



BEFORE THE HOUSE COMMITTEES ON EDUCATION AND WATER & LAND

Hawaii State Legislature
March 15, 2018

Senate Bill 2919 SD2
Relating to Public Libraries

Aloha Chair Woodson, Vice Chair Kong, Chair Yamane, Vice Chair Todd and Members of the Committees,

The Ka Lāhui Hawaii Political Action Committee (KPAC) opposes Senate Bill 2919 SD2 which creates a pilot program to generate revenue through the lease of public library lands (which are “public lands”) to meet the mission of the public libraries. KPAC opposes this measure for the following reasons:

1. It is the State’s responsibility to adequately fund public libraries and not the individual libraries to fund raise through the leasing of public lands.
2. Utilizing public educational facilities like libraries for corporate development could set a dangerous precedent.
3. The lease of public lands (which the public libraries) sits on is contrary to its intended purpose as detailed below and could also potentially be determined to be a breach of trust.

By way of background, Professor Williamson Chang of the UH Law School has detailed his analysis that the Joint Resolution was incapable of acquiring Hawai‘i at http://blog.hawaii.edu/aplpj/files/2015/09/APLPJ_16_2_Chang.pdf. Despite this analysis, the former Crown and government lands of the Kingdom of Hawai‘i were illegally transferred to the US and as a condition of Statehood was transferred to the State of Hawaii to be held as a public trust for 5 purposes including the betterment of the conditions of native Hawaiians as defined in the Hawaiian Homes Commission Act, 1920. The Admissions Act further states that any other object besides the 5 purposes shall constitute a breach of trust for which suit may be brought by the United States. The Article XII Constitutional provisions further establish that the lands are held as a public trust for native Hawaiians as defined in the Hawaiian Homes Commission Act, 1920 and should be used solely for that purpose.

The Ka Lāhui Hawai‘i Political Action Committee (KPAC) affirms and defends our Hawaiian peoples' right to over 1.8 million acres of our national lands.

Respectfully submitted,

M. Healani Sonoda-Pale
Chair, KPAC