

On My Mind
1/01/10

"On My Mind" appears on New Year's Day this year because the day falls on a Friday - when, being a creature of habit, I usually send it out - rather than because it is the first day of a new year, with all the pontification that implies.

Not that there isn't a lot to pontificate about - from the remarkably good status of my health (given the dire prediction that I would not see the New Year) to the sad realization that this new year doesn't offer much in the way of the traditional promise of "out with the old, and in with the new" but rather more of a dreary continuation of the old.....

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To pick up a few points from the last (12/04) column, the phrase "Polynesian Paralysis" - used there to describe the island's relaxed life style - apparently upset a few readers. One even questioned whether I didn't know the difference between Polynesia and Micronesia. I had thought everyone would be familiar with the phrase, but apparently that's not true.

The phrase originated in Hawaii, where it is widely used and recognized as a generic comment on life in the tropics. It is not a phrase I coined, and the reference to Polynesia has likely been retained because of the euphony of **P**olynesian **P**aralysis rather than any attempt to make a distinction between Polynesians and Micronesians. My apologies to all who may have been offended.

The Zoning Board did not offer the public a second hearing on the two proposed zoning changes submitted to it earlier this month, despite the column's suggestion that given the limited amount of information available about the proposals, the public deserved another chance. Regrettably, the Zoning Board appears to believe that a single publication of a notice of a hearing in only one paper, without any further information as to the issues involved, is adequate public notice.

However, the Zoning Board administrator did inform me that its decisions on such matters are not final. The changes must be approved by the local island delegation, which must also hold hearings. "The public will yet have another chance to comment based on the Legislative postings and notices prior to a vote," he assured me in an e-mail.

Nonetheless, in the spirit of "transparency in government," it seems to me, it would behoove the Zoning Board to be more forthcoming before jumping to the conclusion that because no one shows up at hearings there is no public interest in the proposed change(s).

The two applications for zoning changes, which the Board did approve, were (1) submitted by Thomas C. Duenas to establish a general retail merchandise store, internet café, apartment/house rental and office use at a location on Tun Antonia Apa Road west of the NMC campus, which required change of the zoning from Village Residential to Village Commercial or Mixed Commercial, and (2) submitted by Daniel J. Cabrera, acting on behalf of his father through power of attorney, to develop a hollow block factory in As Gonno next to GuangDong Hardware, which required a change in

zoning from Village Residential to Village Commercial.

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Now there is another application before the Board, this time for "conditional use" of a portion of Lot #013 D 42 (Garapan Fishing Base). Again, no details were provided in the published notice of the hearing.

The actual application, of which a partial copy was obtained through an FOIA request, shows that it is the building at the Garapan Fishing Base that is involved, but what will be done with the building is not described in the two pages of the application that I received. It took a follow-up request to the Zoning Board to learn that the applicant, Tony Glad, intends to use the building for "game-rooms and a snack bar."

The hearing on this application will take place Wednesday, January 6th, at 5:30 p.m. at the Zoning Office, which is located on 2nd floor of the Joeten Dandan Building in Dandan.

The December 22, '09 issue of the *Commonwealth Register* includes "notice of certification and adoption of rules and regulations" of the Department of Commerce's revision to insurance rules and regulations; of the Retirement Fund's rules and regulations governing benefits and appeals, the Group Health Insurance Program, and early retirement benefits for Class 1 members, and of the Public School System's rules and regulations regarding transfer of religious courses for credit. The text of the now-adopted changes for the Fund and for PSS are contained in previous issues of the *Register*.

Two sets of proposed rules and regulations are contained in this issue of the *Register*: amendments to the Travel and Reimbursement Regulations for the Public School System, to facilitate within-CNMI travel, and to the Licensing Regulations for Real Property Appraisers of the Board of Professional Licensing regarding accreditation and distance education issues.

Lastly, there is an AG opinion regarding responses to requests for information, documents or meeting attendance from the offices of the Tinian and Rota mayors-elect. The opinion states that executive branch departments or autonomous agencies have no legal duty to respond to such requests. The opinion maintains that if the legislature had intended to require such responses, it would have said so, as it has done in regard to responses to requests made by the office of the governor-elect. But the respective island legislative delegations are not mentioned in the AG opinion. Wouldn't rules governing the mayors be their responsibility, rather than that of the full legislature?

Short takes:

The agenda for the legislature's upcoming session on Tuesday, January 5th, has an interesting sequence in its list of "messages received from the governor." Five "Gov.Com" messages are certifications of vacant positions in various agencies of government (meaning it's ok to hire someone to fill the slot). The last "Gov.Com" message in

the list is a "Memorandum to all department and activity heads to cease processing of all personnel actions." Whatever you say, sir.

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The coconut wireless has it that some Northern Marianas College Board of Regents members have relatives employed by NMC, and are therefore afraid to speak up against its president, for fear their relatives will lose their jobs.

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While a headline in Thursday's issue of the *Marianas Variety* claimed that NMC's President would "welcome back" long-time NMC faculty member Sam McPhetres, whose contract she terminated without cause, the text of the story says only that she "would be open to meeting with him and to listen." That doesn't sound like a commitment to re-hire to me.....

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Do Guam Community College and NMC have a sister relationship? And if they don't, why not? GCC, from all reports, is doing any number of interesting things, not the least of which is its just-opened \$4.03 million state-of-the-art health center, which will house the college's practical nursing and medical assisting programs and a new science laboratory. According to a story in last week's *Pacific Daily News*, "GCC also is getting ready to offer courses in microbiology and additional science, technology, engineering and math-related courses as the demand for occupations requiring these types of skills increase." Sounds like NMC could benefit through closer affiliation, sharing of courses, resources, etc.....

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The Department of Commerce's recent warning to the general public that it ought to read the surveys conducted by recently fired NMC faculty member SamMcPhetres' students with caution and not consider them official was downright insulting. As if the public couldn't tell the difference between a student survey and an official government one. Really! Which is not to say that the students' surveys have no validity. They learn, in the process of putting together and conducting the surveys, all the techniques, issues, and pitfalls of the survey process. As a result, their surveys are as carefully crafted as their time and experience allow, and might well be even more reliable and impartial than a government survey designed to support some politician's particular point of view. One wonders who decided that such a "warning" be issued in the first place.....

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One also wonders what effect the newly authorized grants management office will have on the ARRA grant management process. In principle, it's a good idea to share the work and information related to grant programs throughout government. In actuality, there are at least two problems. One has to do with the effect on ARRA - will it now slow that effort down, thus violating the governor's concern that nothing be allowed to delay ARRA grants? The other has to do with the opportunity it provides to the executive branch to skim off a share of the proceeds from all grants coming in to the CNMI.

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On a brighter note: though it was predicted that I would not see 2010, I am here to most happily report that those predictions have not materialized - haven't even come close, in fact! It's been a rather mind-bending experience which I am still trying to come to terms with. But in the meantime, the beat goes on! Allowing me to wish one and all a Happy New Year!