



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/04/2026
Time: 10:00 AM
Location: 308 VIA VIDEOCONFERENCE
Committee: FIN

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB2398, HD1, RELATING TO LIBRARIES.

Purpose of Bill: Clarifies that the Board of Education, through the State Librarian, has exclusive authority over the development, use, support, and improvement and maintenance of public library system facilities. Allows the Board of Education to authorize the State Librarian to exercise exclusive control of certain land for development or expansion purposes, subject to legislative appropriation. Requires the Department of Education to expeditiously cooperate with the State Librarian and Hawaii State Public Library System to effectuate any project authorized by the Board of Education on certain lands. Effective 7/1/3000. (HD1)

Department's Position:

The Hawai'i State Department of Education (Department) appreciates the opportunity to testify in opposition to HB 2398, HD 1.

Our concern arises where this measure would authorize "exclusive control" over land that is part of an active public school campus. The Department values the Hawai'i State Public Library System (HSPLS) and supports strong public library services throughout the State. Where libraries are located on independent parcels without schools, the Department has no concern with HSPLS exercising full operational control over those facilities.

The Department is responsible for operating and maintaining safe, secure, and functional school campuses. Campuses are not collections of independent lots; they are integrated environments. School facilities function together as a unified system designed to serve students, which can include parking areas, bus loading zones, athletic fields, kitchens, cafeterias, administrative offices, classrooms, outdoor learning environments, play areas, utilities, drainage systems, and emergency access routes.

Public libraries serve the general public, while public schools serve minors in an educational setting with specific safety obligations. There are twelve public libraries currently located on and within active school campuses. These arrangements reflect historical decisions made when schools and libraries were administered differently.

Introducing exclusive land control within a single campus parcel creates divided authority over shared infrastructure and access points. That division complicates day-to-day operations and long-term planning.

Student safety is one of the Department's primary obligations. Act 156, Session Laws of Hawai'i 2024, requires the Department to restrict campus access by individuals who have harmed students. Maintaining consistent access controls across an integrated campus becomes more complex when a portion of that campus operated under separate exclusive control and public access policies. Unified authority is essential for perimeter management, entry monitoring, and emergency response.

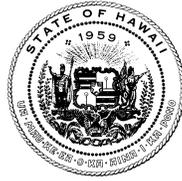
The Department must preserve flexibility for future enrollment growth and educational needs. Land that may appear underutilized today may be necessary for additional classrooms, student services, transportation staging, or safety improvements tomorrow. Granting exclusive control over portions of an integrated campus reduces that flexibility and may constrain the Department's ability to meet future obligations.

The Department remains committed to working collaboratively with the HSPLS to support library expansion and improvement. However, where facilities are physically integrated within active school campuses, unified campus management is necessary to protect student safety and ensure the effective operation of public schools.

For these reasons, the Department respectfully requests that the Committee defer HB 2398, HD 1. The Department appreciates the committee's consideration of its testimony in opposition of this measure.

JOSH B. GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LIEUTENANT GOVERNOR



STACEY A. ALDRICH
STATE LIBRARIAN
Ke Po'o Hale Waiihona Puke Moku'āina

STATE OF HAWAII
HAWAII STATE PUBLIC LIBRARY SYSTEM
'ŌIhana Hale Waiihona Puke Aupuni o ka Moku'āina o Hawaii
OFFICE OF THE STATE LIBRARIAN
44 MERCHANT STREET
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House Committee on Finance
March 4, 2026, 10:00 a.m.
State Capitol, Room 308

HB 2398 HD1 - Relating to Libraries

To: Rep. Chris Todd, Chair
Rep. Jenna Takenouchi, Vice Chair
Members of the House Committee on Finance

The Hawai'i State Public Library System (HSPLS) **supports** HB 2398 HD1 which clarifies that the Board of Education, through the State Librarian, has exclusive authority over the development, use, support, and improvement and maintenance of public library system facilities; allows the Board of Education (BOE) to authorize the State Librarian to exercise exclusive control of certain land for development or expansion purposes, subject to legislative appropriation; and requires the Department of Education (DOE) to expeditiously cooperate with the State Librarian and Hawai'i State Public Library System to effectuate any project authorized by the Board of Education on certain lands.

In 1981, or about 45 years ago, the State Legislature transferred oversight of the public library system to the BOE and the State Librarian. Under Section 312-1 of the Hawaii Revised Statutes (HRS), it is established that the BOE "...shall care for, manage, and control all property set apart, donated, loaned to, or in any manner acquired for the use of libraries; receive, care for, expend, and account for any money which may be received for the purpose of erecting buildings for libraries or for any other purposes of the libraries," while the State Librarian "...shall be responsible for the operation, planning, programming, and budgeting of all community/school and public libraries within the State..."

Although operations of the public libraries were transferred in 1981, control over the properties that the public libraries are located on was not completed nor clarified. Since 1981, the HSPLS has taken on sole responsibility for all operational issues related to the development, use, support, and improvements and maintenance of all public library

buildings statewide, including public and school libraries, which are on or adjacent to school campuses. During this time, the HSPLS has expended significant resources for continued maintenance, renovations, and improvements at all public libraries.

The purpose of HB 2398 HD1 is to clarify that the BOE and the State Librarian have exclusive control over the property upon which public libraries are located to ensure that the HSPLS can continue to effectively and efficiently manage, maintain, improve and expend legislative appropriations designated for public libraries unencumbered.

As the DOE has noted in its prior testimony, over time, both the DOE and the HSPLS functions have evolved. The DOE testimony also reflects the lack of understanding by the DOE that the public libraries are a separate program, independent of the DOE. The challenges that the DOE has noted in its testimony are a true representation of the issues that the *HSPLS* faces at the 12 public and school campuses and highlights the need for this measure. The underlying issues raised by DOE underscore the fundamental misunderstanding of current DOE staff.

Clarifying control over the property would be especially helpful with respect to HSPLS' management of twelve public and school libraries which are located on or adjacent to school campuses. Except for the Hana Public and School Library, which was built in 1984, all of the public and school libraries were built between 1963 – 1978 when the State Librarian was a deputy to the DOE Superintendent. These joint public and school libraries were built in growing communities (6 of 12 were built on Hawaii Island) and considered a cost-efficient way to provide library services to both the students and communities since both the school and public libraries are statewide systems.

At that time, both the DOE and the HSPLS had staff who worked in the joint-use library. Today, there are only two school library staff remaining at the 12 public and school libraries – one each at the 'Ewa Beach and Kahuku libraries. Over time, as the DOE has failed to replace school library staff, the resources of HSPLS (including our staff) have attempted to fill the void created to support these students.

In 2000, the DOE distributed operational guidelines and procedures for public and school libraries, but few current DOE staff recall or implement them. Consequently, DOE staff continue to mistakenly believe that public and school library buildings belong to the DOE school and that HSPLS is on “their property”. As a result, it has been increasingly difficult for the HSPLS to enforce the management and control over public and school libraries with DOE staff who do not recognize the HSPLS as a separate independent entity. This mindset is

clearly reflected in the DOE's testimony expressing concerns that if property were to be carved out for the library, the schools would not be able to fully utilize its campus, ignoring that existing law delegates oversight and control over library properties lies with the BOE and HSPLS.

HSPLS acknowledges that shared use would best be handled by internally generated agreements; however, we have found that due to the size and complexity of the DOE, this type of less formal documentation is highly reliant on individuals willing to implement an agreement. Recent experience is that despite working out issues with DOE staff as recently as a few years ago, there is no assurance that current or future DOE staff will abide by an informal agreement. Unless there is a more formalized separation of the library property, the DOE staff will continue to believe they "own" the public and school library campuses exclusively to the detriment of the HSPLS.

Here are some typical examples of situations that have occurred:

- One principal has repeatedly supported legislation that attempted to transfer the public and school library on his campus to his control;
- On other campuses, the school principal has denied public library staff access to the campus to access the public and school library;
- During a DOE construction project, the branch manager showed up to work and found that 1/3 of her parking lot was taken over by the DOE construction project without any prior notice;
- A DOE school parking lot repaving project that re-designed the parking lot to create a new pickup and drop off area utilizing the front entry area of the library was set to start construction without any prior notice to HSPLS; and
- Recently, DOE staff delayed the start of a HSPLS construction project by two months claiming that they were unaware of the project despite documented emails and correspondence which included former and current DOE staff.

The examples above are just a few of the situations we hope to alleviate by providing more clarity for both DOE and HSPLS. This measure is needed to ensure that going forward, future HSPLS staff will be able to meet its mission without having to revisit similar types of issues.

Additionally, there is continued confusion over whether the DOE – which is named on most pre-1981 dated Executive Orders for library properties – is required to sign off on any land-related permits, etc that affect other HSPLS properties, even those that aren't public and school libraries. For example, the County of Maui would like to install additional street

lighting for its Kahului transit hub in the area adjacent to the Kahului Public Library. For purposes of the county permit, they believe that the DOE, not the HSPLS, would be the entity granting authority for the installation.

The HSPLS also notes that there is other legislation under consideration this session – specifically, HB2294 HD1 relating to public school land transfer. This measure identifies properties that will be transferred to the DOE from the counties. However, some of the properties listed are properties on which public and school libraries are located, which would continue to perpetuate the current misconceptions.

We believe that adoption of HB2398 HD1 would clarify the situation and make it clear that the BOE and the State Librarian retain exclusive control over the public library buildings, related improvements and land upon which the public library is located, regardless of the eventual transfer of property from the counties to the DOE as directed in Act 307, Session Laws of Hawaii 2022 and proposed to be amended in HB2294 HD1.

Thank you for the opportunity to support HB2398 HD1 and for your continued support of our communities and the Hawai'i State Public Library System.

JOSH GREEN, M.D.
GOVERNOR



ROY M. TAKUMI
CHAIRPERSON

**STATE OF HAWAII
BOARD OF EDUCATION
PAPA HO'ONA'AUAO**
P.O. BOX 2360
HONOLULU, HAWAII 96804

House Committee on Finance
Wednesday, March 4, 2026
10:00 a.m.
Hawaii State Capitol, Room 308

Measure: House Bill 2398 HD1, Relating to Libraries

Purpose of Measure:

Clarifies that the Board of Education, through the State Librarian, has exclusive authority over the development, use, support, and improvement and maintenance of public library system facilities. Allows the Board of Education to authorize the State Librarian to exercise exclusive control of certain land for development or expansion purposes, subject to legislative appropriation. Requires the Department of Education to expeditiously cooperate with the State Librarian and Hawaii State Public Library System to effectuate any project authorized by the Board of Education on certain lands. Effective 7/1/3000.

Aloha Chair Todd, Vice Chair Takenouchi, and Members of the Committee:

The Board of Education (Board) respectfully offers comments on House Bill 2398 HD1. The Board appreciates the Legislature's concern regarding library facilities and believes continued discussion and deliberation at the legislative level is important to clarifying the associated jurisdictions.

Mahalo for this opportunity to testify on behalf of the Board.

HB-2398-HD-1

Submitted on: 3/2/2026 10:47:40 AM

Testimony for FIN on 3/4/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Sunyeen Pai	Individual	Support	Written Testimony Only

Comments:

Testimony March 3, 2026 to House Committee on Finance in support of HB 2398, Relating to Libraries.

Dear esteemed members:

I am in support of this bill, given my career experience as a retired community college librarian who has worked with both 4-year universities and 2-year community colleges at the University of Hawai'i.

The statewide public library service is an integral part of all our communities and in my experience their services are in great demand. They must remain flexible to alter physical infrastructure to support the communities they serve.

I have noticed that some of these invaluable sites are suffering from deferred capital improvement projects that may make its patrons feel that they are less than worthy of clean and functional built spaces.

Given the history of the transfer of responsibility for the public library system to the Board of Education, this bill should be supported.

With much aloha and mahalo,

Sunyeen (Sunny) Pai, PhD, Retired Professor and Librarian, Kapi'olani Community College

HB-2398-HD-1

Submitted on: 3/2/2026 4:19:31 PM

Testimony for FIN on 3/4/2026 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jennifer Vinzons	Individual	Support	Written Testimony Only

Comments:

To the honorable Chair Todd, Vice Chair Takenouchi, and members of the House Finance Committee.

My name is Jennifer Vinzons and I am a lifelong resident of Oahu. As a former employee at the Ewa Beach Public & School Library, I support HB2398 HD1. Especially after hearing the testimony presented at the bill's hearing at the House Committee on Education last month and the discussion that followed, I believe the Board of Education and the State Librarian should be in charge of the development, use, support, and improvement and maintenance of all public library system facilities.

Mahalo for your time and I urge you to pass this bill through your committee.