
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 purpose of this Act is to update the
2 statutes regarding the statewide interoperable communications
3 executive committee to reflect the migration of the office of
4 homeland security from the department of defense to the
5 department of law enforcement.

6 SECTION 2. Section 128A-12, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "~~§128A-12~~ **Statewide interoperable communications**
9 **executive committee.** There is established within the department
10 of ~~[defense]~~ law enforcement for administrative purposes the
11 statewide interoperable communications executive committee."

12 SECTION 3. Section 128A-13, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) The members of the statewide interoperable
15 communications executive committee shall include the following:



- 1 (1) The ~~[adjutant general]~~ director of law enforcement or
2 the ~~[adjutant general's]~~ director's designee, who
3 shall serve as the chair of the 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)]~~ (3) The chairperson of the board of land and natural
10 resources or the 'chairperson's designee;
- 11 ~~+(5)]~~ (4) The state chief information officer or the chief
12 information officer's designee;
- 13 ~~+(6)]~~ (5) The director of transportation or the director's
14 designee;
- 15 ~~+(7)]~~ (6) The director of health or the director's
16 designee;
- 17 ~~+(8)]~~ (7) The chairperson of the Hawaii enhanced 911 board
18 or the chairperson's designee; and
- 19 ~~+(9)]~~ (8) Four members at the executive or senior personnel
20 level from the first responder or emergency management
21 agencies from each of the four counties, to be



1 selected by the respective heads of the first
2 responder or emergency management agencies of each
3 county."

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

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

10 (1) Commissioned and enlisted personnel of the Hawaii
11 National Guard as such, and positions in the Hawaii
12 National Guard that are required by state or federal
13 laws or regulations or orders of the National Guard to
14 be filled from those commissioned or enlisted
15 personnel;

16 (2) Positions filled by persons employed by contract where
17 the director of human resources development has
18 certified that the service is special or unique or is
19 essential to the public interest and that, because of
20 circumstances surrounding its fulfillment, personnel
21 to perform the service cannot be obtained through



- 1 normal civil service recruitment procedures. Any such
2 contract may be for any period not exceeding one year;
- 3 (3) Positions that must be filled without delay to comply
4 with a court order or decree if the director
5 determines that recruitment through normal recruitment
6 civil service procedures would result in delay or
7 noncompliance, such as the Felix-Cayetano consent
8 decree;
- 9 (4) Positions filled by the legislature or by either house
10 or any committee thereof;
- 11 (5) Employees in the office of the governor and office of
12 the lieutenant governor, and household employees at
13 Washington Place;
- 14 (6) Positions filled by popular vote;
- 15 (7) Department heads, officers, and members of any board,
16 commission, or other state agency whose appointments
17 are made by the governor or are required by law to be
18 confirmed by the senate;
- 19 (8) Judges, referees, receivers, masters, jurors, notaries
20 public, land court examiners, court commissioners, and



1 attorneys appointed by a state court for a special
2 temporary service;

3 (9) One bailiff for the chief justice of the supreme court
4 who shall have the powers and duties of a court
5 officer and bailiff under section 606-14; one
6 secretary or clerk for each justice of the supreme
7 court, each judge of the intermediate appellate court,
8 and each judge of the circuit court; one secretary for
9 the judicial council; one deputy administrative
10 director of the courts; three law clerks for the chief
11 justice of the supreme court, two law clerks for each
12 associate justice of the supreme court and each judge
13 of the intermediate appellate court, one law clerk for
14 each judge of the circuit court, two additional law
15 clerks for the civil administrative judge of the
16 circuit court of the first circuit, two additional law
17 clerks for the criminal administrative judge of the
18 circuit court of the first circuit, one additional law
19 clerk for the senior judge of the family court of the
20 first circuit, two additional law clerks for the civil
21 motions judge of the circuit court of the first



1 circuit, two additional law clerks for the criminal
2 motions judge of the circuit court of the first
3 circuit, and two law clerks for the administrative
4 judge of the district court of the first circuit; and
5 one private secretary for the administrative director
6 of the courts, the deputy administrative director of
7 the courts, each department head, each deputy or first
8 assistant, and each additional deputy, or assistant
9 deputy, or assistant defined in paragraph (16);

10 (10) First deputy and deputy attorneys general, the
11 administrative services manager of the department of
12 the attorney general, one secretary for the
13 administrative services manager, an administrator and
14 any support staff for the criminal and juvenile
15 justice resources coordination functions, and law
16 clerks;

17 (11) (A) Teachers, principals, vice-principals, complex
18 area superintendents, deputy and assistant
19 superintendents, other certificated personnel,
20 not more than twenty noncertificated



1 administrative, professional, and technical
2 personnel not engaged in instructional work;
3 (B) Effective July 1, 2003, teaching assistants,
4 educational assistants, bilingual/bicultural
5 school-home assistants, school psychologists,
6 psychological examiners, speech pathologists,
7 athletic health care trainers, alternative school
8 work study assistants, alternative school
9 educational/supportive services specialists,
10 alternative school project coordinators, and
11 communications aides in the department of
12 education;
13 (C) The special assistant to the state librarian and
14 one secretary for the special assistant to the
15 state librarian; and
16 (D) Members of the faculty of the University of
17 Hawaii, including research workers, extension
18 agents, personnel engaged in instructional work,
19 and administrative, professional, and technical
20 personnel of the university;



- 1 (12) Employees engaged in special, research, or
- 2 demonstration projects approved by the governor;
- 3 (13) (A) Positions filled by inmates, patients of state
- 4 institutions, persons with severe physical or
- 5 mental disabilities participating in the work
- 6 experience training programs;
- 7 (B) Positions filled with students in accordance with
- 8 guidelines for established state employment
- 9 programs; and
- 10 (C) Positions that provide work experience training
- 11 or temporary public service employment that are
- 12 filled by persons entering the workforce or
- 13 persons transitioning into other careers under
- 14 programs such as the federal Workforce Investment
- 15 Act of 1998, as amended, or the Senior Community
- 16 Service Employment Program of the Employment and
- 17 Training Administration of the United States
- 18 Department of Labor, or under other similar state
- 19 programs;
- 20 (14) A custodian or guide at Iolani Palace, the Royal
- 21 Mausoleum, and Hulihee Palace;



- 1 (15) Positions filled by persons employed on a fee,
2 contract, or piecework basis, who may lawfully perform
3 their duties concurrently with their private business
4 or profession or other private employment and whose
5 duties require only a portion of their time, if it is
6 impracticable to ascertain or anticipate the portion
7 of time to be devoted to the service of the State;
- 8 (16) Positions of first deputies or first assistants of
9 each department head appointed under or in the manner
10 provided in section 6, article V, of the Hawaii State
11 Constitution; three additional deputies or assistants
12 either in charge of the highways, harbors, and
13 airports divisions or other functions within the
14 department of transportation as may be assigned by the
15 director of transportation, with the approval of the
16 governor; four additional deputies in the department
17 of health, each in charge of one of the following:
18 behavioral health, environmental health, hospitals,
19 and health resources administration, including other
20 functions within the department as may be assigned by
21 the director of health, with the approval of the



1 governor; two additional deputies in charge of the law
2 enforcement programs, administration, or other
3 functions within the department of law enforcement as
4 may be assigned by the director of law enforcement,
5 with the approval of the governor; three additional
6 deputies each in charge of the correctional
7 institutions, rehabilitation services and programs,
8 and administration or other functions within the
9 department of corrections and rehabilitation as may be
10 assigned by the director of corrections and
11 rehabilitation, with the approval of the governor; an
12 administrative assistant to the state librarian; and
13 an administrative assistant to the superintendent of
14 education;

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

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



1 (B) All of the positions defined by paragraph (9)
2 shall be included in the position classification
3 plan;

4 (18) Positions in the state foster grandparent program and
5 positions for temporary employment of senior citizens
6 in occupations in which there is a severe personnel
7 shortage or in special projects;

8 (19) Household employees at the official residence of the
9 president of the University of Hawaii;

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

15 (21) Employees hired under the tenant hire program of the
16 Hawaii public housing authority; provided that not
17 more than twenty-six per cent of the authority's
18 workforce in any housing project maintained or
19 operated by the authority shall be hired under the
20 tenant hire program;



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



1 health care services branch administrator, medical
2 director, and clinical standards administrator;
3 (30) In the director's office of the department of human
4 services, the enterprise officer, information security
5 and privacy compliance officer, security and privacy
6 compliance engineer, and security and privacy
7 compliance analyst;
8 (31) The Alzheimer's disease and related dementia services
9 coordinator in the executive office on aging;
10 (32) In the Hawaii emergency management agency, the
11 executive officer, public information officer, civil
12 defense administrative officer, branch chiefs, and
13 emergency operations center state warning point
14 personnel; provided that, for state warning point
15 personnel, the director shall determine that
16 recruitment through normal civil service recruitment
17 procedures would result in delay or noncompliance;
18 (33) The executive director and seven full-time
19 administrative positions of the school facilities
20 authority;



1 (34) Positions in the Mauna Kea stewardship and oversight
 2 authority; and
 3 [+](35)[+] In the office of homeland security of the department
 4 of [~~defense,~~] law enforcement, the statewide
 5 interoperable communications coordinator.

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

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

10 SECTION 5. Statutory material to be repealed is bracketed
 11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect on June 30, 3000;
 13 provided that the amendments made to section 76-16(b), Hawaii
 14 Revised Statutes, by section 4 of this Act shall take effect on
 15 January 1, 2024, after the amendments made to that section by
 16 section 24 of Act 278, Session Laws of Hawaii 2022, take effect.



Report Title:

Statewide Interoperable Public Safety Communications Executive Committee; Department of Law Enforcement

Description:

Reflects the migration of the office of homeland security from the department of defense to the department of law enforcement on 1/1/2024. Effective 6/30/3000. (HD1)

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