

ACT 92

S.B. NO. 3111

A Bill for an Act Establishing a Commission to Recognize and Honor Congresswoman Patsy T. Mink.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that Congresswoman Patsy Takemoto Mink made a tremendous impact on the people of Hawaii and the nation through her illustrious career as an outstanding public servant. During her political career, she served a total of thirty-three years in the Hawaii territorial house, the Hawaii territorial senate, the Hawaii state senate, the Honolulu city council, and the United States House of Representatives.

A legislative trailblazer, Congresswoman Mink is known for championing the rights of immigrants, minorities, women, families, and children. Compassionate, articulate, and focused, Congresswoman Mink overcame gender and racial discrimination to become one of the most influential leaders of her generation.

Born on December 6, 1927, in the Maui plantation community of Paia, she began her unofficial political career during her junior year in high school when she ran for student body president against Elmer Cravalho, who later became speaker of the Hawaii house of representatives. She won the very close election, graduated in 1944 as Maui high school's class valedictorian, and began college at the University of Hawaii.

She transferred to the University of Nebraska, where she experienced racial discrimination through a policy of segregated student housing. Characteristic of her strong sense of justice and equality, she brought together other students, their parents, the community, and university trustees to end the policy of segregated student housing. She later returned to the University of Hawaii, graduating with degrees in zoology and chemistry in 1948. However, after her graduation from the university, none of the numerous medical schools to which she applied would accept women as students.

As a result, Congresswoman Mink decided to study law, instead of medicine, and was accepted by the University of Chicago School of Law because she was considered a "foreign student." She obtained her law degree in 1951, but could not

get hired at any law firm in Hawaii. She opened her own private practice in 1953, becoming the first Japanese-American woman to practice law in Hawaii.

She became active in the Democratic Party of Hawaii, and was chosen president of the Young Democrats at the party's 1954 convention. Her political career as an elected official began in 1956, when she was elected to the territorial house of representatives. She was elected to the territorial senate in 1958, and the Hawaii state senate from 1962 to 1964, where she chaired the education committee.

When she was elected to Congress in 1964 to an at-large position, Patsy T. Mink became the first non-white woman in the United States House of Representatives. She was also the first woman of Asian descent to serve in the United States Congress. She served six consecutive terms in the United States House of Representatives from 1965 to 1977. She was elected again in 1990 and served until her death in 2002.

Congresswoman Mink developed a reputation as a passionate advocate, courageous critic, and eloquent speaker. Her tenure in Congress is marked by many noteworthy achievements. She introduced the first comprehensive Early Childhood Education Act and authored the Women's Educational Equity Act.

Her most prominent accomplishment is the landmark Title IX Amendment of the Higher Education Act, which she co-authored. The Title IX Amendment of the Higher Education Act prohibits gender discrimination by federally funded educational institutions and guarantees equal federal support for women in both academics and athletics. In addition to broadening educational opportunities for girls and women, the groundbreaking law gave rise to women's athletic programs throughout the nation's high schools and colleges and universities. In June 2002, at a ceremony honoring the thirtieth anniversary of Title IX legislation, Congresswoman Mink was recognized as the National Organization of Women's Woman of Vision. She was one of only two women in the organization's history to receive the award. To further honor her profound, successful efforts to bring gender equity to education, the United States Congress renamed the Title IX Amendment of the Higher Education Act as the Patsy T. Mink Equal Opportunity in Education Act in October 2002.

Congresswoman Mink is also celebrated as one of America's most important civil rights leaders. She joined the National Association for the Advancement of Colored People in the early days of the civil rights movement, and she had a nearly one hundred per cent voting record on votes that were supported by the American Civil Liberties Union, the American Federation of State, County and Municipal Employees, and the League of Conservation Voters. In 1992, *McCall's* magazine named her one of the ten best politicians in Congress. Congresswoman Mink received numerous awards and honorary degrees and has been honored for her positive impact on public policy statutes on civil rights.

Congresswoman Mink's passion for social justice, public education, and peace afforded her broad national exposure. An early opponent of the Vietnam War, Congresswoman Mink's contributions to the peace movement are well-recognized. To demonstrate her strong desire for peace, she accompanied fellow United States Representative Bella Abzug to Paris to meet with participants in the Vietnam War peace talks.

Congresswoman Mink was also a leader in public access to government information. When the Environmental Protection Agency refused to provide records on underground nuclear tests in the Aleutian Islands of Alaska, Congresswoman Mink filed suit under the Freedom of Information Act to force the release of relevant reports. The suit became the first case under the Freedom of Information Act to be argued before the United States Supreme Court. The case significantly expanded the public's access to government information and was later cited as precedent by the Supreme Court in its ruling ordering the release of the Watergate tapes.

After twelve years in the United States House of Representatives, Patsy T. Mink made an unsuccessful run for the United States Senate in 1976. In 1977, President Jimmy Carter appointed her as the Assistant Secretary of State for Oceans and International, Environmental and Scientific Affairs. The experience enhanced her advocacy for the protection and conservation of the national resources of our nation and Hawaii. When she was elected again to Congress in 1990, she helped strengthen federal protection of whales and regulations of toxic dumping and ocean mining. She later introduced legislation to create the East Maui National Heritage Area, to expand the Puuhonua O Honaunau National Historic Park, and to establish the Kalaupapa National Historic Park. She was also involved in the successful effort to reform laws permitting strip mining. Congresswoman Mink left a lasting impression as a strong environmental advocate, supporting energy policy issues of regional, national, and global impact. For her accomplishments in the area of environmental advocacy, she received the Friend of the National Parks Award from the National Parks Conservation Association.

After her service in the Carter administration, Mink returned to Honolulu where she was elected to the Honolulu city council and served from 1983 to 1987. She was elected by her peers on the council as chairwoman from 1983 to 1985. She ran for governor in 1986, but lost in the primary election. Two years later, she ran for the office of Honolulu mayor and lost. In 1990, she won a special election to the United States House of Representatives, where she served until her death in 2002. After a long and distinguished career in local, state, and national public service, Congresswoman Patsy T. Mink passed away on September 28, 2002, at the age of seventy-four.

The purpose of this Act is to establish a commission to recognize and honor Congresswoman Patsy T. Mink.

SECTION 2. There is established a temporary commission to be known as the Congresswoman Patsy T. Mink commission, which shall have charge of all arrangements for recognizing and honoring Congresswoman Patsy T. Mink. The commission shall be placed within the office of the governor for administrative purposes and shall cease to exist after December 31, 2009.

SECTION 3. The commission shall consist of fourteen members who shall be appointed, without regard to section 26-34, Hawaii Revised Statutes, as follows:

- (1) Two by the speaker of the house of representatives;
- (2) Two by the president of the senate;
- (3) Two by the governor;
- (4) One by the Maui county council;
- (5) One by the Honolulu city council;
- (6) One by the Kauai county council; and
- (7) One by the Hawaii county council.

The commission members shall include a member from the family of Congresswoman Patsy T. Mink, the Japanese-American community, labor unions, the feminist community, the civil rights community, the American Civil Liberties Union, and the Americans for Democratic Action. The Library of Congress is requested to participate by sending to the governor a list of names of nominees for a representative. The commission also shall include two members from the public.

The speaker of the house of representatives shall select the members representing the Japanese-American community and the labor unions. The president of the senate shall select the members representing the civil rights community and the feminist community. The governor shall select the members representing the Library of Congress and the Americans for Democratic Action. The county councils shall

select the members representing the family of Congresswoman Patsy T. Mink, and the American Civil Liberties Union, and two members representing the public.

The speaker of the house of representatives and the president of the senate shall designate a chair pro tem by mutual agreement from among the appointed members. The majority of the members shall constitute a quorum. An individual appointed to another state board or commission may be eligible to be appointed as a member of this commission.

The members shall not receive compensation for their services but shall be reimbursed for necessary expenses, including travel expenses, incurred in the performance of their duties under this Act.

Any member of the commission shall be immune from civil liability, as provided for under section 26-35.5, Hawaii Revised Statutes.

SECTION 4. The commission shall research and recommend how the State can honor Congresswoman Patsy T. Mink and shall submit to the legislature, no later than twenty days prior to the convening of the regular session of 2007, a written report of its recommendations, including the following:

- (1) A summary outlining the development, planning, and coordination of the various program activities to be scheduled in honor of Congresswoman Patsy T. Mink;
- (2) An identification of a nonprofit organization that will be responsible for any moneys received or expended for honoring Congresswoman Patsy T. Mink; and
- (3) A detailed plan on how to execute its recommendations.

In fulfilling its responsibilities, the commission shall consult, cooperate with, and seek advice from appropriate organizations and agencies. The department of accounting and general services shall assist the commission and provide administrative support.

The governor may direct any or as many employees from any state executive agencies as the governor deems appropriate, to staff the commission.

SECTION 5. The commission may seek grants from public and private sources and may accept donations to finance the projects, programs, and activities of the commission. Any funds received by the commission shall be turned over to the nonprofit organization responsible for any moneys received or expended for honoring Congresswoman Patsy T. Mink.

All property acquired by the commission shall be deposited for preservation in the Hawaii state public library system, museums, and public archives or shall otherwise be disposed of as directed by the commission.

SECTION 6. At the end of its term, the commission shall submit to the governor and the legislature a final report of all its activities, including an accounting of all moneys received and disbursed. The report shall include, as applicable, a description of:

- (1) The production, publication, and distribution of books, films, and other educational materials on the life and experiences of Congresswoman Patsy T. Mink;
- (2) Conferences, conventions, lectures, and seminars on the life and experiences of Congresswoman Patsy T. Mink; and
- (3) Traveling exhibits, other exhibits, ceremonies, theatrical productions, and other special events honoring Congresswoman Patsy T. Mink.

SECTION 7. There is appropriated out of the general revenues of the State of Hawaii the sum of \$10,000 or so much thereof as may be necessary for fiscal year

2006-2007 to be used by the Congresswoman Patsy T. Mink commission for the purposes of this Act.

The sum appropriated shall be expended by the governor for the purposes of this Act.

SECTION 8. This Act shall take effect on July 1, 2006.

(Approved May 11, 2006.)