

6/8/12

Thanks to the all-inclusive and timely retiree blog put on the web by Glen Hunter at < <http://tinyurl.com/83d6uzw> >, the full text of the governor's executive order placing the Retirement Fund under the Department of Finance is now available on-line. And what a cumbersome document it is! Sentences are incomplete. "Whereas" clauses don't go anywhere. Their rationale leaves much to be desired. And worst of all, the time frames are confusing, to say the least.

The order is to go into effect as soon as Bankruptcy Judge Robert J. Faris' ruling on the dismissal of the Retirement Fund petition for bankruptcy is filed in court - except that his ruling comes with an automatic stay of 14 days. The order is in effect for 30 days, and may be either rescinded or continued for another 30 days - a period too short to either put the order into effect, or undo it, should it go into effect..

Moreover, since the CNMI Constitution states in Article III, Section 15, that such structural changes do not become effective until 60 days after they have been submitted to the legislature for its review and action - which is acknowledged in the executive order - a further 60-day delay must be observed before the order can be implemented.

It will be interesting to see whether the order survives in its present form - and if not, what shape it will take.....

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In the meantime, according to the Saturday/Sunday issue of the *Saipan Tribune*, the governor has called a meeting for Monday afternoon in the governor's conference room between the governor and Lt. governor and members of the legislature to "explore possible solutions" to the Retirement Fund dilemma. The meeting is scheduled to begin at 2:30 p.m. Judging from past attempts to reach solutions, given the diverse opinions held by the various parties expected to be in attendance, and given the time made available, the prospect of reaching any kind of workable solution doesn't seem very promising..

Under ideal conditions, such a meeting would be chaired by an informed but neutral facilitator, who would help attendees identify a precise goal/objective, elicit and then prioritize proposed solutions, perhaps most importantly, be able to explain the consequences - intended as well as unintended - of each, and would then, by a process of consensus building, help the group arrive at an acceptable solution that was rational, do-able, affordable and equitable..

Unfortunately, that seems to be a scenario not very familiar to or used very often by most of the group's expected attendees. Additionally, what with conflicting egos, party loyalties, and Chamber competitiveness, the likelihood that such a procedure would be followed is not high. More's the pity!

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And in the meantime the administration is also promising active Retirement Fund members that Social Security will take care of them, as though that remedy were available within an immediate time frame. But it isn't. In the first place, it will take an act of the U.S. Congress to allow the CNMI to even be considered for inclusion in Social Security since, at present, the CNMI is not

listed under U.S. law as being part of the Social Security program. With the many larger issues before the Congress, chances of this happening any time soon are not all that good.. Moreover, according to CNMI Congressional Representative Kilili, Congress won't even consider taking that action until the CNMI can identify and agree upon a source for funding the "buy-back" - or, more accurately, the buy-in - which has been estimated, for a five-year buy-in, to be about \$60 million. Actually, it's not quite clear why Congress couldn't make the change even without that assurance - just so it would be on the books when and if the CNMI ever comes up with the required funding. Perhaps the issue is that otherwise there'd be no pressure on Congress to take action?.

The situation begs for a leader, someone who can come in and work with both the retirees and the active members of the RF and who also has the respect of the administration, the legislature - someone who can help the two sides find mutual goals, and find effective channels for expressing their concerns in meaningful productive ways as well as working towards realistic solutions. But where to find such a person? It would appear that perhaps an attorney (yet another one - heaven help us all!) might be the most appropriate. Unfortunately, there seems neither interest in finding one nor funding to hire one.

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On the other hand, having found a leader for the Commonwealth Utilities Corporation, the administration did not see fit to keep him. In his exit report, departing CUC director Utu Abe Malae addressed several of the concerns raised in the executive order declaring an emergency for the CUC. Most significantly, perhaps, he believes that "having a private company build a new base-load oil-fired power plant will not save us any money" because the new plant would be burning the same expensive oil. "The existing plant is working better and better thanks to the improvements funded through OIA and ARRA," he reports in a separate e-mail..

In a "synthesis" in the report he charts the legal and technically appropriate process, over a four-year period, of what it would take to logically and rationally place the diesel-fired plant on stand-by and have geothermal or "Green Nuclear" in operation as the base load.

However, the solar photo-voltaic contract now being negotiated poses serious questions as to the stability of the power supply. Explains Wallon Young, Deputy Director for Electric Power, solar power will only be available intermittently, and the process of switching back and forth from solar to diesel is difficult given that once solar power declines diesel engines can not come on line instantaneously to take up the slack.

Back-up storage for solar is expensive, and would require, among other things, a fast and reliable communication system between the diesel plant and each pv storage system. Malae posits, instead, the measured build-up of alternate energies so that the likelihood of such disruptions would not occur.

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Short takes: - The U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration sponsored the inaugural meeting of the Marianas Trench Monument Advisory Council the first part of this week. The group met on Saipan, but provided little information to local residents as to what would be discussed and when. No agenda was ever published in the

media nor on its web site, no report made available on which to comment. Let's hope future meetings are more user-friendly!

- Though reports say the Japanese firms who had proposed dumping tsunami trash on Pagan have backed off, the "Save Pagan" campaign continues. For those interested in signing a petition to preserve Pagan's unique environment and culture, the web site is < <http://savepaganisland.org/> >.

- All events - except the hearings - listed below should be on the Marianas Visitors Authority activity calendar, but are not. Sponsoring organizations are urged to put them there. Just go to < [www.mymarianas.org](http://www.mymarianas.org) > and click on the "calendar of events."

- 6/11 - NOAA hearing on proposal to add 80 coral species (40 of which are found in the CNMI) to the Endangered Species Act, at the Multi-purpose Center in Susupe; on Tinian on 6/12 at the Fleming Hotel; on Rota on 6/14 at the Rota Mayor's office; all from 6:00-9:00 p.m. See < [http://www.pifsc.noaa.gov/cred/hmapping/monitoring\\_report\\_mariana\\_archipelago\\_2003-2007/index.php](http://www.pifsc.noaa.gov/cred/hmapping/monitoring_report_mariana_archipelago_2003-2007/index.php) > for the NOAA survey on which the proposal is based.

- 6/13 - Opening of Dr. Dirk Spennemann's Photo Exhibit "Marianas Wide" at the NMI Museum of History and Culture Wednesday, 5:00-7:00 p.m. in conjunction with the History Conference. Entry to the Exhibit and museum are free for the evening.

- 6/14-6/16 - First Marianas History Conference, "One Archipelago, Many Stories," at the Fiesta Resort and Spa, starting Thursday at 1:00 p.m.. Keynote speeches by Father Francis X. Hezel, S.J. and Robert Underwood begin at 3:30 p.m. Thursday. For a full schedule of events, see < [www.nmihumanities.org](http://www.nmihumanities.org) >.

- 6/18 - Fund-raising performance of the Manta Ray Band at American Memorial Park, 6:30 - 8:30 p.m. at American Memorial Park. Collaboration of 150 musicians from two countries, the Saipan Pacific Winds Concert Band, the Saipan Southern High School Manta Ray Concert Band, and the Hwasun School Brass Band from Korea will be featured. Tickets \$20 for adults, \$15 for youth available at P♦ Art School of Music, Brabu Pharmacy, the SSHS main office. Call 664-4000 for ticket reservations or for more information.

- 6/18 - Humanities Council fundraiser at Azucena Room, Fiesta Hotel, 6:00 p.m. - 8:30 p.m. Featured speaker will be Father Fran Hezel on "The Changing Face of the Marianas." cost: \$25 per person includes drinks, hors d'oeuvres. Proceeds will be used to support the Council's future humanities programming and educational initiatives.

- Saturday, 6/23 - Special pre-hearing community outreach for Koblerville at Southern High School, 4:00-6:00 p.m.; Sunday, 6/24 from 4:00-6:00 p.m. for Dandan at Dandan Elementary School, on the USAF Draft Environmental Impact Statement for "proposed divert activities and exercises, Guam and the CNMI" at the Saipan International Airport and Tinian International Airport due to the potential impact on those communities by possible increase in aircraft-related noise.

- Monday, 6/25, 5:00-7:00 p.m. - USAF public hearing on at the Multi-purpose Center in Susupe on the USAF Draft Environmental Impact Statement for "proposed divert activities and exercises, Guam and the CNMI." The full report can be found at < [www.PACAFDivertMarianas.EIS.com](http://www.PACAFDivertMarianas.EIS.com) >.

- Every Saturday in June, from 8:00 a.m. - noon: Friends of the Library book sale at the JoeTen-Kiyu Public Library.