

On My Mind

9/15/00

The *Pacific Daily News* reported earlier this week that a District Court - presumably, the U.S. District Court for the District of Puerto Rico - has ruled that Puerto Ricans have the right to vote for president. I could not find the ruling on the internet, so am not really sure what the ruling means - how it should be interpreted. It's possible that all it means is that the people have a right to cast their vote - not that their votes must be counted in determining who is elected president.

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The votes that are counted for determining who is elected president are not those cast at the ballot box by the voters. Those votes actually elect representatives, or electors, to a body defined by the U.S. Constitution as the electoral college. Each state gets as many electors to the electoral college as it has members in the U.S. House of Representatives and the U.S. Senate. It is the electors who then cast the vote for president and vice-president.

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It's always been my understanding that the reason the CNMI, Guam, Puerto Rico, the Virgin Islands, American Samoa and the District of Columbia do not, and cannot, vote for president is because they do not have full voting membership/representation in Congress, and therefore don't have members in the electoral college.

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It will be interesting to see whether, and if so, how, a way has been found to circumvent present-day restrictions on the entities' eligibility to vote for president.

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In the CNMI, a constitutional amendment has been proposed that would separate the process of voting for senators, representatives and other government officials from the process of voting for constitutional amendments. Local Initiative 12-4 would require that votes on constitutional amendments be held 90 days after the amendment has been certified by the Attorney General's office, and not have to wait until the next general election.

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The option of holding a special election in order to vote on constitutional amendments already exists in the Constitution. What this amendment would do is make it mandatory that all amendments be voted on during special elections.

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While holding a separate election for voting on constitutional amendments would create an additional expenditure since all the procedures for voting in a general election would have to be repeated for voting on an amendment, and while there is no guarantee that as many people would show up to vote on a constitutional amendment as show up to vote for public officials, Local Initiative 12-4 is probably a good idea.

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A separate balloting for constitutional amendments would focus people's attention on the issues presented by the proposed amendments. Even though there probably would be fewer voters casting their ballot, those that did vote would, presumably, not be voting in a misguided sense of

loyalty to their party, but because they supported the intent of the amendment. And without the media blitz of political campaign posters, speeches, ads, pocket parties, etc., more attention would, one would hope, be given to providing information and education on the impact of the amendment.

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The responsibility for providing public education on proposed amendments has never been defined, however. Perhaps this Local Initiative could solve that dilemma, and include an assignment of responsibility for the education of the public on the pros and cons of amendments proposed to the constitution.

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Speaking of voting, wouldn't it be nice if the CNMI legislature finally got around to acting on the proposed changes to CNMI election law? One provision that sorely needs change, in my opinion, is the present residency requirement. As it now stands, an eligible voter needs only to have been in residence for 45 days in order to vote. That just isn't time enough to grasp the significance of the CNMI's unique Covenant status, to decipher the interrelatedness of people, to understand the distinctions between parties, to be able cast a meaningful and intelligent vote.

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Fortunately, newcomers don't arrive in large numbers at one time - except at the beginning of the school year. And fortunately, there aren't all that many, even then. But when less than a hundred votes can make a difference in who gets elected to the legislature or the Board of Education, for example, how much those voters know and understand becomes a critical issue.

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Numerous bills to improve the electoral process have been introduced over the last several years.

With general elections a year away, there's still time to enact those improvements and have them go into effect before the next election.

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Unfortunately, the changes proposed so far would not prevent a gubernatorial candidate from choosing a newspaper publisher as his campaign manager - as is now the case. But with a year to go, a provision prohibiting such flagrant conflicts of interest in the future could still be added.....

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An amendment to present law that has already passed the House and is in the Senate for review is not, however, such a good idea. That's House Bill 12-212, proposing the establishment of "shooting resorts" as tourist attractions.

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Despite the lure of a \$10 million investment for construction of such a resort on both Rota and Saipan, objection to the proposal seems to be growing. Notwithstanding the bill's provisions for weapon control, and the Rota mayor's assurances that such controls would be effective, more

realistic members of the community insist that the controls simply will not work.

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It's inevitable that handguns and ammunition brought in by such a project will become easily available to the criminal element, say opponents, and that will trigger an equally inevitable increase in their use in the commission of crime - from theft and burglary to reckless shooting of hapless victims.

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There is, of course, also the question of what kind of people such "shooting resorts" would bring to the CNMI - as operators of the resorts, as customers. And what kind of impression this would give to tourists - particularly the Japanese - as concerned as they are with personal safety.

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Ten million dollars is a lot of money, but only if it brings positive value to the CNMI. To apply Bill Stewart's criteria, desirable tourist and/or economic developments should enhance the beauty, protect the environment, of the CNMI; should create compatible jobs; should pay taxes rather than be exempt; should diversify the economy. Shooting resorts do not have a positive value. Nor do they meet Stewart's criteria. Let's hope the legislature comes to its senses and rejects this not-so-benign offer.

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In Palau, there's talk of development of a lumber industry. A Japanese firm is proposing to establish a logging and construction business in Aimwliik state. Doesn't seem like there'd be enough trees in Palau to support such a business for very long. But perhaps if the company would agree to plant a tree for every tree it cut down, logging might become an environment-friendly and sustainable industry?

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I find the renewed talk of a de-salination plant for Saipan depressing, in that the rhetoric still calls for charging the direct beneficiaries of de-salination for the cost of providing extra water to the area. Is the rhetoric the fault of lazy reporters just repeating old stories, or could it be that policy makers still can't grasp the idea that an increase in the water supply benefits all users of the water system, and therefore the cost of providing it should be borne by all users, not just those directly served by the new plant?

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After all, users aren't charged for the cost of new wells in their immediate area. Why should only immediate area users be charged for the cost of a de-salination plant?