

**"CHAPTER 6F
JUDICIARY HISTORY CENTER**

Section

- 6F-1 Definitions
- 6F-2 Judiciary history center; establishment
- 6F-3 Executive board
- 6F-4 Organization; quorum; meetings
- 6F-5 Duties; scope of work
- 6F-6 Annual report
- 6F-7 Judiciary history center trust fund
- 6F-8 Center concessions

" **[§6F-1] Definitions.** As used in this chapter, unless the context otherwise requires:

"Board" means the executive board of the judiciary history center.

"Center" means the judiciary history center. The judiciary history center is an organized and permanent institution with a professional staff, essentially educational in purpose, which owns and utilizes tangible objects of service, history and art and cares for and exhibits them to the public on a regular schedule.

"Friends of the judiciary history center" means the nonprofit citizens group organized to support the center. [L 1990, c 211, pt of §3]

" **[§6F-2] Judiciary history center; establishment.** There shall be established within the office of the administrative director of the courts, for administrative purposes only, the judiciary history center. The judiciary shall provide the center with facilities, security, janitorial services, utilities, fiscal, and necessary legal services. The center shall be located on the ground floor of the Ali'iolani Hale Building. [L 1990, c 211, pt of §3]

" **§6F-3 Executive board.** (a) The responsibility for general administration and the proper operation of the center shall be vested in an executive board to be known as the board of the judiciary history center. The board shall have power in accordance with law to formulate policy and to exercise control over the center. The board shall consist of five members appointed by the chief justice; provided that three members shall be selected from a list of seven candidates submitted by the friends of the judiciary history center. The term of each member shall be for four years, commencing on July 1, and expiring on June 30; provided that of the five members appointed for terms commencing July 1, 1990, two members shall serve for four years, two members shall serve for three years, and one member shall serve for two years. The members shall serve without compensation but they shall be reimbursed for travel and other necessary expenses incurred in the performance of their official duties.

(b) A vacancy on the board shall be filled for the remainder of the unexpired term or, if expired, for a new term by the chief justice; provided that a vacancy in any one of the three positions originally appointed by the chief justice from a list submitted by the friends of the judiciary history center

shall be filled by the chief justice from a list of three candidates submitted by the friends of the judiciary history center. [L 1990, c 211, pt of §3; am L 2008, c 27, §1]

" **[§6F-4] Organization; quorum; meetings.** The board shall elect from its own membership, a chairperson and a vice-chairperson. The board shall meet at least four times a year and a majority of all members to which the board is entitled shall constitute a quorum to do business. The board shall adopt such rules as are necessary in carrying out the purposes of this chapter. [L 1990, c 211, pt of §3]

" **§6F-5 Duties; scope of work.** The board shall establish a comprehensive program which shall include, but not be limited, to the following:

- (1) Managing and opening the center to the general public for educational, historical, and cultural purposes;
- (2) Collecting, preserving, displaying, and interpreting objects and documents that are representative of our judicial heritage;
- (3) Cooperating with, and providing technical assistance to the judiciary and other public and private agencies involved in developing and implementing programs in historic preservation activities related to the judiciary;
- (4) Conducting research in the field of Hawaiian judicial history and making the benefits of the research and study available to the public;
- (5) Stimulating and promoting public interest and awareness of Hawaiian judicial history by providing interpretive and information services for use in the schools of the State which will aid in a better understanding of the history of the judiciary;
- (6) Selecting and employing an executive director to serve on a full-time basis who is qualified by training and experience. The executive director shall administer policies and programs approved by the board and exercise supervision over the center's activities;
- (7) Employing personnel as required to operate and maintain the center. Employees of the center shall be exempt from chapter 76, and shall not be considered civil service employees but shall be entitled to any employee benefit plan normally inuring to civil service employees; and

- (8) Doing other things necessary to accomplish the purposes of this chapter including the adoption, amending, or repeal of rules. [L 1990, c 211, pt of §3; am L 1994, c 7, §1; am L 2000, c 253, §150]

" **[§6F-6] Annual report.** The board shall submit a report on its activities to the legislature at least twenty days prior to the convening of each regular legislative session. The annual report shall include the total number and amount of gifts and grants received, contracts entered into, and progress and accomplishments made during the year. [L 1990, c 211, pt of §3]

" **[§6F-7] Judiciary history center trust fund.** (a) There is established as a separate fund of the judiciary, the judiciary history center trust fund. All funds contributed to the trust fund, including income and capital gains earned therefrom, shall be used exclusively to carry out the purposes of the center as defined in this chapter. The trust fund shall consist of any and all types of private, federal, and public contributions, which do not include any state funding, and any income, interest, and capital gains earned; provided that moneys or properties donated for center use and patrons' deposits shall be deposited and accounted for in accordance with rules adopted by the supreme court. The judiciary history center trust fund shall be subject to the following restrictions:

- (1) All funds, and any income, interest, and capital gains earned by investment of those funds, shall be expended by the friends to carry out the purposes of the center as set out in section 6F-5; and
- (2) Any other restrictions imposed by the legislature with respect to the transfer or appropriation of funds.

(b) The judiciary history center trust fund shall be subject to the terms and conditions provided in this section. The trust fund shall not be placed in the state treasury and the State shall not administer the fund nor be liable for its operation or solvency. The trust fund shall be a trust fund pursuant to section 37-62 administered by the friends.

(c) Any funds deposited in the trust fund, and any income, interest, and capital gains earned therefrom, that are not used for the purposes of the center as set out in section 6F-5, shall be invested in accordance with the provisions of the articles, bylaws, resolutions, or other instruments executed on behalf of the friends in a manner intended to obtain a reasonable commercial rate of return on investment of the fund.

(d) If the trust fund is terminated, all funds, including the income, interest, and capital gains earned by the investment of funds, shall be transferred to the general fund.

(e) The friends:

- (1) May enter into contracts as approved by the chief justice, with any association, individuals, or corporations to further the purposes of this section; provided that any blind vendor operating a vending facility pursuant to section 102-14 on or before January 1, 1996, shall not be displaced or dislocated;
- (2) Shall require a certified public accountant to compile the financial statements, the result of which shall be submitted to the judiciary not more than thirty days after receipt by the friends; and
- (3) Shall retain for a period of three years, any documents, papers, books, records, and other evidence that is pertinent to the trust fund, and permit inspection or access thereto by the judiciary, the legislature, the auditor, or their duly authorized representatives.

(f) For purposes of this section, "friends" means the friends of the judiciary history center. [L 1996, c 138, pt of §1]

" **[\$6F-8] Center concessions.** Notwithstanding any law to the contrary, all net income or proceeds received by the friends from the operation of any concession, or other for-profit business enterprise within or on the grounds of the center, shall be deposited into the trust fund. The disposition of the net income or proceeds shall be for purposes of the center only as set out in section 6F-5. [L 1996, c 138, pt of §1]