

ACT 51

A Bill for an Act Authorizing George Shiro Tsuda to Sue the State of Hawaii for Alleged Damages to His Plants and Livestocks Caused by Alleged Trespass by the State or of its Officers, Employees or Agents.

WHEREAS, in the year 1950, George Shiro Tsuda alleges that he did suffer certain damages to his plants and livestock as a result of an alleged trespass on land leased by him; and

WHEREAS, it is alleged that the damages were caused by trespass by the State or its officers, employees or agents; now, therefore,

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

SECTION 1. George Shiro Tsuda is hereby authorized to sue the State of Hawaii in an appropriate court of the State to recover damages which are allegedly due to the trespass by the State or its officers, employees or agents. For the purposes of this Act and the adjudication of any such claim, the immunity of the State to suit and the statute of limitations are hereby waived, and said George Shiro Tsuda may proceed against the State in any action, as in the case of any other defendant, subject to the same procedures and defenses except for the defense of immunity from suit and except that the statute of limitations shall be deemed to run for a period not to exceed two years from and after the effective date of this Act; provided, that nothing herein contained shall be construed as an admission of liability on the part of the State.

SECTION 2. This Act shall take effect upon its approval.

(Approved May 16, 1961.) **H.B. 994.**