
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 the aerospace
2 industry has played a pivotal role in expanding and diversifying
3 the national economy by forging new inroads to scientific
4 discovery, advancing national engineering and manufacturing
5 expertise, 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 office of aerospace
12 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 in the department of business, economic development,
9 and tourism;

10 (2) Repeal all statutory provisions pertaining to the
11 Pacific international space center for exploration
12 systems; and

13 (3) Transfer the rights, powers, functions, and duties of
14 the Pacific international space center for exploration
15 systems to the office of aerospace development.

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

19 "PART . OFFICE OF AEROSPACE DEVELOPMENT

20 §206M- Definitions. As used in this part:

21 "Committee" means the aerospace advisory committee.



1 "Director" means the director of the office of aerospace
2 development.

3 "Office" means the office of aerospace development.

4 **§206M- Office of aerospace development; establishment.**

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

7 (b) The head of the office shall be known as the director
8 of the office of aerospace development, hereafter referred to as
9 director. The director shall have experience, knowledge, and
10 expertise in space-related activities and development. The
11 director shall be appointed by the committee without regard to
12 chapter 76.

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

15 (d) The director and employees of the office shall be
16 included in any benefit program generally applicable to the
17 officers and employees of the State.

18 **§206M- Aerospace advisory committee.** (a) There is
19 established an aerospace advisory committee within the office
20 for administrative purposes. The committee shall be composed of
21 nine members appointed by the governor, as provided in section



1 26-34, except as otherwise provided in this section. Of the
2 nine members:

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

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

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

19 The committee shall elect one of its members to serve as the
20 chairperson.



1 (b) All members shall serve for a term of four years. Any
2 vacancies occurring in the membership of the committee shall be
3 filled for the remainder of the unexpired term in the same
4 manner as the original appointments.

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

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



1 policies to promote the growth and diversification of
2 the aerospace industry in this State; and

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

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

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

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

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



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



- 1 competitiveness in national and global aerospace
2 markets;
- 3 (5) Promote innovative education and workforce development
4 programs that will enhance public awareness of the
5 State's aerospace potential and enable residents to
6 pursue employment in Hawaii's aerospace industry;
- 7 (6) Monitor national and global trends in the aerospace
8 industry and recommend programs and policies that can
9 support aerospace industry development statewide;
- 10 (7) Review the effectiveness of present publications,
11 pamphlets, and other sources of information about
12 Hawaii's space-related activities produced and
13 distributed by the State;
- 14 (8) Serve as a clearinghouse for information on Hawaii's
15 space-related activities, including but not limited to
16 those of the university of Hawaii and federal agencies
17 located in Hawaii;
- 18 (9) Target existing businesses that can provide products
19 or services of importance to the space industry to
20 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, including contracting for
12 services and implementing agreements, subject to
13 chapter 103D, as may be necessary to conduct
14 operations at Hawaii's unmanned aerial system test
15 ranges; and
- 16 (14) Do all other things necessary or proper to carry out
17 the purposes of this part.

18 **§206M- Space vehicles; prohibitions.** Any vehicle
19 launched into space from the land or ocean territory of the
20 State shall not carry weapons of destruction, nuclear waste
21 materials, or use radioactive materials as a power source."



1 SECTION 3. Chapter 201, part V, Hawaii Revised Statutes,
2 is repealed.

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

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

20 Any employee who, prior to this Act, is exempt from civil
21 service and is transferred as a consequence of this Act may



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

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



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

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



1 SECTION 7. All appropriations, records, equipment,
2 machines, files, supplies, contracts, books, papers, documents,
3 maps, and other personal property heretofore made, used,
4 acquired, or held by the Pacific international space center for
5 exploration systems relating to the functions transferred to the
6 office of aerospace development shall be transferred with the
7 functions to which they relate.

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

11 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 references to 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. (SD2)

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