

On My Mind
12/03/04

Well, in another 27 days, the present quota system on garments will come to an end, but little seems to be happening on either the local or the national level to soften the blow this is bound to cause the local economy. Lots of talk, but no action. The island culture has traditionally done quite well in pulling things together at the last minute. But it's doubtful whether that characteristic can do the trick this time. It takes more than a bunch of people working very hard at the last minute to put in place as good a revenue-generating scheme as has been the garment industry, or to even slow down its demise.

Washington Rep Pete A. Tenorio's appeal to the governor and the legislature for a "mini-summit" for the purpose of addressing this issue - as reported in both papers on Tuesday this past week - comes a little late. Whether it is his distance from the immediate site of the problem or his proximity to Washington that gives him the broader perspective that local government officials do not seem to have, is not clear. But at least the Washington Rep is not hiding his head in the sand - he has issued a call for prompt and concerted discussion of not only the issues related to the demise of the garment industry, but several related issues as well.

Tactfully, Tenorio does not blame any one individual or party - he describes the problems as being 20 years in the making. But he does rightfully point out that some of the actions taken by early leaders have had unexpected consequences, and that it is high time they were re-assessed if the Commonwealth - its economy and its people - is to remain viable.

But with the governor - what with his frequent trips to Washington and palavers with members of Congress as well as Interior officials - in effect ignoring the existence of the Washington Rep, I would venture to say that unless others support the Rep's call for a summit, it will not take place.

The problems, if left unresolved, will only get worse, and the Washington Rep, like the proverbial voice crying out in the wilderness, left unheard - and again ignored.

<center>***</center>

Both because it wouldn't take effect until January 2006, and because it isn't quite on the same scale, Representative Claudio K. Norita's proposal that the CNMI legislature become part-time is not enough to make up for the loss of garment industry revenue, but it is certainly is a step in the right direction. According to figures presented by the House Committee on Judicial and Government Operations at a public hearing earlier this week, the CNMI could save more than \$3 million a year if the legislature were to become part-time.

While it appears that much of the general public supports the concept of a part-time legislature, the hearing was not well attended. Whether it was a question of timing (during the day, when many people cannot leave their jobs), or the place, or the season, or the lack of fervor is not clear, but I would venture to say that holding hearings in the villages - as was suggested - isn't going to solve the problem of attendance either.

Some of the issues involved in establishing a part-time legislature are rather technical if not complex, and it is not clear that the holding of village-level hearings - which are apt to elicit heated and emotional opinions based on very little evidence rather than clarification or resolution - would be either very helpful or any better attended. More useful would be House JGO Committee informational meetings - perhaps even in the form of a debate - outlining the issues and how they could be resolved.

A clear case of the need for more information is reflected in the emphasis given in the newspapers, in covering the hearings, to the old bugaboo of conflict of interest, when the real news is that legislators themselves - or at least some of them - are advocating a scaled down legislature. The public needs to know that 39 states in the U.S. have part-time legislatures - 17 with half-time legislators, and 22 of them with about 3/4 time legislators - so it is not an untried or unworkable idea. All 39 of them have had to address the issue of conflict of interest - and information on how those states have done so, including copies of laws, resolutions, discussions, etc., can be found on the web at "ncsl.org" from the National Conference of State Legislators. Thus, there is no need for the CNMI legislature to "re-invent the wheel" in crafting appropriate safe-guards.

Only after the public became aware of the several strategies available, such as requiring legislators to file financial disclosure statements after taking office, and/or requiring them to recuse themselves from voting on items that present a conflict of interest, would it make sense to ask for public input.

Another topic where some education is called for before asking for public input is the appropriateness of continuing the present practice, by legislators, of contributing to the needs of individual constituents. The public should be made aware that not only is this a costly practice that part-time legislators might have even more difficulty affording, but it also detracts from their primary function of taking care of the law.

It hardly merits debate, in my opinion, but the need to make the initiative more appropriate as a constitutional amendment - which is what will be needed to carry out Norita's efforts - will also have to be addressed. As was pointed out at this past week's hearing by two of the witnesses, specific dollar amounts are inappropriate in a constitution, since those are bound to need change over time, and a constitution should be a more stable document.

While its true that one alternative to reducing legislative costs - perhaps even a simpler one - would be to reduce the number of legislators in the House and Senate, I believe it would be a mistake to change direction in the momentum now under way - thanks to Congressman Norita and the JGO Committee - to make the legislature part-time. The part-time idea appears to be widely supported, but there's a very real risk that if the direction of that momentum is changed, support would dissipate and the move would fail. Now that there finally appears to be broad-based interest in streamlining the legislature, far better to keep the impetus going than detour to consider alternatives at this late date.

<center>*</center>

To ensure that there is appropriate public education after the legislative initiative is approved and placed on the ballot, pressure should be put on the Senate leadership at the same time to pass

House Bill 14-175 - already passed by the House. H.B. 14-175 would give the Election Commission the authority and much-needed support to conduct public education on amendments to the Constitution, as well as on initiatives, recall and referenda, which it has not had to date.

<center>***</center>

I wish I were a better writer so I could do this cleverly, but I'm not, so I shall blunder forth, so to speak. Seems Homeland Security - or the CNMI version thereof - has taken one step closer to George Orwell's "1984," where everyone was reduced to automatons and "Big Brother" watched everywhere to make sure they stayed that way. According to a story in Tuesday's *Marianas Variety*, our local Transportation Security Administration has decreed that the word "bomb" shall no longer be spoken at the airport. TSA has even "advised" parents to tell their children not to use the word "bomb."

The story goes on to say that those who uttered the word "bomb" to date have been delayed in their flight to pass more thorough screening, and in the future could even be detained, or charged with making a false statement. So, I can no longer say that last night's movie was a bomb? That Marilyn Monroe was a bombshell? We can't talk about the bombs found in Marpi that need detonating? Or about the atomic bomb carried by the Enola Gay that was dropped on Hiroshima? Or the senseless bombing taking place in Darfur, Iraq, Palestine, and half-a-dozen other places in the world?

What about the words "attack," "razor," "hostage," explosives" or "weapons" - of mass destruction or otherwise? Will CNMI's TSA officials decide to ban those too? Will we lose freedom of speech altogether?

Come on, TSA, loosen up! How about acting less like automatons yourselves, and exercising some judgment? And if you don't know how, learning how - rather than inflicting your inexperience on the rest of us? Don't you know that issuing such a silly edict just begs for defiance?

<center>***</center>

A very nice idea, on the other hand, is the effort underway - as spelled out by Gregorio C. Sablan in both papers today - to raise funds so that CNMI members of the military can be provided flights home for the Christmas holiday. Funds may be sent to former presiding judge Edward Manibusan or Galvin Guerrero, the governor's special assistant for special programs. Make checks payable to Edward Manibusan and contact him at 235-6520 or 21, or emlaw@vz-pacifica.net, (ignore hyphen) or contact Guerrero at 664-2213 or 2280, or galvin@itecnmi.com.