

On My Mind  
11/15/02

Times are bad. Nevertheless there are a few encouraging signs here and there. Foremost, perhaps, is the Environmental Interagency Cleanup Operations Team's attack on drainage system problems in Garapan which have been an on-going source of lagoon pollution, street flooding, and gutters full of unhealthy debris. Without either an executive order or an actual law or appropriation, or even formal protests, a group of government agencies - together with the hotel association - has voluntarily gotten together and has begun, this week, to take action on the long-standing problem.

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Both the House and the Senate have actually begun to take a critical look at the flood of bills - more than 200 in the House, 107 in the Senate - already filed in this session of the Legislature. At the House, there's even noise about separating "good" bills from "bad."

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Representative Stanley T. Torres is proposing that instead of forming yet another government agency, the monitoring of the garment industry can be done in other ways, by involving "external and independent cause-oriented interests" instead.

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The Department of Lands and Natural Resources Secretary has called a meeting of all those doing business in Lower Base to discuss cleaning up and reducing pollution in the area.

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The Coastal Resource Management Office has denied a permit for "Wilson staff housing" in Garapan to L&T Co.

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Despite shenanigans - not to mention significant budgetary issues - elsewhere, in other words, it does look like some people in some areas of government do have integrity, do have courage and common sense, are taking positive and meaningful action.

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Unlike our governor, who has again put his foot in his mouth not once, but twice, in the past week. First there was the apparent knee-jerk reaction in support of Rota Mayor Benjamin T. Manglona in regard to critical habitat for the Marianas Crow. Without any indication that the governor bothered to inquire into what the designation "critical habitat" really means, or bothered to meet with government officials to work out acceptable limits to the designation, the governor told the U.S. Department of Fish and Wildlife that 'any critical habitat proposal [in Rota] will potentially impede the island's development projects.'

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On the contrary, U.S. Fish and Wildlife Service's own statement, taken from its web site, states that critical habitat designation does NOT affect all activities that occur with the designated site. "Only activities that involve a Federal permit, license, or funding, *and* are likely to destroy or adversely modify the area of critical habitat will be affected. (emphasis added)

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"If this is the case, we [U.S. F&WS] will work with the Federal agency and, where appropriate, private or other landowners to amend their project to allow it to proceed without adversely

affecting the critical habitat. Thus, most Federal projects are likely to go forward, but some will be modified to minimize harm to critical habitat,," reads the agency's statement.

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If he really supports the Rota mayor and his interest in economic development as well as eco-tourism, the governor might better suggest to the mayor that neither is uncontrolled economic development compatible with eco-tourism, nor is ignoring such things as habitat concerns the best way to achieve it.

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The second occasion was the governor's veto of Public Law 13-126, supposedly the product of combined efforts by the legislature, the office of the governor and the office of the attorney-general to "correct" the problems created by P.L. 13-1. P.L. 13-1, which, it will be recalled, was drafted by the governor and meekly passed by both houses, wreaked havoc on the CNMI's civil service system by giving the governor increased power over personnel hirings, among other things.

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In contrast to most veto transmittal messages, the governor's gave no reason for the veto, except to say it was based on the legal analysis provided by the Attorney-General's office, which, however, was not attached. Information regarding the analysis has not been forthcoming - my call to the AG's office was not returned, and neither paper has apparently learned of the reasons either. Curious.

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Particularly in the face of the law suit that has now been filed against the governor by the Civil Service Commission - itself, apparently, mired in controversy - the governor's veto, together with his lack of explanation, would seem ill-advised at best.

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Peter Callaghan, the governor's new public information officer, sure has his work cut out for him!

The disappointment in the governor's performance to date - particularly in light of his inspirational inauguration speech - seems to grow more widespread every day. It will be interesting to see whether Callaghan will be able to turn around the public's general perception that the governor does not appear to have accomplished very much since taking office other than routinely getting his picture in the paper performing some insubstantial and ceremonial ritual or other.

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On the other hand, should Callaghan fail to change our perception, how will we know whether the failure is due to his, or the governor's, incompetence?

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While it is encouraging to see that both houses of the legislature are apparently trying to take steps to prioritize the flood of bills clogging their respective committee calendars, it is disappointing to note that the press still seems to hold to the belief that the more bills a member introduces, the more effective the member is.

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The press reports have indicated, it is true, how many bills introduced by each member have become law, but the more obvious statistic remains how many each member introduced. Since many bills are what could be called "private interest" bills, many are rashly conceived and poorly written, and many others are but duplicates of those already introduced in either house, the total number should not be viewed as a measure of anything other than verbosity, if you will. The true test may not even be whether the bill becomes law, because the act of passage does not necessarily cure a bill's shortcomings. A better test is whether it achieves a necessary and worthwhile purpose.

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The immediate motive for screening bills is said to be the need to give priority to those that generate revenue. Wouldn't it be nice if the screening went further, and also gave due priority to bills that were both affordable and promoted the general welfare?

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Short takes:

The disagreement between the Commonwealth Ports Authority and the Marianas Public Lands Authority over public land in the Puerto Rico area is interesting, to say the least. The CPA has asked MPLA to give it fee simple ownership of the land in question (from the Kaiser cement plant to the Army Reserve installation). MPLA, on the other hand, has told CPA it would be happy to lease the land to CPA, but is not willing to let go of it entirely.

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The CPA claims it needs the income it can generate from the land for its survival. The MPLA, on the other hand, claims it is entitled to whatever income can be obtained from the land in question.

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More important than the money, however, is the issue of who will hold title to the land. Since it is public land - of which there is an ever diminishing amount - control of the land should stay with the MPLA. Which is not to say that either agency has such a sterling record of stewardship.....

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The logic of putting the new film office under the Marianas Visitors Authority escapes me. Is the assumption that all films expected to be made here will relate to tourism? What a narrow interpretation of the office's potential! Film is a medium of information. As such, its handling more appropriately belongs under the public information officer.

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Given the vast range of films that could be made here - from commercials and investor come-ons to news features and full-length movies - a critical component will be the accuracy of the information conveyed by the film. MVA does not even do well with selling the CNMI to tourists. Can it be relied upon to monitor how others portray the CNMI to the rest of the world?

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Of course, the MVA probably can be relied upon to find funds for the office more easily than can the administration. But that may turn out to be too high a price to pay.