
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. Emergency communications are critical to
2 Hawaii's response to natural disasters, terrorists' threats and
3 other emergency events, incidents, and routine activities
4 affecting our state. When faced with these situations, the
5 public safety community has a collective responsibility to share
6 information. Achieving this goal requires communications
7 capabilities that are resilient and secure today, yet agile
8 enough to integrate advanced and emerging technologies tomorrow.
9 The ability of public safety responders and emergency response
10 agencies to effectively communicate with each other,
11 particularly during emergency situations, is essential to
12 protecting the health, safety, and welfare of the public. There
13 are many components to creating and maintaining a successful
14 interoperable communications system. Effective coordination is
15 a critical step to ensuring successful emergency communications.
16 Achieving this requires robust governance structures and process
17 designed to ensure accountability, inclusiveness, adaptability,

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1 and action. The strength of emergency communications governance
2 is not measured by its ability to maintain the status quo, but
3 to drive improvements in balance with the rapid evolution of
4 technologies. With the adoption and integration of new
5 technologies, governance is an initial step toward preparing
6 public safety responders to manage the benefits and risk of
7 increased information exchange across organizations.

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

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

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

17 **§128A- Statewide interoperable communications executive**
18 **committee.** There is established within the department of
19 defense for administrative purposes the statewide interoperable
20 communications executive committee.

21 **§128A- Duties of the statewide interoperable**
22 **communications executive committee.** (a) The statewide
23 interoperable communications executive committee shall have the

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1 following duties:

2 (1) Develop plans and strategies to improve public safety
3 communications interoperability among state, county,
4 and, where possible, federal public safety agencies;

5 (2) Develop plans and strategies to provide interoperable
6 communications between county emergency communications
7 and dispatch centers (public safety answering points)
8 and public safety responder communications networks,
9 infrastructure and systems;

10 (3) Develop plans and strategies to promote statewide
11 public safety communications interoperability
12 utilizing the National Public Safety Broadband Network
13 or FirstNet and other broadband data networks;

14 (4) Develop plans and strategies for the coordination of
15 state, county, and, where possible, federal emergency
16 alerts and warnings with county emergency
17 communications and dispatch centers (public safety
18 answering points) and public safety responder
19 communications networks, infrastructure, and systems;
20 and

21 (5) Review and adopt plans and recommendations that
22 improve or promote increased interoperability between
23 public safety responders and other government or

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1 private stakeholders that support public safety
2 responders.

3 (b) The members of the statewide interoperable
4 communications executive committee shall consist of the
5 following:

- 6 (1) The adjutant general, or designee, who shall serve as
7 the chair of the committee;
- 8 (2) The attorney general, or designee;
- 9 (3) The deputy director of law enforcement of the
10 department of public safety, or designee;
- 11 (4) The chairperson of the board of land and natural
12 resources, or designee;
- 13 (5) The state chief information officer, or designee;
- 14 (6) The director of transportation, or designee;
- 15 (7) The director of health, or designee;
- 16 (8) The chairperson of the Hawaii enhanced 911 board, or
17 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.

22 (c) Members of the committee shall receive no compensation
23 but shall be reimbursed for travel and other reasonable and

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1 necessary expenses incurred in carrying out their duties
2 relating to the committee.

3 **§128A- Statewide interoperable communications technical**
4 **subcommittee.** (a) There is also established a statewide
5 interoperable communications technical subcommittee whose
6 purpose is to provide technical advice to the statewide
7 interoperable communications executive committee.

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

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

18 **§128A- Statewide interoperable communications**
19 **coordinator.** (a) There is established within the office of
20 homeland security the position of the statewide interoperable
21 communications coordinator, which shall be a full-time position
22 exempt from chapter 76.

23 (b) The statewide interoperable communications coordinator

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1 shall have the following areas of responsibility:

2 (1) Collaborate with state, county, and federal
3 governments and emergency response groups in long-term
4 strategic planning;

5 (2) Aid stakeholders in the development of projects,
6 plans, policies, standards, priorities, and guidelines
7 for interoperable communications;

8 (3) Communicate regularly with all interoperability
9 stakeholders and partners to ensure transparency and
10 information sharing;

11 (4) Coordinate governing body activities to maximize
12 integration and collaboration across the emergency
13 communications landscape;

14 (5) Serve as the point of contact for the federal
15 government and industry on issues concerning statewide
16 interoperable communications;

17 (6) Seek guidance, input, and recommendations from state,
18 county, and federal agencies on the statewide
19 communications interoperability plan and drive the
20 development, implementation, and regular update of the
21 statewide communications interoperability plan;

22 (7) Facilitate communications among responders during
23 emergencies when responding to planned and unplanned

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1 events;

2 (8) Coordinate closely with the state single point of
3 contact on issues related to the implementation of the
4 nationwide public safety broadband network;

5 (9) Coordinate any and all interoperability activities
6 with 9-1-1 administrators, operators of state, county
7 and federal radio systems, emergency management
8 coordinators, and the first responder network
9 authority;

10 (10) Manage the communications unit program, including the
11 communications leader, communications technician,
12 auxiliary communications, and other supporting
13 functions; and

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

16 SECTION 3. Section 76-16, Hawaii Revised Statutes, is
17 amended by amending section (b) to read as follows:

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

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

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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;

21 (5) Employees in the office of the governor and office of
22 the lieutenant governor, and household employees at
23 Washington Place;

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

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

15 (10) First deputy and deputy attorneys general, the
16 administrative services manager of the department of
17 the attorney general, one secretary for the
18 administrative services manager, an administrator and
19 any support staff for the criminal and juvenile
20 justice resources coordination functions, and law
21 clerks;

22 (11) (A) Teachers, principals, vice-principals, complex
23 area superintendents, deputy and assistant

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1 superintendents, other certificated personnel,
2 not more than twenty noncertificated
3 administrative, professional, and technical
4 personnel not engaged in instructional work;

5 (B) Effective July 1, 2003, teaching assistants,
6 educational assistants, bilingual/bicultural
7 school-home assistants, school psychologists,
8 psychological examiners, speech pathologists,
9 athletic health care trainers, alternative school
10 work study assistants, alternative school
11 educational/supportive services specialists,
12 alternative school project coordinators, and
13 communications aides in the department of
14 education;

15 (C) The special assistant to the state librarian and
16 one secretary for the special assistant to the
17 state librarian; and

18 (D) Members of the faculty of the University of
19 Hawaii, including research workers, extension
20 agents, personnel engaged in instructional work,
21 and administrative, professional, and technical
22 personnel of the university;

23 (12) Employees engaged in special, research, or

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1 demonstration projects approved by the governor;

2 (13) (A) Positions filled by inmates, patients of state
3 institutions, persons with severe physical or
4 mental disabilities participating in the work
5 experience training programs;

6 (B) Positions filled with students in accordance with
7 guidelines for established state employment
8 programs; and

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

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

21 (15) Positions filled by persons employed on a fee,
22 contract, or piecework basis, who may lawfully perform
23 their duties concurrently with their private business

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1 or profession or other private employment and whose
2 duties require only a portion of their time, if it is
3 impracticable to ascertain or anticipate the portion
4 of time to be devoted to the service of the State;

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

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

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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
22 workforce in any housing project maintained or
23 operated by the authority shall be hired under the

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

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1 director, and clinical standards administrator;

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

7 ~~[(31)]~~ The alzheimer's disease and related dementia
8 services coordinator in the executive office on
9 aging~~[-]~~; and

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

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

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

17 SECTION 4. This Act shall take effect upon its approval.

18
19 INTRODUCED BY: _____

W. H. H. H.

20 BY REQUEST

21

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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.

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

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JUSTIFICATION SHEET

DEPARTMENT: Defense

TITLE: A BILL FOR AN ACT RELATING TO STATEWIDE INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS.

PURPOSE: To formally establish the statewide interoperable communications executive committee and technical subcommittee, and the position of Statewide Interoperability Communications Coordinator as a position exempt from chapter 76, Hawaii Revised Statutes.

MEANS: Add a new part to chapter 128A, Hawaii Revised Statutes.

JUSTIFICATION: Effective interoperable communications among public safety agencies is essential, especially during emergencies. The rapid evolution of technologies calls for coordination in adoption and integration. A governance mechanism to establish processes and plans, determine and address capability gaps, and manage benefits and risks across organizations will help achieve progress towards interoperability. The SWIC position serves to coordinate among government agencies.

Impact on the public: None.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUND: None.

PPBS PROGRAM

DESIGNATION: DEF 110

OTHER AFFECTED
AGENCIES:

Attorney General, Chief Information
Officer, Departments of Public
Safety, Department of
Transportation, Department of
Health, and first responder agencies
from all four (4) counties

EFFECTIVE DATE: Upon approval.