

THIRTY-SECOND DAY

Thursday, March 14, 1996

The Senate of the Eighteenth Legislature of the State of Hawaii, Regular Session of 1996, convened at 11:37 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Cariann Chan, Kathryn Dunn, Wendy Kobayashi and Mindy Yamamoto, students from Punahou School, after which the Roll was called showing all Senators present.

The President announced that he had read and approved the Journal of the Thirty-First Day.

Senator Baker, on behalf of the President and the women of the Senate, introduced Oregon's Speaker of the House of Representatives, Bev Clarno, and her husband Ray.

At 11:43 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:48 o'clock a.m.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor (Gov. Msg. Nos. 215 to 239) were read by the Clerk and were disposed of as follows:

Gov. Msg. No. 215, dated February 28, 1996, transmitting a report, "Hawaii: A Free-Trade Zone?" prepared by the Department of Business, Economic Development, and Tourism, pursuant to S.C.R. No. 338, HD2 (1995), was placed on file.

Gov. Msg. No. 216, submitting for consideration and confirmation to the Board of Acupuncture, the nominations of IRA DAVID ZUNIN, M.D., MIKE M. HASHIMOTO, Ph.D., and MICHAEL S. HOWDEN, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 217, submitting for consideration and confirmation to the State Board of Barbers, the nominations of: GARY LEE, term to expire June 30, 1997; and LANCE M. MARUGAME and NANCY A. TOYAMA, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 218, submitting for consideration and confirmation to the State Boxing Commission of Hawaii, the nomination of GEORGE M. AMIMOTO, term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 219, submitting for consideration and confirmation to the Governor's Advisory Council for Children and Youth, the nominations of: GINA MEDRANO, term to expire June 30, 1997; and ANGELA CROMWELL THOMAS, RUTH FUKUNAGA and RICHARD L. HOKE, JR., terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 220, submitting for consideration and confirmation to the Civil Defense Advisory Council, the nominations of LINDA D. CHINN and ALEJANDRO LOMOSAD, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 221, submitting for consideration and confirmation to the Board of Dental Examiners, the nominations of WALLACE F. CHONG, JR., D.D.S. and ROGER H. YOKOYAMA, D.D.S., terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 222, submitting for consideration and confirmation to the Elevator Mechanics Licensing Board, the nomination of GERALD M. YAMAMOTO, term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 223, submitting for consideration and confirmation to the Hawaii Aquaculture Advisory Council, the nominations of: MARY BROOKS and BO KJAER-OLSEN, terms to expire June 30, 2000; and RONALD P. WEIDENBACH, term to expire June 30, 1997, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 224, submitting for consideration and confirmation to the Hawaii Paroling Authority, the nomination of ALFRED K. BEAVER, SR., term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 225, submitting for consideration and confirmation to the Hawaiian Homes Commission, the nominations of WONDA MAE AGPALSA and KAREN M. HOLT, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 226, submitting for consideration and confirmation to the Board of Hearing Aid Dealers and Fitters, the nominations of JUNE M. UYEHARA-ISONO and MARLIN SPIKE WERNER, Ph.D., terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 227, submitting for consideration and confirmation to the Medical Advisory Board, the nominations of STEPHEN M. OISHI, M.D. and WILLIAM EDWARD WATTS II, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 228, submitting for consideration and confirmation to the Board of Medical Examiners, the nomination of PATRICIA LANOIE BLANCHETTE, M.D., term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 229, submitting for consideration and confirmation to the Motor Vehicle Industry Licensing Board, the nominations of MILTON H. KAKAIO, MORRIE STOEBSNER and MICHAEL E. REIERSON, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 230, submitting for consideration and confirmation to the Motor Vehicle Repair Industry Board, the nominations of GARY Y. GIBO and YOSHIKI UEHIRA, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 231, submitting for consideration and confirmation to the Board of Examiners in Optometry, the nomination of SUSAN M. NAKASONE, O.D., term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 232, submitting for consideration and confirmation to the Advisory Committee on Pesticides, the nomination of ROBERT MICHAEL MCLEAN, Ph.D., term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 233, submitting for consideration and confirmation to the Board of Psychology, the nomination of ANTHONY J. MARSELLA, Ph.D., term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 234, submitting for consideration and confirmation to the Stadium Authority, the nominations of EDWARD K. HAMADA, ROSS K. KAGAWA and MICHAEL JAY GREEN, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 235, submitting for consideration and confirmation to the Commission on Transportation, the nominations of DAVID W. RAE, RICHARD M. KIBE and LESTER T. FUSHIKOSHI, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 236, submitting for consideration and confirmation to the Commission to Promote Uniform Legislation, the nominations of ROBERT S. TOYOFUKU and HIROSHI SAKAI, terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 237, submitting for consideration and confirmation to the Advisory Board on Veterans Services, the nomination of DANIA S. KRAWEC, term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 238, submitting for consideration and confirmation to the Board of Veterinary Examiners, the nomination of SUELLEN J. KOTAKE, D.V.M., term to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

Gov. Msg. No. 239, submitting for consideration and confirmation to the Board of Certification of Operating Personnel in Wastewater Treatment Plants, the nominations of: ROGER BABCOCK, Ph.D., term to expire June 30, 1999; and ROBERT O. VALENTINE and ALLEN L. PERRY, JR., terms to expire June 30, 2000, was referred to the Committee on Executive and Judicial Appointments.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 184 to 201) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 184 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, TOGETHER WITH OTHER PUBLIC AND PRIVATE SECTOR AGENCIES AND ORGANIZATIONS, TO DEVELOP PROGRAMS TO PREVENT AND ELIMINATE VIOLENCE IN HAWAII'S PUBLIC SCHOOLS."

Offered by: Senator Tam.

No. 185 "SENATE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO ESTABLISH A STANDARDIZED RISK TABLE."

Offered by: Senator Tam.

No. 186 "SENATE CONCURRENT RESOLUTION REQUESTING THE COORDINATION OF EFFORTS OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A PLAN FOR THE SHIPMENT OF HAWAII CATTLE TO THE UNITED STATES WEST COAST THAT IS CONSISTENT WITH SECTION 27 OF THE MERCHANT MARINE ACT, 1920."

Offered by: Senators Solomon, Tanaka, Kawamoto, Ige, Fukunaga.

No. 187 "SENATE CONCURRENT RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO URGE TELECOMMUNICATIONS PROVIDERS TO EXPEDITE COMPLETION OF STATEWIDE FIBEROPTIC INSTALLATIONS AND TO SUPPORT THEIR EFFORTS."

Offered by: Senators Solomon, Tanaka, Kawamoto, Ige.

No. 188 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVISIT ITS REQUIREMENTS FOR UPGRADING FROM CESSPOOLS TO INDIVIDUAL WASTEWATER SYSTEMS."

Offered by: Senators Levin, Tam.

No. 189 "SENATE CONCURRENT RESOLUTION URGING THE GOVERNOR TO REAFFIRM THE TRUST RESPONSIBILITY OF THE STATE FOR IMPROVING THE HEALTH STATUS OF HAWAIIANS TO THE HIGHEST POSSIBLE LEVEL."

Offered by: Senators Levin, Aki.

No. 190 "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH, THE STATE DEPARTMENT OF HUMAN SERVICES, THE STATE DEPARTMENT OF HAWAIIAN HOME LANDS, THE OFFICE OF HAWAIIAN AFFAIRS, AND THE UNIVERSITY OF HAWAII EACH TO REPORT ON THEIR RESPECTIVE COLLABORATIVE EFFORTS WITH THE NATIVE HAWAIIAN HEALTH CARE SYSTEMS TO IMPROVE THE STATUS OF HAWAIIANS IN THE STATE OF HAWAII."

Offered by: Senators Levin, Aki.

No. 191 "SENATE CONCURRENT RESOLUTION AFFIRMING THE VITAL ROLE THAT THE GOVERNOR'S PACIFIC HEALTH PROMOTION AND DEVELOPMENT CENTER PLAYS IN IMPROVING PACIFIC ISLANDER AND HAWAIIAN HEALTH AND REQUESTING THE GOVERNOR'S CONTINUED SUPPORT FOR THE CENTER'S ACTIVITIES."

Offered by: Senators Aki, Levin.

No. 192 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO REDIRECT RESOURCES WITHIN THEIR RESPECTIVE DEPARTMENTS TOWARD PRIMARY PREVENTION ACTIVITIES, PARTICULARLY AS THEY RELATE TO IMPROVING THE HEALTH STATUS OF HAWAIIANS IN THE STATE."

Offered by: Senators Aki, Levin.

No. 193 "SENATE CONCURRENT RESOLUTION REQUESTING PUBLIC AND PRIVATE ENTITIES TO TAKE STEPS TO IMPLEMENT THE ACTION PLAN REGARDING NATIVE HAWAIIANS IN THE CRIMINAL JUSTICE SYSTEM."

Offered by: Senator Aki.

No. 194 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE IMPACT TO CONSUMERS AND THE EFFECT ON INSURANCE PREMIUMS OF DIRECT REPAIR PROGRAMS OF MOTOR VEHICLE INSURERS AND THE ADVISABILITY OF ALLOWING AUTO BODY REPAIR SHOPS TO USE LIKE KIND AND QUALITY PARTS IN REPAIRS."

Offered by: Senator Mizuguchi.

No. 195 "SENATE CONCURRENT RESOLUTION REQUESTING SELECTED PUBLIC AGENCIES AND BOARDS AND COMMISSIONS TO CABLECAST AGENCY PROCEEDINGS ON CABLE TELEVISION PUBLIC ACCESS CHANNELS."

Offered by: Senators Ihara, Fukunaga.

No. 196 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A LEGISLATIVE INTERNSHIP PROGRAM FOR SECONDARY SCHOOL STUDENTS."

Offered by: Senators Ihara, Ige, Chumbley, McCartney.

No. 197 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE ESTABLISHMENT OF "MADE IN HAWAII" VENUES AT APPROPRIATE STATE-OWNED AND OPERATED FACILITIES."

Offered by: Senators Tanaka, Solomon.

No. 198 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONSIDER ESTABLISHING A FEDERAL AID INFORMATION CLEARINGHOUSE."

Offered by: Senator Matsunaga.

No. 199 "SENATE CONCURRENT RESOLUTION URGING RESIDENTIAL PROPERTY OWNERS AND MANAGERS TO VOLUNTARILY RESTRICT THE PLACEMENT OF ASHTRAYS AWAY FROM THE ENTRANCE TO BUILDINGS."

Offered by: Senator Matsunaga.

No. 200 "SENATE CONCURRENT RESOLUTION REQUESTING THAT STEPS BE TAKEN TO STRENGTHEN THE FUTURE OF THE UNITED STATES INSTITUTE OF PEACE BY SUPPORTING ITS RELOCATION TO HAWAII."

Offered by: Senator Matsunaga.

No. 201 "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, THROUGH THE COMMISSIONER OF SECURITIES, TO PROMOTE THE ESTABLISHMENT OF A SECURITIES EXCHANGE IN THE STATE OF HAWAII."

Offered by: Senators Holt, Ikeda.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 144 to 159) were read by the Clerk and were deferred:

Senate Resolution

No. 144 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION, TOGETHER WITH OTHER PUBLIC AND PRIVATE SECTOR AGENCIES AND ORGANIZATIONS, TO DEVELOP PROGRAMS TO PREVENT AND ELIMINATE VIOLENCE IN HAWAII'S PUBLIC SCHOOLS."

Offered by: Senator Tam.

No. 145 "SENATE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO ESTABLISH A STANDARDIZED RISK TABLE."

Offered by: Senator Tam.

No. 146 "SENATE RESOLUTION REQUESTING THE COORDINATION OF EFFORTS OF THE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEVELOP A PLAN FOR THE SHIPMENT OF HAWAII CATTLE TO THE UNITED STATES WEST COAST THAT IS CONSISTENT WITH SECTION 27 OF THE MERCHANT MARINE ACT, 1920."

Offered by: Senators Solomon, Tanaka, Kawanioto, Ige, Fukunaga.

No. 147 "SENATE RESOLUTION REQUESTING THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO URGE TELECOMMUNICATIONS PROVIDERS TO EXPEDITE COMPLETION OF STATEWIDE FIBEROPTIC INSTALLATIONS AND TO SUPPORT THEIR EFFORTS."

Offered by: Senators Solomon, Tanaka, Kawamoto, Ige.

No. 148 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REVISIT ITS REQUIREMENTS FOR UPGRADING FROM CESSPOOLS TO INDIVIDUAL WASTEWATER SYSTEMS."

Offered by: Senators Levin, Tam.

No. 149 "SENATE RESOLUTION URGING THE GOVERNOR TO REAFFIRM THE TRUST RESPONSIBILITY OF THE STATE FOR IMPROVING THE HEALTH STATUS OF HAWAIIANS TO THE HIGHEST POSSIBLE LEVEL."

Offered by: Senators Levin, Aki.

No. 150 "SENATE RESOLUTION REQUESTING THE STATE DEPARTMENT OF HEALTH, THE STATE DEPARTMENT OF HUMAN SERVICES, THE STATE DEPARTMENT OF HAWAIIAN HOME LANDS, THE OFFICE OF HAWAIIAN AFFAIRS, AND THE UNIVERSITY OF HAWAII EACH TO REPORT ON THEIR RESPECTIVE COLLABORATIVE EFFORTS WITH THE NATIVE HAWAIIAN HEALTH CARE SYSTEMS TO IMPROVE THE STATUS OF HAWAIIANS IN THE STATE OF HAWAII."

Offered by: Senators Levin, Aki.

No. 151 "SENATE RESOLUTION AFFIRMING THE VITAL ROLE THAT THE GOVERNOR'S PACIFIC HEALTH PROMOTION AND DEVELOPMENT CENTER PLAYS IN IMPROVING PACIFIC ISLANDER AND HAWAIIAN HEALTH AND REQUESTING THE GOVERNOR'S CONTINUED SUPPORT FOR THE CENTER'S ACTIVITIES."

Offered by: Senators Aki, Levin.

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Offered by: Senators Aki, Levin.

No. 153 "SENATE RESOLUTION REQUESTING A STUDY ON THE IMPACT TO CONSUMERS AND THE EFFECT ON INSURANCE PREMIUMS OF DIRECT REPAIR PROGRAMS OF MOTOR VEHICLE INSURERS AND THE ADVISABILITY OF ALLOWING AUTO BODY REPAIR SHOPS TO USE LIKE KIND AND QUALITY PARTS IN REPAIRS."

Offered by: Senator Mizuguchi.

No. 154 "SENATE RESOLUTION REQUESTING SELECTED PUBLIC AGENCIES AND BOARDS AND COMMISSIONS TO CABLECAST AGENCY PROCEEDINGS ON CABLE TELEVISION PUBLIC ACCESS CHANNELS."

Offered by: Senators Ihara, Fukunaga.

No. 155 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A LEGISLATIVE INTERNSHIP PROGRAM FOR SECONDARY SCHOOL STUDENTS."

Offered by: Senators Ihara, Chumbley, Ige, McCartney.

No. 156 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONSIDER ESTABLISHING A FEDERAL AID INFORMATION CLEARINGHOUSE."

Offered by: Senator Matsunaga.

No. 157 "SENATE RESOLUTION URGING RESIDENTIAL PROPERTY OWNERS AND MANAGERS TO VOLUNTARILY RESTRICT THE PLACEMENT OF ASHTRAYS AWAY FROM THE ENTRANCE TO BUILDINGS."

Offered by: Senator Matsunaga.

No. 158 "SENATE RESOLUTION REQUESTING THAT STEPS BE TAKEN TO STRENGTHEN THE FUTURE OF THE UNITED STATES INSTITUTE OF PEACE BY SUPPORTING ITS RELOCATION TO HAWAII."

Offered by: Senator Matsunaga.

No. 159 "SENATE RESOLUTION ENCOURAGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, THROUGH THE COMMISSIONER OF SECURITIES, TO PROMOTE THE ESTABLISHMENT OF A SECURITIES EXCHANGE IN THE STATE OF HAWAII."

Offered by: Senators Holt, Ikeda.

ORDER OF THE DAY

MATTER DEFERRED FROM WEDNESDAY, MARCH 13, 1996

AGREE/DISAGREE

S.B. No. 1557, S.D. 2 (H.D. 1):

On motion by Senator Grauly, seconded by Senator McCartney and carried, the Senate disagreed to the amendments proposed by the House to S.B. No. 1557, S.D. 2, and requested a conference on the subject matter thereof.

REFERRAL OF HOUSE BILLS

The President made the following committee assignment of House bills that were received on Thursday, March 7, 1996:

House Bill	Referred to:
No. 3153, H.D. 2	Committee on Judiciary
No. 3346, H.D. 1	Committee on Judiciary
No. 3572, H.D. 1	Committee on Judiciary

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill	Referred to:
No. 2746, H.D. 1	Jointly to the Committee on Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Ways and Means
No. 3299, H.D. 1	Jointly to the Committee on Agriculture, Labor, and Employment and the Committee on Economic Development, then to the Committee on Ways and Means
No. 3496, H.D. 1	Committee on Judiciary, then to the Committee on Ways and Means

Senator Anderson rose on a point of personal privilege as follows:

"Mr. President, I stand on a point of personal privilege.

"Mr. President, this morning's paper said, 'Budget hits wall in Council,' and it's asking Mayor Jeremy Harris to take a stand on the firefighters' pay. And in here it says that we're trying to give every opportunity to the mayor to be involved to decline or accept. It also says that all four counties and the Legislature have to approve that pay raise.

"I read Letters to the Editor, and it said 'Fire Fighters feel tricked.' Now I'm not too sure, Mr. President, but if I remember correctly, the firefighters were one of the first to go into a binding arbitration. Under that, they had to live or die with whatever happened. And according to this, they were able to ask the governor for a 1.5 and everything was rejected. Then they went into binding arbitration and got a 7.2 percent wage increase.

"I think our integrity is really at stake here. We asked them to go into a binding arbitration and now we're

saying we can't afford it, so now you go back to the table. I don't know what a binding arbitration is if it doesn't mean that we are going to be held responsible. And I think that it's terrible and I don't mean this as a point for politics or anything else. I think it's our integrity and I think it's our responsibility. So I would hope that we at the Legislature really look at that. It's a very important part and I think the council really has a responsibility to pay for that, rather than say 'reject' or 'accept.' To me, that's not binding.

"Mr. President, may I request that the 'Letter to the Editor' from Francis Kennedy, Jr., be inserted into the Journal? Thank you very much."

The Chair having so ordered, the "Letter to the Editor" is Attachment "A" to the Journal of this day.

At 11:56 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:57 o'clock a.m.

ADJOURNMENT

At 11:59 o'clock a.m., on motion by Senator Ihara, seconded by Senator Liu and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 15, 1996.

ATTACHMENT "A"

LETTERS

The Honolulu Advertiser

Thursday, March 14, 1996

Fire Fighters feel tricked

Employers' stubbornness brought big wage hike

The governor and the mayors of the four counties (the employers) have deliberately blocked efforts by an arbitration panel to make a decision it believed to be fair and equitable in our recent contract negotiations.

The employers have not accepted responsibility for the consequences. Instead, they have dishonored themselves and have shamelessly placed this responsibility on the shoulders of the Legislature and the county councils.

If the employers have their way, the legislative bodies will disapprove the final and binding decision (a two-year, 7.2 percent wage hike) and take the blame for making a mockery of the collective bargaining/arbitration process.

There is already an insidious public relations effort to

characterize this final and binding arbitration award as a mere "recommendation." It is not a recommendation. It is legally final and binding on both parties, not just on the Fire Fighters.

The chairman of the arbitration panel made extraordinary efforts to persuade the employers to grant the panel authority to choose something other than the union's final offer on wages. At one point, he even recommended a very modest 1 percent plus 1.5 percent wage increase settlement package.

In a Feb. 21 letter to chief negotiator Manabu Kimura, the chairman of the panel advised that . . . "the majority of the panel does not believe the employers have provided sufficient evidence to establish an inability to pay, which is a prerequisite to a zero wage offer. The employers' position in refusing to grant the panel flexibility leaves the panel little option. . ."

On March 1, the decision and award said: "If the panel had the

authority, it would have selected a modified wage increase as more appropriate. But since the employers have refused to extend that authority to the panel, the only alternative is to accept the union's proposal as it was made with respect to wages."

It has been suggested that after the councils "just say no" to this arbitration decision, we will simply have to return to the bargaining table. For what? To apologize? We have a final and binding arbitration award. That's final.

The public is entitled to an explanation from the employers for this refusal to allow the arbitration panel to make a more reasonable decision.

FRANCIS KENNEDY JR.
Business Manager
Hawaii Fire Fighters Assoc.