

## On My Mind

9/24/04

One of the challenges of trying to stay informed about local issues is the difficulty in determining (guessing would probably be a better word) which of the bills reported in the media has any chance of becoming law, and which is just so much wasted paper. (The problem applies as well to the long list of bills on the legislature's web site.) There's not much point in getting worked up about a bill if it is unlikely to be enacted. On the other hand, many bills that are destined to become law do not get nearly enough attention in the media, or from the general public.

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It would help if somewhere along the way someone assigned a code or status to each bill so people could know whether the bill was in line with the goals of the present legislature - assuming it has goals - and if it does, whether the bill stood high or low on its list of priorities within those goals - assuming the legislature prioritizes such things. Other codes could indicate whether the bill was what is known as a "private bill," proposed only to cater to a single, private interest; whether it was a bill that has been brought up in previous legislatures, or a bill similar to one already introduced in this session; whether it was an administration-sponsored bill or a special-interest bill sponsored by some lobbying interest or other - and which bills in such categories were supported by the leadership. (Anything to give a clue as to whether a newly-introduced bill should be taken seriously!)

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It would also help if in reporting bills that have been introduced, the print media did not describe them as accomplished fact. All too often, a news item about a bill is written as though the bill had already passed into law: "the bill fines violators," or "the bill requires registration," or "the bill establishes" something or other. If the bill has not yet passed, it does no such thing. It <b>would</b> fine violators, it <b>would</b> require registration, it <b>would</b> establish something or other - but it does not yet - because it is still a bill.

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And as has been said in this space before, it would help not only those of us trying to figure out whether we should be concerned about the bills being introduced in the legislature, but also the efficiency of the legislature itself, if the legislature would set a limit on the number of bills allowed to be introduced in each session. There could be a maximum to the total number of bills allowed, or a maximum per legislator, or maximums per committee - anything to cut down on the proliferation of over-lapping, often poorly-thought-out and self-serving bills that now clutter the

legislature's agenda. With too many bills to cope with, and no system for prioritizing or labeling them, it's no wonder that the legislature is so unproductive.

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One of the more than 200 bills already introduced in the 14<sup>th</sup> Legislature is House Bill 14-154 - the "Public Corporation Board Reform Act of 2004." This one had a public hearing. But even so, it is still not clear what that means regarding the likelihood of the bill becoming law. With as much support as was evidenced at the hearing held this past Tuesday, however - though that is not necessarily an indicator of its passage either - and given the appalling provisions of the bill, it

would seem prudent, appropriate, to pay close attention to the fate of this particular bill.

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H.B. 14-154 proposes to take away the functions ordinarily performed by the members of the boards of the Commonwealth Development Authority, the Commonwealth Ports Authority, the Commonwealth Telecommunications Commission, the Commonwealth Utilities Corporation, the Marianas Public Land Authority, the Marianas Visitors Authority, the Northern Marianas Housing Authority, and the Northern Mariana Islands Retirement Fund - and all their powers and authority - and turn them over to the administrator or executive director of each of those agencies.

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Under the bill, the administrator or executive director of each of these agencies would be appointed by the governor with the approval of the Senate. The boards would become only advisory.

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Two alleged purposes have surfaced for enactment of such drastic changes: greater efficiency of the agencies involved, and greater control over agency board expenditures, the latter expressed by Representative Timothy P. Villagomez, former director of CUC, who introduced the bill, and explained that the intent was to curtail the boards' extravagant budgets, particularly for travel.

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This bill could no doubt accomplish both. But at what a price! No longer would there be any participation by members of the public in developing and implementing the priorities, the policies, the budgets or the procedures of eight major agencies of government. Board members would no longer have a say in anything having to do with the operation of those agencies, and with only "advisory" functions, would soon become useless.

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Only one affected agency head testified, Lorraine Babauta, head of CUC. She supported the bill.

What agency head would not - given the freedom the bill would give them to act without having to consult a board? On the other hand, no board chairmen were asked to testify.

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House Bill 14-154 would also put unprecedented power into the hands of the governor - whoever he or she might be. Instead of appointing the board members who in turn would hire the agency heads, the governor would be directly hiring the agency heads or executive directors him- or her-self. And those directors would be then answerable directly to the governor, not to their boards, so naturally, they would do whatever the governor asked them to do - by way of budget expenditures, hiring practices, priority setting or anything else related to operation of their agencies.

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The agencies affected have control over the CNMI's infrastructure, much of the CNMI's federal expenditures, the tourism sector and visitor industry, seaports and airports, government housing and public land and retirement programs, and telecommunications. Giving such extensive authority over those eight areas to the governor would be dangerous indeed.

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If the legislature believes there are problems with board practices - as there appear to be - a much saner approach would be for the legislature to enact performance standards for the boards, that would require them to set priorities, to stay within budget, to prioritize the public interest, among

other things. The legislature could also set higher standards for board eligibility - particularly in the areas of education and subject expertise.

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House Bill 14-154, as it stands, would not only politicize government even more than it already is, but would also give the governor far too much power, in addition to seriously disenfranchising the general public. It should either be junked - or totally re-written.

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Short takes:<br>

Another proposal that should have been re-written is that part of the Memorandum of Understanding between Northern Marianas College and the governor in regard to La Fiesta Mall that would give NMC use of the Mall for \$1.00 a year once it gets ready to do so. And who would pay the lease and utilities and other related costs? It would still be the office of the governor - incurring a public debt for the next 20 years - while subsidizing NMC at everyone else's expense.

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Also in need of re-examination, it would appear, is the concept of a teacher representative on the Board of Education. From all appearances, the present representative is not very representative. The problem is there doesn't seem to be anything the teachers can do about it. Sad.

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Sad, too, is the lack of attendance at Hollywood Theater's showing of "Fahrenheit 9/11." Its appearance here is a real rarity - it is not a "syndicated" film, but independently produced - and it would be nice if local film-goers responded by showing the theater management that we do indeed value and support the showing of films by independent producers. Unfortunately, the film appears to be attracting only the converted - those on the other side of the fence seemingly unwilling to expose themselves to a different point of view.

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Strange, not sad, is the continued free parking at the airport. If the Commonwealth Port Authority is as short of funds as it keeps saying it is, how come it hasn't been staffing the parking fee booth? Was it not an economical project to begin with????

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In a totally different vein, the POWER and EICOT groups were recently in Tanapag, and the clearing they did of Tanapag's trickling stream beds is truly impressive. Not only did they clear out incredible amounts of trash, but they've opened vistas that had not been visible as long as I can remember. Good work, people!

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For an interesting view of how Bush and Kerry are perceived as doing in their campaign, readers might wish to go to the url: "electoral-vote.com."

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And lastly, as readers of this space will know, Mr. Moots, I did indeed visit the federally-sponsored web sites on absentee voting. I even exchanged e-mails with staff from the federal voter assistant program. The reservations I expressed stemmed from information given to me by CNMI's election commission. My attempts to get a reading on the issue from the Attorney General's office were rebuffed. I reported on what I had learned. I did not tell anyone what to do.

