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# A BILL FOR AN ACT

RELATING TO CONCESSIONS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the rapid  
2 development of technology has altered the way in which  
3 advertising and sales are rendered. Similarly, communications  
4 technology evolves quickly to accommodate changing needs for  
5 connectivity and compatibility with personal hardware. As such,  
6 flexible procedures are needed within government contracts to  
7 ensure efficiency and best economic results.

8           The purpose of this Act is to provide government agencies  
9 with flexibility in the negotiation of airport concession  
10 contracts, specifically those that involve various evolving  
11 media communication and advertising technology.

12           SECTION 2. Section 102-2, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14           "(b) The bidding requirements of subsection (a) shall not  
15 apply to concessions or space on public property set aside for  
16 the following purposes:



- 1           (1) For operation of ground transportation services and  
2           parking lot operations at airports, except for motor  
3           vehicle rental operations under chapter 437D;
- 4           (2) For lei vendors;
- 5           (3) For airline and aircraft operations;
- 6           (4) For automatic teller machines and vending machines,  
7           except vending machines located at public schools  
8           operated by blind or visually handicapped persons in  
9           accordance with section 302A-412;
- 10          (5) For operation of concessions set aside without any  
11          charge;
- 12          (6) For operation of concessions by handicapped or blind  
13          persons; except concessions operated in the public  
14          schools by blind or visually handicapped persons in  
15          accordance with section 302A-412;
- 16          (7) For operation of concessions on permits revocable on  
17          notice of thirty days or less; provided that no such  
18          permits shall be issued for more than a one year  
19          period;
- 20          (8) For operation of concessions or concession spaces for  
21          a beach service association dedicated to the  
22          preservation of the Hawaii beach boy tradition,



- 1 incorporated as a nonprofit corporation in accordance  
 2 with state law, and whose members are appropriately  
 3 licensed or certified as required by law;
- 4 (9) For operation of concessions at county zoos, botanic  
 5 gardens, or other county parks which are  
 6 environmentally, culturally, historically, or  
 7 operationally unique and are supported, by nonprofit  
 8 corporations incorporated in accordance with state law  
 9 solely for purposes of supporting county aims and  
 10 goals of the zoo, botanic garden, or other county  
 11 park, and operating under agreement with the  
 12 appropriate agency solely for such purposes, aims, and  
 13 goals;
- 14 (10) For operation of concessions that furnish goods or  
 15 services for which there is only one source, as  
 16 determined by the head of the awarding government  
 17 agency in writing that shall be included in the  
 18 contract file; [~~and~~]
- 19 (11) For any of the operations of the Hawaii health systems  
 20 corporation and its regional system boards[-];
- 21 (12) For airport operation of concessions providing  
 22 wireless and communication services;



1        (13) For airport operation of concessions consisting solely  
2                of advertising;

3        (14) For the stadium authority operation of concessions  
4                providing wireless and communication services; and

5        (15) For the stadium authority operation of concessions  
6                services for advertising."

7                SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9                SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Contracts for Concessions; Public Concessions; Airports; Stadium Authority

**Description:**

Exempts the airport and stadium authority operation of concessions for wireless and communication services and for advertising from the public concession bidding process. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

