

## THIRTY-SECOND DAY

Thursday, March 18, 1993

The Senate of the Seventeenth Legislature of the State of Hawaii, Regular Session of 1993, convened at 11:38 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by the Reverend Dale Burke, Christ Lutheran Church of Mililani, 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 Fukunaga, in recognition of Social Work Month in Hawaii, made the following presentation and introduction:

"Mr. President, it is with a lot of respect and thanks that I would like to introduce to this honorable body a group of social workers who are here with us this morning to help celebrate the month of March as Professional Social Work Month in Hawaii.

"I think that as we begin looking at the many ways in which we are going to have to cut costs and reform government operations, and look for ways to become a lot more cost-effective in what we spend taxpayer dollars on, it's an especially appropriate time for us to recognize the many health care professionals who make up the front line forces in many of the most difficult kinds of problems that face our society -- whether it's in the area of domestic violence, child abuse, or the many types of diseases that social workers, a critical part of the team, are helping to address.

"With us this morning on the floor are a number of representatives of our social work profession. I would like to introduce very briefly: Mr. John Tomoso, president, National Association of Social Workers (NASW), Hawaii Chapter; Dr. Patricia Ewalt, dean, School of Social Work, University of Hawaii at Manoa; and Ms. Debbie Shimizu, executive director, NASW, Hawaii Chapter. (All stood to be recognized.)

"Joining me in the presentation of the certificate this morning are Senator Bert Kobayashi and Senator Rey Grauly. I'd like to defer to both both of the Senators for some of their remarks regarding today's presentation. Thank you."

Senator B. Kobayashi then said:

"Mr. President, social workers have long been a respected part of the professional social network that provides innumerable services throughout the community. Social workers, as you know, have long been involved in a legislative battle for licensing. The battle, in part, has to do with the comprehensiveness of services provided by social workers in many different fields. And it is, regardless of whether they have licensure, that we recognize their contributions today in the areas of health and human services. Thank you."

Senator Grauly added:

"Mr. President, coincidentally, this afternoon the Committee on Human Services will be hearing the bill on the licensing of social workers and as you can well imagine, Mr. President, we've been barraged with information from both sides of the issue. It's a very difficult issue because people often ask what really is a social worker? What does that person really do? And it's

very difficult to define and sometimes that's the cause of the problem.

"I guess a social worker is a person who helps people who need help in so many ways, and while it might be difficult to precisely define, I think people know when they are helped by a social worker.

"And regardless of what the committee may do this afternoon on the bill, I think we are here today to recognize and to say thank you for all that the social workers have done in our community for, certainly, without their help and their support, so many of our citizens would be in worse shape than they are today.

"I join my two colleagues in honoring these three outstanding individuals, and also join in offering our sincere thanks to all those in the field of social work who do so much for so many of our people. Thank you."

Senator Fukunaga also introduced and recognized the following persons and said:

"Mr. President, I would also like to recognize a number of visitors that we have in the audience with us. I'd like to ask those who are here for this presentation also to rise and be recognized, especially Mr. Ah Nee Leong, who is a member of NASW.

"I would also like to mention that Dr. Jean Waldron, who is not with us this morning, is the Social Worker of the Year for 1993 in Hawaii. She is the director of the AIDS education project through the University of Hawaii Department of Psychiatry."

At 11:46 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:52 o'clock a.m.

## SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 102 to 111) were read by the Clerk and were referred to committees:

## Senate Concurrent Resolution

No. 102 "SENATE CONCURRENT RESOLUTION URGING CONGRESS TO ELIMINATE INEQUITIES IN THE PAYMENT OF SOCIAL SECURITY BENEFITS THAT ARE BASED ON THE YEAR THAT A PERSON INITIALLY BECOMES ELIGIBLE FOR SUCH BENEFITS."

Offered by: Senators Grauly, Aki, Blair, Hagino, Ikeda, Kobayashi, A., Matsunaga, Matsuura, Nakasato, Tanaka.

Referred to: Committee on Human Services

No. 103 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO REPORT ON THE FEASIBILITY OF CERTIFYING ELIGIBLE HOMELESS PERSONS TO RECEIVE BENEFITS AND ASSISTANCE ADMINISTERED BY THE DEPARTMENT OF HUMAN SERVICES."

Offered by: Senators Grauly, Blair, Chang, Fukunaga, Hagino, Kobayashi, A., Kobayashi, B., Levin, Reed.

Referred to: Committee on Human Services

No. 104 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO REPORT ON THE FEASIBILITY AND COST OF EXTENDING GENERAL ASSISTANCE ELIGIBILITY TO ALL ABLE-BODIED ADULTS BETWEEN THE AGES OF EIGHTEEN AND FIFTY-FIVE WHO DO NOT HAVE CHILDREN."

Offered by: Senators Grauly, Blair, Chang, Fukunaga, Hagino, Kobayashi, A.

Referred to: Committee on Human Services

No. 105 "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT TO THE LEGISLATURE ON THE IMPLICATIONS OF MODIFYING ITS CURRICULUM TO INCLUDE AMERICAN SIGN LANGUAGE AND DEAF STUDIES."

Offered by: Senators Kobayashi, A., Fukunaga, George, Hagino, Holt, Ikeda, Kanno, Kobayashi, B., Koki, Matsunaga, Matsuura, Nakasato.

Referred to: Committee on Higher Education, Culture, Arts and Historic Preservation

No. 106 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO AUDIT THE COMMUNITY HOSPITALS INFORMATION PROCESSING SYSTEM (CHIPS)."

Offered by: Senators Kobayashi, A., Fukunaga, George, Hagino, Holt, Ikeda, Kanno, Kobayashi, B., Koki, Matsunaga, Matsuura, Nakasato.

Referred to: Committee on Health, then to the Committee on Legislative Management

No. 107 "SENATE CONCURRENT RESOLUTION SUPPORTING EFFORTS FOR HAWAII TO BECOME A ROLE MODEL AND LEADER IN THE UTILIZATION AND EXPORTATION OF ALTERNATIVE, SUSTAINABLE ENERGY SYSTEMS, PRODUCTS, AND TECHNOLOGIES."

Offered by: Senator Chang.

Referred to: Committee on Science, Technology and Economic Development

No. 108 "SENATE CONCURRENT RESOLUTION URGING THE COUNTY OF MAUI, THE DEPARTMENT OF LAND AND NATURAL RESOURCES, AND THE DEPARTMENT OF HEALTH TO DEVELOP A JOINT PLAN FOR THE REMOVAL OF ALGAE FROM THE BEACHES AND NEARSHORE WATERS OF MAUI COUNTY."

Offered by: Senators Reed, Blair, Tanaka.

Referred to: Committee on Planning, Land and Water Use Management

No. 109 "SENATE CONCURRENT RESOLUTION DIRECTING THE INSURANCE COMMISSIONER TO INVESTIGATE THE INSOLVENCIES OF INSURANCE COMPANIES AFTER HURRICANE INIKI."

Offered by: Senators Iwase, Ikeda.

Referred to: Jointly to the Committee on Planning, Land and Water Use Management and the Committee

on Consumer Protection, then to the Committee on Legislative Management

No. 110 "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ALLOW AND PROVIDE FOR THE TRANSPORTATION OF STUDENTS PARTICIPATING IN THE HAWAIIAN LANGUAGE IMMERSION PROGRAM BETWEEN DEPARTMENTAL SCHOOL DISTRICTS ON THE SAME ISLAND."

Offered by: Senators Tungpalan, Blair, Chang, Fukunaga, Tanaka.

Referred to: Committee on Education, Labor and Employment

No. 111 "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE AUDITOR INVESTIGATE AND DEVELOP CORRECTIVE MEASURES TO ELIMINATE WAGE INEQUITIES AMONG SPECIFIC PUBLIC EMPLOYEE JOB CLASSES."

Offered by: Senator Hagino.

Referred to: Committee on Education, Labor and Employment, then to the Committee on Legislative Management

#### SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 83 to 88) were read by the Clerk and were disposed of as follows:

Senate Resolution

No. 83 "SENATE RESOLUTION URGING CONGRESS TO ELIMINATE INEQUITIES IN THE PAYMENT OF SOCIAL SECURITY BENEFITS THAT ARE BASED ON THE YEAR THAT A PERSON INITIALLY BECOMES ELIGIBLE FOR SUCH BENEFITS."

Offered by: Senators Grauly, Aki, Blair, Hagino, Ikeda, Kobayashi, A., Matsunaga, Matsuura, Nakasato, Tanaka.

Referred to: Committee on Human Services

No. 84 "SENATE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO REPORT TO THE LEGISLATURE ON THE IMPLICATIONS OF MODIFYING ITS CURRICULUM TO INCLUDE AMERICAN SIGN LANGUAGE AND DEAF STUDIES."

Offered by: Senators Kobayashi, A., Fukunaga, George, Hagino, Holt, Ikeda, Kanno, Kobayashi, B., Koki, Matsunaga, Matsuura, Nakasato.

Referred to: Committee on Higher Education, Culture, Arts and Historic Preservation

No. 85 "SENATE RESOLUTION SUPPORTING EFFORTS FOR HAWAII TO BECOME A ROLE MODEL AND LEADER IN THE UTILIZATION AND EXPORTATION OF ALTERNATIVE, SUSTAINABLE ENERGY SYSTEMS, PRODUCTS, AND TECHNOLOGIES."

Offered by: Senator Chang.

Referred to: Committee on Science, Technology and Economic Development

No. 86 "SENATE RESOLUTION URGING THE COUNTY OF MAUI, THE DEPARTMENT OF LAND

AND NATURAL RESOURCES, AND THE DEPARTMENT OF HEALTH TO DEVELOP A JOINT PLAN FOR THE REMOVAL OF ALGAE FROM THE BEACHES AND NEARSHORE WATERS OF MAUI COUNTY."

Offered by: Senators Reed, Blair, Tanaka.

Referred to: Committee on Planning, Land and Water Use Management

No. 87 "SENATE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ALLOW AND PROVIDE FOR THE TRANSPORTATION OF STUDENTS PARTICIPATING IN THE HAWAIIAN LANGUAGE IMMERSION PROGRAM BETWEEN DEPARTMENTAL SCHOOL DISTRICTS ON THE SAME ISLAND."

Offered by: Senators Tungpalan, Blair, Chang, Fukunaga, Tanaka.

Referred to: Committee on Education, Labor and Employment

No. 88 "SENATE RESOLUTION OBJECTING TO THE UNWARRANTED OMISSION OF THE UNIVERSITY OF HAWAII WAHINE BASKETBALL TEAM FROM THE NCAA POST-SEASON BASKETBALL TOURNAMENT."

Offered by: Senators Tungpalan, Iwase, Matsunaga, Aki.

By unanimous consent, action on S.R. No. 88 was deferred to the end of the calendar.

#### LEADERSHIP COMMITTEE REPORT

Senator Holt, for the Committee on Executive Appointments, presented a report (Ldr. Com. Rep. No. 887) recommending that the Senate advise and consent to the nominations of the following:

AMEFIL AGBAYANI, Ph.D., and JOSEPHINE G. EPSTEIN to the Civil Rights Commission, in accordance with Gov. Msg. No. 197;

SARAH A. NEAL-FUJIMOTO and GEORGE T. NIITANI to the Civil Service Commission, in accordance with Gov. Msg. No. 198;

FRED CACHOLA, SHARMANE HOLOKA'I, ROY M. HORNER, NATALIE A. (TASHA) KAMA, LILLIAN P. KRUSE and MELISSA L. MONIZ to the Advisory Commission on the Compensation of Trustees of the Office of Hawaiian Affairs, in accordance with Gov. Msg. No. 199;

ANN M.F. MORIMOTO and LOIS Y. OKINO to the Board of Trustees, Deferred Compensation Plan, in accordance with Gov. Msg. No. 200;

LILLIAN M. JESKEY-LUBAG, ANN HOLLOWAY VANNATTA and DAVID A. WOLL to the State Planning Council on Developmental Disabilities, in accordance with Gov. Msg. No. 201;

VERONICA B. YAMANOHA, LORRAINE GODOY, WILLIAM F. HANING III, M.D., STEPHEN B. KEMBLE, M.D., ARLENE LEE-WILLIAMS and SUSAN ZIMMERMAN to the Hawaii Advisory Commission on Drug Abuse and Controlled Substances, in accordance with Gov. Msg. No. 202;

ROBERT K. OVERLOCK, M.D., and WINTHROP SCOTT SCHAEFER, M.I.C.T., to the State Emergency Medical Services Advisory Committee, in accordance with Gov. Msg. No. 205;

DOUGLAS R. SODETANI and ROBERT S. WEINER, M.D., to the Board of Medical Examiners, in accordance with Gov. Msg. No. 211;

FAITH Y. LEBB and RODNEY CHUN, N.D., to the Board of Examiners in Naturopathy, in accordance with Gov. Msg. No. 215;

MARGARITA L. HOPKINS to the Board of Examiners in Optometry, in accordance with Gov. Msg. No. 216; and

RICHARD K. MINATOYA, MARADA DECKER, JR., and SUSAN CHUN WAKAYAMA, Pharm.D., to the Board of Pharmacy, in accordance with Gov. Msg. No. 218.

In accordance with Senate Rule 36(1), action on Ldr. Com. Rep. No. 887 and Gov. Msg. Nos. 197, 198, 199, 200, 201, 202, 205, 211, 215, 216 and 218 was deferred until Friday, March 19, 1993.

#### ORDER OF THE DAY

##### ADVISE AND CONSENT

Ldr. Com. Rep. No. 886 ( Gov. Msg. Nos. 229):

Senator Holt moved that Ldr. Com. Rep. No. 886 be received and placed on file, seconded by Senator A. Kobayashi and carried.

Senator Holt then moved that the Senate consent to the nomination of MARIO R. RAMIL for Associate Justice of the State Supreme Court in accordance with the provisions of Article VI, Section 3, of the Hawaii State Constitution, for a term of ten years, seconded by Senator A. Kobayashi.

Senator Holt spoke in support of the nominee and said:

"Mr. President, I rise to speak in support of Governor's Message 229.

"Mr. President, it's my pleasure today to speak in support of nominee Mario Ramil and to recommend the advise and consent of the Senate for his appointment to the position of Associate Justice of the Supreme Court.

"Since this is a rare opportunity as chairman of your Committee on Executive Appointments to speak on behalf of the Supreme Court nominee, I hope that the members will bear with me if I seem nervous.

"Mr. President, your Committee on Executive Appointments held a public hearing on this nominee on Tuesday, March 16th. During this hearing, I had the opportunity to learn more about Mario Ramil's character, life experiences and qualifications. As a result, I am pleased to report that he is ably qualified and deserving of the Senate's advise and consent for appointment to the Supreme Court. Beyond this, however, is my firm belief that Mario Ramil will contribute greatly to the diversity of the court. He is a unique candidate of unquestioned integrity with a background that has enriched him with the ideals, traditions and cultural values of a large segment of our community. In other words, Mr. President, the appointment of Mario Ramil will send a clear message to the community that the Senate is strongly committed to the goal of achieving diversity in our Judiciary.

"For the record, Mr. President, I've always believed that diversity in our courts is essential to the achievement of justice. For this reason, I strongly support the appointment of a woman to fill the remaining vacancy on the Supreme Court.

"If I may, Mr. President, I would also like to repeat some of the remarks that I made at Mr. Ramil's hearing regarding the role of the Executive Appointments Committee in the confirmation process for judicial appointments. By the media reports that I have read and the comments that I have heard so far, there seem to be a variety of interpretations concerning the duties of this committee and of the Senate in general with regard to the judicial appointment process. I would like to make it clear at this time that it is my firm intent to abide by the process as prescribed by our State Constitution.

"As I see it, the Constitution restricts the Senate's consideration for advise and consent to a single nominee appointed by the governor. This is an extremely important point because it essentially precludes us from making comparisons with other potential candidates. In essence, our duty is to assess the merits and qualifications of the nominee strictly on an individual basis.

"Unfortunately, however, there are a few critics out there who are not bound by the Constitution and are free to make this type of comparison. Personally, I do not find anything wrong with this because it is a natural thing to do. I would strongly object, however, to those who would attempt to use these comparisons in an effort to influence the advise and consent process as set forth in the Constitution.

"It is abundantly clear that the Constitution only conveys this authority to the governor who has the option to select a nominee from a list of not less than six. The Senate, therefore, is strictly limited to the advise and consent of the governor's nominee.

"Rule 19 of the Rules of the Senate is consistent with this interpretation and specifies that the scope of the Executive Appointments Committee '... shall be to review the background, character, experience and qualifications of nominees for executive and judicial offices submitted by the governor, and make appropriate recommendations to the Senate.' As I understand it, the review function in Rule 19 applies to each nominee on an individual basis. As the chairman, this is precisely what I intend to do. Each nominee will be afforded the opportunity to participate in a fair and open public hearing and, in accordance with Rule 19, the committee will make appropriate recommendations to the Senate.

"For these reasons, Mr. President, I intend to submit a committee report for every appointment that is referred to committee with appropriate recommendations as required by Rule 19. By so doing, Mr. President, the entire Senate will decide on advise and consent, in accordance with our Rules and the State Constitution.

"Mr. President, again, with your permission, I would like to give a short response to those critics who have tried to use the public hearings on certain Supreme Court nominees as a platform to call for the reform of the judicial selection process. I would like to remind them that these hearings are not the appropriate forum and that the governor's messages are not the appropriate vehicle for reform of the process.

"In closing, Mr. President, I would like to reiterate my support for the appointment of Mario Ramil to the Supreme Court bench and I urge my colleagues to vote in support of Governor's Message 229. Thank you."

Senator Iwase also rose to support the nominee and remarked:

"Mr. President, I rise to speak in support of the nomination of Mario Ramil to the Supreme Court.

"Mr. President, with our consideration over the various Supreme Court nominees, questions have been asked about what should be considered in determining one's qualification to sit on our highest court.

"Some argue that one's ability to present evidence is important -- and it is.

"Some have argued that one's ability to write is important -- and it is.

"Others argue that one's analytical ability is important -- and it is.

"However, Mr. President, we are not choosing a lawyer for just any court. We are confirming a nominee to our highest court which renders final judgment affecting all of our people.

"And so I believe that the nominee should have a background and a breadth of life experience to make such all encompassing decisions which affect the policies of this state and which impact on the history of our state.

"Oliver Wendell Holmes once said that 'The life of the law has not been logic, it has been experience.'

"Mr. Ramil, born in the Philippines, whose father was an attorney but who could not find employment in that field when he came to this land of opportunity; who never forgot his roots and humble beginnings; who dedicated his career to public service to help people; who rose from the ranks of deputy attorney general to insurance commissioner, to director of labor; who performed at each stage of his career with distinction -- Mr. President, Mr. Ramil is the best qualified nominee for the Supreme Court.

"And with his background, he will use his life experience to give life to the law.

"Mr. Ramil will be a justice who will bring heart, soul and compassion to our highest court.

"And I am so proud to support this nomination today."

Senator Mizuguchi added his support, as follows:

"Mr. President, I stand to speak in support of the nomination of Mario Ramil as an Associate Justice of the Hawaii Supreme Court.

"Those of us who have worked with Mario know that he possesses the capabilities necessary to master all of the aspects required of an associate justice. His intelligent, quick grasp of the issues, analytical aptitude and his experience in a broad range of issues can only serve to enhance the State Supreme Court.

"From his humble beginnings, he has worked to advance himself in his chosen field. He has made a lifelong commitment to achieving the highest standards of excellence in all aspects of his professional and personal life.

"I speak with conviction on behalf of Mario Ramil. I know him to be a man who's dedicated to serving the public with compassion and honesty. I believe that it is in the best interest of the people of this state that Mario

Ramil be confirmed as an Associate Justice of the State Supreme Court. Thank you."

Senator Tungpalan also supported the nomination and said:

"I rise to speak in favor of this nomination, basically, because many people have wondered whether or not the individual who is before us today could have possibly had enough experience with litigation or in the courts to be able to receive this nomination. This concern has led me to rise to speak on this matter.

"I certainly hope that our confirmation of Mr. Ramil will convey a message to all that an honest, capable, hard-working and qualified individual who wants to dedicate, and indeed Mario has, his life to public service can also rise to become a member of the Supreme Court. If this were not the case, Mr. President and my colleagues, I shudder to think of the number of individuals who would not want to serve as our directors, as our insurance commissioner or in any capacity or any agency that would be of benefit to the people of this state. I'm so happy that Mr. Ramil chose to do so.

"In my years as chairman of the Labor Committee in the House I worked very closely with him, he was an insurance commissioner, and in the Department of Labor, and I found him to be competent to the point where our rates in worker's compensation were the only ones that were lowered during the period when it was receiving double digit escalation throughout the nation.

"Thank you, Mr. Ramil, and thank you, Judy, for allowing your husband to serve the State of Hawaii so ably. And it's, indeed, with a lot of honor and pride that I stand and ask my fellow colleagues and you, Mr. President, to vote overwhelmingly in favor of this nominee. Thank you."

Senator Chang added his support and stated:

"Mr. President, when my colleague from Mililani quoted Oliver Wendell Holmes, I could not resist the opportunity to bring another jurist to bear on this worthwhile appointment.

"I also rise and stand in support of Mr. Ramil's appointment to the Supreme Court.

"Mr. President, the Supreme Court is an ensemble of jurists that must reflect the many permutations of social values that exist in our community. With Mr. Ramil's appointment, in paraphrase of Justice Cardozo, 'The symphony of justice plays on; it's harmony to many, fuller than before.' Thank you."

Senator Gaulty also rose to speak in support of Mr. Ramil and said:

"Mr. President, I rise to speak in support of the nomination.

"Mr. President, 46 years ago, in the town of Novaliches in the province of Rizal, in the Philippines, Mario Ramil was born. Now, if I remember Novaliches correctly, it's about 30 minutes outside Metro Manila by car. It's a small town, much like Hauula or Kaaawa on the windward side of the island, or Waialua. It's country -- and there are many hills in Novaliches, many rice fields and carabaos, and one of our nominee's childhood memories is washing down the carabao at the end of the day in the 'bukid,' which literally translated means 'hills' or 'hill country.'

"Shortly after Mario Ramil was born, he moved with his family to Hawaii; one of seven children born to a U.S. Navyman and his wife. Four years later, upon his father's retirement from the Navy, Mario returned to the Philippines with his family. And Mario's father, a college graduate, pursued his lifelong dream of becoming a lawyer.

"As you may be aware, Mr. President, 40 years ago, opportunities for Filipinos in the U.S. Navy were limited. They could only serve as mess stewards on ships. This was a blatant and flagrant form of discrimination. It was racial discrimination, pure and simple. It was in this environment and under these circumstances that our nominee was born and raised. It was in this environment that our nominee's father was challenged and, undaunted, reached for the stars.

"His son Mario, as we read in the papers last week, was not the favored son. He was not the one he hoped would be the doctor or the lawyer in the family, and wanting to follow in his father's footsteps, I understand, the nominee joined the Navy and tried to seek and reach for his star.

"And so here we are today, Mr. President, on the threshold of voting for a new Justice of our Supreme Court and there sits our nominee, the lawyer's son, a man for whom racial discrimination was real and personal. There he sits awaiting our verdict.

"Mr. President, only in America, could such a thing happen. Only in America, can the boy from the 'bukid' go as far as his talents and dream can take him and become a justice of our highest court.

"Mr. President, it makes me proud to live in a state where this can happen. And it makes me proud to be part of a process that makes this dream come true, because it's my dream, and I know it's your dream and the dream of every Senator here, not only for ourselves but for our children and our children's children. And so it is with great pride that I urge my colleagues to proudly join in voting 'aye' on this nomination. Thank you, Mr. President."

Senator McCartney then said:

"Mr. President, I also rise to speak in favor of the nomination and I'd like to thank my colleague from Salt Lake for those eloquent remarks. I come from the hills too and it prompted me to stand up and talk about this. Before I do, I'd like to thank the chair of the Executive Appointments Committee for those remarks that he made earlier. I embrace them and I think that they were in order.

"Mr. President, the Supreme Court is the people's court and, today, like in all votes that we take, we are voting our conscience and I feel very firm and very secure that we are voting our conscience that this is a vote to represent the people. I feel the nominee will represent the people with fairness, integrity and a strong content of character. And he truly represents 'The American Dream.'

"Mr. President, today is a proud day for the Senate and a proud day for the people of Hawaii in that we can support a nominee with those characteristics."

Senator Matsuura remarked:

"Mr. President, I also speak in favor of the nominee, and I want the remarks of the Senator from Salt Lake to be mine also. He has eloquently portrayed the character

and personality of a man who will serve the people of Hawaii.

"As I sit on the Executive Appointments Committee, there's nothing but lawyers that come to testify for the confirmation of judges, but in Mr. Ramil's case there was an unusual number of just ordinary people coming to testify for him. I'm not saying that he is perfect. I have to tell you that there is one imperfection. He can certainly improve on his storytelling ability to write children's stories. Thank you."

The motion was put by the Chair and carried on the following showing of Ayes and Noes:

Ayes, 25. Noes, none.

Senator Holt then introduced the newly confirmed Supreme Court Justice Mario Ramil to the honorable body. Mr. Ramil was accompanied by his wife Judy, sons Jonathan and Bradley, brother-in-law Carlos Matro, other family members and friends. (Mario Ramil, his family and friends, seated in the gallery, rose to be recognized.)

#### **MATTER DEFERRED FROM TUESDAY, MARCH 16, 1993**

#### **STANDING COMMITTEE REPORT**

Stand. Com. Rep. No. 884 (S.C.R. No. 39, S.D. 1):

On motion by Senator Iwase, seconded by Senator Kanno and carried, Stand. Com. Rep. No. 884 was adopted and S.C.R. No. 39, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE BOARD OF LAND AND NATURAL RESOURCES TO ISSUE A LEASE FOR THE PRIVATE DEVELOPMENT OF CERTAIN FAST AND SUBMERGED LANDS AT KAWAIHAE, HAWAII, FOR MARINA PURPOSES," was adopted.

At 12:12 o'clock p.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:24 o'clock p.m.

#### **MATTER DEFERRED FROM EARLIER ON THE CALENDAR**

S.R. No. 88:

By unanimous consent, S.R. No. 88, entitled: "SENATE RESOLUTION OBJECTING TO THE UNWARRANTED OMISSION OF THE UNIVERSITY OF HAWAII WAHINE BASKETBALL TEAM FROM THE NCAA POST-SEASON BASKETBALL TOURNAMENT," was referred to the Committee on Higher Education, Culture, Arts and Historic Preservation.

#### **RE-REFERRAL OF HOUSE BILL**

The Chair re-referred the following House bill that was received:

House Bill                      Referred to:

No. 1888, H.D. 2 Committee on Science, Technology and Economic Development, then to the Committee on Ways and Means

Senator George, chairman of the Committee on Housing, requested a waiver of the 72-hour Notice of a Public Hearing on H.B. No. 2022, H.D. 1, and the Chair granted the waiver.

#### **ADJOURNMENT**

At 12:25 o'clock p.m., on motion by Senator Ikeda, seconded by Senator Reed and carried, the Senate adjourned until 11:30 o'clock a.m., Friday, March 19, 1993.