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



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

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

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

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

19 (b) The space center may employ, subject to chapter 76,
20 technical experts and officers, agents, and employees, permanent
21 and temporary, as required. The space center may also employ
22 officers, agents, and employees, prescribe their duties and



1 qualifications, and fix their salaries, without regard to
2 chapter 76, when in the determination of the board, the services
3 to be performed are unique and essential to the execution of the
4 functions of the space center.

5 **§201- Pacific international space center for**
6 **exploration systems board; establishment; duties.** (a) There is
7 established the Pacific international space center for
8 exploration systems board of directors, consisting of seven
9 members to be appointed by the governor, pursuant to section 26-
10 34, to include the following:

- 11 (1) The executive director of the Pacific international
12 space center for exploration systems;
- 13 (2) The director of the office of aerospace development;
- 14 (3) The president of the University of Hawaii or
15 designated representative;
- 16 (4) The University of Hawaii at Hilo chancellor or
17 designated representative; and
- 18 (5) Three members of the aerospace industry.

19 Of the members appointed under paragraph (5), one member
20 shall be appointed from a list of nominees submitted by the
21 president of the senate, and one member shall be appointed from
22 a list of nominees submitted by the speaker of the house of



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

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

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

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

18 §201- General powers. (a) The board may:

19 (1) Sue and be sued;

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



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

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

- (1) Oversee, supervise, and direct the planning, evaluation, and coordination of space-related activities and identify and promote opportunities for expanding and diversifying aerospace-related industries in the State, ~~[which may]~~ that shall include [a] the Pacific international space center for [space] exploration systems to support space exploration and settlement;
- (2) Initiate discussions for private and international involvement in space-related activities in the State;
- (3) Assist the University of Hawaii, local companies, research institutions, and other interested organizations in establishing partnerships with corporate, government, and university entities that can promote and enhance the State's aerospace industry;



- 1 (4) Leverage aerospace and related technological
2 capabilities in the State's academic, public, and
3 private sectors to enhance the State's ability to
4 procure both federal and private research and
5 development grants and to increase the State's
6 competitiveness in national and global aerospace
7 markets;
- 8 (5) Promote innovative education and workforce development
9 programs that will enhance public awareness of the
10 State's aerospace potential and enable residents to
11 pursue employment in Hawaii's aerospace industry;
- 12 (6) Monitor national and global trends in the aerospace
13 industry and recommend programs and policies that can
14 support aerospace industry development statewide;
- 15 (7) Review the effectiveness of present publications,
16 pamphlets, and other sources of information about
17 Hawaii's space-related activities produced and
18 distributed by the State;
- 19 (8) Serve as a clearinghouse for information on Hawaii's
20 space-related activities to include but not be limited
21 to those of the University of Hawaii and federal
22 agencies located in Hawaii;



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

4 (10) Increase contact and maintain liaison with the
5 National Aeronautics and Space Administration and
6 other federal agencies and facilities;

7 (11) Institute procedures by which citizen input on
8 proposed space facilities development shall be invited
9 at the earliest possible time in the development
10 process;

11 (12) Adopt, amend, and repeal rules pursuant to chapter 91
12 necessary to carry out this part;

13 (13) Contract for services as may be necessary for the
14 purposes of this part; and

15 (14) Do all other things necessary or proper to carry out
16 the purposes of this part."

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



1 All officers and employees whose functions are transferred
2 by this Act shall be transferred with their functions and shall
3 continue to perform their regular duties upon their transfer,
4 subject to the state personnel laws and this Act.

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

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



1 qualifications for the position to which transferred or
2 appointed.

3 If an office or position held by an officer or employee
4 having tenure is abolished, the officer or employee shall not
5 thereby be separated from public employment, but shall remain in
6 the employment of the State with the same pay and classification
7 and shall be transferred to some other office or position for
8 which the officer or employee is eligible under the personnel
9 laws of the State as determined by the head of the department or
10 the governor.

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

18 SECTION 8. Notwithstanding any provision to the contrary,
19 all responsibilities of the University of Hawaii heretofore held
20 with regard to the Pacific international space center for
21 exploration systems are transferred to the office of aerospace



1 development of the department of business, economic development,
2 and tourism.

3 SECTION 9. It is the intent of this Act not to jeopardize
4 the receipt of any federal aid nor to impair the obligation of
5 the State or any agency thereof to the holders of any bond
6 issued by the State or by any such agency, and to the extent,
7 and only to the extent, necessary to effectuate this intent, the
8 governor may modify the strict provisions of this Act, but shall
9 promptly report any such modification with reasons therefor to
10 the legislature at its next session thereafter for review by the
11 legislature.

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

19 The sum appropriated shall be expended by the department of
20 business, economic development, and tourism for the purposes of
21 this Act.



1 SECTION 11. The appropriation made for the capital
2 improvement project authorized by this Act shall not lapse at
3 the end of the fiscal biennium for which the appropriation is
4 made; provided that all moneys from the appropriation
5 unencumbered as of June 30, 2014, shall lapse as of that date.

6 SECTION 12. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so
8 much thereof as may be necessary for fiscal year 2012-2013 for
9 the purpose of constructing the Pacific international space
10 center for exploration systems aerospace research technology
11 park project.

12 The sum appropriated shall be expended by the department of
13 business, economic development, and tourism for the purposes of
14 this Act.

15 SECTION 13. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 14. This Act shall take effect on January 1, 2020.



Report Title:

Pacific International Space Center for Exploration Systems;
Appropriation

Description:

Transfers the Pacific international space center for exploration systems (PISCES) from the University of Hawaii to DBEDT's office of aerospace development. Establishes a PISCES board of directors. Appropriates funds. Authorizes GO bonds. Makes appropriation from general revenues. Effective 01/01/2020.
(SD2)

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