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# HOUSE 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

9  
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

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28          WHEREAS, the current process for the awarding of concession  
29 contracts for use by communication and telecommunication service



1 providers is unclear, inconsistent, and may take several years  
2 of negotiations; now, therefore,

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4 BE IT RESOLVED by the House of Representatives of the  
5 Twenty-seventh Legislature of the State of Hawaii, Regular  
6 Session of 2014, that the Director of Business, Economic  
7 Development, and Tourism is requested to establish a working  
8 group to develop standard provisions to be included in  
9 contractual agreements for the use of state public lands for  
10 communication and telecommunication hardware devices; and

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

19  
20 BE IT FURTHER RESOLVED that the Director of Business,  
21 Economic Development, and Tourism is requested to include the  
22 following individuals or their designees as members of the  
23 working group:

- 24  
25 (1) Attorney General or designee;  
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27 (2) Member of the Senate appointed by the Senate  
28 President;  
29  
30 (3) Member of the House of Representatives appointed by  
31 the Speaker of the House of Representatives;  
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33 (4) Members of the communication and telecommunication  
34 community; and  
35  
36 (5) Any other member deemed necessary by the working  
37 group; and  
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39 BE IT FURTHER RESOLVED that the working group is requested  
40 to submit a report of its findings and recommendations,  
41 including any proposed legislation and any proposed changes to  
42 administrative rules regarding contracts with communication and  
43 telecommunication service providers, to the Legislature no later





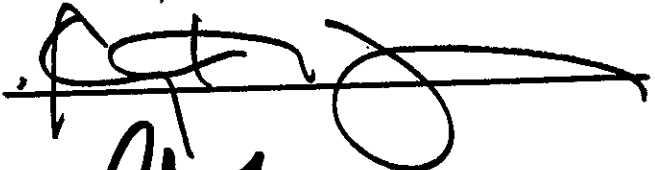


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1 than twenty days prior to the convening of the Regular Session  
2 of 2015; and

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4 BE IT FURTHER RESOLVED that certified copies of this  
5 Resolution be transmitted to the Director of Business, Economic  
6 Development, and Tourism, the Governor, the Senate President,  
7 the Speaker of the House of Representatives, and the Attorney  
8 General.

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OFFERED BY:

MAR 06 2014

