

JAN 25 2012

A BILL FOR AN ACT

RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR
EXPLORATION SYSTEMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Pacific
2 international space center for exploration systems, including
3 its proposed aerospace research technology park project, is an
4 economic driver for the island of Hawaii that promotes the
5 establishment and growth of new sustainable and green
6 industries, associated jobs, workforce development, internships,
7 and STEM programs. The legislature also finds that the Pacific
8 international space center for exploration systems aerospace
9 research technology park project will attract investment that
10 will help to leverage costs of expanding the island of Hawaii's
11 broadband capacity.

12 The legislature further finds there is continued need for
13 Pacific international space center for exploration systems to
14 work closely with the University of Hawaii, but also recognizes
15 the need for swift and independent decisions and actions in the
16 rapidly evolving aerospace sector to keep Hawaii competitive and
17 attractive to industry partners. This is especially critical



1 with the recent emergence of private commercial space access and
2 a resurgence of global space initiatives. Supporting these
3 initiatives will involve significant private sector investment
4 in the testing, proving, and development in robotics, broadband,
5 energy production, energy storage, recycling, and renewable and
6 sustainable technologies that can have immediate application and
7 use for the Hawaii economy and the general well-being of the
8 State.

9 SECTION 2. Chapter 201, part V, Hawaii Revised Statutes,
10 is amended by adding a new subpart B to read as follows:

11 "B. Pacific International Space Center for
12 Exploration Systems

13 §201- Pacific international space center for
14 exploration systems. (a) There is established the Pacific
15 international space center for exploration systems within the
16 office of aerospace development in the department of business,
17 economic development, and tourism.

18 (b) The space center may employ, subject to chapter 76,
19 technical experts and officers, agents, and employees, permanent
20 and temporary, as required. The space center may also employ
21 officers, agents, and employees, prescribe their duties and
22 qualifications, and fix their salaries, without regard to



1 chapter 76, when in the determination of the board, the services
2 to be performed are unique and essential to the execution of the
3 functions of the space center.

4 §201- Pacific international space center for
5 exploration systems board; establishment; duties. (a) There is
6 established the Pacific international space center for
7 exploration systems board of directors, consisting of seven
8 members, to include the following:

9 (1) The executive director of the Pacific international
10 space center for exploration systems;

11 (2) The director of the office of aerospace development;

12 (3) The president of the University of Hawaii or
13 designated representative;

14 (4) The University of Hawaii at Hilo chancellor or
15 designated representative; and

16 (5) Three members of the aerospace industry,
17 to be appointed by the governor, pursuant to section 26-34;
18 provided that of the members appointed under paragraph (5), one
19 member shall be appointed from a list of nominees submitted by
20 the president of the senate, and one member shall be appointed
21 from a list of nominees submitted by the speaker of the house of
22 representatives. The three members of the aerospace industry



1 shall serve four-year staggered terms; provided that the initial
2 appointments shall be as follows: one member shall be appointed
3 for four years; one member shall be appointed for three years;
4 and one member shall be appointed for two years.

5 The board shall select a chairperson and a vice chairperson
6 from among its members.

7 (b) Five members shall constitute a quorum, whose
8 affirmative vote shall be necessary for all actions by the space
9 center. The members of the board shall serve without
10 compensation, but shall be entitled to necessary expenses,
11 including travel expenses, incurred in the performance of their
12 duties.

13 (c) The board shall appoint an executive director, who
14 shall serve at the pleasure of the board and shall be exempt
15 from chapter 76. The board shall set the salary and duties of
16 the executive officer.

17 §201- General powers. (a) The board may:

18 (1) Sue and be sued;

19 (2) Have a seal and alter the seal at pleasure;

20 (3) Make and execute contracts and other instruments
21 necessary or convenient to the exercise of its powers;

22 and



(4) Adopt bylaws and rules, which shall be exempt from chapter 91, for its organization, internal management, and to carry into effect its purposes, powers, and programs.

(b) In addition to other powers conferred upon it, the board may do all things necessary and convenient to carry out the powers expressly provided in this subpart."

SECTION 3. Chapter 201, part V, Hawaii Revised Statutes, is amended by designating sections 201-71 to 201-75 as a new subpart and inserting a title before section 201-71 to read:

"A. General Provisions"

SECTION 4. Section 201-71, Hawaii Revised Statutes, is amended by adding two new definitions to be appropriately inserted and to read as follows:

"Board" means the Pacific international space center for exploration systems board of directors.

"Space center" means the Pacific international space center for exploration systems."

SECTION 5. Section 201-73, Hawaii Revised Statutes, is amended to read as follows:



1 "§201-73 Powers and duties of director. In addition to
2 any other powers and duties provided in this part, the director
3 shall:

- 4 (1) Oversee, supervise, and direct the planning,
5 evaluation, and coordination of space-related
6 activities and identify and promote opportunities for
7 expanding and diversifying aerospace-related
8 industries in the State, ~~[which may]~~ that shall
9 include a Pacific international space center for
10 ~~[space]~~ exploration systems to support space
11 exploration and settlement;
- 12 (2) Initiate discussions for private and international
13 involvement in space-related activities in the State;
- 14 (3) Assist the University of Hawaii, local companies,
15 research institutions, and other interested
16 organizations in establishing partnerships with
17 corporate, government, and university entities that
18 can promote and enhance the State's aerospace
19 industry;
- 20 (4) Leverage aerospace and related technological
21 capabilities in the State's academic, public, and
22 private sectors to enhance the State's ability to



1 procure both federal and private research and
2 development grants and to increase the State's
3 competitiveness in national and global aerospace
4 markets;

5 (5) Promote innovative education and workforce development
6 programs that will enhance public awareness of the
7 State's aerospace potential and enable residents to
8 pursue employment in Hawaii's aerospace industry;

9 (6) Monitor national and global trends in the aerospace
10 industry and recommend programs and policies that can
11 support aerospace industry development statewide;

12 (7) Review the effectiveness of present publications,
13 pamphlets, and other sources of information about
14 Hawaii's space-related activities produced and
15 distributed by the State;

16 (8) Serve as a clearinghouse for information on Hawaii's
17 space-related activities to include but not be limited
18 to those of the University of Hawaii and federal
19 agencies located in Hawaii;

20 (9) Target existing businesses that can provide products
21 or services of importance to the space industry to
22 support the expansion of these businesses in Hawaii;



- 1 (10) Increase contact and maintain liaison with the
2 National Aeronautics and Space Administration and
3 other federal agencies and facilities;
4 (11) Institute procedures by which citizen input on
5 proposed space facilities development shall be invited
6 at the earliest possible time in the development
7 process;
8 (12) Adopt, amend, and repeal rules pursuant to chapter 91
9 necessary to carry out this part;
10 (13) Contract for services as may be necessary for the
11 purposes of this part; and
12 (14) Do all other things necessary or proper to carry out
13 the purposes of this part."

14 SECTION 6. All rights, powers, functions, and duties of
15 the University of Hawaii pertaining to the Pacific international
16 space center for exploration systems are transferred to the
17 office of aerospace development of the department of business,
18 economic development, and tourism.

19 All officers and employees whose functions are transferred
20 by this Act shall be transferred with their functions and shall
21 continue to perform their regular duties upon their transfer,
22 subject to the state personnel laws and this Act.



1 No officer or employee of the State having tenure shall
2 suffer any loss of salary, seniority, prior service credit,
3 vacation, sick leave, or other employee benefit or privilege as
4 a consequence of this Act, and such officer or employee may be
5 transferred or appointed to a civil service position without the
6 necessity of examination; provided that the officer or employee
7 possesses the minimum qualifications for the position to which
8 transferred or appointed; and provided that subsequent changes
9 in status may be made pursuant to applicable civil service and
10 compensation laws.

11 An officer or employee of the State who does not have
12 tenure and who may be transferred or appointed to a civil
13 service position as a consequence of this Act shall become a
14 civil service employee without the loss of salary, seniority,
15 prior service credit, vacation, sick leave, or other employee
16 benefits or privileges and without the necessity of examination;
17 provided that such officer or employee possesses the minimum
18 qualifications for the position to which transferred or
19 appointed.

20 If an office or position held by an officer or employee
21 having tenure is abolished, the officer or employee shall not
22 thereby be separated from public employment, but shall remain in



1 the employment of the State with the same pay and classification
2 and shall be transferred to some other office or position for
3 which the officer or employee is eligible under the personnel
4 laws of the State as determined by the head of the department or
5 the governor.

6 SECTION 7. All appropriations, records, equipment,
7 machines, files, supplies, contracts, books, papers, documents,
8 maps, and other personal property heretofore made, used,
9 acquired, or held by the University of Hawaii relating to the
10 functions transferred to the office of aerospace development of
11 the department of department of business, economic development,
12 and tourism shall be transferred with the functions to which
13 they relate.

14 SECTION 8. Notwithstanding any provision to the contrary,
15 all responsibilities of the University of Hawaii heretofore held
16 with regard to the Pacific international space center for
17 exploration systems are transferred to the office of aerospace
18 development of the department of business, economic development,
19 and tourism.

20 SECTION 9. It is the intent of this Act not to jeopardize
21 the receipt of any federal aid nor to impair the obligation of
22 the State or any agency thereof to the holders of any bond



1 issued by the State or by any such agency, and to the extent,
2 and only to the extent, necessary to effectuate this intent, the
3 governor may modify the strict provisions of this Act, but shall
4 promptly report any such modification with reasons therefor to
5 the legislature at its next session thereafter for review by the
6 legislature.

7 SECTION 10. The director of finance is authorized to issue
8 general obligation bonds in the sum of \$ or so much
9 thereof as may be necessary, and the same sum or so much thereof
10 as may be necessary is appropriated for fiscal year 2012-2013
11 for the purpose of constructing the Pacific international space
12 center for exploration systems aerospace research technology
13 park project.

14 SECTION 11. The appropriation made for the capital
15 improvement project authorized by this Act shall not lapse at
16 the end of the fiscal biennium for which the appropriation is
17 made; provided that all moneys from the appropriation
18 unencumbered as of June 30, 2014, shall lapse as of that date.

19 SECTION 12. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2012-2013 for
22 the purpose of constructing the Pacific international space



1 center for exploration systems aerospace research technology
2 park project.

3 The sums appropriated shall be expended by the Pacific
4 international space center for exploration systems for the
5 purposes of this Act.

6 SECTION 13. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 14. This Act shall take effect on July 1, 2012.

9

INTRODUCED BY: _____

Will Enger



S.B. NO. 3037

Report Title:

Pacific international space center for exploration systems

Description:

Transfers the Pacific international space center for exploration systems from the University of Hawaii to DBEDT's office of aerospace development. Establishes a PISCES board of directors. Appropriates funds. Authorizes GO bonds.

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

