

On My Mind

8/22/03

Has the 13<sup>th</sup> Legislature really been a “do-nothing” legislature? Not necessarily. Comparing its productivity - and, presumably, it is the number of laws passed that offers the easiest, if not the best, indicator of industriousness - to that of the Eighth Legislature ten years ago, (the record of which I recently accidentally came across) the numbers don't look all that bad. One should bear in mind that while all appearances are that this Legislature, thanks to the Senate's intransigence, has stopped performing, there are still four months left in this session, and the figures for the Eighth Legislature are for its full term.

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The total number of bills introduced by the 13<sup>th</sup> Legislature to date is 457; for the 8<sup>th</sup> Legislature, the number for the entire session was 502. Yet the number of 13<sup>th</sup> Legislature bills that have become law is 57; for the 8<sup>th</sup> Legislature, the number was 40. (Only 6 of those laws have been passed since January of this year, however.)

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The number of bills introduced by the House of the 13<sup>th</sup> Legislature is 322; the number introduced by the 8<sup>th</sup> Legislature house is 347. But the number of 13<sup>th</sup> Legislature House bills that have become law is 46, while that of the 8<sup>th</sup> Legislature House was only 30.

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Of the 135 bills introduced by the 13<sup>th</sup> Legislature Senate, only 9 have become law. In the 8<sup>th</sup> Legislature, the Senate introduced 155 bills, of which only 10 became law.

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In terms of local laws, the 13<sup>th</sup> House introduced 45, of which 13 have become law. The 8<sup>th</sup> House introduced 30 of which 8 became law. In the 13<sup>th</sup> Senate, 13 local laws were introduced, compared to 15 in the 8<sup>th</sup> Senate. (Trying to identify the number of Senate local laws that became bills from the Senate web page was too laborious, so was not done.)

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Of course, a better test would be a comparison of the substance of the laws passed by each legislature - whether the laws have made a significant contribution to the long term well-being of the people of the Commonwealth, or were merely short term band-aids. As is true of the tally of bills introduced by each legislator, it's not the number, but the meaningfulness, that counts.

Such a comparison, however, is a far larger project than this writer is ready to undertake!

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While the record to date may be considered adequate, the possibility that there will be no more Senate sessions, bringing a premature end to the 13<sup>th</sup> Legislature - as has allegedly been threatened by the Senate Floor Leader - is both demoralizing and depressing. There are countless bills in the hopper - mostly mired in the Senate - some of which, if passed, could help not only the CNMI's economic situation, but could also help government function more effectively.

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Unfortunately, there seems no recourse for the senators who are attempting to have a session called. <u>Robert's Rules of Order</u> makes reference to deposing an officer of an organization for cause, and Sturgis' <u>Standard Code of Parliamentary Procedure</u> makes reference

to officers who fail to call meetings - noting that statutes often provide that under the circumstances and after a reasonable time, a group of members or a single member may call the meeting. She notes that sometimes the bylaws of organizations provide that a meeting **must** be called if a petition is submitted to the president. Apparently, neither CNMI statutes nor the Senate's bylaws provide such a solution.

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Though it wouldn't bring the Senate back into session, perhaps it's time some intrepid individual brought a taxpayer suit against the Senate President - and any acting senate president - for theft of funds, since refusing to hold a Senate session means that not only all nine Senators, but the 18 members of the House and all staff of both houses, will continue to get paid for doing absolutely nothing for the next four and a half months.

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At the very least, one would hope that the present situation will spur the members of both houses to pass amendments to their bylaws to prevent a recurrence of the present fiasco, and/or pass a law to provide recourse under the circumstances.

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Though people claim that General Mills' boxtops for education campaign is benign, I don't agree.

A private sector for-profit business is promoting its business through the public schools by asking students, staff, teachers, and their families to buy its products - many of which, to worsen the picture, are non-nutritious foods high in sugar and carbohydrates.

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Companies that donate computer or sports equipment or uniforms, or the like, to our public schools do not require that the students, teachers, staff or their families buy any of their products.

There is a difference.

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If General Mills wants to ingratiate itself with the education community, let it donate textbooks, or lab materials, or library books. But don't require as a quid pro quo that beneficiaries must purchase its products in order to avail themselves of its benevolence. That's insidious - and it ought to be illegal.

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While the <I>Variety</I> did pick up on that disquieting Request for Proposal for consultants to provide the administration with advice - as though its many advisors and special assistants are not able to fulfill that function - it is a pity that the <I>Variety</I> didn't take it one step further and read the actual scope of work called for in the RFP.

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According to the formal Work Statement, the contractor/"advisor" must, among other things, provide general assistance in the preparation for negotiations to secure additional funding under Section 702 of the Covenant; must compile and organize relevant reference materials including historical media records, reports, financial and economic data; and must interpret financial and economic data in conjunction with relevant government officials. Data must be presented in a simple and coherent manner for easy analysis and review; generous use of graphics and charts is

encouraged. He/she must also identify strengths and weaknesses of the CNMI position and propose strategies to address each. Contractor must research comparatives for use in analysis and provide background information on previous negotiations as necessary.

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Now if the CNMI had a planning and budget office, would it need to hire a consultant to do all that? Or is this a case where “contracting out” is, supposedly, cheaper? Nonetheless, it would have been more reassuring to know that somewhere in government all of that had already been collected, collated and synthesized - since the CNMI has been dealing with Covenant 702 funding for more than 20 years.

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Representative Stanley T. Torres may get carried away at times, but he is on target often enough to remain credible. His latest blast: pointing out that the Governor isn't quite being accurate when he claims he's balanced the budget. According to an article in yesterday's <I>Variety</I>, Torres notes that one can hardly claim to have a “balanced” budget with as many outstanding debts as the government has. In the private sector, those guilty of such large debts would be “thrown into bankruptcy courts, at the very least.”

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Torres deserves a lot of credit for speaking out, for helping the public see the real picture, when no one else seems willing, brave enough, to do so.