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# 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 the Oklahoma City  
2 bombing, the attacks of September 11, 2001, Hurricane Katrina in  
3 2005, and other subsequent terrorist and natural disasters, have  
4 repeatedly exposed communication deficiencies faced by first  
5 responders. This situation has negatively impacted the  
6 nationwide goal of establishing robust and sustainable  
7 interoperable public safety communications for emergency  
8 responders at all levels of government.

9           The legislature further finds that communication  
10 deficiencies faced by first responders often result from  
11 insufficient essential public safety communications personnel,  
12 insufficient coordination and cooperation among agencies because  
13 personnel are in disparate organizations or entities, inadequate  
14 coordination in planning, insufficient policies and procedures,  
15 incompatible and outdated communications equipment, inconsistent  
16 or non-existent intra-agency or intra-entity coordination for



1 equipment and resources that are in multiple and disparate  
2 locations, and funding limitations.

3 To deal with interoperable communications issues, Congress  
4 passed Title XVIII of the Homeland Security Act of 2002, as  
5 amended, which requires the United States Department of Homeland  
6 Security, Office of Emergency Communications, to develop and  
7 update a national emergency communications plan that identifies  
8 capabilities and initiatives and sets strategic goals and  
9 national objectives to ensure that emergency responders at all  
10 levels of government and disciplines have interoperable  
11 communications. To help states improve state and local  
12 communications interoperability, homeland security grants for  
13 communication interoperability initiatives require each state to  
14 establish a statewide communication interoperability plan that  
15 includes annual updates.

16 The legislature finds that as a matter of policy, all  
17 efforts should be made to ensure that all county and state  
18 public safety agencies have interoperable communications and  
19 engage in coordinated planning, equipment purchases, and  
20 infrastructure development. To achieve statewide  
21 interoperability, all stakeholders must be involved in the



1 collaboration and development of shared objectives and  
2 strategies.

3 The purpose of this Act is to establish a statewide  
4 interoperability executive board that shall collaborate with all  
5 levels of government to set statewide policy for statewide  
6 interoperable public safety communications.

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

10 "PART II. STATEWIDE PUBLIC SAFETY COMMUNICATIONS

11 INTEROPERABILITY

12 §128A- Statewide interoperability executive board. (a)

13 There is established within the department of defense for  
14 administrative purposes the statewide interoperability executive  
15 board, which shall be the primary steering group for public  
16 safety interoperable communications statewide.

17 (b) The members of the statewide interoperability  
18 executive board shall consist of the following members or the  
19 member's designee:

20 (1) The adjutant general, who shall serve as the chair of  
21 the board;



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- 1           (2) The attorney general, who shall serve as the co-chair
- 2                   of the board;
- 3           (3) The deputy director of law enforcement of the
- 4                   department of public safety;
- 5           (4) The director of transportation;
- 6           (5) The chairperson of the board of land and natural
- 7                   resources;
- 8           (6) The director of health;
- 9           (7) The comptroller;
- 10          (8) The chief information officer of the enterprise
- 11                   technology services; provided that any designee of the
- 12                   chief information officer shall hold a decision-making
- 13                   role and shall be knowledgeable of public safety
- 14                   communications;
- 15          (9) The mayor of each county; provided that the designee
- 16                   of the mayor shall be the county managing director or
- 17                   the mayor's chief of staff;
- 18          (10) The chairperson of the Hawaii fire chiefs association;
- 19          (11) One chief of police or other designee selected by all
- 20                   chiefs of police in Hawaii;
- 21          (12) The chairperson of the enhanced 911 board; and



1           (13) The chairperson of the 700 MHz regional planning  
2                       committee.

3           For purposes of this subsection, any designee shall have  
4 the authority to act on behalf of the member identified for  
5 membership.

6           (c) Members of the board shall serve without compensation,  
7 but shall be reimbursed for expenses, including travel expenses,  
8 incurred in carrying out their duties relating to the board. No  
9 member shall be made subject to chapter 84 solely because of  
10 that member's participation as a member of the board.

11           **§128A- Duties of the statewide interoperability**  
12 **executive board.** The statewide interoperability executive board  
13 shall have the following duties:

14           (1) Develop, annually update, and monitor implementation  
15                       of the statewide communications interoperability plan,  
16                       which shall be designed to achieve statewide  
17                       interoperable public safety communications;

18           (2) Establish, develop, and recommend policies and  
19                       strategies to improve public safety communications  
20                       interoperability among state and county public safety  
21                       agencies and, where possible, federal agencies;



- 1           (3) Develop standards, plans, and policies to encourage  
2                   and foster consistent design and development of public  
3                   safety communications infrastructure and systems;
- 4           (4) Where appropriate, recommend changes and improvements  
5                   in existing public safety communications  
6                   infrastructure and governance as required or  
7                   appropriate for implementation of interoperability  
8                   plans;
- 9           (5) Develop recommendations for legislation to promote  
10                   statewide public safety communications  
11                   interoperability and governance at the state and  
12                   county levels;
- 13           (6) Develop recommendations for development of state and  
14                   county policies to promote statewide public safety  
15                   communications interoperability;
- 16           (7) Coordinate state and county activities relating to  
17                   obtaining, implementing, and using federal grants for  
18                   support and coordination of public safety  
19                   interoperable communications systems, resources,  
20                   staffing, infrastructure, equipment, and training;



- 1           (8) Conduct an annual review of the interoperability plan
- 2                   and provide a yearly summary to the United States
- 3                   Department of Homeland Security, Office of Emergency
- 4                   Communications, or its successor, aligning the update
- 5                   with standards established in the National Emergency
- 6                   Communications Plan by the federal office;
- 7           (9) Coordinate statewide interoperability activities among
- 8                   state and county agencies, and, as appropriate,
- 9                   federal agencies;
- 10          (10) Advise the governor and the legislature on
- 11                   implementation of the interoperability plan;
- 12          (11) Submit a report to the legislature no later than
- 13                   twenty days prior to the convening of each regular
- 14                   session on the status of the interoperability plan and
- 15                   the activities of the board; and
- 16          (12) Adopt rules not subject to chapter 91 necessary to
- 17                   carry out the board's duties and powers.

18           **§128A- Statewide interoperability coordinator. (a)**

19   There shall be a statewide interoperability coordinator in the

20   department of defense, office of homeland security, to serve as

21   the central coordination point for the statewide communications

1 interoperability plan and, through coordination and  
2 collaboration with agencies and entities in the homeland  
3 security and emergency response communities, assist in the  
4 implementation of the interoperability plan.

5 (b) The statewide interoperability coordinator shall have  
6 the following duties:

7 (1) Assist the statewide interoperability executive board  
8 in coordinating and collaborating with state and  
9 county responders and public safety communications  
10 providers in conducting and submitting annual updates  
11 to the statewide communications interoperability plan  
12 and other communications related documents;

13 (2) Ensure that the state and county interoperability  
14 plans align with and support local and national  
15 communications strategies;

16 (3) Identify funding opportunities for planned  
17 interoperability improvements and coordinate efforts  
18 to acquire funding;

19 (4) Engage stakeholders in coordinating and developing  
20 strategic interoperability plans;





- 1           (5) Represent the State as a member of the National  
2           Council of Statewide Interoperability Coordinators;
- 3           (6) Represent the State and the statewide interoperability  
4           executive board in local, regional, and national  
5           efforts to plan and implement changes required to  
6           ensure communications operability, interoperability,  
7           and continuity of communications for emergency  
8           responders in Hawaii;
- 9           (7) Perform an analysis of the current status of  
10          communications resources, where they exist,  
11          responsible agencies or entities, and policies and  
12          procedures currently in place and provide such  
13          information to the board for development of a state  
14          and county public safety interoperable communications  
15          strategy;
- 16          (8) If the statewide interoperability coordinator is not  
17          the first responder network authority state point of  
18          contact, the statewide interoperability coordinator  
19          shall coordinate with the state point of contact for  
20          all activities related to the nationwide public safety  
21          broadband network, also referred to as FirstNet;



- 1 (9) Review and approve homeland security grant
- 2 applications, in coordination with the homeland
- 3 security administrator, wherein public safety
- 4 communications equipment is requested, pursuant to
- 5 grant guidance; and
- 6 (10) Perform other duties as necessary and as required by
- 7 the adjutant general."

8 SECTION 3. Chapter 128A, Hawaii Revised Statutes, is  
 9 amended by designating sections 128A-1 to 128A-5 as part I,  
 10 entitled "General Provisions".

11 SECTION 4. This Act shall take effect on July 1, 2017.

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# H.B. NO. 460

**Report Title:**

Statewide Interoperable Executive Board; Public Safety  
Communications

**Description:**

Establishes the Statewide Interoperability Executive Board within the state Department of Defense to serve as the primary steering group for public safety interoperable communications statewide.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

