

JAN 23 2009

A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

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

1 SECTION 1. Act 3, Special Session Laws of Hawaii 2008,
2 increased the scope of the existing inspection, quarantine, and
3 eradication service fee to provide funding for the department of
4 agriculture to conduct inspections of imported freight to
5 prevent the introduction of invasive species and to provide the
6 necessary facilities to conduct such inspections. However, Act
7 3 did not provide an exemption for refrigerated freight at a
8 temperature on arrival of ten degrees Fahrenheit or less, a
9 temperature at which no living organism can survive.

10 The purpose of this Act is to exempt refrigerated
11 commercial container shipments with a temperature of ten degrees
12 Fahrenheit or less on arrival in the State from the inspection,
13 quarantine, and eradication service fee.

14 SECTION 2. Section 150A-5.3, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§150A-5.3 Inspection, quarantine, and eradication service**
17 **fee and charge.** (a) 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. The fee shall be paid by the person
6 responsible for paying the freight charges to the transportation
7 company, who shall collect the fee and forward the payment to
8 the department at the port of disembarkation; provided that the
9 transportation company shall not be liable for any fee that is
10 not paid by the person responsible for paying the freight
11 charges to the transportation company. The department shall
12 deposit the fee into the pest inspection, quarantine, and
13 eradication fund under section 150A-4.5. The fee shall be
14 assessed on the net weight of the imported freight computed on
15 the basis of 50 cents for every one thousand pounds of freight
16 brought into the ~~[state,]~~ State, or part thereof.

17 (b) This section shall not apply to any commercial
18 container shipment, foreign or domestic, that is brought into
19 the State having a temperature on arrival in the State of ten
20 degrees Fahrenheit or less."



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: *S. S. T. L.*



Report Title:

Invasive Species; Frozen Container Shipments

Description:

Exempts frozen commercial container shipments arriving in the State at a temperature of ten degrees Fahrenheit or less from the fee for inspection, quarantine, and eradication of invasive species.

