
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 WIRELESS
TELECOMMUNICATION SERVICE PROVIDERS AS TO THE USE OF PUBLIC
LANDS FOR WIRELESS TELECOMMUNICATION INFRASTRUCTURE.

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

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6 WHEREAS, government entities depend on wireless
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 wireless
12 telecommunication services without a predefined framework,
13 resulting in ambiguous and disparate contracts; and

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

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21 WHEREAS, prudent long term contracts entered into with
22 wireless telecommunication service providers would create
23 greater investments in communication hardware systems, such as
24 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 wireless 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 wireless telecommunication hardware devices; and

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14 BE IT FURTHER RESOLVED that the working group is requested
15 to research and compile the current regulations and
16 administrative rules on the issuance of leases, revocable
17 permits, or any other legal contract that allows for the use of
18 public lands for installation and operation of wireless
19 telecommunication platforms in order to propose legislation or
20 changes to administrative rules; and

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22 BE IT FURTHER RESOLVED that the Director of Business,
23 Economic Development, and Tourism is requested to include the
24 following individuals or their designees as members of the
25 working group:

- 26 (1) The Attorney General;
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- 28 (2) A member of the Senate appointed by the Senate
- 29 President;
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- 31 (3) A member of the House of Representatives appointed by
- 32 the Speaker of the House of Representatives;
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- 34 (4) Members of the wireless telecommunication community;
- 35 and
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- 37 (5) Any other member deemed necessary by the working
- 38 group; and
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41 BE IT FURTHER RESOLVED that the working group is requested
42 to submit a report of its findings and recommendations,
43 including any proposed legislation and any proposed changes to
44 administrative rules regarding contracts with wireless



1 telecommunication service providers, to the Legislature no later
2 than 20 days prior to the convening of the Regular Session of
3 2015; and

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

