

[VOL. V, September 29, 1986]

R.C.C. NO. 95

Monday, September 29, 1986

OPENING OF SESSION

At 10:05 a.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 Cirilo A. Rigos.

Everybody remained standing for the Prayer.

PRAYER

REV. RIGOS: O God of truth and justice, as we face the duties of this day, grant us the wisdom to discern whatever is true and good and honorable, and the grace to subordinate our individual judgment to the greater wisdom of the majority. Make us conscious of our responsibility, so that we may act and speak with candor and exemplify in our behavior the dignity and nobility of our position.

As we come closer to the end of our work, may we find happiness in the thought that our labors will not be in vain. Teach us to cherish in our hearts the bond of friendship we have developed in this Commission. Help us transcend our differences without becoming unfaithful to our principles and convictions.

May this day be another fruitful day in the life of the nation and may our participation in the making of this historic event be both meaningful and significant.

We pray in Jesus' name. Amen.

ROLL CALL

THE PRESIDENT: The Secretary-General will call the roll.

THE SECRETARY-GENERAL, *reading*:

Abubakar	Present *	Natividad	Present *
Alonto	Absent	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	Absent	Treñas	Present
Lerum	Present *	Uka	Present
Maambong	Present *	Villacorta	Present
Monsod	Present		

The Secretariat is in receipt of official advice of absence of Commissioner Villegas.

The President is present.

The roll call shows 28 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.

REFERENCES OF BUSINESS

The Secretary-General read the following Communications, the President making the corresponding references:

COMMUNICATIONS

Letter from Mr. Gilberto L. Tizon, Sr. of 229 Del Rosario Street, Ubanon, Catbalogan, Samar, inviting attention to the proliferation of electric cooperatives imposing exorbitant rate.

(Communication No. 1022 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Letter from Ms. Romelita A. de Vera of Maryknoll College Foundation, Diliman, Quezon City, expressing trust and confidence in the able leadership of the President of the Constitutional Commission of 1986, that despite the differences of opinion, the Commission is expected to come up with a good constitution.

(Communication No. 1023 — Constitutional Commission of 1986)

To the Archives.

Letter from Mr. Ramon N. Leuterio of 105 P. Cruz Street, Mandaluyong, Metro Manila, expressing support to the draft Constitution regardless of how it may finally come out, saying that the country needs a Constitution to preserve its democratic institutions.

(Communication No. 1024 — Constitutional Commission of 1986)

To the Archives.

MR. RAMA: Madam President.

THE PRESIDENT: The Floor Leader is recognized.
CONSIDERATION OF PROPOSED RESOLUTION NO. 531
(Article on General Provisions)
Continuation

PERIOD OF AMENDMENTS

MR. RAMA: I move that we continue the consideration of Committee Report No. 31 on the Article on General Provisions.

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

The body will now proceed to the consideration on Second Reading of the Article on General Provisions, and may we request the honorable chairman and members of the committee to please come forward and occupy the front table.

MR. RAMA: Madam President, I ask that Commissioner Padilla be recognized to present an amendment to the first paragraph of Section 11.

THE PRESIDENT: The Vice-President is recognized.

MR. PADILLA: Madam President, Section 11(1) lines 7 to 11 on page 3 of the committee report is a substantial reproduction of Article XV, Section 7(1) of the 1973 Constitution, but the committee added the words "control" and "of any form" on line 8. My proposal is to restore the provision of the 1973 Constitution which reads: "The ownership and management of mass media shall be limited to citizens of the Philippines or to corporations, COOPERATIVES, or associations wholly owned and managed by such citizens."

MS. ROSARIO BRAID: The committee accepts the amendment.

MR. PADILLA: Thank you very much.

MR. RAMA: Madam President, there are no more registered proponents of amendments to Section 11(1). So, may I ask that we take a vote on this.

MR. DAVIDE: Madam President.

THE PRESIDENT: Commissioner Davide is recognized.

MR. DAVIDE: Section 11 has three paragraphs. We will be voting only on the first paragraph because I have an amendment to the second paragraph.

THE PRESIDENT: May we know if the succeeding paragraphs have no relation at all

to Section 11(1)?

MR. DAVIDE: There is none.

THE PRESIDENT: Commissioner Rosario Braid, can a vote be made separately on paragraph 1 without considering paragraphs 2 and 3?

MS. ROSARIO BRAID: Yes, Madam President. Subsection 1 of Section 11(1) is independent. So we can vote on it.

May I request Commissioner Padilla to read the amended Section 11(1)?

MR. PADILLA: Section 11(1) will read: "The ownership AND management of mass media shall be limited to citizens of the Philippines, or to corporations, COOPERATIVES or associations wholly owned and managed by such citizens."

In other words, it is a readoption of the provision in the 1973 Constitution. This was accepted by the committee, and I think the Chair will just ask whether there is any objection. If there is no objection, the body need not vote anymore.

MR. RODRIGO: Madam President.

THE PRESIDENT: Commissioner Rodrigo is recognized.

MR. RODRIGO: I just want to call attention to the fact that it is not a verbatim reproduction of the provision in the 1973 Constitution because the word "COOPERATIVES" has been added. But I have no objection to that.

MS. ROSARIO BRAID: Yes, Madam President. There is one word added here and that is "COOPERATIVES." So, I hope the body will approve of that word added to the original 1973 Constitution.

MR. RAMA: There is no objection on the part of Commissioner Padilla.

THE PRESIDENT: Is there any objection to Section 11(1) as amended? (*Silence*) The Chair hears none; the amendment is approved.

MR. RAMA: Madam President, I ask that Commissioner Jamir be recognized to amend the second and third paragraphs.

THE PRESIDENT: Commissioner Jamir is recognized.

MR. JAMIR: Madam President, I move to delete lines 12 to 18 on page 3 of the committee draft which consist of two paragraphs. May I know the response of the committee?

MR. FOZ: Madam President.

THE PRESIDENT: Commissioner Foz is recognized.

MR. FOZ: Madam President, I was made to understand that this motion to delete these two paragraphs, if approved by the body, will not preclude further