

1 of business, economic development, and tourism for
2 administrative purposes.

3 **§ -3 Board of directors of the Hawaii space corporation;**
4 **powers; duties.** (a) The corporation shall be headed by the
5 board of directors of the Hawaii space corporation. The board
6 shall consist of nine members; provided that:

7 (1) The members shall be appointed by the governor as
8 provided in section 26-34, except as provided by this
9 section;

10 (2) One member shall be the director of business, economic
11 development, and tourism, or the director's designee,
12 who shall be an ex officio voting member;

13 (3) One member shall be the executive director of the
14 Pacific international space center for exploration
15 systems, who shall be an ex officio voting member; and

16 (4) At least one member shall be a resident of the county
17 in which the Hawaii space complex located.

18 The seven, non-ex officio members shall be selected on the basis
19 of their knowledge, experience, and expertise in science,
20 engineering, finance, commerce, trade, corporate management,
21 marketing, law, or economics.



1 (b) The board shall elect its chairperson from among its
2 members; provided that the chairperson shall not be an
3 ex-officio member.

4 (c) A majority of all members shall constitute a quorum to
5 do business. Concurrence of a majority of the members present
6 at a meeting shall be necessary to make any action of a board
7 valid.

8 (d) The members shall serve without compensation, but
9 shall be reimbursed for actual expenses incurred in the
10 performance of their duties.

11 (e) The board shall appoint an executive director, who
12 shall serve at the pleasure of the board and shall be exempt
13 from chapter 76. The salary of the executive director shall be
14 set by the board.

15 (f) The board shall develop and document annual goals and
16 performance measures for the executive director that allow the
17 board to annually evaluate the executive director's work to
18 ensure compliance by the corporation with statutory requirements
19 and achievement of its statutory purposes.

20 (g) The board shall document the specific authority
21 delegated to the executive director, including but not limited



1 to the types of access and use of corporation property that the
2 executive director may approve without notice to or approval by
3 the board, and the rent credits and other amendments to
4 board-approved contract terms that the executive director may
5 approve without notice to or approval by the board.

6 (h) The board, through its executive director, may appoint
7 officers, agents, and employees; prescribe their duties and
8 qualifications; and fix their salaries, without regard to
9 chapter 76.

10 **§ -4 Conflict of interest; members, employees.** (a) If
11 a public official, member, officer, agent, or employees of the
12 corporation owns or controls, or owned or controlled within the
13 preceding two years, a direct or an indirect interest in
14 property known to be included or planned to be included in a
15 corporation activity, that individual shall disclose this fact
16 immediately in writing to the board and the disclosure shall be
17 entered in the board's minutes.

18 (b) An individual of the corporation having an interest in
19 property under this section shall not participate in an action
20 by the corporation affecting that property.

21 (c) A violation of this section shall be a misdemeanor.



1 **§ -5 Hawaii space corporation; powers; duties.** (a) The
2 corporation shall leverage the State's geographic, rocketry,
3 manufacturing and higher education assets and capabilities to
4 establish the State as a national and international industry
5 destination and an authority in launching small launch vehicles
6 and small satellites into polar orbit by:

- 7 (1) Acquiring and managing properties within the State to
8 develop and operate the Hawaii space complex and its
9 ancillary facilities;
- 10 (2) Facilitating the acquisition of permits for launch
11 sites from the United States for the purpose of
12 hosting launch providers;
- 13 (3) Facilitating the creation of a skilled workforce. The
14 corporation shall work closely with the university of
15 Hawaii, the department of education, and organizations
16 in the State to ensure education, training, and
17 recruitment programs are in place for the primary
18 purpose of ensuring the availability of a highly
19 workforce;
- 20 (4) Enhancing science, technology, engineering, and
21 mathematics education and engagement in kindergarten



- 1 to grade twelve and higher education curricula through
2 partnerships with private industry to explore use
3 cases for satellite data;
- 4 (5) Serving as a place to engage and inspire the public
5 through programming;
- 6 (6) Attracting out-of-state businesses, business visitors,
7 and tourists to the State; and
- 8 (7) Creating new revenue and expanding the tax base of the
9 State as an international asset.
- 10 (b) The corporation may:
- 11 (1) Sue and be sued;
- 12 (2) Charge and collect fees, charges and rents for the use
13 of the complex's properties and other services and use
14 the proceeds of those fees, charges and rents for the
15 purposes provided in this chapter;
- 16 (3) Contract with any entity or individual to carry out
17 the purposes of this chapter;
- 18 (4) Issue bonds for the purpose of providing funds for any
19 of its corporate purposes;
- 20 (5) Adopt rules pursuant to chapter 91 for purposes of
21 this chapter; and



1 (6) Take all other lawful action necessary and incidental
2 to these powers.

3 **§ -6 Hawaii space complex; established.** (a) The
4 corporation shall establish a spaceport to be known as the
5 Hawaii space complex.

6 (b) The complex shall serve as a staging and launch site
7 for launching objects into space.

8 (c) The complex shall allocate the use of its staging and
9 launch sites in a manner that prioritizes Hawaii-based
10 businesses and businesses that minimize the environmental
11 effects of launches.

12 (d) The corporation shall restrict the complex to
13 commercial, research, and educational uses.

14 **§ -7 Space corporation special fund.** (a) There is
15 established the space corporation special fund, into which shall
16 be deposited:

- 17 (1) Appropriations made by the legislature to the fund;
- 18 (2) All contributions from public or private partners;
- 19 (3) All interest earned on or accrued to moneys deposited
20 in the special fund; and



1 (4) Any other moneys made available to the special fund
2 from other sources.

3 (b) Moneys in the special fund shall be expended by the
4 corporation for the operation, maintenance, and management of
5 the complex and its facilities, and for the design and
6 construction of new facilities and the renovation of or addition
7 to existing facilities.

8 **§ -8 Annual report.** The corporation shall submit a
9 report on its activities to the legislature at least twenty days
10 prior to the convening of each regular legislative session. The
11 annual report shall include:

- 12 (1) A description of the corporation's operations;
- 13 (2) An accounting of the corporation's receipts and
14 expenditures, assets and liabilities at the end of its
15 fiscal year;
- 16 (3) A listing of all property transactions during the
17 previous fiscal year;
- 18 (4) An accounting of all activities related to the fund;
- 19 (5) A listing of any bonds issued during the previous
20 fiscal year;



1 (6) A statement of the corporation's proposed and
 2 projected activities for the next five fiscal years;
 3 and

4 (7) Recommendations regarding further actions that may be
 5 suitable for achieving the purposes of this chapter."

6 SECTION 3. There is appropriated out of the general
 7 revenues of the State of Hawaii the sum of \$ or so much
 8 thereof as may be necessary for fiscal year 2023-2024 and the
 9 same sum or so much thereof as may be necessary for fiscal year
 10 2024-2025 for deposit into the space corporation special fund.

11 SECTION 4. There is appropriated out of the space
 12 corporation special fund the sum of \$ or so much
 13 thereof as may be necessary for fiscal year 2023-2024 and the
 14 same sum or so much thereof as may be necessary for fiscal year
 15 2024-2025 for establishment of the Hawaii space corporation.

16 The sums appropriated shall be expended by the department
 17 of business, economic development, and tourism for the purposes
 18 of this Act.

19 SECTION 5. This Act shall take effect on July 1, 2023.

20

INTRODUCED BY: *Kanani Sells*
 JAN 24 2023



H.B. NO. 1230

Report Title:

Spaceport; Department of Business, Economic Development, and Tourism

Description:

Establishes the Hawaii Space Corporation to develop a spaceport.

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