
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A WORKING GROUP TO RECOMMEND LEGISLATION OR CHANGES TO ADMINISTRATIVE RULES TO DEVELOP CONTRACTUAL OBLIGATIONS BETWEEN THE STATE AND COMMUNICATION AND TELECOMMUNICATION SERVICE PROVIDERS AS TO THE USE OF PUBLIC LANDS FOR COMMUNICATION AND TELECOMMUNICATION INFRASTRUCTURE.

1 WHEREAS, communication and telecommunication service
2 providers must make substantial long term investments and
3 continually upgrade hardware and software to facilitate the
4 implementation of new technologies; and

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6 WHEREAS, government entities depend on communication and
7 telecommunication service providers to provide emergency and
8 non-emergency communication services to the public; and

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10 WHEREAS, state agencies independently establish protocols
11 for the issuance of licenses, leases, and permits for
12 communication services without a predefined framework, resulting
13 in ambiguous and disparate contracts; and

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15 WHEREAS, a predefined framework for entering into contracts
16 with communication and telecommunication service providers would
17 enhance predictability of returns from large infrastructure
18 investments and reduce the risk associated with large scale
19 business endeavors; and

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21 WHEREAS, prudent long term contracts entered into with
22 communication and telecommunication service providers would
23 create greater investments in communication hardware systems,
24 such as cell towers and rooftops that support new and developing
25 technologies, and provide substantial revenues for the State;
26 and



1 WHEREAS, the current process for the awarding of concession
2 contracts for use by communication and telecommunication service
3 providers is unclear, inconsistent, and may take several years
4 of negotiations; now, therefore,
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6 BE IT RESOLVED by the House of Representatives of the
7 Twenty-seventh Legislature of the State of Hawaii, Regular
8 Session of 2014, the Senate concurring, that the Director of
9 Business, Economic Development, and Tourism is requested to
10 establish a working group to develop standard provisions to be
11 included in contractual agreements for the use of state public
12 lands for communication and telecommunication hardware devices;
13 and
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15 BE IT FURTHER RESOLVED that the working group is requested
16 to research and compile the current regulations and
17 administrative rules on the issuance of leases, revocable
18 permits, or any other legal contract that allows for the use of
19 public lands for installation and operation of wireless
20 communication and telecommunication platforms to create proposed
21 legislation or changes to administrative rules; and
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23 BE IT FURTHER RESOLVED that the Director of Business,
24 Economic Development, and Tourism is requested to include the
25 following individuals or their designees as members of the
26 working group:
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- 28 (1) The Attorney General;
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- 30 (2) A member of the Senate appointed by the Senate
31 President;
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- 33 (3) A member of the House of Representatives appointed by
34 the Speaker of the House of Representatives;
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- 36 (4) Members of the communication and telecommunication
37 community; and
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- 39 (5) Any other member deemed necessary by the working
40 group; and
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42 BE IT FURTHER RESOLVED that the working group is requested
43 to submit a report of its findings and recommendations,
44 including any proposed legislation and any proposed changes to



1 administrative rules regarding contracts with communication and
2 telecommunication service providers, to the Legislature no later
3 than 20 days prior to the convening of the Regular Session of
4 2015; and

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6 BE IT FURTHER RESOLVED that certified copies of this
7 Concurrent Resolution be transmitted to the Director of
8 Business, Economic Development, and Tourism, the Governor, and
9 the Attorney General.

