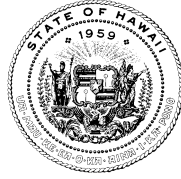


DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

LATE

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF WILLIAM J. AILA, JR, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS
HEARING ON MARCH 11, 2021 AT 1:00PM VIA VIDEOCONFERENCE

**SCR 59/SR 41 URGING THE HAWAIIAN HOMES COMMISSION TO APPROPRIATE
ONE HUNDRED PER CENT OF LEASE REVENUES FROM COMMERCIAL
PROPERTY USES TO HOMELAND LOT DEVELOPMENT**

March 11, 2021

Aloha Chair Shimabukuro, Vice Chair Keohokalole, and members of the Committee:

The Department of Hawaiian Home Lands (DHHL) submits comments on these resolutions urging the Hawaiian Homes Commission to appropriate one hundred per cent of lease revenues from commercial property uses to homeland lot development. DHHL appreciates the motivation behind these resolutions and notes that HAR § 10-2-19 details the duties of commissioners as trustees to: (1) act exclusively in the interest of beneficiaries under the act; (2) hold and protect the trust property for beneficiaries under the act; (3) exercise such care and skill as a person of ordinary prudence would exercise in dealing with one's own property in the management of Hawaiian home lands; and (4) adhere to the terms of the trust as set forth in the act. The Hawaiian Home Lands Recovery Act defines a beneficiary as a native Hawaiian under section 201(7) of the Hawaiian Homes Commission Act. Thus, the Commission must keep these duties of a trustee to the beneficiaries when making decisions.

Thank you for your consideration of our testimony.