

On My Mind

9/3/10

As each day brings more stories of this or that government agency claiming it needs more funds than the budget provides, and as this or that legislator reports that money has, or will be, shifted to accommodate one agency or another, it is easy to get distracted by the various agencies' claims. Is the Public School System's need greater than Northern Mariana College's? Should the Department of Public Health get higher priority? What about the Ports Authority, the Department of Public Safety? Or perhaps the legislators' needs for community projects?

What **should** be given first priority? an agency I've not seen on anyone's list: the Commonwealth Utilities Corporation. If there is no power - no light, no water, no wastewater disposal - nothing else matters. Without those, nothing else can operate - not PSS or NMC or CHC or DPS or CPA.

Important as it is, PSS's MOU won't do it any good if CUC is not functioning. Nor will NMC's accreditation. CUC is the life line that supports and holds up the CNMI and therefore, one would think, CUC's needs would come first.

Yet, according to a story in the 9/1 *Saipan Tribune*, CUC continues to suffer from a funding shortfall, in part because the legislature has not seen fit to give CUC enough funding to run as it should.

Health, education and public safety are all very worthy causes, but without the necessary infrastructure in place, they cannot function. One could argue, for example that second priority - after CUC - should be given to the Ports Authority and the Public Work's procurement office, so goods can still come in, fuel still be delivered. And what about the Department of Finance? If moneys aren't collected, tabulated, dispensed, can DPH, DPS, PSS, NMC, function?

One could also argue that next would come DPS - given that lawlessness is always a possibility. After that? DPH, clearly, because lives are at stake. And only then, PSS and NMC. The needs of the legislators? Given that, once the budget is passed, the CNMI could easily exist for months without them, their needs should be well towards the bottom of any list of priorities.

So why aren't these agencies' needs - and particularly those of CUC - mentioned, considered? Is it because those discussions simply have not taken place, or is it because the newspapers haven't thought those discussions worth reporting?

[N.B. It's not that I don't support NMC or PSS - indeed, I do - but reality is

something else again.]

The local office of Micronesian Legal Services, Inc., has put together on its web site a very helpful discussion of the three initiatives that will be on the ballot in November. Each initiative is given a brief explanation, a discussion of its pros and cons, and a summary. Herewith the explanations and summaries taken from the blog, with slight editing:

House Legislative Initiative 17-1 would amend Article X of the CNMI Constitution by adding a new section (10). The new provision would authorize the Commonwealth to issue pension obligation bonds (POBs), not to exceed “the Commonwealth’s actuarially determined unfunded accrued liability to the Retirement Fund.” The proceeds of the bonds would be deposited into the NMIRF’s “defined benefit plan” trust fund and invested with other monies by the NMIRF. The bonds would be issued only upon 2/3rds approval of each House of the Legislature, in compliance with Article X, section (3). The debt incurred by issuing the bonds could exceed 10% of the aggregate assessed valuation of the real property in the CNMI and could be authorized for operating expenses, as part of the exception from compliance with Article X, section (4).

SUMMARY: Proponents of the provision view this as essential to the health of the NMIRF; opponents view it as extremely detrimental to the health of the CNMI and a large step in the wrong direction.

HLI 16-13 would amend Article III, section 20 of the CNMI Constitution by adding a new subsection (c). The new provision would prohibit the CNMI Legislature from increasing benefits to members of the Retirement Fund unless the CNMI government had satisfied its obligations to the Fund under the law or unless the Retirement System was fully funded.

SUMMARY: The Legislative Initiative would amend the CNMI Constitution to provide some protection to the Retirement Fund that presently does not exist. That protection may not be strong enough to address the many and varied problems described in the initiative, but it is more than presently exists.

HLI 16-18 would amend Article XI, section 5(g) of the CNMI Constitution by adding a new phrase authorizing the “corporation” (I think this means now the Department of Public Lands) [parens included in the original] to use up to 20% of its revenues for land compensation claims before transferring its funds to the Marianas Public Land Trust.

SUMMARY: The Legislative Initiative would amend the CNMI Constitution to

provide authorization to use up to 20% of income from public lands to pay land compensation claims. It would not compel any payment. The 20% cap is not related to any identifiable plan, scheme or budget that is set forth in the initiative.

For the full discussion of pros and cons, see < <http://mlsc-marianas.blogspot.com/> >.

Jane Mack, MLSC director, has since written a lengthier article on the pension obligation bond on her own blog, < <http://saipanwriter.blogspot.com/> >.

Short takes:

In today's *Marianas Variety* two Rota residents are reported as having appealed to the Senate to bear in mind the higher prices Rota already pays for goods and services, and urged them to exempt low-salaried government employees from the impending pay cuts. The same argument can be made for Tinian residents. Whether by island, or by salary level, or some of both, exempting low-salaried employees from the full array of pay cuts does not sound that unreasonable.

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What kind of management is it that informs principals a mere week ahead of school opening that they've been switched to new schools? Wasn't there a whole summer to look at and evaluate assignments? How can principals be effective on the first day, first week, perhaps even first month, when they've had only a week to familiarize themselves with a new physical plant, new staff, a new set of problems and priorities, strengths and weaknesses, goals and objectives? The move handicaps not only the principals and their new schools, but also the schools the principals left on such short notice.

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What recourse do voters have if the legislature passes a casino law for Saipan? According to Article XX1 of the CNMI Constitution, "gambling" is prohibited in the Northern Mariana Islands except as provided by law or established through initiative in the Commonwealth or in any senatorial district. Other than again attempting to amend the Constitution, there doesn't seem to be any legal path for stopping the project. One could, of course, see to it that as many complications and barriers and law suits as possible were thrown in the path of the project - a messy prospect. We can only hope that the Covenant's wisdom in granting the CNMI a Senate that did not comply with "one man, one vote" rule holds true, and the Senate turns it down.

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The Arts Council has moved its latest show to the JoeTen Public Library in hopes more people will attend. It features art works by traditional and visual artists in the CNMI and is, as well, a tribute to master navigator, Dr. Pius "Mau" Pialug. Hours are Tuesday, Thursday and Friday from 9:00 a.m. to 5:00 p.m., Wednesday from 11:00 a.m. to 7:00 p.m. and Saturday from 9:00 a.m. to 4:00 p.m. (Note: Library will be closed on Tuesday, November 7, for the holiday). The show ends September 30th.

A reminder: two petitions related to the budget crisis are making the rounds: one asking the Public Auditor to audit CNMI legislators' discretionary expenditures, and a second urging the legislature to pass a responsible budget. Show you care! Sign up! Petitions are available at <http://www.thepetitionsite.com/1/audit-the-cnmi-legislature/> and at <http://www.thepetitionsite.com/1/no-to-slush-fund-increase/> . Those wishing to help with the circulation of petitions "on the ground" can call Leila Staffler at haveia@gmail.com (Leila) or Tina Sablan at tinasablan@gmail.com , or 285-3935.</P>