
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- Importing freight without payment of inspection,
5 quarantine, and eradication service fee. (a) The following
6 finest shall be imposed for failure to pay or remit the
7 inspection, quarantine, and eradication fee as provided for in
8 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 \$ for every one
12 thousand pounds of freight or part thereof; and

13 (2) A transportation company that does not remit the fee
14 to the department shall pay a fine of \$ for
15 every one thousand pounds of freight or part thereof.

16 (b) The transportation company shall not release freight
17 to the person responsible for paying the freight charges until
18 all fees and fines are paid. A transportation company that



1 releases freight to a person responsible for paying the freight
2 charges without paying the fee shall pay a fine of \$ per
3 occurrence.

4 (c) All fines shall be paid to the department and
5 deposited into the pest inspection, quarantine, and eradication
6 fund under section 150A-4.5."

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

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

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

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

18 **"§150A-5.3 Inspection, quarantine, and eradication service**
19 **fee and charge.** There is imposed a fee for the inspection,
20 quarantine, and eradication of invasive species contained in any
21 freight, including but not limited to marine commercial
22 container shipment, air freight, or any other means of



1 transporting freight, foreign or domestic, that is brought into
2 the State[-], except for liquid bulk freight and cement bulk
3 freight. The fee shall be paid by the person responsible for
4 paying the freight charges to the transportation company, who
5 shall collect the fee and forward the payment to the department
6 at the port of disembarkation; provided that the transportation
7 company shall not be liable for any fee that is not paid by the
8 person responsible for paying the freight charges to the
9 transportation company. The department shall deposit the fee
10 into the pest inspection, quarantine, and eradication fund under
11 section 150A-4.5.

12 The fee shall be assessed on the net weight of the imported
13 freight computed on the basis of 50 cents for every one thousand
14 pounds of freight brought into the State, or part thereof."

15 SECTION 4. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on its approval.

18

INTRODUCED BY:

[Handwritten signatures: Paul G. ...]

[Handwritten signature: Christine G. Magowan]

[Handwritten signature: Jessica Woolley]

[Handwritten signature: Cindy ...]

[Handwritten signature: ...]



Mark Takashima

J. Phil. Kanater

JAN 27 2009

Report Title:

Invasive Species; Fee; Freight

Description:

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

