



TERRITORY OF AMERICAN SAMOA  
OFFICE OF THE GOVERNOR  
FAGATOGO 96799

A. P. LUTALI  
GOVERNOR  
ENI F HUNKIN JR.  
LIEUTENANT GOVERNOR

March 14, 1985

(684) 633-4116

EXECUTIVE ORDER NO. 004-85

THE AMERICAN SAMOA COUNCIL ON THE ARTS,  
CULTURE, AND HUMANITIES

Section 1. Authority

This executive order is issued under the authority of Section 6, Article IV, Revised Constitution of American Samoa and the provisions of Section 4.0302(a) American Samoa Code Annotated.

Section 2. Establishment of the Council

There is hereby established in the Office of the Governor the American Samoa Council on the Arts, Culture and Humanities (hereinafter referred to as "Council"). The Council's powers, duties, and responsibilities shall be provided for under the provisions of this order, and subject to the ultimate authority of the Governor.

Section 3. Purpose

(a) The purpose of the Council shall be for the establishment and formulation of a general policy for the promotion, advancement and maintenance of the arts, humanities and the Samoan culture. The Council shall also endeavor to sponsor training programs in the arts and humanities not only for American Samoa, but also conduct intercultural exchange programs and arts performances with other states, countries and societies, if applicable and permissible under local and federal regulations and laws.

(b) The Council may establish programs in American Samoa in artistic cultural activities, including but limited to music, theatre, dance, painting, sculpture, architecture, arts and crafts, and to also make recommendations concerning appropriate methods to encourage participation in and appreciation of the arts.

(c) The Council shall take steps necessary and appropriate to encourage public interest in the cultural heritage of the Territory and to expand the territory's cultural resources.

(d) The Council shall encourage and assist freedom of artistic expression essential for the well-being of the arts.

Section 4. Membership, Terms, Meetings

(a) The Council shall consist of seven members appointed by the Governor from among the residents of American Samoa. The members of the Council shall serve at the pleasure of the Governor and shall not receive compensation for their services, but shall be entitled to travel pay and per diem when traveling on official business.

(b) The Governor shall designate a Chairman and Vice-Chairman from the members of the Council to serve as such at the pleasure of the Governor.

(c) The Council shall meet at least five times during each fiscal year or whenever necessary at the request of the Governor. Four members shall constitute a quorum in order to conduct Council business.

Section 5. Executive Director and Staff

(a) There is hereby established a professional staff which shall administer and execute the decisions and policies of the Council and shall serve at the pleasure of the Governor.

(b) The professional staff shall be headed by an Executive Director who shall be appointed by the Governor for a term of four years. The Executive Director shall also serve as an ex-officio member of the Council.

(c) The wages and salaries of the Executive Director and members of the professional staff shall be set by the Council, subject to the approval of the Governor.

Section 6. Powers and Duties of the Council

(1) The Council shall establish rules and by-laws for its operations, subject to the approval of the Governor.

(2) The Council shall determine and approve procedures and policies on all program development for the promotion and advancement of the arts, humanities, and in particular all aspects

of the Samoan culture, as well as the intercultural exchanges of the arts and humanities among other countries and societies.

(3) The Council shall develop and prepare applications for all federal grants, subject to the approval of the Governor; and in this connection, the Council acts as a state agency for the purposes of fulfilling all necessary requirements as provided for under the provisions of the National Foundation on the Arts and Humanities Act (20 U.S.C. 951 et. seq.) and other applicable regulations and laws of the Federal Government.

(4) The Council may accept gifts, donations, bequests, or devises of money or other property, personal or real with or without conditions, in support of its general purposes and objectives, which properties shall be earmarked and used for their intended purposes.

(5) Subject to the approval of the Governor, the Council shall: prepare an annual budget to carry out its established policies and programs; review on a quarterly basis all its program activities and operations; provide annually a post audit of all its financial transactions for each fiscal year; submit an annual report for each fiscal year to the Governor not later than January 1st of each year; and exercise all other duties and responsibilities not inconsistent with the applicable rules, regulations and laws of American Samoa and the United States.

#### Section 7. Solicited Money Donations

The Council may solicit and receive donations or monies, real and personal properties, in support of its goal and objectives. Money received in this manner shall be deposited in a bank account under the name of the Council, and such funds shall be expended as conditioned by written agreement between donors and the Council.

#### Section 8. Rescission of Prior Orders

Executive Order No. 1-1982 and all other prior executive orders, general memorandums or other gubernatorial documents which establishes and provides for appointment of the members of the Council are hereby rescinded and superceded in their entirety by this order upon appointment of all members of the Council.

Section 9. Effective Date

This order is effectively immediately.

Dated March 15, 1985.

*A. P. Lutali*  
A. P. LUTALI

DISTRIBUTION:

Per standard list