

**ACT 164**

A Bill for an Act Authorizing Suit Against the State of Hawaii by Helen Campos for Claimed Losses Caused by the Failure of the Hawaiian Homes Commission to Honor its Commitments.

WHEREAS, in the period between November, 1950 and January, 1952, the Hawaiian homes commission made certain commitments to Helen Campos, promising that certain Hawaiian home lands on the island of Hawaii would be assigned to her as a homesteader under the Hawaiian homes commission act, for the purpose of producing dairy products thereon ; and

WHEREAS, relying upon said commitments, Helen Campos did during said period, with full knowledge and consent of the Hawaiian homes commission, expend time and money in an effort to produce dairy products thereon; and

WHEREAS, the Hawaiian homes commission, instead of assigning to Helen Campos the lands in question, forced her in January, 1952, to vacate same; and

WHEREAS, by failure of the Hawaiian homes commission to honor their commitments to Helen Campos, the latter suffered great damages; and

WHEREAS, it is alleged that the damages suffered by Helen Campos were caused by the failure of the State of Hawaii (formerly Territory of Hawaii) or its officers, employees, or agents, to honor its commitments; now, therefore,

*Be it Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Helen Campos is hereby authorized to sue the State of Hawaii in an appropriate state court to recover damages which are allegedly due to the failure of the State or of its officers, employees or agents to honor its commitments. For the purpose of this Act and the adjudication of any such claim, the immunity of the State to suit is hereby waived, and said Helen Campos may proceed against the State as in the case of any other defendant, subject to the same procedures and defenses, except for the defense of immunity from suit or of the statute of limitations, the provisions of which are hereby expressly waived; provided that nothing contained herein shall be construed as an admission of liability on the part of the State.

SECTION 2. The claimant Helen Campos shall commence the action authorized by this action in an appropriate state court within two years from the effective date of this Act.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 3, 1963.) **H.B. 1105.**

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