

---

---

# A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1.   Chapter 150A, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§150A-    Failure to pay or remit the inspection,  
5 quarantine, and eradication service fee; fines.   (a) The  
6 following fines shall be imposed for failure to pay, bill, or  
7 remit the inspection, quarantine, and eradication service fee as  
8 provided for in section 150A-5.3:

9           (1) A person responsible for paying the freight charges to  
10 the transportation company who does not pay the fee  
11 shall be assessed a fine of \$100 for every one  
12 thousand pounds of freight or part thereof; and

13          (2) A transportation company that does not:  
14            (A) Bill the fee to the person responsible for paying  
15 the freight charges to the transportation company  
16 within fifteen days of the delivery of the  
17 freight; or



1           (B) Remit the fee to the department within forty-five  
2           days of collecting the fee from the person  
3           responsible for paying the freight charges to the  
4           transportation company,  
5           shall pay a fine of \$100 for every one thousand pounds  
6           of freight or part thereof.

7           (b) All fines shall be paid to the department and  
8           deposited into the pest inspection, quarantine, and eradication  
9           fund under section 150A-4.5."

10           SECTION 2. Section 150A-2, Hawaii Revised Statutes, is  
11 amended by adding two new definitions to be appropriately  
12 inserted and to read as follows:

13           "Cement bulk freight" means unpackaged, homogenous cement,  
14 without mark or count and usually free-flowing, bought and sold  
15 by weight or volume.

16           "Liquid bulk freight" means unpackaged, homogenous liquid  
17 goods, without mark or count and usually free-flowing, bought  
18 and sold by weight or volume, such as oil."

19           SECTION 3. Section 150A-5.3, Hawaii Revised Statutes, is  
20 amended to read as follows:

21           "**§150A-5.3 Inspection, quarantine, and eradication service**  
22 **fee and charge.** There is imposed a fee for the inspection,



1 quarantine, and eradication of invasive species contained in any  
2 freight, including but not limited to marine commercial  
3 container shipment, air freight, or any other means of  
4 transporting freight, foreign or domestic, that is brought into  
5 the [~~State.~~] state, except for liquid bulk freight and cement  
6 bulk freight. The fee shall be paid by the person responsible  
7 for paying the freight charges to the transportation company,  
8 who shall collect the fee and forward the payment to the  
9 department at the port of disembarkation; provided that the  
10 transportation company shall not be liable for any fee that is  
11 not paid by the person responsible for paying the freight  
12 charges to the transportation company. The department shall  
13 deposit the fee into the pest inspection, quarantine, and  
14 eradication fund under section 150A-4.5.

15 The fee shall be assessed on the net weight of the imported  
16 freight computed on the basis of 50 cents for every one thousand  
17 pounds of freight brought into the [~~State,~~] state, or part  
18 thereof."

19 SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Invasive Species; Fee; Freight

**Description:**

Establishes fines for failing to pay, bill, or remit the inspection, quarantine and eradication fee. Exempts liquid bulk freight and cement bulk freight from the fee. (HB1433 HD2)

