
A BILL FOR AN ACT

RELATING TO STATEWIDE INTEROPERABLE PUBLIC SAFETY
COMMUNICATIONS.

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

1 SECTION 1. The legislature finds that emergency
2 communications are critical to Hawaii's response to natural
3 disasters, terrorists' threats, and other emergency events,
4 incidents, and routine activities affecting the State. When
5 faced with these situations, the public safety community has a
6 collective need to share information to quickly, safely, and
7 effectively resolve incidents. Achieving this goal requires
8 communications capabilities that are resilient and secure today,
9 yet agile enough to integrate advancing and emerging
10 technologies tomorrow. The ability of public safety responders
11 and emergency response agencies to effectively communicate with
12 each other, particularly during emergency situations, is
13 essential to protecting the health, safety, welfare, and
14 property of the public.

15 The legislature also finds that there are many components
16 to creating and maintaining a successful interoperable



1 communications system. Effective coordination is a critical
2 step to ensuring successful emergency communications. Achieving
3 this requires robust governance structures and processes
4 designed to ensure accountability, inclusiveness, adaptability,
5 and action. The strength of emergency communications governance
6 is not measured by its ability to maintain the status quo, but
7 to methodically drive improvements in balance with the rapid
8 evolution of technologies. With the adoption and integration of
9 new technologies, governance is an initial step toward preparing
10 public safety responders to manage the benefits and risk of
11 increased information exchange across organizations.

12 The purpose of this Act is to formally establish the
13 statewide interoperable communications executive committee and
14 technical subcommittee, and the position of statewide
15 interoperability communications coordinator as a position exempt
16 from section 76-16, Hawaii Revised Statutes.

17 SECTION 2. Chapter 128A, Hawaii Revised Statutes, is
18 amended by designating sections 128A-1 to 128A-5 as part I,
19 entitled "General Provisions".



1 SECTION 3. Chapter 128A, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:

4 "PART . STATEWIDE PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS

5 §128A- Statewide interoperable communications executive
6 committee. There is established within the department of
7 defense for administrative purposes the statewide interoperable
8 communications executive committee.

9 §128A- Duties of the statewide interoperable
10 communications executive committee. (a) The statewide
11 interoperable communications executive committee shall have the
12 following duties:

- 13 (1) Develop plans and strategies to improve public safety
14 communications interoperability among state, county,
15 and, where possible, federal public safety agencies;
- 16 (2) Develop plans and strategies to provide interoperable
17 communications between and among public safety
18 answering points in the State and public safety
19 responder communications networks, infrastructure, and
20 systems;



- 1 (3) Develop plans and strategies to promote statewide
2 public safety communications interoperability
3 utilizing state and county radio communication systems
4 and networks and the Nationwide Public Safety
5 Broadband Network, or FirstNet;
- 6 (4) Develop plans and strategies for the coordination of
7 state, county, and, where possible, federal emergency
8 alerts and warnings with public safety answering
9 points and public safety responder communications
10 networks, infrastructure, and systems; and
- 11 (5) Review and adopt plans and recommendations to improve
12 or promote increased interoperability between public
13 safety responders and other governmental or non-
14 governmental stakeholders that support responses to
15 emergencies.
- 16 (b) The members of the statewide interoperable
17 communications executive committee shall consist of the
18 following:
- 19 (1) The adjutant general, or adjutant general's designee,
20 who shall serve as the chair of the committee;



- 1 (2) The attorney general, or the attorney general's
2 designee;
- 3 (3) The deputy director of law enforcement of the
4 department of public safety, or the deputy director's
5 designee;
- 6 (4) The chairperson of the board of land and natural
7 resources, or the chairperson's designee;
- 8 (5) The state chief information officer, or the officer's
9 designee;
- 10 (6) The director of transportation, or the director's
11 designee;
- 12 (7) The director of health, or the director's designee;
- 13 (8) The chairperson of the enhanced 911 board, or the
14 chairperson's designee; and
- 15 (9) Four members from each of the four counties, to be
16 selected by the mayors of each respective county.
- 17 (c) Members of the executive committee shall receive no
18 compensation but shall be reimbursed for travel and other
19 reasonable and necessary expenses incurred in carrying out their
20 duties relating to the committee.



1 §128A- **Statewide interoperable communications technical**
2 **subcommittee.** (a) There is established within the department
3 of defense for administrative purposes a statewide interoperable
4 communications technical subcommittee whose purpose is to
5 provide technical advice to the statewide interoperable
6 communications executive committee.

7 (b) Membership on the statewide interoperable
8 communications technical subcommittee shall be open to
9 representatives from any governmental agency whose duties
10 include management, planning, and operation of public safety
11 communications systems and networks, including government land
12 mobile radio and broadband networks and networks related to
13 emergency communications centers and public answering points.

14 (c) The statewide interoperable communications coordinator
15 shall serve as the chairperson of the statewide interoperable
16 communications technical subcommittee.

17 (d) The respective lead radio communication engineer or
18 manager for the State and counties, or their designees, shall
19 serve on the statewide interoperable communications technical
20 subcommittee as subject matter experts for their respective
21 radio communication systems and networks.



1 (e) The respective lead information security manager for
2 the State and counties, or their designees, shall serve on the
3 statewide interoperable communications technical subcommittee as
4 subject matter experts for matters relating to cyber security.

5 **§128A- Statewide interoperable communications**
6 **coordinator.** (a) There is established within the office of
7 homeland security the position of the statewide interoperable
8 communications coordinator, which shall be a full-time position
9 exempt from chapter 76.

10 (b) The statewide interoperable communications coordinator
11 shall:

- 12 (1) Collaborate with state, county, and federal
13 governments and emergency response groups in long-term
14 strategic planning;
- 15 (2) Aid stakeholders in the development of projects,
16 plans, policies, standards, priorities, and guidelines
17 for interoperable communications;
- 18 (3) Meet regularly with all interoperability stakeholders
19 and partners to ensure transparency and information
20 sharing;



- 1 (4) Coordinate governing body activities to maximize
2 integration and collaboration across the emergency
3 communications landscape;
- 4 (5) Coordinate ongoing assessments of the applicability of
5 new technical developments in communications
6 technologies for state and county public safety radio
7 communication systems and networks;
- 8 (6) Serve as the single point of contact for the federal
9 government and industry on issues concerning statewide
10 interoperable communications;
- 11 (7) Coordinate guidance, input, and recommendations from
12 state, county, and federal agencies on the statewide
13 communications interoperability plan and lead the
14 development, implementation, and regular updating of
15 the statewide communications interoperability plan;
- 16 (8) Facilitate communications among responders during
17 emergencies when responding to planned and unplanned
18 events;
- 19 (9) Coordinate closely with the state single point of
20 contact on issues related to the implementation of the



1 Nationwide Public Safety Broadband Network in the
2 State;

3 (10) Coordinate interoperability activities with public
4 safety answering points; operators of state, county,
5 and federal communications systems; and emergency
6 management coordinators;

7 (11) Manage communications unit training programs and
8 exercises provided by federal and state agencies, and
9 work with public safety agencies to assist with any
10 credentialing or recognition of their communications
11 personnel; and

12 (12) Serve as the state representative to the National
13 Council of Statewide Interoperability Coordinators."

14 SECTION 4. Section 76-16, Hawaii Revised Statutes, is
15 amended by amending subsection (b) to read as follows:

16 "(b) The civil service to which this chapter applies shall
17 comprise all positions in the State now existing or hereafter
18 established and embrace all personal services performed for the
19 State, except the following:

20 (1) Commissioned and enlisted personnel of the Hawaii
21 National Guard as such, and positions in the Hawaii



1 National Guard that are required by state or federal
2 laws or regulations or orders of the National Guard to
3 be filled from those commissioned or enlisted
4 personnel;

5 (2) Positions filled by persons employed by contract where
6 the director of human resources development has
7 certified that the service is special or unique or is
8 essential to the public interest and that, because of
9 circumstances surrounding its fulfillment, personnel
10 to perform the service cannot be obtained through
11 normal civil service recruitment procedures. Any such
12 contract may be for any period not exceeding one year;

13 (3) Positions that must be filled without delay to comply
14 with a court order or decree if the director
15 determines that recruitment through normal recruitment
16 civil service procedures would result in delay or
17 noncompliance, such as the Felix-Cayetano consent
18 decree;

19 (4) Positions filled by the legislature or by either house
20 or any committee thereof;



- 1 (5) Employees in the office of the governor and office of
2 the lieutenant governor, and household employees at
3 Washington Place;
- 4 (6) Positions filled by popular vote;
- 5 (7) Department heads, officers, and members of any board,
6 commission, or other state agency whose appointments
7 are made by the governor or are required by law to be
8 confirmed by the senate;
- 9 (8) Judges, referees, receivers, masters, jurors, notaries
10 public, land court examiners, court commissioners, and
11 attorneys appointed by a state court for a special
12 temporary service;
- 13 (9) One bailiff for the chief justice of the supreme court
14 who shall have the powers and duties of a court
15 officer and bailiff under section 606-14; one
16 secretary or clerk for each justice of the supreme
17 court, each judge of the intermediate appellate court,
18 and each judge of the circuit court; one secretary for
19 the judicial council; one deputy administrative
20 director of the courts; three law clerks for the chief
21 justice of the supreme court, two law clerks for each



1 associate justice of the supreme court and each judge
2 of the intermediate appellate court, one law clerk for
3 each judge of the circuit court, two additional law
4 clerks for the civil administrative judge of the
5 circuit court of the first circuit, two additional law
6 clerks for the criminal administrative judge of the
7 circuit court of the first circuit, one additional law
8 clerk for the senior judge of the family court of the
9 first circuit, two additional law clerks for the civil
10 motions judge of the circuit court of the first
11 circuit, two additional law clerks for the criminal
12 motions judge of the circuit court of the first
13 circuit, and two law clerks for the administrative
14 judge of the district court of the first circuit; and
15 one private secretary for the administrative director
16 of the courts, the deputy administrative director of
17 the courts, each department head, each deputy or first
18 assistant, and each additional deputy, or assistant
19 deputy, or assistant defined in paragraph (16);
20 (10) First deputy and deputy attorneys general, the
21 administrative services manager of the department of



1 the attorney general, one secretary for the
2 administrative services manager, an administrator and
3 any support staff for the criminal and juvenile
4 justice resources coordination functions, and law
5 clerks;

6 (11) (A) Teachers, principals, vice-principals, complex
7 area superintendents, deputy and assistant
8 superintendents, other certificated personnel,
9 not more than twenty noncertificated

10 administrative, professional, and technical
11 personnel not engaged in instructional work;

12 (B) Effective July 1, 2003, teaching assistants,
13 educational assistants, bilingual/bicultural
14 school-home assistants, school psychologists,
15 psychological examiners, speech pathologists,
16 athletic health care trainers, alternative school
17 work study assistants, alternative school
18 educational/supportive services specialists,
19 alternative school project coordinators, and
20 communications aides in the department of
21 education;



- 1 (C) The special assistant to the state librarian and
2 one secretary for the special assistant to the
3 state librarian; and
- 4 (D) Members of the faculty of the University of
5 Hawaii, including research workers, extension
6 agents, personnel engaged in instructional work,
7 and administrative, professional, and technical
8 personnel of the university;
- 9 (12) Employees engaged in special, research, or
10 demonstration projects approved by the governor;
- 11 (13) (A) Positions filled by inmates, patients of state
12 institutions, persons with severe physical or
13 mental disabilities participating in the work
14 experience training programs;
- 15 (B) Positions filled with students in accordance with
16 guidelines for established state employment
17 programs; and
- 18 (C) Positions that provide work experience training
19 or temporary public service employment that are
20 filled by persons entering the workforce or
21 persons transitioning into other careers under



1 programs such as the federal Workforce Investment
2 Act of 1998, as amended, or the Senior Community
3 Service Employment Program of the Employment and
4 Training Administration of the United States
5 Department of Labor, or under other similar state
6 programs;

7 (14) A custodian or guide at Iolani Palace, the Royal
8 Mausoleum, and Hulihee Palace;

9 (15) Positions filled by persons employed on a fee,
10 contract, or piecework basis, who may lawfully perform
11 their duties concurrently with their private business
12 or profession or other private employment and whose
13 duties require only a portion of their time, if it is
14 impracticable to ascertain or anticipate the portion
15 of time to be devoted to the service of the State;

16 (16) Positions of first deputies or first assistants of
17 each department head appointed under or in the manner
18 provided in section 6, article V, of the Hawaii State
19 Constitution; three additional deputies or assistants
20 either in charge of the highways, harbors, and
21 airports divisions or other functions within the



1 department of transportation as may be assigned by the
2 director of transportation, with the approval of the
3 governor; four additional deputies in the department
4 of health, each in charge of one of the following:
5 behavioral health, environmental health, hospitals,
6 and health resources administration, including other
7 functions within the department as may be assigned by
8 the director of health, with the approval of the
9 governor; an administrative assistant to the state
10 librarian; and an administrative assistant to the
11 superintendent of education;

12 (17) Positions specifically exempted from this part by any
13 other law; provided that:

14 (A) Any exemption created after July 1, 2014, shall
15 expire three years after its enactment unless
16 affirmatively extended by an act of the
17 legislature; and

18 (B) All of the positions defined by paragraph (9)
19 shall be included in the position classification
20 plan;



- 1 (18) Positions in the state foster grandparent program and
2 positions for temporary employment of senior citizens
3 in occupations in which there is a severe personnel
4 shortage or in special projects;
- 5 (19) Household employees at the official residence of the
6 president of the University of Hawaii;
- 7 (20) Employees in the department of education engaged in
8 the supervision of students during meal periods in the
9 distribution, collection, and counting of meal
10 tickets, and in the cleaning of classrooms after
11 school hours on a less than half-time basis;
- 12 (21) Employees hired under the tenant hire program of the
13 Hawaii public housing authority; provided that not
14 more than twenty-six per cent of the authority's
15 workforce in any housing project maintained or
16 operated by the authority shall be hired under the
17 tenant hire program;
- 18 (22) Positions of the federally funded expanded food and
19 nutrition program of the University of Hawaii that
20 require the hiring of nutrition program assistants who
21 live in the areas they serve;



- 1 (23) Positions filled by persons with severe disabilities
2 who are certified by the state vocational
3 rehabilitation office that they are able to perform
4 safely the duties of the positions;
- 5 (24) The sheriff;
- 6 (25) A gender and other fairness coordinator hired by the
7 judiciary;
- 8 (26) Positions in the Hawaii National Guard youth and adult
9 education programs;
- 10 (27) In the state energy office in the department of
11 business, economic development, and tourism, all
12 energy program managers, energy program specialists,
13 energy program assistants, and energy analysts;
- 14 (28) Administrative appeals hearing officers in the
15 department of human services;
- 16 (29) In the Med-QUEST division of the department of human
17 services, the division administrator, finance officer,
18 health care services branch administrator, medical
19 director, and clinical standards administrator;
- 20 (30) In the director's office of the department of human
21 services, the enterprise officer, information security



1 and privacy compliance officer, security and privacy
2 compliance engineer, and security and privacy
3 compliance analyst; [~~and~~]

4 [+](31)[+] The Alzheimer's disease and related dementia
5 services coordinator in the executive office on
6 aging[-]; and

7 (32) The statewide interoperable communications
8 coordinator.

9 The director shall determine the applicability of this
10 section to specific positions.

11 Nothing in this section shall be deemed to affect the civil
12 service status of any incumbent as it existed on July 1, 1955."

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Statewide Interoperable Public Safety Communications; Executive Committee; Technical Subcommittee; Coordinator

Description:

Establishes a statewide interoperable communications executive committee for public safety communications, statewide interoperable communications technical subcommittee to provide technical advice to the executive committee, and the position of the statewide interoperable communications coordinator.

Effective 7/1/2050. (HD1)

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