
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 state and county
2 public safety and emergency response agencies rely on radio
3 communication systems to execute their operations and ensure
4 the safety of their personnel. The State and each county
5 operate and manage their respective radio communication
6 systems and network that strive for almost one hundred per
7 cent availability. State and county public safety agencies
8 have jointly developed standards and specifications for
9 statewide interoperability between their respective radio
10 communication systems and interfaces with federal radio
11 communication equipment and are in the process of
12 implementing them.

13 The legislature further finds that the Nationwide Public
14 Safety Broadband Network is being developed by the First
15 Responder Network Authority, a federal agency attached to the
16 United States Department of Commerce and state and county



1 public safety agencies are exploring the use and
2 applicability of private and public broadband, such as the
3 Nationwide Public Safety Broadband Network to augment and
4 enhance the capabilities of their respective communication
5 systems and networks. There are many facets of
6 interoperability in the communication industry; for this
7 purpose it is defined as the ability of public safety and
8 support services providers to communicate with personnel from
9 responding agencies, to exchange voice or data communications
10 on demand, in real-time, and as required to quickly safely
11 and effectively resolve the incident. Cyber-based threats
12 against all communication systems and networks are of grave
13 concern.

14 The legislature also finds that emergency communications
15 are critical to Hawaii's response to natural disasters,
16 terrorists' threats and other emergency events, incidents, and
17 routine activities affecting our state. When faced with these
18 situations, the public safety community has a collective need to
19 share information to quickly, safely, and effectively resolve
20 the incident. Achieving this goal requires communications
21 capabilities that are resilient and secure, yet agile enough to



1 integrate advancing and emerging technologies tomorrow. The
2 ability of public safety responders and emergency response
3 agencies to effectively communicate with each other,
4 particularly during emergency situations, is essential to
5 protecting the health, safety, welfare, and property of the
6 public. There are many components to creating and maintaining a
7 successful interoperable communications system. Effective
8 coordination is a critical step to ensuring successful emergency
9 communications. Achieving this requires robust governance
10 structures and processes designed to ensure accountability,
11 inclusiveness, adaptability, and action. The strength of
12 emergency communications governance is not measured by its
13 ability to maintain the status quo, but to methodically drive
14 improvements in balance with the rapid evolution of
15 technologies. With the adoption and integration of new
16 technologies, governance is an initial step toward preparing
17 public safety responders to manage the benefits and risk of
18 increased information exchange across organizations.

19 The purpose of this Act is to formally establish the
20 statewide interoperable communications executive committee and
21 technical subcommittee, and the position of statewide



1 interoperability communications coordinator as a position exempt
2 from section 76-16, Hawaii Revised Statutes.

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

6 **"PART . STATEWIDE PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS**

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

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

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



1 responder communications networks, infrastructure and
2 systems;

3 (3) Develop plans and strategies to promote statewide
4 public safety communications interoperability using
5 state and county radio communications systems and
6 networks, Nationwide Public Safety Broadband Network
7 and other public safety broadband networks;

8 (4) Develop plans and strategies for the coordination of
9 state, county, and, where possible, federal emergency
10 alerts and warnings with public safety answering
11 points and public safety responder communications
12 networks, infrastructure, and systems; and

13 (5) Review and adopt plans and recommendations to improve
14 or promote increased interoperability between public
15 safety responders and other government or non-
16 government stakeholders that support responses to
17 emergencies.

18 (b) The members of the statewide interoperable
19 communications executive committee shall consist of the
20 following:



- 1 (1) The adjutant general or the adjutant general's
2 designee, who shall serve as the chair of the
3 committee;
- 4 (2) The attorney general or the attorney general's
5 designee;
- 6 (3) The deputy director of the law enforcement division of
7 the department of public safety or the deputy
8 director's designee;
- 9 (4) The chairperson of the board of land and natural
10 resources or the chairperson's designee;
- 11 (5) The state chief information officer or the chief
12 information officer's designee;
- 13 (6) The director of transportation or the director's
14 designee;
- 15 (7) The director of health or the director's designee;
- 16 (8) The chairperson of the Hawaii enhanced 911 board or
17 the chairperson's designee; and
- 18 (9) Two members at the executive or senior personnel level
19 from the first responder or emergency management
20 agencies in each of the four counties, to be selected
21 by the mayors of each respective county.



1 (c) Members of the committee shall receive no compensation
2 but shall be reimbursed for travel and other reasonable and
3 necessary expenses incurred in carrying out their duties
4 relating to the committee.

5 **§128A- Statewide interoperable communications technical**
6 **subcommittee.** (a) There is established a statewide
7 interoperable communications technical subcommittee whose
8 purpose shall be to provide technical advice to the statewide
9 interoperable communications executive committee.

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

17 (c) The statewide interoperable communications coordinator
18 shall serve as the chairperson of the statewide interoperable
19 communications technical subcommittee.

20 (d) The respective lead radio communication engineer or
21 manager for the State and counties, or their designees, shall



1 serve on this committee as subject matter experts for their
2 respective radio communication systems and networks.

3 (e) The respect lead information security manager for the
4 State and counties, or their designees, shall serve on this
5 committee as subject matter experts for matters relating to
6 cyber security.

7 **§128A- Statewide interoperable communications**

8 **coordinator.** (a) There is established within the office of
9 homeland security the position of the statewide interoperable
10 communications coordinator, which shall be a full-time position
11 exempt from chapter 76.

12 (b) The statewide interoperable communications coordinator
13 shall have the following areas of responsibilities:

- 14 (1) Collaborate with state, county, and federal
15 governments and emergency response groups in long-term
16 strategic planning;
- 17 (2) Aid stakeholders in the development of projects,
18 plans, policies, standards, priorities, and guidelines
19 for interoperable communications;



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



(9) Coordinate closely with the state single point of contact on issues related to the implementation of the Nationwide Public Safety Broadband Network in the State;

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

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

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

SECTION 3. Chapter 128A, Hawaii Revised Statutes, is amended by designating sections 128A-1 to 128A-5 as follows:

"PART I. GENERAL PROVISIONS"

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



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

5 (1) Commissioned and enlisted personnel of the Hawaii
6 National Guard as such, and positions in the Hawaii
7 National Guard that are required by state or federal
8 laws or regulations or orders of the National Guard to
9 be filled from those commissioned or enlisted
10 personnel;

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

19 (3) Positions that must be filled without delay to comply
20 with a court order or decree if the director
21 determines that recruitment through normal recruitment



1 civil service procedures would result in delay or
2 noncompliance, such as the Felix-Cayetano consent
3 decree;

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

6 (5) Employees in the office of the governor and office of
7 the lieutenant governor, and household employees at
8 Washington Place;

9 (6) Positions filled by popular vote;

10 (7) Department heads, officers, and members of any board,
11 commission, or other state agency whose appointments
12 are made by the governor or are required by law to be
13 confirmed by the senate;

14 (8) Judges, referees, receivers, masters, jurors, notaries
15 public, land court examiners, court commissioners, and
16 attorneys appointed by a state court for a special
17 temporary service;

18 (9) One bailiff for the chief justice of the supreme court
19 who shall have the powers and duties of a court
20 officer and bailiff under section 606-14; one
21 secretary or clerk for each justice of the supreme



1 court, each judge of the intermediate appellate court,
2 and each judge of the circuit court; one secretary for
3 the judicial council; one deputy administrative
4 director of the courts; three law clerks for the chief
5 justice of the supreme court, two law clerks for each
6 associate justice of the supreme court and each judge
7 of the intermediate appellate court, one law clerk for
8 each judge of the circuit court, two additional law
9 clerks for the civil administrative judge of the
10 circuit court of the first circuit, two additional law
11 clerks for the criminal administrative judge of the
12 circuit court of the first circuit, one additional law
13 clerk for the senior judge of the family court of the
14 first circuit, two additional law clerks for the civil
15 motions judge of the circuit court of the first
16 circuit, two additional law clerks for the criminal
17 motions judge of the circuit court of the first
18 circuit, and two law clerks for the administrative
19 judge of the district court of the first circuit; and
20 one private secretary for the administrative director
21 of the courts, the deputy administrative director of



1 the courts, each department head, each deputy or first
2 assistant, and each additional deputy, or assistant
3 deputy, or assistant defined in paragraph (16);

4 (10) First deputy and deputy attorneys general, the
5 administrative services manager of the department of
6 the attorney general, one secretary for the
7 administrative services manager, an administrator and
8 any support staff for the criminal and juvenile
9 justice resources coordination functions, and law
10 clerks;

11 (11) (A) Teachers, principals, vice-principals, complex
12 area superintendents, deputy and assistant
13 superintendents, other certificated personnel,
14 not more than twenty noncertificated
15 administrative, professional, and technical
16 personnel not engaged in instructional work;
17 (B) Effective July 1, 2003, teaching assistants,
18 educational assistants, bilingual/bicultural
19 school-home assistants, school psychologists,
20 psychological examiners, speech pathologists,
21 athletic health care trainers, alternative school



1 work study assistants, alternative school
2 educational/supportive services specialists,
3 alternative school project coordinators, and
4 communications aides in the department of
5 education;

6 (C) The special assistant to the state librarian and
7 one secretary for the special assistant to the
8 state librarian; and

9 (D) Members of the faculty of the University of
10 Hawaii, including research workers, extension
11 agents, personnel engaged in instructional work,
12 and administrative, professional, and technical
13 personnel of the university;

14 (12) Employees engaged in special, research, or
15 demonstration projects approved by the governor;

16 (13) (A) Positions filled by inmates, patients of state
17 institutions, persons with severe physical or
18 mental disabilities participating in the work
19 experience training programs;



1 (B) Positions filled with students in accordance with
2 guidelines for established state employment
3 programs; and

4 (C) Positions that provide work experience training
5 or temporary public service employment that are
6 filled by persons entering the workforce or
7 persons transitioning into other careers under
8 programs such as the federal Workforce Investment
9 Act of 1998, as amended, or the Senior Community
10 Service Employment Program of the Employment and
11 Training Administration of the United States
12 Department of Labor, or under other similar state
13 programs;

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

16 (15) Positions filled by persons employed on a fee,
17 contract, or piecework basis, who may lawfully perform
18 their duties concurrently with their private business
19 or profession or other private employment and whose
20 duties require only a portion of their time, if it is



1 impracticable to ascertain or anticipate the portion
2 of time to be devoted to the service of the State;

3 (16) Positions of first deputies or first assistants of
4 each department head appointed under or in the manner
5 provided in section 6, article V, of the Hawaii State
6 Constitution; three additional deputies or assistants
7 either in charge of the highways, harbors, and
8 airports divisions or other functions within the
9 department of transportation as may be assigned by the
10 director of transportation, with the approval of the
11 governor; four additional deputies in the department
12 of health, each in charge of one of the following:
13 behavioral health, environmental health, hospitals,
14 and health resources administration, including other
15 functions within the department as may be assigned by
16 the director of health, with the approval of the
17 governor; an administrative assistant to the state
18 librarian; and an administrative assistant to the
19 superintendent of education;

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



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

5 (B) All of the positions defined by paragraph (9)
6 shall be included in the position classification
7 plan;

8 (18) Positions in the state foster grandparent program and
9 positions for temporary employment of senior citizens
10 in occupations in which there is a severe personnel
11 shortage or in special projects;

12 (19) Household employees at the official residence of the
13 president of the University of Hawaii;

14 (20) Employees in the department of education engaged in
15 the supervision of students during meal periods in the
16 distribution, collection, and counting of meal
17 tickets, and in the cleaning of classrooms after
18 school hours on a less than half-time basis;

19 (21) Employees hired under the tenant hire program of the
20 Hawaii public housing authority; provided that not
21 more than twenty-six per cent of the authority's



workforce in any housing project maintained or operated by the authority shall be hired under the tenant hire program;

(22) Positions of the federally funded expanded food and nutrition program of the University of Hawaii that require the hiring of nutrition program assistants who live in the areas they serve;

(23) Positions filled by persons with severe disabilities who are certified by the state vocational rehabilitation office that they are able to perform safely the duties of the positions;

(24) The sheriff;

(25) A gender and other fairness coordinator hired by the judiciary;

(26) Positions in the Hawaii National Guard youth and adult education programs;

(27) In the state energy office in the department of business, economic development, and tourism, all energy program managers, energy program specialists, energy program assistants, and energy analysts;



(28) Administrative appeals hearing officers in the department of human services;

(29) In the Med-QUEST division of the department of human services, the division administrator, finance officer, health care services branch administrator, medical director, and clinical standards administrator;

(30) In the director's office of the department of human services, the enterprise officer, information security and privacy compliance officer, security and privacy compliance engineer, and security and privacy compliance analyst; ~~and~~

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

(32) In the office of homeland security of the department of defense, the statewide interoperable communications coordinator.

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

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



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.
3 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Statewide Interoperable Public Safety Communications

Description:

Establishes a Statewide Interoperable Communications Executive Committee for public safety communications and the position of the Statewide Interoperable Communications Coordinator.
Effective 7/1/2050. (SD2)

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