
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 interoperable communications coordinator as a position
5 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
15 voice and data with one another on demand, in real time, when
16 needed, 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 obtain
8 the advice and input of the statewide interoperable
9 communications technical subcommittee, and then shall:

10 (1) Develop plans and strategies to improve public safety
11 communications interoperability among state; county;
12 and, if possible, federal public safety agencies;

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

18 (3) Develop plans and strategies to promote statewide
19 public safety communications interoperability
20 utilizing state and county radio communication systems



1 and networks, the Nationwide Public Safety Broadband
2 Network, or FirstNet;

- 3 (4) Develop plans and strategies for the coordination of
4 state; county; and, if possible, federal emergency
5 alerts and warnings with public safety answering
6 points and public safety responder communications
7 networks, infrastructure, and systems;
- 8 (5) Review and adopt plans and recommendations to improve
9 or promote increased interoperability between public
10 safety responders and other government or
11 non-government stakeholders that support responses to
12 emergencies; and
- 13 (6) Submit a status report on the requirements of this
14 subsection, including any obstacles and proposed
15 legislation, to the legislature no later than twenty
16 days prior to the convening of the regular session of
17 2023 and each regular session thereafter.

18 (b) The members of the statewide interoperable
19 communications executive committee shall include the following:



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



1 responder or emergency management agencies of each
2 county.

3 (c) Members of the statewide interoperable communications
4 executive committee shall receive no compensation but shall be
5 reimbursed for travel and other reasonable and necessary
6 expenses incurred in carrying out the member's duties relating
7 to the committee.

8 §128A- Statewide interoperable communications technical
9 subcommittee. (a) There is established a statewide
10 interoperable communications technical subcommittee to provide
11 technical advice to the statewide interoperable communications
12 executive committee.

13 (b) Membership on the statewide interoperable
14 communications technical subcommittee shall be limited to
15 representatives from any governmental agency having duties that
16 include management, planning, and operation of public safety
17 communications systems and networks, including government land
18 mobile radio and broadband networks and those related to
19 emergency communications centers and public safety answering
20 points; provided that:



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

(2) The respective lead radio communication engineer or manager for the State and each county, or each lead radio communication engineer or manager's respective designee, shall serve on the subcommittee as subject matter experts for their respective radio communication systems and networks; and

(3) The respective lead information security manager for the State and each county, or each lead information security manager's respective designee, shall serve on the subcommittee as subject matter experts for matters relating to cyber security.

(c) The statewide interoperable communications technical subcommittee shall:

(1) Not have a fixed membership, subject to the limitation established in subsection (b);

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

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



1 §128A- Statewide interoperable communications
2 coordinator. (a) There is established within the office of
3 homeland security the position of the statewide interoperable
4 communications coordinator, which shall be a full-time
5 equivalent position exempt from chapter 76.

6 (b) The statewide interoperable communications coordinator
7 shall:

8 (1) Collaborate with state, county, and federal
9 governments and emergency response groups in long-term
10 strategic planning;

11 (2) Aid stakeholders in the development of projects,
12 plans, policies, standards, priorities, and guidelines
13 for interoperable communications;

14 (3) Meet regularly with all interoperability stakeholders
15 and partners to ensure transparency and information
16 sharing;

17 (4) Coordinate governing body activities to maximize
18 integration and collaboration of all emergency
19 communication;

20 (5) Coordinate ongoing assessment of the applicability of
21 new technical developments in communications



1 technologies for state and county public safety radio
2 communication systems and networks;

3 (6) Serve as a liaison between the statewide interoperable
4 communications executive committee or statewide
5 interoperable communications technical subcommittee,
6 or both, and the federal government and private
7 communications industry on issues concerning statewide
8 interoperable communications;

9 (7) Coordinate guidance, input, and recommendations from
10 state, county, and federal agencies on the statewide
11 communications interoperability plan and lead the
12 development, implementation, and regular updating of
13 the statewide communications interoperability plan;

14 (8) Assist, as necessary or requested, with communications
15 among responders during emergencies who are responding
16 to planned and unplanned events;

17 (9) Coordinate closely with the state single point of
18 contact on issues related to the implementation of the
19 Nationwide Public Safety Broadband Network in the
20 State;



1 (10) Coordinate interoperability activities with public
2 safety answering points; operators of state, county
3 and federal communications systems; and emergency
4 management coordinators;

5 (11) Manage communications unit program training and
6 exercises provided by federal and state agencies, and
7 work with public safety agencies to assist with any
8 credentialing or recognition of the agencies'
9 communications personnel; and

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

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

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

18 (1) Commissioned and enlisted personnel of the Hawaii
19 National Guard as such, and positions in the Hawaii
20 National Guard that are required by state or federal
21 laws or regulations or orders of the National Guard to



1 be filled from those commissioned or enlisted
2 personnel;

3 (2) Positions filled by persons employed by contract where
4 the director of human resources development has
5 certified that the service is special or unique or is
6 essential to the public interest and that, because of
7 circumstances surrounding its fulfillment, personnel
8 to perform the service cannot be obtained through
9 normal civil service recruitment procedures. Any such
10 contract may be for any period not exceeding one year;

11 (3) Positions that must be filled without delay to comply
12 with a court order or decree if the director
13 determines that recruitment through normal recruitment
14 civil service procedures would result in delay or
15 noncompliance, such as the Felix-Cayetano consent
16 decree;

17 (4) Positions filled by the legislature or by either house
18 or any committee thereof;

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



- 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



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

17 (10) First deputy and deputy attorneys general, the
18 administrative services manager of the department of
19 the attorney general, one secretary for the
20 administrative services manager, an administrator and
21 any support staff for the criminal and juvenile



1 justice resources coordination functions, and law
2 clerks;

3 (11) (A) Teachers, principals, vice-principals, complex
4 area superintendents, deputy and assistant
5 superintendents, other certificated personnel,
6 not more than twenty noncertificated
7 administrative, professional, and technical
8 personnel not engaged in instructional work;
9 (B) Effective July 1, 2003, teaching assistants,
10 educational assistants, bilingual/bicultural
11 school-home assistants, school psychologists,
12 psychological examiners, speech pathologists,
13 athletic health care trainers, alternative school
14 work study assistants, alternative school
15 educational/supportive services specialists,
16 alternative school project coordinators, and
17 communications aides in the department of
18 education;

19 (C) The special assistant to the state librarian and
20 one secretary for the special assistant to the
21 state librarian; and



1 (D) Members of the faculty of the University of
2 Hawaii, including research workers, extension
3 agents, personnel engaged in instructional work,
4 and administrative, professional, and technical
5 personnel of the university;

6 (12) Employees engaged in special, research, or
7 demonstration projects approved by the governor;

8 (13) (A) Positions filled by inmates, patients of state
9 institutions, persons with severe physical or
10 mental disabilities participating in the work
11 experience training programs;

12 (B) Positions filled with students in accordance with
13 guidelines for established state employment
14 programs; and

15 (C) Positions that provide work experience training
16 or temporary public service employment that are
17 filled by persons entering the workforce or
18 persons transitioning into other careers under
19 programs such as the federal Workforce Investment
20 Act of 1998, as amended, or the Senior Community
21 Service Employment Program of the Employment and



1 Training Administration of the United States

2 Department of Labor, or under other similar state
3 programs;

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

6 (15) Positions filled by persons employed on a fee,
7 contract, or piecework basis, who may lawfully perform
8 their duties concurrently with their private business
9 or profession or other private employment and whose
10 duties require only a portion of their time, if it is
11 impracticable to ascertain or anticipate the portion
12 of time to be devoted to the service of the State;

13 (16) Positions of first deputies or first assistants of
14 each department head appointed under or in the manner
15 provided in section 6, article V, of the Hawaii State
16 Constitution; three additional deputies or assistants
17 either in charge of the highways, harbors, and
18 airports divisions or other functions within the
19 department of transportation as may be assigned by the
20 director of transportation, with the approval of the
21 governor; four additional deputies in the department



1 of health, each in charge of one of the following:
2 behavioral health, environmental health, hospitals,
3 and health resources administration, including other
4 functions within the department as may be assigned by
5 the director of health, with the approval of the
6 governor; an administrative assistant to the state
7 librarian; and an administrative assistant to the
8 superintendent of education;

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

11 (A) Any exemption created after July 1, 2014, shall
12 expire three years after its enactment unless
13 affirmatively extended by an act of the
14 legislature; and

15 (B) All of the positions defined by paragraph (9)
16 shall be included in the position classification
17 plan;

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



1 (19) Household employees at the official residence of the
2 president of the University of Hawaii;

3 (20) Employees in the department of education engaged in
4 the supervision of students during meal periods in the
5 distribution, collection, and counting of meal
6 tickets, and in the cleaning of classrooms after
7 school hours on a less than half-time basis;

8 (21) Employees hired under the tenant hire program of the
9 Hawaii public housing authority; provided that not
10 more than twenty-six per cent of the authority's
11 workforce in any housing project maintained or
12 operated by the authority shall be hired under the
13 tenant hire program;

14 (22) Positions of the federally funded expanded food and
15 nutrition program of the University of Hawaii that
16 require the hiring of nutrition program assistants who
17 live in the areas they serve;

18 (23) Positions filled by persons with severe disabilities
19 who are certified by the state vocational
20 rehabilitation office that they are able to perform
21 safely the duties of the positions;



- 1 (24) The sheriff;
- 2 (25) A gender and other fairness coordinator hired by the
- 3 judiciary;
- 4 (26) Positions in the Hawaii National Guard youth and adult
- 5 education programs;
- 6 (27) In the state energy office in the department of
- 7 business, economic development, and tourism, all
- 8 energy program managers, energy program specialists,
- 9 energy program assistants, and energy analysts;
- 10 (28) Administrative appeals hearing officers in the
- 11 department of human services;
- 12 (29) In the Med-QUEST division of the department of human
- 13 services, the division administrator, finance officer,
- 14 health care services branch administrator, medical
- 15 director, and clinical standards administrator;
- 16 (30) In the director's office of the department of human
- 17 services, the enterprise officer, information security
- 18 and privacy compliance officer, security and privacy
- 19 compliance engineer, and security and privacy
- 20 compliance analyst;



(31) The Alzheimer's disease and related dementia services coordinator in the executive office on aging;

(32) In the Hawaii emergency management agency, the executive officer, public information officer, civil defense administrative officer, branch chiefs, and emergency operations center state warning point personnel; provided that, for state warning point personnel, the director shall determine that recruitment through normal civil service recruitment procedures would result in delay or noncompliance;

[and

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

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

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

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



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

3 "PART I. GENERAL PROVISIONS"

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

6 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. (SD2)

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

