Sts., TWHA Village, Dumoy, Toril, Davao City, suggesting that the filing and payment of income tax be embodied in the Constitution

TO THE COMMITTEE ON CITIZENSHIP, BILL OF RIGHTS, POLITICAL RIGHTS AND OBLIGATIONS AND HUMAN RIGHTS

Communication No. 295 — Constitutional Commission of 1986

Letter from Mr. Simeon V. Enriquez of 63S-E. A. Mabini St., Caloocan City, Metro Manila, proposing a constitutional provision on social justice

TO THE COMMITTEE ON SOCIAL JUSTICE

Communication No. 296 — Constitutional Commission of 1986

Letter from Ms. Roxanne S. Rodriguez of Naga City, containing her comments and suggestions on the various issues under consideration by the Constitutional Commission

TO THE STEERING COMMITTEE

Communication No. 297 — Constitutional Commission of 1986

Letter from Mr. Santiago R. Merino of 23 Bagtikan St., Pilar Village, Las Piñas, Metro Manila, suggesting, among others, the adoption of the policy of neutrality

TO THE COMMITTEE ON PREAMBLE, NATIONAL TERRITORY AND DECLARATION OF PRINCIPLES

Communication No. 298 — Constitutional Commission of 1986

Communication from LUMAD people, signed by Messrs. Precioso M. Tapitan and Vicente Pedrosa and four others, proposing a policy of neutrality and non-alignment, a bill of political and civil rights, a bill of economic, social and cultural rights, autonomy for the Cordillera and LUMAD and Muslim peoples of Mindanao, and systems of recall and initiative, among others

TO THE STEERING COMMITTEE

Communication No. 299 — Constitutional Commission of 1986

Position of NAMFREL, Pitogo Municipal Chapter, proposing, among others, provisions on the legislature, to wit: four-year term for a bicameral legislature, question hour to include the President, the creation of a commission on appointments, the declaration of martial law for a maximum period of two months after consultation with the legislature and that the President cannot dissolve the legislature

TO THE COMMITTEE ON THE LEGISLATIVE

Communication No. 300 — Constitutional Commission of 1986

Letter from Ms. Charito Apao de la Pena of 749 Capistrano Street, Molave, Zamboanga del Sur, proposing the retention of U.S. military bases for economic and security reasons; a federal form of government and suggesting the principle of self-determination regarding the Sabah issue

TO THE STEERING COMMITTEE

Communication No. 301 — Constitutional Commission of 1986

Letter from Mr. Antonio S. Rodriguez of Baclay, Tukuran, Zamboanga del Sur, suggesting that the Members of the Commission on Elections and the Commission on Audit be appointed by civic and religious groups to make them truly independent

TO THE COMMITTEE ON CONSTITUTIONAL COMMISSIONS AND AGENCIES

Communication No. 302 — Constitutional Commission of 1986

Letter from Mr. Esmeraldo M. Ignacio of 102 Sta. Maria Norte, Binalonan, Pangasinan, suggesting that theft of fruits, root crops, and other vegetables be given a heavier penalty

TO THE COMMITTEE ON CITIZENSHIP, BILL OF RIGHTS, POLITICAL RIGHTS AND OBLIGATIONS AND HUMAN RIGHTS

Communication No. 303 — Constitutional Commission of 1986

Letter from Mr. Arsenio D. Castillo of 14 Loans St., GSIS Village, Project 8, Quezon City, Metro Manila, saying that the present electoral system is the root of the evils and difficulties that now plague the country, and proposing an electoral system whereby the leaders in each barangay shall elect the barangay chairman; the barangay chairmen shall elect the municipal mayor from among themselves; the municipal mayors shall elect the provincial governor from among themselves; and the provincial governors shall elect the President also from among themselves to minimize expenses on the part of the government and the candidates