

On My Mind
5/9/03

Even though this year's State of the Commonwealth report and State of the Washington Office report weren't all that inspiring or informative, they nevertheless do serve a useful function - they serve as a reminder that the electorate expects its top two elected officials to be publicly accountable.

Unfortunately, the only means of holding legislators publicly accountable is by electing or rejecting them at the polls every two years. Maybe its about time that a different mechanism was found, so that it wouldn't be necessary to wait so long for an assessment of their effectiveness. At year's end, the media occasionally report the number of bills submitted by each member of the legislature, but that is hardly a measure of effectiveness. Too many of such bills are hardly worth the paper they're written on. More telling would be a list of the number of bills submitted that actually became law.

It is, however, rather arbitrary to measure a legislator's effectiveness only by the number of laws he or she may have initiated. A legislator may be an effective floor leader, a productive committee chairman, a helpful lobbyist on another's bill. Besides, others are usually are involved in the process of translating an idea into a bill, getting the bill introduced, maneuvering it through committee, getting it back on the floor and accepted, getting it favorably voted on by the other house and signed off on by the governor.

What's needed is some way of assessing the cumulative effectiveness of the legislators in each house of the legislature. It would be interesting to hear a "State of the Senate" or "State of the House" message once a year as well. Unfortunately, since it would take passage of a law to make that happen, and the likelihood of those two bodies imposing such a requirement on themselves is remote at best, there's little chance of something like that ever happening.

There's a certain imbalance, though, in being given a state of the commonwealth speech without a state of the legislature speech, particularly when the success of one is so dependent on the actions of the other.

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Marianas Public Land Authority Commissioner Henry S. Hofschneider has it right when he says that the CNMI Constitution does not mandate that the homestead program go on in perpetuity. The CNMI Constitution says, in Article XI, Section 5, "The corporation shall make available some portion of the public lands for a homestead program." And that is all it says about either how long the program should be in effect, or how much public land should be used for homesteads.

Those who argue that the homestead program should not be ended are simply not being realistic. The amount of available land in the CNMI is finite. There is no way that a homestead program can go on and on and accommodate each new generation's claimants. Land does not expand.

The idea of using Tinian or Rota land to meet Saipan homestead needs is creative, but the likelihood of abuse of the program is too high. Unless very stringent requirements were tied to the program, it is not difficult to imagine those eligible for a Saipan homestead claiming a homestead on Tinian or Rota, building the required house, and then simply renting it out. It is more difficult to imagine those eligible for a Saipan homestead actually moving to Tinian or Rota on a permanent basis.

Using the Northern Islands has problems of a different sort. The cost - of preparing homestead lots and of installing the infrastructure required to maintain residency there - would be astronomical. The CNMI does not now have the resources to undertake a project of that magnitude, and it is unclear whether it ever will.

Providing condominiums is a short term option, but doing so merely postpones the inevitable: at some point there simply will not be any more land for use as residences. There is also the problem of forcing people to live in apartment-type settings.

Nor does it make sense to use every last bit of public land for homesteads. Public land has many uses, many purposes - of which homesteads is only one. It is irresponsible to consume all public lands without any attention to the needs of future generations.

The only solution is to accept reality - that the end of the homestead program is inevitable - and then to plan for the best way to bring that about in an equitable manner. As part of that effort, it might be useful to re-examine the legitimacy of past claims to homesteads and to reclaim those that were improperly awarded. The coconut wireless overflows with stories of people given homesteads who were not eligible; there are tales, too, of others who rented out their homesteads long before it was permissible to do so. They should not be allowed to hold public land when there are others whose claim is legitimate.

MPLA might also want to consider dormant leases to developers. Maybe those lands should be reclaimed as well. Whether they'd be appropriate as homesteads is, of course, a different question.

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Short takes: The childish behavior of our illustrious leader in regard to France, Mexico and others who did not support the war in Iraq is painfully embarrassing. (Bush has said France's leader is no longer welcome at his Texas ranch; he has snubbed Mexico's leader as well.) No other president has been so petty, so immature.

It is true that the U.S., because it is geographically isolated and has no hostile borders - much like an island - has never been forced to placate other countries. But no other president has taken this to the extreme that Bush has, and been as arrogant, as insensitive to the concerns of other countries, as contemptuous of the UN and its cooperative outlook.

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When Telesource requested a change order to its contract so it could use the power plant it built on Tinian as collateral for a loan from the Bank of Kuwait, questions were raised as to what the loan would be used for. It seemed that the Tinian power plant could be at risk if Telesource ever defaulted in paying back its loan. Now the Attorney General's office has approved the change order - and there is still no information as to just why the loan is needed, and for what.

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The Marianas Public Land Authority did a disservice to the Commonwealth when it signed a Memorandum of Understanding with the U.S. Navy for use of parts of Anatahan. Not only was there no coordination with the Department of Natural Resources and its Coastal Resource Management Office and Division of Fish and Wildlife, or the mayor of the Northern Islands, but neither, apparently, was any thought given to assessing any kind of a quid pro quo for use of the CNMI's very limited public land.

Now the U.S. Navy wants to use Pagan as well. In light of conservation efforts on Pagan by the Division of Fish and Wildlife, it would seem critical that the DFW be involved in whatever agreement is reached. And what does the CNMI get in return? Who is it up to, to make sure that the MPLA, entrusted with the CNMI's public lands, exercises its stewardship responsibly?

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The <I>Tribune's</I> Sunday columnist, Don Farrell, wrote that what Governor Babauta had actually said in his State of the Commonwealth speech was that the state of the CNMI was strong, not that the economy was strong. Since Farrell based his claim on listening to the speech twice, I'm inclined to accept his word. Which doesn't say much for either my listening skills or those of whoever it was that was responsible for the <I>Tribune's</I> headline the next day.

Regardless of the difference in choice of words, the fact remains that the claim that the Commonwealth is in a "pretty good state" is no more valid than the claim that its economy is strong. Severe financial problems exist. That does not make for a good state of affairs.

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My apologies for the missing url for the <I>Tribune</I> in last week's column. It fell off the screen in the transition from my word processor to web input page. The url is " www.saipantribune.com".