

Editorial

CHC drive against PL 7-45

WHEN the Legislature and the executive branch failed to repeal Public Law 7-45 or extend the Sept. 30, 1995 deadline for hiring of foreigners by government agencies, the Department of Public Health and the Commonwealth Health Center changed their hiring policies to avoid the restriction imposed by law. Instead of directly hiring foreign nurses, Public Health and CHC entered into contracts with private manpower companies to provide replacements for the foreign nurses and other medical personnel except doctors who would be sent home.

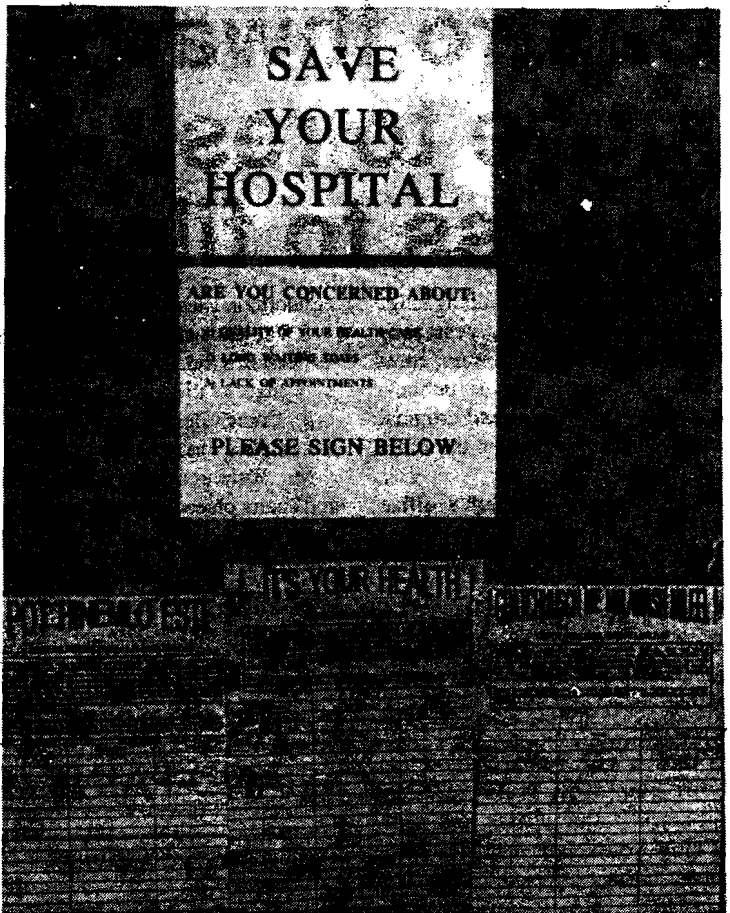
The nurses and medical technicians who were brought into the Commonwealth under the new employment arrangement were legally the employees of manpower agencies (which do not operate clinics or hospitals). As soon as they arrive these medical professionals were assigned to work in the hospital and the Public Health Department. Technically, they work at the hospital; legally, they work for the manpower agencies.

Public Health and hospital officials did not say, at least at the outset, that the hiring of nurses through manpower companies was to circumvent PL 7-45. The reason given was "privatization": government would save a lot of money because it would not be responsible for the housing, transportation and retirement needs of the foreign nurses. The salary that used to be given to directly hired nurses were given to the manpower companies instead; and the money was split between the manpower companies and the nurses.

Now, the hospital is facing a serious shortage of doctors. According to a notice posted inside CHC, 14 Canadian physicians would leave because of PL 7-45. The notice also says that highly qualified applicants from Canada were being turned away because of the law.

The hospital has launched a campaign to get signatures from CNMI residents to petition the repeal of PL 7-45.

That was not done when the nurses, mostly from the Philippines, were being threatened by PL 7-45. Is it because the manpower companies could not convince the Canadian doctors to work "u-drive"? Are we seeing the same attitude that brought about the \$10 million discrimination lawsuit against the Public School System? Hope not. Or it will just be a discriminatory campaign to repeal a discriminatory law.



On My Mind

by Ruth L. Tighe

How one votes is nobody's business. It should be a private matter, known only to one's self and to God, so to speak. However, as the date for voting on the concon amendments approaches, it would seem a worthwhile exercise, nevertheless, to reveal how I intend to vote on each of the amendments. Worthwhile, as an educational strategy, for the reader; worthwhile for myself as a means of clarifying where I stand.

I should point out at the outset that what follows is my own personal opinion. It is not the opinion of this paper. And I'd also like to point out that while "news" should be impartial, opinion columns - as this is, by definition - need not meet that criterion.

There will be 19 amendments on the ballot - one for each article of the "new" constitution.


I shall probably vote "no" to Amendment #1, which amends Article I, Personal Rights. There would not be many changes to this Article, but one change deletes the

provision for protection to crime victims, and I am not comfortable with that deletion. The proposed amendment also deletes the prohibition against abortion, replacing it with a "right to life" statement that I am not comfortable with either.

I know I will vote "no" to Amendment #2, which amends Article II, Legislative Branch. While I find no fault with the idea of reducing the size of the House from 18 to 13 members, which this amendment proposes, I am not in favor of eliminating election districts, or of having the representatives run at large, or the idea of extending the term of representatives from 2 to 4 years, or the idea of reducing the Senate from 9 to 6 members, all of which this amendment also proposes.

The amendment to Article II also includes provision for the legislative budget and the legislative bureau. While I believe the manner in which the amendment proposes to allocate

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the budget to members of the legislature is a distinct improvement over present practices, this provision alone does not begin to outweigh the many changes in this amendment that I find unacceptable.

I intend to vote "no" to Amendment #3, which amends Article III, Executive Branch. So many changes are proposed in this amendment that it is difficult to absorb them all, let alone understand their impact.

But having voted "no" to amendment of Article II, I am compelled to vote "no" to amendment of Article III since the proposed new constitution takes the section on impeachment out of Article III and puts it into Article II. If I were to vote "no" to Article II, and "yes" to Article III, there would not be any provision

for impeachment in the constitution at all.

The new Article III would also delete the guaranteed annual budget for the Public Auditor's office now provided in the Constitution, and once again make the office a political football. To me, that alone is enough reason to vote "no" to Amendment #3.

I intend to vote "no" to Amendment #4, which amends Article IV, Judicial Branch. The amendment proposes, among other things, that the first term of a Supreme Court Justice be 12 years, which to me seems excessive. It also calls for popular vote to determine whether judges and justices serve a second term. Judges and justices, in my opinion, should not be subject to popularity contests.

This amendment would also take away any authority of the legislature to review rules such as those governing civil and criminal

procedure - proposed by the judiciary, thus removing a very important part of the constitutional system of checks and balances. Furthermore, no other state grants this much power to its judiciary.

I intend to vote "no" to Amendment #5, which amends Article V, Representation in the United States. As proposed, this amendment deletes the reference to impeachment, because all references to impeachment are now included in the proposed amendment to Article II. Having voted "no" to that amendment, I'd have to vote "no" to this one, or there'd be no mention of impeachment in this article either.

This amendment would also move the exemption from civil service status of employees of the Washington Rep to Article III. But having voted "no" to Article III, that exemption would not now apply, unless I also vote "no" to the amendment to Article V.

Moreover, this amendment deletes the seven year residence requirement for Washington rep, and requires only that the rep be a citizen of the U.S. qualified to vote in the CNMI who is at least 25 years of age. The law requires a residency of only 45 days in order to be eligible to vote.

I intend to vote "no" to Amendment #6, which amends Article VI, Local Government. As was true of Amendment #3, there are so many changes proposed for this article that it is difficult to absorb them all, much less understand their impact.

I am particularly concerned, however, with the proposal that CNMI funding for local government be phased out over the next seven years, and that, instead, local government be funded by locally-raised revenues and local taxes.

This is a rather drastic change in present practices and deserves far more public education and input than it has had so far. Making this a constitutional provision, while prohibiting amendment to the constitution, except by popular initiative, for 25 years, is more than I feel comfortable with.

Space does not allow discussion of all 19 amendments in one issue of the paper. The discussion will continue in next week's column.

Much as I admire former governor Pedro P. Tenorio, I can't help worrying about the oligarchy that would form were he to again take office. (Oligarchy: government by a few, especially by a small faction of persons or families, according to the 3rd edition of the American Heritage College Dictionary.)

There'd be Pete P. in the governor's office, his brother in the Senate, his son - and a son-in-law and a cousin - in the House of Representatives. And that's a lot of family in office, any way you look at it.

Wonder when former governor Carlos S. Camacho will announce his candidacy for governor. After all, both of the other former governors have indicated their interest in running again. Camacho might as well join the fray.

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January 16, 1996

JOB VACANCY ANNOUNCEMENT

The Commonwealth Ports Authority (CPA) at the Saipan International Airport is looking for:

2 (TWO) FIRE FIGHTER TRAINEE

Applicants must be High School graduates or equivalent. Applicant must also pass the National Fire Protection Association (NFPA) Fire Fighter entry qualifications on Medical and Physical fitness requirements.

The salary for this position is Pay Level 12/5, or \$471.73 bi-weekly.

Application forms are available at the Security Office, first Floor of the Arrival Building and also at the Administration Office, Second Floor of the Arrival Building at the Saipan International Airport. Applications must be accompanied by an updated police clearance dating back five years. Applicants who have previously applied within the last two months need not apply. The deadline for submission of application is at the closed of business on January 26, 1996. For more information, please call Tel: 664-3500 or 664-3542.

Welcome back, Boy!
Hope you enjoy your stay
in Saipan the 2nd time
around