

Title: Engr. Oscar A. Marmeto vs. Commission on Elections (COMELEC)

Facts:

Engr. Oscar A. Marmeto, representing the Muntinlupa People Power (MPP), an informal group of Muntinlupa City residents and voters, sought to pass a proposed ordinance via local initiative. The ordinance aimed to establish a sectoral council and allocate P200 million for livelihood projects benefiting Muntinlupa citizens. After the Sangguniang Panlungsod of Muntinlupa failed to act on the proposal within 30 days, Marmeto filed a petition for initiative under the Local Government Code of 1991 (LGC), but encountered negative resolutions from the COMELEC citing reasons such as the propositions being beyond the powers of the Sanggunian to enact, and later, the lack of budgetary appropriation for the initiative. Marmeto filed a second similar petition, which was also not favorably acted upon, prompting a subsequent second initiative petition. The COMELEC ultimately dismissed Marmeto's second initiative petition due to lack of budgetary allocation. Marmeto filed certiorari and mandamus petition against this COMELEC resolution.

Issues:

1. Whether the COMELEC has the duty to conduct the initiative proceedings regardless of budgetary allocation.
2. Whether the COMELEC can review the content of an initiative petition, specifically assessing whether the propositions are within the powers of the concerned local legislative body to enact.

Court's Decision:

The Supreme Court dismissed Marmeto's petition. The Court considered its previous ruling in *Goh v. Hon. Bayron*, concluding that a budgetary allocation for "Conduct and supervision of elections, referenda, recall votes and plebiscites" in the FY 2014 General Appropriations Act was specific enough to fund the conduct of initiative and see no reason why it could not be augmented from the COMELEC's savings for an initiative exercise.

However, the Court agreed with the COMELEC's ability to determine whether the propositions in an initiative petition are within the legal powers of a local legislative body to enact, citing the *Subic Bay Metropolitan Authority v. Commission on Elections* that allows the COMELEC to adjudicate proposals even as to content. Considering this, the Court affirmed the COMELEC's decision, holding that the propositions in Marmeto's petition overstepped the legal bounds of the Sangguniang Panlungsod of Muntinlupa.

Doctrine:

1. The COMELEC's mandated duty to supervise and conduct elections, recall votes, referenda, and initiatives cannot be evaded by claims of unavailability of funds, provided that there is an appropriation item in the General Appropriations Act that could be augmented from existing COMELEC savings.
2. The COMELEC, as part of its quasi-judicial functions, has the authority to determine the propriety of propositions in an initiative petition, specifically assessing their conformity with the powers vested in the concerned local legislative body.

Historical Background:

The case underscores the balance between direct democracy mechanisms such as initiative and the supervisory role of the COMELEC in ensuring that propositions respected the limits of local legislative powers as specified in the LGC. It reaffirmed the Court's role in safeguarding the mechanisms for people's direct participation in governance, such as through initiatives, while respecting the administrative body's discretion in preliminary reviews of such legislative endeavors. The decision arises in the context of evolving jurisprudence contemplating the proper extent and limitations of direct democracy tools and the administrative body's roles in a representative democracy.