

On My Mind
12/10/10

Political party labels have never meant very much in the CNMI, even though there now is official connection between the local Democratic and Republican parties and the two mainland parties with the same names. However, unlike the states, where the distinction between the two parties is clear, within the CNMI there would appear to be little difference - at least as far as ideology is concerned. Political hopefuls have switched from one party to another - and back - as casually as they might change shirts.

In fact, the CNMI might more realistically call its two parties the "Ins" and the "Outs," though Independents and third parties would appear to play a bigger role - be more successful - here than on the mainland. But it still appears to be a game of Ins and Outs, with the governor, founder of the Covenant party, now negotiating to again become Republican, apparently because his Covenant party is losing its grip on the legislature - particularly the House.

The move will surely leave many people who've pledged allegiance to the Covenant Party stranded, and leave many Republicans who campaigned against the Covenant Party uncomfortable, to say the least. Maybe there'll be a sudden surge of Independents?

And if the governor succeeds in merging the two parties, what effect will that have on the House leadership? Will the House Speaker (a former Democrat) again change parties as well? Will there then be two "Republicans" vying for House speakership - Froilan Tenorio and Diego Benevente?

The water had already been muddied by the House leadership's willingness to do the governor's bidding as to who will sit in the speaker's chair. Yet Tenorio's agreement to remain speaker 'because the governor wants it' would appear to violate the constitutionally-mandated separation of powers among the legislative, executive and judicial branches. In fact, it makes what passes for "democracy" in the CNMI look a lot more like an oligarchy (governance by the few). The three branches are still there, but two of them (or parts thereof) are no longer behaving as separate branches, but rather, as though one were grafted onto the other.

Since when has it been up to the governor to decide who becomes speaker of the House of Representatives? What about the members of the House who seem willing to accept this state of affairs? Isn't this also a major betrayal, by those House members, of their electoral mandate to represent the best interests of the people who elected them?

Hopefully, the CNMI Senate will continue to maintain its independence from the executive branch, regardless of whether that branch labels itself Republican or Covenant.

One would expect that a government whose economy depended on the tourist dollar would make sure that all its standard tourist sites were clean, attractive, accessible, and properly maintained. Unfortunately - and inexplicably - that is not true here in the CNMI.

A major problem seems to be that no agency within government has been given the specific responsibility to do so, nor has anyone in the private sector taken on responsibility either. The Division of Parks and Recreation mows the grass. The Marianas Visitors Bureau provides security. The Division of Environmental Quality promotes adopt-a-beach, but not adopt-a-tourist-site. Beautify CNMI provides support, but seemingly no longer initiates projects. PDI does occasional clean-ups, but no maintenance.....

As a result, the Japanese hospital, cleared by volunteers from Sam McPhetres' class a few years ago, is again totally overgrown. The "outhouse" at the Grotto is inoperable. Calabera Cave continues to be vandalized. Some monuments at Banzai Cliff need repair, others need re-painting, as does the temple, and the grounds are littered with cigarette butts. The same is true of Suicide Cliff. The Banzai Cliff restrooms also need re-painting.....

It wouldn't necessarily require a lot of money, or a new agency, to rectify matters. All it would take is a change of law perhaps, some creativity and leadership, to come up with a solution.

Short takes:

For anyone thinking of going into business on Saipan - current resident or foreign investor - there's a great guide available that will answer almost any question one might have on points to consider, where to start, what it would take, how to do so, tax and legal issues, and much much more: Walt Goodridge's <i>Doing Business on Saipan!</i>. (Goodridge acknowledges that much of the regulatory information was culled from an earlier work put together by Oscar Camacho and the CDA.) The book is available from < <http://www.saipanliving.com/> > or < www.amazon.com >.

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It might take a study, or a consultant, to come up with the exact figures, but it doesn't take either one to know that the CNMI is missing out on millions of dollars of potential revenue simply because its laws are not being enforced, and fines and fees are not being collected. How many cars are unregistered? How many drivers are driving

without licenses? How many poker machines are operating without a license? Who's checking whether their take is being properly allocated? Who's checking on the 700-odd missing/unlicensed poker machines? How many poker jackpot winners pay the tax due? How many people are not paying for their water and power? How many businesses have up-to-date business licenses? How many students have abused their scholarship monies? How many lessors of public land are behind in their payments? In its search for revenue, the legislature might better start with pushing enforcement of what's already in place, rather than creating new charges that not only create hardship for the honest, but become another opportunity for lawlessness for the dishonest.

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Speaking of "new" revenue, shouldn't there be public hearings on the proposal to bring virtual slot machines to the CNMI? How else will the public be able to judge whether these would bring more or less harm, more or less good, than the poker machines? Won't the two become mutually exclusive - there'll be either the one or the other?

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Did anyone notice the statement in Thursday's *Saipan Tribune* story on the Low Income Housing Tax Credit Program's "affordable homes project" which, once completed, will require each tenant to pay monthly rent of \$744? Apparently, the U.S. Department of Housing and Urban Development defines low income for a family of four as earning \$48,000 per year, for which the \$744/month would be a reasonable proportion for housing. Doesn't seem like many CNMI low income families of four would fit into that category, however, so isn't the Sandy Beach Homes' "low income" label a little misleading?

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When someone dies, the local newspapers carry large, paid death announcements that list all the relatives, and the important details about the rosary, funeral and burial. What they don't carry are obituary-type articles that spell out the person's personal history, his or her past achievements, his/her role in the community. Not all of us who live on island know all those things, and it would be not only fitting to have such accomplishments recognized, but also helpful to those with shorter histories on island. Why do such stories never appear on their pages? Are newspapers afraid of losing their advertisement dollar? or?

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The CNMI's Law Revision Commission Third Quarter 2010 Newsletter October 28, 2010 is now available on line at < www.cnmilaw.org >. The newsletter contains summaries of Commonwealth Superior and Supreme Court cases and Supreme Court Administrative Orders from June 30, 2010 through October 28, 2010. Full text of the actual cases is available by clicking on the hyper-links within the summaries.

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To whom it may concern: Continental Airlines has changed its policy, and will now provide in-flight oxygen between Saipan and Guam, something which had not been

available until now.

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Lastly, and as promised, old Executive Orders are being reprinted in the *Commonwealth Register* "to put them on the record," according to the Attorney General's office. Why that's so important years later is anyone's guess.