

On My Mind  
3/19/04

Earlier this week the CNMI's Department of Commerce floated the idea of, in effect, licensing every commercial washer and dryer in the CNMI. Seems that under its recent authorization to regulate "timing devices," the department has decided to try levy an annual tax of \$25 on every commercial washer and dryer in operation in the Commonwealth, and, on top of that, a \$15.00 testing or inspection fee for each machine as well. (Once again, the public was given no notice of the proposed regulations in time to comment before they were finalized because there is such limited access to the *Commonwealth Register* in which they appear.)

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At first glance, that might seem like a great source of much needed additional revenue for the CNMI's budget shortfall. But a closer look will show that all it does is create another paper-laden bureaucracy. Imagine every owner having to stand in line to register every one of his/her washers and dryers in every single island laundromat and apartment building, having to stand in line again to withdraw and re-register them every time one needs replacing, the government having to issue licences and receipts for every machine registered, recording every withdrawal/replacement and, presumably, having to file and maintain the record for every one of those transactions!

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Will the fee for larger washers and dryers be higher? Will those in commercial laundries, rather than in laundromats, be charged differently?

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The government is going to make money on the deal? I don't think so.

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Moreover, isn't the whole scheme an unwarranted invasion of the private sector? There has been, so far as I am aware, no outcry of customer dissatisfaction with laundromat washers and dryers - which a straw poll among friends bears out. The only concern expressed had to do with laundromats where machines ate coins and there were no attendants to refund their money. And if some laundromat dryers have shorter cycles than others, wouldn't the public soon catch on, and go elsewhere?

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Not to be frivolous, but wouldn't it make a lot more sense to license every dog on island? To identify their owners, and see that the dogs have received their required inoculations? That too might take a bureaucracy of sorts, but at least it would have the additional benefit of reducing the stray dog population, reducing injuries from dog bites, reducing the nuisance factor and reducing complaints about marauder dogs.

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The benefit from "licensing" washers and dryers is not nearly so clear.

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Nor is it clear what benefit the CNMI gains by accepting what's come to be known as the "Pellegrino bailout." Tony Pellegrino's Marine Revitalization Corporation built the outer marina at Smiling Cove. Eventually he sued the CNMI's Department of Lands and Natural Resources,

among others, claiming a violation of the lease agreement between the parties.

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The suit was dismissed for lack of jurisdiction, and eventually a settlement agreement was reached through arbitration that awarded Pellegrino \$3,000,000 plus other considerations. The agreement was contingent upon passage, within four months of the execution of the agreement, - of a public law by the 13<sup>th</sup> Legislature that authorized the payments called for in the agreement.

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The 13<sup>th</sup> Legislature failed to do so. Under those circumstances, further arbitration is called for by the settlement agreement, and in anticipation thereof, the 14<sup>th</sup> Legislature is being urged to pass a law authorizing the \$3,000,000 payment. But members of this legislature seem no more inclined to pass such a bill than did members of the last.

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Settlement agreement confidentiality notwithstanding, it would appear to be high time that the parties themselves, or the arbitrators (William Fitzgerald, David Mair and Sheila Trianni - one chosen by each side, and the third chosen by the other two) offered some explanation of how they came to the conclusion that Pellegrino and his company were entitled to so magnanimous a "buy-out."

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It does not seem likely that the necessary legislation will ever pass without some explanation, rationalization, justification - call it what you will - as to how the expenditure of those moneys will benefit the CNMI, or why the CNMI is so obligated.

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Our illustrious leader keeps digging himself deeper and deeper into a hole. One would have hoped that the intelligent, fore-sighted, honest, perceptive, experienced planner that he is alleged to be would have understood and supported the Mariana Public Lands Authority's decision to suspend the awarding of new homesteads on Saipan.

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There is, after all, only a finite amount of public land remaining - and that is rapidly shrinking. There has been no analysis or study, no planning, regarding future demands for public land and how much land might be required to meet them. There's been no attempt to assign priorities of use to the public land still out there. Even more importantly, there's been no reassessment of the rationale underlining the granting of public land for homesteads to begin with.

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With, apparently, no thought to such basic issues, the governor, earlier this week, blithely asked MPLA to lift the moratorium. Which may force MPLA to grant homesteads of only 200 square meters. What kind of life does that condemn future homesteaders to?

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From there being a total absence of memorialization of Covenant Day, which is March 24, this year it looks like there are too many - or at least one too many. There is the Second Annual Covenant Day Debate, sponsored by the Humanities Council, National Forensic League, and

Pacific Islands Club, though it will be held two days earlier. There is the ceremony scheduled by the Saipan local and municipal council on Covenant Day to honor all those who participated in the Covenant negotiations. And then there is the House session, called for by the Speaker of the House, on Rota, on Covenant Day.

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It is not at all clear why it should be necessary to hold a House session on the 24<sup>th</sup>. Covenant Day is a government holiday. Though members of the legislature are not technically government employees, aren't they too entitled to the holiday?

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More farcical is the fact that while the session is supposed to begin at 9:00 a.m. on the 24<sup>th</sup>, at 10:00 a.m. on that same day, purportedly at the **close** of the session, a ceremony commemorating Covenant Day will be held. And just what does the Speaker imagine can be accomplished in a one-hour session? which, given past patterns, will not start anywhere near on time?

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It seems in particularly bad taste to waste all that money entailed in bringing the entire House over to Rota the night before (except for Rota's member), paying plane fare and housing and meals and return air fare, for what, at best, may only be a 30 minute session. Obviously, the legislature is not suffering from the same budgetary shortfalls as is the rest of government. (Please note that the objection is not to having the legislature meet off-island, but having it meet for so very brief a session.)

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It also appears disrespectful of the Covenant, as well as unnecessarily divisive.

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Short takes:<br>

- I'm not sure where the fault lies, but someone sure has dropped the ball somewhere. There's a special exhibit at the Arts Council this month that is well worth seeing, but there hasn't been even a whisper about it anywhere. No posters. Limited flyer distribution. No announcement in the local papers. (I don't listen to other than national public radio, so can't speak for the other stations.)

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The exhibit displays art works and artifacts - most of them for sale - by women in the CNMI. It has been mounted in connection with Women's Month, which runs from March 1-31. It's open Monday through Friday from 7:30 a.m. to 4:30 p.m. - pretty restrictive hours, to be sure. Maybe the Arts Council needs to hear from people about a more flexible viewing schedule - like til 6:00 p.m. at least one night a week, and one or two week-end half-days during the month?????

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- Another instance of dropping the ball is the story in today's <I>Variety</I> which buries the site of the Covenant Day debate that is to take place this coming Monday, and does not mention the start time at all. It will take place at the Senate Chamber on Capitol Hill, from 3:30 - 5:30 p.m.

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-Lastly, it would be interesting to know whether the restrictions placed on the Hyatt as

pre-requisites for a qualifying certificate were any greater than the ones placed on the Dai Ichi Hotel. The Commonwealth Development Agency just awarded the Dai Ichi a qualifying certificate. The Hyatt, which had also applied, decided that the requirements asked of it were too onerous.