

# [ VOL. III, August 14, 1986 ]

## R.C.C. NO. 56

Thursday, August 14, 1986

### OPENING OF SESSION

*At 9:49 a.m., the Vice-President, the Honorable Ambrosio B. Padilla, opened the session.*

THE VICE-PRESIDENT: The session is called to order.

### NATIONAL ANTHEM

THE VICE-PRESIDENT: Everybody will please rise to sing the National Anthem.

*Everybody rose to sing the National Anthem.*

THE VICE-PRESIDENT: Everybody will please remain standing for the Prayer to be led by the Honorable Jose C. Colayco.

*Everybody remained standing for the Prayer.*

### PRAYER

MR. COLAYCO: Dear Lord and Heavenly Father, when we assumed office on June 2, 1986, we solemnly swore to perform our task of framing a new constitution that will embody the ideals and aspirations of our people, and guarantee the enjoyment of our people's freedom from tyranny and oppression for generations to come. We were then eager and able to do what had to be done. It has been more than two months now since we made that promise. We reaffirm it now.

The task is tremendous, but we have not spared study, time and diligence to accomplish what we have set out to do. In the process, some of us, including Your humble servant, are beginning to falter and to fall behind. Others have had to drop back out of strain and sheer fatigue and exhaustion. Our spirit is faltering; our health weakening. We need Your help.

We beseech You, dear Lord, restore our energy and rekindle our spirit, so that we can carry on and resume our assigned task to its final and successful completion. Amen.

### ROLL CALL

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

THE SECRETARY-GENERAL, *reading*:

Abubakar	Present <sup>*</sup>	Natividad	Present <sup>*</sup>
Alonto	Present	Nieva	Absent
Aquino	Present	Nolledo	Present <sup>*</sup>
Azcuna	Present	Ople	Present <sup>*</sup>
Bengzon	Present <sup>*</sup>	Padilla	Present

Bennagen	Present	Quesada	Present <sup>*</sup>
Bernas	Present <sup>*</sup>	Rama	Present
Rosario Braid	Present	Regalado	Absent
Brocka	Present <sup>*</sup>	Reyes de los	Present <sup>*</sup>
Calderon	Present	Rigos	Present
Castro de	Present	Rodrigo	Present
Colayco	Present	Romulo	Present
Concepcion	Present	Rosales	Present
Davide	Present	Sarmiento	Present <sup>*</sup>
Foz	Present	Suarez	Present
Garcia	Present <sup>*</sup>	Sumulong	Present
Gascon	Present <sup>*</sup>	Tadeo	Present
Guingona	Absent	Tan	Present
Jamir	Present	Tingson	Present
Laurel	Present	Treñas	Present
Lerum	Present <sup>*</sup>	Uka	Present
Maambong	Present <sup>*</sup>	Villacorta	Present
Monsod	Present <sup>*</sup>	Villegas	Present

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

The President is absent.

The roll call shows 28 Members responded to the call.

THE VICE-PRESIDENT: The Chair declares the presence of a quorum.

The Assistant Floor Leader is recognized.

MR. CALDERON: Mr. Vice-President, I move that we dispense with the reading of the Journal of the previous session.

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

#### APPROVAL OF JOURNAL

MR. CALDERON: Mr. Vice-President, I move that we approve the Journal of yesterday's session.

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

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

THE VICE-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 Communications and Committee Report, the Vice-President making the corresponding references:*

### COMMUNICATIONS

Communication from Mr. Geronimo A. Carreon of 263 Turingan Street, Santiago, Isabela, proposing that teachers should not be compelled to perform election duties; civil service employees should be on equal footing with the military personnel when it comes to retirement; age limit should be required of candidates for president and vice-president, among others.

(Communication No. 538 — Constitutional Commission of 1986)

To the Steering Committee.

Communication from Rev. Paul B. Marx, O.S.B., of 418 C Street, N.E., Washington, D.C. 2002, saying that if abortion is legalized, it becomes a primary means of birth control; some people will not even bother with the use of contraception; young people will have increasing irresponsible sexual intercourse because they know they can always get rid of it, but expressing the hope that the new Constitution will contain protection for the unborn from the moment of conception.

(Communication No. 539 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

Communication from Mr. Ric C. Rubia of Claveria, Masbate, transmitting Resolution No. 86-55 of the Sangguniang Bayan of Claveria, requesting the transfer from the Philippine Gamefowl Commission to the local executives the power to issue cockpit license and permit.

(Communication No. 540 — Constitutional Commission of 1986)

To the Committee on Local Governments.

Communication from the European Chamber of Commerce of the Philippines, signed by its President. Arthur G.D. Gilmour, 3rd Floor Electra House, 115-117 Esteban St., Legaspi Village, Makati, Metro Manila, urging the retention of the current 60/40 restrictions on foreign participation in the area of telecommunications and expressing apprehension that further reduction of foreign equity ceiling might dampen the enthusiasm for additional investment and subsequently create an unnecessary gap in the overall development of the telecommunications industry.

(Communication No. 541 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Communication from Mr. Benjamin M. Orteza of Butuan City, transmitting Resolution No. 47-86 of the Sangguniang Panlungsod of Butuan, seeking to incorporate in the Constitution the following proposals: (1) that the State shall limit the exploitation, development and use of the country's natural resources to natural-born Filipinos; (2) that salvaging, torture, hamletting, zoning, food blockade and similar acts in any form shall in all cases be prohibited and shall be punishable by law; (3) that the State shall provide free elementary and secondary education; and (4) that youth

and student organizations' right and freedom to sympathize with the people's struggle shall not be stifled or suppressed.

(Communication No. 542 — Constitutional Commission of 1986)

To the Steering Committee.

Communication from Mr. Oswaldo Bacarza of Dipolog City and sixty-one (61) other signatories expressing strong support to the following: (1) enshrinement of health as a basic human right; (2) nationalization of the drug industry; (3) creation of people's congresses and sectoral consultative committees to enshrine people's participation in policy and decision-making processes of the State; (4) prioritization of health and other social services; (5) enactment of laws to promote better mother-child health; and (6) respect for the right of privacy between patients and doctors, among others.

(Communication No. 543 — Constitutional Commission of 1986)

To the Committee on Social Justice.

Letter from Mr. Leandro I. Verceles, Suite 612/614 Manila Hilton, United Nations Avenue, Manila, submitting, in behalf of the Philippine Council for Foreign Relations, Inc., proposals in respect to some provisions of the proposed Constitution, specifically on foreign military bases in the Philippines.

(Communication No. 544 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

Letter from Mr. Elly Velez Pamatong of Room 600, VIP Building, 1140 Roxas Blvd., Ermita, Manila, submitting his suggestions on Declaration of Principles for consideration by the Constitutional Commission.

(Communication No. 545 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

Resolution 67-68 of the Sangguniang Panlungsod of Butuan City, signed by City Mayor-Designate Guillermo R. Sanchez and other city officials, expressing support to the approved resolution of the Committee on Amendments and Transitory Provisions, fixing the term of office of President Corazon C. Aquino and Vice-President Salvador H. Laurel for a period of six years counted from February 25, 1986.

(Communication No. 546 — Constitutional Commission of 1986)

To the Committee on Amendments and Transitory Provisions.

Telemessage from the Association of Philippine Physicians in America seeking the amendment of Section 7 of Proposed Resolution No. 496 so as to allow a natural-born citizen of the Philippines who has lost his Philippine citizenship to be a transferee of private lands.

(Communication No. 547 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

Communication from Ms. Ruth B. Duran of Pagadian City, transmitting Resolution No. 106 of the Sangguniang Panlungsod of Pagadian City, expressing resentment over the lack of recognition extended to the City Chief Executive by the sponsors/organizers of the Baganian-wide Dialogue on Human Rights held at Pagadian City on June 26, 1986, and the ConCom public hearing held on July 12, 1986 where no Mayor's permit was secured for the purpose.

(Communication No. 548 — Constitutional Commission of 1986)

To the Steering Committee.

One hundred eighty-six letters from students of the Infant Jesus Academy, Silang, Cavite, all seeking to include in the Constitution the following proposals: (1) a No-U.S. Military Bases Agreement; (2) an anti-nuclear power plant; (3) the promotion of Philippine sovereignty over our natural resources; and (4) a No-U.S. or any foreign intervention on Philippine affairs.

(Communication No. 549 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

Communication from Mr. Rodolfo V. Revilla, Jr. of the Forestry Development Center, U.P. College of Forestry, Los Baños, Laguna, seeking for the inclusion in the Constitution a basic statement on the need to conserve our natural resources, and to exempt from the provision that leases for exploration of natural resources be limited to a maximum of twenty-five years, renewable for not more than twenty-five years.

(Communication No. 550 — Constitutional Commission of 1986)

To the Committee on the National Economy and Patrimony.

One hundred three letters with four thousand eight hundred fifty-one signatories with their respective addresses, all seeking to include in the Constitution a provision obliging the State to protect the life of the unborn from the moment of conception.

(Communication No. 551 — Constitutional Commission of 1986)

To the Committee on Preamble, National Territory, and Declaration of Principles.

#### COMMITTEE REPORT

Committee Report No. 38 on Proposed Resolution No. 540, prepared by the Committee on Amendments and Transitory Provisions, entitled:

#### RESOLUTION TO INCORPORATE IN THE NEW CONSTITUTION AN ARTICLE ON TRANSITORY PROVISIONS,

recommending its approval in substitution of Proposed Resolution Nos. 111, 120, 129, 137, 149, 214, 241, 254, 262, 285, 294, 348, 67, 362, 427, 443, 458, 461, 462, 463, 464, 473, 474, 475, 476, 483, 484, 485, 487, 490, 492, 494, 503, 527 and 529.

Sponsored by Hon. Suarez, Ople, Padilla, de Castro, Foz, Maambong, de los Reyes, Jr., Tingson, Lerum, Sarmiento and Tan.

Cosponsored by Hon. Natividad, Jamir and Davide, Jr.