STAND. COM. REP. NO. 1848 -06

Honolulu, Hawaii

Apr. 124, 2006

RE: S.C.R. No. 148

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred S.C.R. No. 148 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK WITH THE SAMUEL MILLS DAMON ESTATE TRUSTEES, MOANALUA GARDENS FOUNDATION, THE TRUST FOR PUBLIC LANDS, THE NATURE CONSERVANCY, AND OFFICE OF HAWAIIAN AFFAIRS TO PURCHASE THE MOANALUA GARDENS,"

begs leave to report as follows:

The purpose of this measure is to urge the Department of Land and Natural Resources to work with the Samuel Mills Damon estate trustees, the Moanalua Gardens Foundation, the Trust for Public Lands, the Nature Conservancy, and Office of Hawaiian Affairs to purchase Moanalua Gardens.

The Department is also requested to report its findings to the Legislature twenty days prior to the convening of the Regular Session of 2007.

Your Committee received testimony in opposition to the Concurrent Resolution from the Department of Land and Natural Resources. The Nature Conservancy provided written testimony with comments regarding this measure.

Your Committee finds that the Samuel Mills Damon trust included many real estate holdings including Moanalua Gardens and Kamananui Valley, which adjoins the Gardens. During his lifetime

SCR148 HSCR LRB 06-3586.doc

and after his death, Samuel Damon allowed Moanalua Gardens to be used, enjoyed, and appreciated by the general public.

Under the terms of Samuel Damon's will, however, the assets of the Damon trust, including Moanalua Gardens and Kamananui Valley, must be liquidated. Rather than allow the public to lose access to Moanalua Gardens and Kamananui Valley, the State, the Trust for Public Lands, and the Nature Conservancy are working together to purchase and manage Kamananui Valley for \$5,500,000.

Your Committee also finds that, for over thirty-five years, the Moanalua Gardens Foundation has continued the legacy of Samuel Damon to protect and preserve Moanalua Gardens and Kamananui Valley. The Moanalua Gardens Foundation is interested in purchasing Moanalua Gardens in partnership with other organizations, to preserve it in perpetuity for the people of Hawaii and to operate and maintain Moanalua Gardens as a community resource.

This Concurrent Resolution supports the purchase of Moanalua Gardens to protect and preserve one of Hawaii's most treasured cultural and historical areas for the people of Hawaii and urges the Department to work with the named parties to accomplish this objective.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 148 and recommends its adoption.

Respectfully submitted on behalf of the members of the Committee on Water, Land, & Ocean Resources,

EZRA R. KANOHO, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

HSCR 1848-06

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.:	CR 148	Date:	4/21/0	6		
Committee Referral:			☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended Hold		 Pass, with amendments Pass, with amendments, for recommittal for further consideration 				
						WLO Members
1. KANOHO, Ezra R. (C		V				
2. SCHATZ, Brian (VC)						
3. BERG, Lyla B., Ph.D.		V				
4. CARROLL, Mele						
5. EVANS, Cindy		- V, -				
6. HARBIN, Bev						
7. MORITA, Hermina M						
8. WATERS, Tommy						
9. MEYER, Colleen Rose10. THIELEN, Cynthia						
				1		
TOTAL		6			4	
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)						
Vice Chair's or designee's sign	naturé:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office						