
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 formally
2 establish the statewide interoperable communications executive
3 committee and technical subcommittee, and the position of
4 statewide interoperability communications coordinator as a
5 position exempt from section 76-16, Hawaii Revised Statutes.

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

9 "PART . STATEWIDE PUBLIC SAFETY INTEROPERABLE
10 COMMUNICATIONS

11 §128A- Definitions. As used in this part:

12 "Interoperable communications" means the ability of first
13 responder and emergency management agencies to communicate with
14 one another via communication systems including exchanging voice
15 and data with one another on demand, in real time, when needed,
16 and as authorized.



1 **§128A- Statewide interoperable communications executive**
2 **committee.** There is established within the department of
3 defense for administrative purposes the statewide interoperable
4 communications executive committee.

5 **§128A- Duties of the statewide interoperable**
6 **communications executive committee.** (a) The statewide
7 interoperable communications executive committee shall:

8 (1) Develop plans and strategies to improve public safety
9 communications interoperability among state, county,
10 and, where possible, federal public safety agencies;

11 (2) Develop plans and strategies to provide interoperable
12 communications between and among public safety
13 answering points in the State and public safety
14 responder communications networks, infrastructure, and
15 systems;

16 (3) Develop plans and strategies to promote statewide
17 public safety communications interoperability
18 utilizing state and county radio communication systems
19 and networks, the Nationwide Public Safety Broadband
20 Network, or FirstNet;



- 1 (4) Develop plans and strategies for the coordination of
2 state, county, and, where possible, federal emergency
3 alerts and warnings with public safety answering
4 points and public safety responder communications
5 networks, infrastructure, and systems;
- 6 (5) Review and adopt plans and recommendations to improve
7 or promote increased interoperability between public
8 safety responders and other government or
9 non-government stakeholders that support responses to
10 emergencies; and
- 11 (6) Submit a status report on the requirements of this
12 subsection, including any obstacles and proposed
13 legislation, to the legislature no later than twenty
14 days prior to the convening of each regular session.
- 15 (b) The members of the statewide interoperable
16 communications executive committee shall consist of the
17 following:
- 18 (1) The adjutant general or the adjutant general's
19 designee, who shall serve as the chair of the
20 committee;



- 1 (2) The attorney general or the attorney general's
- 2 designee;
- 3 (3) The deputy director of law enforcement of the
- 4 department of public safety or the deputy director's
- 5 designee;
- 6 (4) The chairperson of the board of land and natural
- 7 resources or the chairperson's designee;
- 8 (5) The state chief information officer or the chief
- 9 information officer's designee;
- 10 (6) The director of transportation or the director's
- 11 designee;
- 12 (7) The director of health or the director's designee;
- 13 (8) The chairperson of the Hawaii enhanced 911 board or
- 14 the chairperson's designee; and
- 15 (9) Four members at the executive or senior personnel
- 16 level from the first responder or emergency management
- 17 agencies from each of the four counties, to be
- 18 selected by the respective heads of the first
- 19 responder or emergency management agencies of each
- 20 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 is 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 safety answering
17 points; provided that:

18 (1) The statewide interoperable communications coordinator
19 shall serve as the chairperson of the statewide
20 interoperable communications technical subcommittee;



1 (2) The respective lead radio communication engineer or
2 manager for the state and counties, or their
3 designees, shall serve on the subcommittee as subject
4 matter experts for their respective radio
5 communication systems and networks; and

6 (3) The respective lead information security manager for
7 the state and counties, or their designees, shall
8 serve on the subcommittee as subject matter experts
9 for matters relating to cyber security.

10 (c) The statewide interoperable communications technical
11 subcommittee shall:

12 (1) Not have a fixed membership;

13 (2) Not be subject to any quorum requirement; and

14 (3) Be exempt from part I of chapter 92.

15 **§128A- Statewide interoperable communications**

16 **coordinator.** (a) There is established within the office of
17 homeland security the position of the statewide interoperable
18 communications coordinator, which shall be a full-time position
19 exempt from chapter 76.

20 (b) The statewide interoperable communications coordinator
21 shall:



- 1 (1) Collaborate with state, county, and federal
2 governments and emergency response groups in long-term
3 strategic planning;
- 4 (2) Aid stakeholders in the development of projects,
5 plans, policies, standards, priorities, and guidelines
6 for interoperable communications;
- 7 (3) Meet regularly with all interoperability stakeholders
8 and partners to ensure transparency and information
9 sharing;
- 10 (4) Coordinate governing body activities to maximize
11 integration and collaboration across the emergency
12 communications landscape;
- 13 (5) Coordinate ongoing assessment of the applicability of
14 new technical developments in communications
15 technologies for state and county public safety radio
16 communication systems and networks;
- 17 (6) Serve as the single point of contact for the federal
18 government and industry on issues concerning statewide
19 interoperable communications;
- 20 (7) Coordinate guidance, input, and recommendations from
21 state, county, and federal agencies on the statewide



- 1 communications interoperability plan and lead the
2 development, implementation, and regular update of the
3 statewide communications interoperability plan;
- 4 (8) Facilitate communications among responders during
5 emergencies when responding to planned and unplanned
6 events;
- 7 (9) Coordinate closely with the state single point of
8 contact on issues related to the implementation of the
9 Nationwide Public Safety Broadband Network in the
10 State;
- 11 (10) Coordinate interoperability activities with public
12 safety answering points, operators of state, county
13 and federal communications systems and emergency
14 management coordinators;
- 15 (11) Manage communications unit program training and
16 exercises provided by federal and state agencies, and
17 work with public safety agencies to assist with any
18 credentialing or recognition of their communications
19 personnel; and
- 20 (12) Serve as the state representative to the National
21 Council of Statewide Interoperability Coordinators."



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

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

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

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



- 1 (3) Positions that must be filled without delay to comply
2 with a court order or decree if the director
3 determines that recruitment through normal recruitment
4 civil service procedures would result in delay or
5 noncompliance, such as the Felix-Cayetano consent
6 decree;
- 7 (4) Positions filled by the legislature or by either house
8 or any committee thereof;
- 9 (5) Employees in the office of the governor and office of
10 the lieutenant governor, and household employees at
11 Washington Place;
- 12 (6) Positions filled by popular vote;
- 13 (7) Department heads, officers, and members of any board,
14 commission, or other state agency whose appointments
15 are made by the governor or are required by law to be
16 confirmed by the senate;
- 17 (8) Judges, referees, receivers, masters, jurors, notaries
18 public, land court examiners, court commissioners, and
19 attorneys appointed by a state court for a special
20 temporary service;



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



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

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

15 (11) (A) Teachers, principals, vice-principals, complex
16 area superintendents, deputy and assistant
17 superintendents, other certificated personnel,
18 not more than twenty noncertificated
19 administrative, professional, and technical
20 personnel not engaged in instructional work;



- 1 (B) Effective July 1, 2003, teaching assistants,
2 educational assistants, bilingual/bicultural
3 school-home assistants, school psychologists,
4 psychological examiners, speech pathologists,
5 athletic health care trainers, alternative school
6 work study assistants, alternative school
7 educational/supportive services specialists,
8 alternative school project coordinators, and
9 communications aides in the department of
10 education;
- 11 (C) The special assistant to the state librarian and
12 one secretary for the special assistant to the
13 state librarian; and
- 14 (D) Members of the faculty of the University of
15 Hawaii, including research workers, extension
16 agents, personnel engaged in instructional work,
17 and administrative, professional, and technical
18 personnel of the university;
- 19 (12) Employees engaged in special, research, or
20 demonstration projects approved by the governor;



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



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

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



- 1 librarian; and an administrative assistant to the
2 superintendent of education;
- 3 (17) Positions specifically exempted from this part by any
4 other law; provided that:
- 5 (A) Any exemption created after July 1, 2014, shall
6 expire three years after its enactment unless
7 affirmatively extended by an act of the
8 legislature; and
- 9 (B) All of the positions defined by paragraph (9)
10 shall be included in the position classification
11 plan;
- 12 (18) Positions in the state foster grandparent program and
13 positions for temporary employment of senior citizens
14 in occupations in which there is a severe personnel
15 shortage or in special projects;
- 16 (19) Household employees at the official residence of the
17 president of the University of Hawaii;
- 18 (20) Employees in the department of education engaged in
19 the supervision of students during meal periods in the
20 distribution, collection, and counting of meal



- 1 tickets, and in the cleaning of classrooms after
2 school hours on a less than half-time basis;
- 3 (21) Employees hired under the tenant hire program of the
4 Hawaii public housing authority; provided that not
5 more than twenty-six per cent of the authority's
6 workforce in any housing project maintained or
7 operated by the authority shall be hired under the
8 tenant hire program;
- 9 (22) Positions of the federally funded expanded food and
10 nutrition program of the University of Hawaii that
11 require the hiring of nutrition program assistants who
12 live in the areas they serve;
- 13 (23) Positions filled by persons with severe disabilities
14 who are certified by the state vocational
15 rehabilitation office that they are able to perform
16 safely the duties of the positions;
- 17 (24) The sheriff;
- 18 (25) A gender and other fairness coordinator hired by the
19 judiciary;
- 20 (26) Positions in the Hawaii National Guard youth and adult
21 education programs;



- 1 (27) In the state energy office in the department of
2 business, economic development, and tourism, all
3 energy program managers, energy program specialists,
4 energy program assistants, and energy analysts;
- 5 (28) Administrative appeals hearing officers in the
6 department of human services;
- 7 (29) In the Med-QUEST division of the department of human
8 services, the division administrator, finance officer,
9 health care services branch administrator, medical
10 director, and clinical standards administrator;
- 11 (30) In the director's office of the department of human
12 services, the enterprise officer, information security
13 and privacy compliance officer, security and privacy
14 compliance engineer, and security and privacy
15 compliance analyst;
- 16 (31) The Alzheimer's disease and related dementia services
17 coordinator in the executive office on aging;
- 18 (32) In the Hawaii emergency management agency, the
19 executive officer, public information officer, civil
20 defense administrative officer, branch chiefs, and
21 emergency operations center state warning point



1 personnel; provided that, for state warning point
2 personnel, the director shall determine that
3 recruitment through normal civil service recruitment
4 procedures would result in delay or noncompliance;
5 [and

6 +] (33) [+] The executive director and seven full-time
7 administrative positions of the school facilities
8 authority[-]; and

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

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

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

16 SECTION 4. Chapter 128A, Hawaii Revised Statutes, is
17 amended by designating sections 128A-1 to 128A-5 as follows:

18 "PART I. GENERAL PROVISIONS"

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 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. Defines "interoperable communications". Effective 7/1/2050. (SD1)

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