

JAN 20 2017

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 Oklahoma City bombing, the attacks of
2 September 11, 2001, Hurricane Katrina in 2005, and other
3 subsequent terrorist and natural disasters have repeatedly
4 exposed the communications challenges faced by first responders
5 in communicating with each other. These challenges to robust
6 and sustainable interoperable public safety communications
7 include a lack of essential public safety communications staff,
8 existing staff are in disparate organizations or entities such
9 that a lack of coordination and cooperation among agencies is
10 the result, inadequate coordination in planning, lack of
11 policies and procedures, incompatible communications equipment
12 that may also be reaching the end of its useful life, equipment
13 and resources in multiple and disparate locations with
14 inconsistent or non-existent intra-agency or intra-entity
15 coordination, and limitations on funding. To deal with
16 interoperable communications issues, Congress passed Title XVIII



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

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



1 The purpose of this Act is to establish a statewide
2 governance system that includes an interoperability executive
3 board to set the overarching policy, guidance, and direction for
4 statewide interoperable public safety communications. It is the
5 intent of the legislature to create a statewide governance board
6 with this Act and that the statewide governance board shall make
7 recommendations to the legislature for improvements and local
8 governance structures that will coordinate with the statewide
9 governance board.

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

13 **"PART II. STATEWIDE PUBLIC SAFETY COMMUNICATIONS**

14 **INTEROPERABILITY**

15 **§128A- Statewide interoperability executive board. (a)**

16 There is established within the department of defense for
17 administrative purposes the statewide interoperability executive
18 board, which shall be the primary steering group for the Hawaii
19 statewide communications interoperability plan.

20 (b) The members of the statewide interoperability
21 executive board shall consist of:



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- 1 (1) The adjutant general, or designee, who shall serve as
2 the chair of the board;
- 3 (2) The attorney general, or designee, who shall serve as
4 the co-chair of the board;
- 5 (3) The deputy director of law enforcement of the
6 department of public safety, or designee;
- 7 (4) The director of transportation, or designee;
- 8 (5) The chairperson of the board of land and natural
9 resources, or designee;
- 10 (6) The director of health, or designee;
- 11 (7) The comptroller, or designee;
- 12 (8) The chief information officer of the office of
13 enterprise technology services, or designee; provided
14 that the designee shall be a decision maker and
15 knowledgeable with public safety communications;
- 16 (9) The mayor of each county or, designee; provided that
17 the position of the designee shall be no lower than
18 that of the managing director or chief of staff;
- 19 (10) The chair of the Hawaii Fire Chiefs Association, or
20 designee;



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- 1 (11) One chief of police, or designee, who shall be
- 2 selected by all chiefs of police in Hawaii;
- 3 (12) The chairperson of the enhanced 9-1-1 board, or
- 4 designee;
- 5 (13) The chairperson of the 700 MHz regional planning
- 6 committee, or designee;
- 7 (14) One senator appointed by the president of the senate
- 8 with an interest in public safety communications; and
- 9 (15) One representative appointed by the speaker of the
- 10 house of representatives with an interest in public
- 11 safety communications.

12 For purposes of this subsection, each designee shall have the
13 authority to act on behalf of the member identified for
14 membership.

15 (c) Members of the board shall receive no compensation but
16 shall be reimbursed for travel and other reasonable and
17 necessary expenses incurred in carrying out their duties
18 relating to the board.

19 **§128A- Duties of the statewide interoperability**
20 **executive board.** (a) The statewide interoperability executive
21 board shall have the following duties:



- 1 (1) Develop, annually update, and monitor implementation
2 of the statewide communications interoperability plan,
3 which shall be designed to achieve statewide
4 interoperable public safety communications;
- 5 (2) Establish, develop, and recommend policies and
6 strategies to improve public safety communications
7 interoperability among state and county public safety
8 agencies and, where possible, federal agencies;
- 9 (3) Develop standards, plans, and policies to encourage
10 and foster consistent design and development of public
11 safety communications infrastructure and systems;
- 12 (4) Where appropriate, recommend changes and improvements
13 in existing public safety communications
14 infrastructure and governance as required or
15 appropriate for implementation of interoperability
16 plans;
- 17 (5) Develop recommendations for legislation to promote
18 statewide public safety communications
19 interoperability and governance at the state and
20 county levels;



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- 1 (6) Develop recommendations for state and county policies
2 to promote statewide public safety communications
3 interoperability;
- 4 (7) Coordinate state and county activities relating to
5 obtaining, implementing, and using federal grants for
6 support and coordination of public safety
7 interoperable communications systems, resources,
8 staffing, infrastructure, equipment, and training;
- 9 (8) Conduct and submit an annual update of the
10 interoperability plan to the United States Department
11 of Homeland Security, Office of Emergency
12 Communications, or its successor, aligning the update
13 with standards established in the national emergency
14 communications plan by the federal office;
- 15 (9) Coordinate statewide interoperability activities among
16 state and county agencies, and, as appropriate,
17 federal agencies;
- 18 (10) Advise the governor, the chief information officer,
19 and the legislature on the implementation of the
20 interoperability plan;



1 (11) Submit a report to the legislature no later than
2 twenty days prior to the convening of each regular
3 session on the status of the interoperability plan and
4 the activities of the board; and

5 (12) Adopt rules necessary to carry out the board's duties
6 and powers; provided that chapter 91 shall not apply
7 to rules of the board.

8 **§128A- Statewide interoperability coordinator. (a)**

9 There shall be a statewide interoperability coordinator in the
10 department of defense, office of homeland security, to serve as
11 the central coordination point for the Hawaii statewide
12 communications interoperability plan and, through coordination
13 and collaboration with agencies and entities in the homeland
14 security and emergency response communities, the implementation
15 of the interoperability plan.

16 (b) The statewide interoperability coordinator shall have
17 the following duties:

18 (1) Assist the statewide interoperability executive board
19 in coordinating and collaborating with state and
20 county responders and public safety communications
21 providers in conducting and submitting annual updates



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- 1 to the statewide communications interoperability plan
2 and other communications related documents;
- 3 (2) Ensure that the state and county interoperability
4 plans align with and support local and national
5 communications strategies;
- 6 (3) Identify funding opportunities for planned
7 interoperability improvements and coordinate efforts
8 to acquire funding;
- 9 (4) Engage stakeholders in coordinating and developing
10 strategic interoperability plans;
- 11 (5) Represent the State as a member of the National
12 Council of Statewide Interoperability Coordinators;
- 13 (6) Represent the State and the statewide interoperability
14 executive board in local, regional, and national
15 efforts to plan and implement changes required to
16 ensure communications operability, interoperability,
17 and continuity of communications for emergency
18 responders in Hawaii;
- 19 (7) Perform an analysis of current status of
20 communications resources, where they exist, the
21 responsible agency or entity, and policies and



1 procedures currently in place and provide the
2 information to the board for the development of a
3 state and county public safety interoperable
4 communications strategy;

5 (8) If the statewide interoperability coordinator is not
6 the first responder network authority state point of
7 contact, the statewide interoperability coordinator
8 shall coordinate with the state point of contact for
9 all activities related to the nationwide public safety
10 broadband network, also referred to as FirstNet;

11 (9) Review and approve homeland security grant
12 applications, in coordination with the homeland
13 security administrator, wherein public safety
14 communications equipment is requested, pursuant to
15 grant guidance; and

16 (10) Perform other duties as necessary and as required by
17 the adjutant general."

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



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

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INTRODUCED BY:

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Report Title:

DOD; Executive Board; Public Safety Communications

Description:

Establishes a statewide interoperability executive board for public safety communications.

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

