

JAN 17 2014

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 concession contracts,
10 specifically those that involve evolving media technology.

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

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

16 (1) For operation of ground transportation services and
17 parking lot operations at airports, except for motor
18 vehicle rental operations under chapter 437D;



- 1 (2) For lei vendors;
- 2 (3) For airline and aircraft operations;
- 3 (4) For automatic teller machines and vending machines,
4 except vending machines located at public schools
5 operated by blind or visually handicapped persons in
6 accordance with section 302A-412;
- 7 (5) For operation of concessions set aside without any
8 charge;
- 9 (6) For operation of concessions by handicapped or blind
10 persons; except concessions operated in the public
11 schools by blind or visually handicapped persons in
12 accordance with section 302A-412;
- 13 (7) For operation of concessions on permits revocable on
14 notice of thirty days or less; provided that no such
15 permits shall be issued for more than a one year
16 period;
- 17 (8) For operation of concessions or concession spaces for
18 a beach service association dedicated to the
19 preservation of the Hawaii beach boy tradition,
20 incorporated as a nonprofit corporation in accordance
21 with state law, and whose members are appropriately
22 licensed or certified as required by law;



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



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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S.B. NO. 2751

Report Title:

Contracts for Concessions; Public Concessions

Description:

Exempts the operation of concessions for wireless and communication services and for advertising from the public concession bidding process.

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