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# A BILL FOR AN ACT

RELATING TO AEROSPACE.

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

1           SECTION 1. The legislature finds that aerospace has played  
2 a pivotal role in expanding and diversifying the national  
3 economy by forging new inroads to scientific discovery,  
4 advancing national engineering and manufacturing expertise,  
5 pioneering innovations in communications and computer  
6 technologies, enhancing surveillance of our home planet, and  
7 enabling better understanding of weather systems and climate  
8 change. Today, the aerospace industry holds great potential to  
9 enable future innovation in science and technology. Hawaii's  
10 strategic near-equatorial location, substantial telemetry, space  
11 surveillance, Moon- and Mars-like terrain, resident expertise in  
12 a broad range of aerospace-related technologies, and long-  
13 standing ties with space-faring nations throughout the Asia-  
14 Pacific region are strategic assets and capabilities that can be  
15 leveraged to help realize humankind's full potential in space,  
16 and in so doing establish the State as a major contributor to  
17 and beneficiary of global space enterprise. Historically,



1 Hawaii has played a seminal role in developing the nation's  
2 space program through astronaut training and the development of  
3 world-class observatories. Today, Hawaii continues to support  
4 national space efforts through a wide range of aerospace-related  
5 activities on all major islands, including the Mauna Kea science  
6 reserve on Hawaii island, the Air Force Maui optical and  
7 supercomputing observatory on Maui, the University of Hawaii's  
8 institute for astronomy and Hawaii institute for geophysics and  
9 planetology on Oahu, and the Pacific missile range facility on  
10 Kauai.

11 The legislature further finds that the Hawaii office of  
12 aerospace development, in the department of business, economic  
13 development, and tourism, provides a focal point within state  
14 government to facilitate dialogue and coordination among  
15 Hawaii's public, private, and academic sectors, and between  
16 state-based entities and public and private overseas  
17 organizations to promote the growth and diversification of  
18 Hawaii's aerospace industry. However, there is a need to  
19 collect baseline and historical data regarding the aerospace  
20 industry's contribution to job creation, further developing a  
21 strong aerospace industry in the State. By combining the office



1 of aerospace development and Pacific international space center  
2 for exploration systems, the State can more efficiently direct  
3 its resources in the field of aerospace to further address these  
4 needs.

5 The purpose of this Act is to:

- 6 (1) Establish the office of aerospace development in the  
7 Hawaii technology development corporation, rather than  
8 the department of business, economic development, and  
9 tourism;
- 10 (2) Repeal the Pacific international space center for  
11 exploration systems; and
- 12 (3) Transfer the rights, powers, functions, and duties of  
13 the Pacific international space center for exploration  
14 systems to the office of aerospace development.

15 SECTION 2. Chapter 206M, Hawaii Revised Statutes, is  
16 amended by adding a new part to be appropriately designated and  
17 to read as follows:

18 "PART . OFFICE OF AEROSPACE DEVELOPMENT

19 §206M- Definitions. As used in this part:

20 "Director" means the director of the office of aerospace  
21 development.



1 "Office" means the office of aerospace development.

2 §206M- Office of aerospace development; establishment.

3 (a) There is established an office of aerospace development in  
4 the Hawaii technology development corporation.

5 (b) The director shall have experience, knowledge, and  
6 expertise in space-related activities and development. The  
7 director shall be nominated and appointed by the aerospace  
8 advisory committee without regard to chapter 76.

9 (c) The director shall hire staff necessary to carry out  
10 the purposes of this part.

11 (d) The director and employees of the office shall be  
12 included in any benefit program generally applicable to the  
13 officers and employees of the State.

14 §206M- Aerospace advisory committee. (a) There is  
15 established an aerospace advisory committee within the office of  
16 aerospace development of the Hawaii technology development  
17 corporation for administrative purposes. The committee shall be  
18 composed of nine members appointed by the governor, as provided  
19 in section 26-34, except as otherwise provided in this section.  
20 Of the nine members:



1 (1) Four members shall be representatives of the aerospace  
2 industry appointed in the State. Of these members,  
3 two shall be appointed from a list of nominees  
4 submitted by the president of the senate, and two  
5 shall be appointed from a list of nominees submitted  
6 by the speaker of the house of representatives;

7 (2) Four members shall represent the economic development  
8 boards of Hawaii, Kauai, Maui, and Oahu respectively,  
9 to be appointed, respectively, from a list of nominees  
10 submitted by each of these economic development  
11 boards; and

12 (3) One member shall represent the University of Hawaii  
13 system to be appointed from a list of nominees  
14 submitted by the University of Hawaii at Manoa,  
15 University of Hawaii at Hilo, and University of Hawaii  
16 community college system.

17 The committee shall elect one of its members to serve as  
18 chairperson.

19 (b) All members shall serve for a term of four years. Any  
20 vacancies occurring in the membership of the committee shall be



1 filled for the remainder of the unexpired term in the same  
2 manner as the original appointments.

3 (c) The purpose of the aerospace advisory committee shall  
4 be to advise and assist the legislature and state agencies in  
5 monitoring, assessing, and promoting aerospace development  
6 statewide by:

- 7 (1) Tracking state, national, and global trends and  
8 priorities in aerospace development;
- 9 (2) Assisting in identifying and promoting opportunities  
10 to expand and diversify aerospace development and  
11 aerospace-related industries in the State;
- 12 (3) Supporting the office's effort in networking with  
13 national and international aerospace agencies,  
14 institutions, and organizations to develop public-  
15 private partnerships to support the growth of  
16 aerospace development and aerospace-related industries  
17 in the State;
- 18 (4) Recommending innovative scientific, educational, and  
19 economic strategies and government and education  
20 policies to promote the growth and diversification of  
21 the aerospace industry in this State; and



1           (5) Appointing temporary working groups, as deemed  
2           appropriate in the committee's discretion, to assist  
3           the office in research and analysis activities  
4           required to complete any report to be submitted to the  
5           legislature and the governor by the office.

6           (d) Members of the aerospace advisory committee shall  
7           receive no compensation but may be reimbursed for necessary  
8           expenses, including travel expenses, incurred in the performance  
9           of their duties as members of the committee.

10          (e) The committee shall convene for quarterly meetings in  
11          the city and county of Honolulu; provided that any member who is  
12          not a state resident may attend a meeting by teleconference.

13          (f) Administrative support to the committee, including the  
14          development and dissemination of reports and advisory opinions,  
15          shall be provided by the Hawaii technology development  
16          corporation.

17          **§206M- Powers and duties of director.** In addition to  
18          any other powers and duties provided in this part, the director  
19          shall:

20               (1) Oversee, supervise, and direct the planning,  
21               evaluation, and coordination of space-related



- 1 activities and identify and promote opportunities for  
2 expanding and diversifying aerospace-related  
3 industries in the State, which may include the  
4 planning and operations of any unmanned aerial systems  
5 in the State;
- 6 (2) Initiate discussions for private and international  
7 involvement in space-related activities in the State;
- 8 (3) Assist the University of Hawaii, local companies,  
9 research institutions, and other interested  
10 organizations in establishing partnerships with  
11 corporate, government, and university entities that  
12 can promote and enhance the State's aerospace  
13 industry;
- 14 (4) Leverage aerospace and related technological  
15 capabilities in the State's academic, public, and  
16 private sectors to enhance the State's ability to  
17 procure both federal and private research and  
18 development grants and to increase the State's  
19 competitiveness in national and global aerospace  
20 markets;



- 1 (5) Promote innovative education and workforce development  
2 programs that will enhance public awareness of the  
3 State's aerospace potential and enable residents to  
4 pursue employment in Hawaii's aerospace industry;
- 5 (6) Monitor national and global trends in the aerospace  
6 industry and recommend programs and policies that can  
7 support aerospace industry development statewide;
- 8 (7) Review the effectiveness of present publications,  
9 pamphlets, and other sources of information about  
10 Hawaii's space-related activities produced and  
11 distributed by the State;
- 12 (8) Serve as a clearinghouse for information on Hawaii's  
13 space-related activities to include but not be limited  
14 to those of the University of Hawaii and federal  
15 agencies located in Hawaii;
- 16 (9) Target existing businesses that can provide products  
17 or services of importance to the space industry to  
18 support the expansion of these businesses in Hawaii;
- 19 (10) Increase contact and maintain liaison with the  
20 National Aeronautics and Space Administration and  
21 other federal agencies and facilities;



1 (11) Institute procedures by which citizen input on  
2 proposed space facilities development shall be invited  
3 at the earliest possible time in the development  
4 process;

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

7 (13) Contract for services as may be necessary for the  
8 purposes of this part, including for services and  
9 implement agreements, subject to chapter 103D, as may  
10 be necessary to conduct operations at Hawaii's  
11 unmanned aerial system test ranges; and

12 (14) Do all other things necessary or proper to carry out  
13 the purposes of this part.

14 **§206M- Space vehicles; prohibitions.** Any vehicle  
15 launched into space from the land or ocean territory of the  
16 State shall not carry weapons of destruction, nuclear waste  
17 materials, or use radioactive materials as a power source."

18 SECTION 3. Chapter 201, part V, Hawaii Revised Statutes,  
19 is repealed.



1 SECTION 4. All rights, powers, functions, and duties of  
2 the Pacific international space center for exploration systems  
3 are transferred to the office of aerospace development.

4 All employees who occupy civil service positions and whose  
5 functions are transferred to the office of aerospace development  
6 by this Act shall retain their civil service status, whether  
7 permanent or temporary. Employees shall be transferred without  
8 loss of salary, seniority (except as prescribed by applicable  
9 collective bargaining agreements), retention points, prior  
10 service credit, any vacation and sick leave credits previously  
11 earned, and other rights, benefits, and privileges, in  
12 accordance with state personnel laws and this Act; provided that  
13 the employees possess the minimum qualifications and public  
14 employment requirements for the class or position to which  
15 transferred or appointed, as applicable; provided further that  
16 subsequent changes in status may be made pursuant to applicable  
17 civil service and compensation laws.

18 Any employee who, prior to this Act, is exempt from civil  
19 service and is transferred as a consequence of this Act may  
20 retain the employee's exempt status, but shall not be appointed  
21 to a civil service position as a consequence of this Act. An



1 exempt employee who is transferred by this Act shall not suffer  
2 any loss of prior service credit, vacation or sick leave credits  
3 previously earned, or other employee benefits or privileges as a  
4 consequence of this Act; provided that the employees possess  
5 legal and public employment requirements for the position to  
6 which transferred or appointed, as applicable; provided further  
7 that subsequent changes in status may be made pursuant to  
8 applicable employment and compensation laws. The director of  
9 the office of aerospace development may prescribe the duties and  
10 qualifications of these employees and fix their salaries without  
11 regard to chapter 76, Hawaii Revised Statutes.

12 SECTION 5. All rules, policies, procedures, guidelines,  
13 and other material adopted or developed by the Pacific  
14 international space center for exploration systems to implement  
15 provisions of the Hawaii Revised Statutes that are reenacted or  
16 made applicable to the office of aerospace development by this  
17 Act shall remain in full force and effect until amended or  
18 repealed by the office of aerospace development pursuant to  
19 chapter 91, Hawaii Revised Statutes. In the interim, every  
20 reference to the Pacific international space center for  
21 exploration systems and board of directors of the Pacific



1 international space center for exploration systems in those  
2 rules, policies, procedures, guidelines, and other material is  
3 amended to refer to the office of aerospace development or the  
4 aerospace advisory committee of the office of aerospace  
5 development, as appropriate.

6 SECTION 6. All deeds, leases, contracts, loans,  
7 agreements, permits, or other documents executed or entered into  
8 by or on behalf of the Pacific international space center for  
9 exploration systems, pursuant to the provisions of the Hawaii  
10 Revised Statutes that are reenacted or made applicable to the  
11 office of aerospace development by this Act shall remain in full  
12 force and effect. Effective July 1, 2021, every reference to  
13 the Pacific international space center for exploration systems  
14 or board of directors of the Pacific international space center  
15 for exploration systems in those deeds, leases, contracts,  
16 loans, agreements, permits, or other documents shall be  
17 construed as a reference to the office of aerospace development  
18 or the aerospace advisory committee of the office of aerospace  
19 development, respectively.

20 SECTION 7. All appropriations, records, equipment,  
21 machines, files, supplies, contracts, books, papers, documents,



1 maps, and other personal property heretofore made, used,  
2 acquired, or held by the Pacific international space center for  
3 exploration systems relating to the functions transferred to the  
4 office of aerospace development shall be transferred with the  
5 functions to which they relate.

6 SECTION 8. This Act does not affect rights and duties that  
7 matured, penalties that were incurred, and proceedings that were  
8 begun before its effective date.

9 SECTION 9. This Act shall take effect on July 1, 2021.



**Report Title:**

Office of Aerospace Development; Pacific International Space Center for Exploration Systems; Transfer

**Description:**

Establishes the Office of Aerospace Development in the Hawaii Technology Development Corporation instead of the Department of Business, Economic Development, and Tourism. Repeals the Pacific International Space Center for Exploration Systems. Transfers the rights, powers, functions, and duties of the Pacific International Space Center for Exploration Systems to the Office of Aerospace Development. Allows the Aerospace Advisory Committee to select the Director of the Office of Aerospace Development. Reduces the number of members on the Aerospace Advisory Committee. (SD1)

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

