

JAN 17 2020

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. Section 201-76, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established the Pacific international space
4 center for exploration systems, to be [~~administratively attached~~
5 ~~to the office of aerospace development in~~] placed within the
6 department of business, economic development, and tourism[-] for
7 administrative purposes only."

8 SECTION 2. Section 201-77, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§201-77 Pacific international space center for**
11 **exploration systems; board of directors; establishment; duties.**

12 (a) There is established the board of directors of the Pacific
13 international space center for exploration systems, consisting
14 of nine members, to include:

15 [~~(1) The executive director of the space center as an ex~~
16 ~~officio, voting member,~~



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1 ~~(2)~~ (1) The director of business, economic development,
2 and tourism, or the director's designated
3 representative;

4 ~~(3)~~ (2) The president of the ~~[University]~~ university of
5 Hawaii, or the president's designated representative;
6 ~~[and]~~

7 (3) The chancellor of the university of Hawaii at Hilo, or
8 the chancellor's designated representative; and

9 (4) Six members from government, industry, and academia,
10 both national and international, with appropriate
11 professional interests and backgrounds,
12 ~~[to be appointed by the governor, pursuant to section 26-34,]~~
13 provided that of the members appointed under paragraph (4), two
14 members shall be appointed from a list of nominees submitted by
15 the president of the senate, two members shall be appointed from
16 a list of nominees submitted by the speaker of the house of
17 representatives, and two members shall be appointed by the
18 governor~~[.];~~ provided further that the members appointed
19 pursuant to paragraph (4) shall be subject to section 26-34.

20 The board shall select a chairperson from among its
21 members.

1 (b) Five members shall constitute a quorum, whose
 2 affirmative vote shall be necessary for all actions by the space
 3 center. The members of the board shall serve without
 4 compensation, but shall be entitled to reimbursement for
 5 necessary expenses, including travel expenses, incurred in the
 6 performance of their duties.

7 (c) The [~~director of business, economic development, and~~
 8 ~~tourism~~] board shall appoint an executive director to the space
 9 center[, ~~subject to confirmation by the board,~~] who shall be
 10 exempt from chapter 76. The board shall set the salary and
 11 duties of the executive director."

12 SECTION 3. Section 201-80, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "~~{}~~§201-80~~{}~~ **Pacific international space center for**
 15 **exploration systems; reporting requirement.** The Pacific
 16 international space center for exploration systems shall submit,
 17 no later than September 1 of each year, an annual report to the
 18 legislature that includes:

19 [~~1~~] ~~An updated business plan regarding the aerospace~~
 20 ~~technology research and development park project;~~



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- 1 ~~(2) Details on any progress made toward the development of~~
2 ~~a world class space center in Hawaii;~~
- 3 ~~(3) The development of technologies and any concomitant~~
4 ~~effect on the level of resource imports into the~~
5 ~~State;~~
- 6 ~~(4) The status of all working relationships with~~
7 ~~educational and research institutions and federal~~
8 ~~agencies;~~
- 9 ~~(5) Details on any progress made toward the development of~~
10 ~~a robotic operator training and certification program;~~
- 11 ~~(6) The level of private sector investment in aerospace~~
12 ~~and related industries, including the number and~~
13 ~~nature of any partnerships with private industry to~~
14 ~~facilitate state based manufacturing and operations~~
15 ~~related to green energy technology;~~
- 16 ~~(7) The status of the memorandum of understanding with~~
17 ~~Hawaii Techworks and the east Hawaii community~~
18 ~~development corporation regarding the cultivation of a~~
19 ~~skilled local workforce to support planned~~
20 ~~manufacturing operations; and]~~



1 (1) A detailed description of each of the space center's
2 active economic development projects, the status of
3 each project, and any potential impact each project
4 may have on the economy of the State;

5 (2) A detailed description of each of the space center's
6 applied research projects, related research grants
7 applied for and received, the status of each applied
8 research project, and any potential impact each
9 project may have on the economy of the State;

10 (3) A description of the space center's workforce
11 development and outreach programs and events;

12 (4) The status of all memoranda of understanding or any
13 other agreements with third parties established to
14 facilitate the space center's ability to meet its
15 obligations and objectives; and

16 [~~+8~~] (5) A detailed statement of assets, liabilities,
17 revenues, and expenses for each fiscal year ending
18 June 30."

19 SECTION 4. 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 2020-2021 for



1 six full-time equivalent (6.0 FTE) exempt positions within the
2 Pacific international space center for exploration systems that
3 shall include:

- 4 (1) Executive director (program manager);
- 5 (2) Operations manager;
- 6 (3) Geology and materials science specialist;
- 7 (4) Public information specialist and outreach development
8 coordinator;
- 9 (5) Administrative associate; and
- 10 (6) Technician.

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

14 SECTION 5. Beginning in fiscal year 2021-2022, the
15 department of business, economic development, and tourism shall
16 establish the Pacific international space center for exploration
17 systems as a separate line item within the department's budget.
18 Exempt positions shall be created within this separate line item
19 to match any current position of the Pacific international space
20 center for exploration that exists on the effective date of this
21 Act pursuant to the current contract with the research



1 corporation of the university of Hawaii. These positions shall
2 be filled pursuant to section 201-76(b), Hawaii Revised
3 Statutes.

4 SECTION 6. Upon the expiration of the existing operating
5 contract between the Pacific international space center for
6 exploration systems and the research corporation of the
7 university of Hawaii, all rights, powers, functions, duties, and
8 employees of the Pacific international space center for
9 exploration systems that are under contract on the effective
10 date of this Act with the research corporation of the university
11 of Hawaii are transferred to the department of business,
12 economic development, and tourism.

13 All employees employed under contract on the effective date
14 of this Act with the research corporation of the university of
15 Hawaii and whose functions are transferred to the department of
16 business, economic development, and tourism pursuant to this Act
17 shall be placed in exempt positions that are otherwise
18 equivalent to the employees' current positions in rights,
19 powers, functions, and duties. Employees shall be transferred
20 without loss of salary, seniority (except as prescribed by
21 applicable collective bargaining agreements), retention points,



1 prior service credit, any vacation and sick leave credits
2 previously earned, and other rights, benefits, and privileges,
3 in accordance with state personnel laws and this Act; provided
4 that the employees possess the minimum qualifications and public
5 employment requirements for the class or position to which
6 transferred or appointed, as applicable; provided further that
7 subsequent changes in status may be made pursuant to applicable
8 civil service and compensation laws.

9 Any employee who, prior to this Act, is exempt from civil
10 service and is transferred as a consequence of this Act may
11 retain the employee's exempt status, but shall not be appointed
12 to a civil service position as a consequence of this Act. An
13 exempt employee who is transferred by this Act shall not suffer
14 any loss of prior service credit, vacation or sick leave credits
15 previously earned, or other employee benefits or privileges as a
16 consequence of this Act; provided that the employees possess
17 legal and public employment requirements for the position to
18 which transferred or appointed, as applicable; provided further
19 that subsequent changes in status may be made pursuant to
20 applicable employment and compensation laws. The director of
21 business, economic development, and tourism may prescribe the



1 duties and qualifications of these employees and fix their
2 salaries without regard to chapter 76, Hawaii Revised Statutes.

3 SECTION 7. All appropriations, records, equipment,
4 machines, files, supplies, contracts, books, papers, documents,
5 maps, and other personal property heretofore made, used,
6 acquired, or held by the research corporation of the university
7 of Hawaii relating to the functions transferred to the
8 department of business, economic development, and tourism shall
9 be transferred with the functions to which they relate.

10 SECTION 8. All rules, policies, procedures, guidelines,
11 and other material adopted or developed by the research
12 corporation of the university of Hawaii to implement provisions
13 of the Hawaii Revised Statutes that are reenacted or made
14 applicable to the department of business, economic development,
15 and tourism by this Act shall remain in full force and effect
16 until amended or repealed by the department of business,
17 economic development, and tourism pursuant to chapter 91, Hawaii
18 Revised Statutes. In the interim, every reference to the
19 research corporation of the university of Hawaii, executive
20 director of the research corporation of the university of
21 Hawaii, or the board of the research corporation of the



1 university of Hawaii in those rules, policies, procedures,
 2 guidelines, and other material is amended to refer to the
 3 department of business, economic development, and tourism or the
 4 director of the department of business, economic development,
 5 and tourism, as appropriate.

6 SECTION 9. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 10. This Act shall take effect on July 1, 2020.

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INTRODUCED BY: _____

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Report Title:

DBEDT; Pacific International Space Center for Exploration Systems; Appropriation

Description:

Establishes the Pacific International Space Center for Exploration Systems within the Department of Business, Economic Development, and Tourism for administrative purposes. Amends the composition of the board of directors of the Pacific International Space Center for Exploration Systems. Creates six exempt positions (6.0 FTE) within the Pacific International Space Center for Exploration Systems. Transfers the rights, powers, functions, and duties of the employees of the Pacific International Space Center for Exploration Systems to the Department of Business, Economic Development, and Tourism. Appropriates funds.

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

