

THE TWENTY-SIXTH LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the tenth day of January
year two thousand

AN ACT AUTHORIZING THE GOVERNMENT TO ISSUE BONDS TO REFUND OUTSTANDING OBLIGATIONS OF AMERICAN SAMOA; ESTABLISHING THE AMERICAN SAMOA FINANCE COMMITTEE; CONFIRMING AUTHORITY FOR A GUARANTY OF SUCH BONDS BY THE AMERICAN SAMOA GOVERNMENT EMPLOYEES' RETIREMENT FUND; PROVIDING TERMS AND CONDITIONS FOR THE REPAYMENT OF SUCH BONDS; CREATING A CHAPTER 30 UNDER TITLE 11 ASCA, AND PROVIDING FOR AN EARLY EFFECTIVE DATE.

Preamble:

Due to the necessity of giving notice of redemption or prepayment of certain obligations as soon as possible, this act shall become effective immediately upon passage by the Legislature and approval by the Governor.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. There is created a new Chapter 30 under Title 11 ASCA which reads:

"Chapter 30

AMERICAN SAMOA FINANCE COMMITTEE

Sections:

- 11.3001 Scope of application.
- 11.3002 Finance committee.
- 11.3003 Records--Administrative and clerical assistance.
- 11.3004 Rules and regulations--Chairman.
- 11.3005 Reports of debt management activities.
- 11.3006 Evidences of indebtedness--Issuance--Signature.
- 11.3007 Evidences of indebtedness--Issuance--Finance committee duties and powers.
- 11.3008 Disposition of proceeds from sale of bonds.
- 11.3009 Retirement fund guarantee of government refunding bonds.
- 11.3010 Legislative authorization of refunding bonds.
- 11.3011 Trust funds authorized.
- 11.3012 Consent to suit.

11.3001 Scope of application.

This chapter shall apply to all bonds, notes and other evidences of indebtedness of the American Samoa Government (ASG) authorized by the legislature, unless otherwise provided in the authorizing acts. It shall not apply to indebtedness of any governmental agency or any public corporation.

11.3002 Finance committee.

The governor, the lieutenant governor and the treasurer, or their designees, shall constitute the American Samoa finance committee. Two members of the committee constitute a quorum for taking action.

11.3003 Records--Administrative and clerical assistance.

The finance committee shall keep a full and complete public record of its proceedings in appropriate books of record. The governor shall provide administrative and clerical assistance for the finance committee.

11.3004 Rules and regulations--Chairman.

The finance committee may make appropriate rules and regulations for the performance of its duties. The governor, or the governor's designee, shall act as chairman of the committee. The lieutenant governor or the lieutenant governor's designee, shall act as secretary.

11.3005 Reports of debt management activities.

The finance committee shall prepare written reports at least annually summarizing the debt management activities of the finance committee, which reports shall be sent to agencies having a direct financial interest in the issuance and sale of bonds by the committee, and to other persons on written request.

11.3006 Evidences of indebtedness--Issuance--Signature.

Bonds, notes or other evidences of indebtedness of the American Samoa Government shall be issued by the finance committee. They may be issued at

one time or in a series from time to time. The maturity date of each series shall be determined by the finance committee. All evidences of indebtedness shall be signed in the name of the American Samoa Government by the governor and the lieutenant governor. The facsimile signature of said officials is authorized and said evidences of indebtedness may be issued notwithstanding that any of the officials signing them or whose facsimile signature appear on such evidences of indebtedness has ceased to hold office at the time of issue or at the time of delivery to the purchaser. Except for indebtedness incurred for refunding purposes, authorized herein, no indebtedness may be incurred by the finance committee, or money borrowed for any reason, without the authorization by the legislature of the amount and purpose of such indebtedness.

11.3007 Evidences of indebtedness--Issuance--Finance committee, duties and powers.

(a) The finance committee shall determine by resolution the amount, date or dates, terms, conditions, covenants, denominations, interest rate or rates (which may be fixed or variable), maturity or maturities, redemption rights, manner of execution and authentication, manner and price of sale and the form of all bonds, notes or other evidences of indebtedness.

(b) Such bonds, notes or other evidences of indebtedness may be payable either to the bearer or to the registered owner. The authorizing resolution may provide for the deposit in trust with any public depository of all or any part of the proceeds of the bonds, notes or other evidences of indebtedness or money set aside for the payment thereof.

(c) The finance committee may issue bonds, notes or other evidences of indebtedness to refund at or prior to maturity any outstanding bonds, notes or other evidences of indebtedness or obligation of American Samoa Government, or any agency thereof. Refunding bonds may be secured in the same manner as the obligations being refunded, or in any other manner not precluded by law.

(d) The finance committee may obtain bond insurance, letters of credit or other credit support instruments for the purpose of guaranteeing the payment or enhancing the marketability, or both, of any territorial bonds, notes or other evidences of indebtedness, may contract for the services of trustees, paying agents, underwriters, financial advisors and bond counsel and may authorize the execution and delivery of agreements, promissory notes, and other related instruments.

11.3008 Disposition of proceeds from sale of bonds.

The proceeds of the sale of any bonds shall be used solely for the purposes, including any expense incurred in connection with the issuance and sale of such bonds, specified in the general statute or special act authorizing the issuance of such bonds.

11.3009 Retirement fund guarantee of American Samoa Government
refunding bonds.

(a) The American Samoa Government Employees Retirement Fund is authorized by ASCA Section 7.1444 to undertake, by action of its Board of Trustees, to guarantee the payment of the principal of and interest on bonds issued by the American Samoa finance committee for the purpose of refunding

outstanding obligations of American Samoa Government which refunding bonds may be issued in the amount of not to exceed \$19,000,000. The payment of amounts due, if any, under such a guarantee will be made out of any assets of the Retirement Fund and the Retirement Fund is authorized to secure its guarantee by the pledge of any of its assets. The making of any advance of funds by the Retirement Fund pursuant to such guaranty shall be deemed a loan to American Samoa Government to be repaid on such terms as shall be agreed upon between the finance committee and the Retirement Fund. The Board of Trustees may authorize the execution of, and entry by the Retirement Fund into, such agreements, conveyances, guarantees, assignments, pledges and all other documents as are necessary or useful for the making and implementation of such a guarantee.

(b) That part of any loan so made which bears the same ratio to the total amount of such loan as the ratio the refunded obligations of the American Samoa Government to the Retirement Fund bears to the original principal amount of refunding bonds shall not be counted as an "obligation issued by the Government" for purposes of the limitation imposed by ASCA Section 7.1444 (g) (3).

(c) The finance committee is authorized to so contract and to secure any loan so made by the Retirement Fund to American Samoa Government by the mortgage or pledge of any physical asset of American Samoa Government, including, but not limited to, its interest in the Executive Office Building.

(d) Such a guarantee, once executed and relied upon by the purchaser of such refunding bonds wholly or partially secured thereby, shall be deemed valid and enforceable under the laws of American Samoa and no part of the authorization or authority for such refunding bonds, such a guarantee or any

other security therefor shall be repealed or modified in a manner detrimental to the owners of such bonds so long as such bonds remain outstanding.

11.3010 Legislative authorization of refunding bonds.

(a) The American Samoa finance committee is authorized to issue refunding bonds in the principal amount of not to exceed \$19,000,000 for the purpose of refunding part or all of the following obligations and to pay all costs incurred in connection with such bond issuance and refunding:

1. The lease-purchase obligation of American Samoa Government which secures the outstanding bonds of the American Samoa Economic Development Authority issued under date of May 1, 1988.

2. The 1991 Loan from the American Samoa Government Employees Retirement Fund to ASG in the original principal amount of \$5,000,000.

3. The 1998 Loan from the American Samoa Government Employees Retirement Fund to American Samoa Government in the original principal amount of \$10,000,000.

(b) Such refunding bonds shall be general obligations of American Samoa Government and the finance committee is authorized to pledge the full faith and credit of American Samoa Government to the full and prompt payment of the principal of and interest on such bonds as the same shall become due and payable. The principal amount of the refunding bonds may exceed the principal amount of the obligations refunded by such bonds if a savings in total principal and interest is achieved.

11.3011 Trust funds authorized.

(a) The finance committee is authorized to contract with a trustee bank or trust company for all services necessary or useful in connection with the issuance, sale, delivery and payment of such refunding bonds.

(b) All revenues from the following sources may be pledged by the finance committee to pay and secure the refunding bonds and shall be paid directly into the bond fund securing such bonds:

1. All wharfage and related charges heretofore pledged, pursuant to ASCA Section 20.1607, to the payment of the bonds of the American Samoa Economic Development Authority issued under date of May 1, 1988.

2. The sum of \$500,000 per year out of the net revenues of the American Samoa Telecommunications Authority (formerly American Samoa Government Office of Communications), all as provided in PL 20-39 of the 20th Legislature of American Samoa, 1987, to pay and secure the bonds of the American Samoa Economic Development Authority issued under date of May 1, 1988.

3. The sum of \$600,000 per year out of the net revenues of the American Samoa Telecommunications Authority (formerly American Samoa Government Office of Communications), all as provided in PL 22-6 of the 22nd Legislature of American Samoa, 1991, to pay and secure a loan to American Samoa Government from the Retirement Fund.

4. That portion of the tobacco and alcohol taxes imposed pursuant to ASCA Section 11.1002 heretofore pledged by American Samoa Government to pay and secure a loan from the Retirement Fund to American Samoa Government.

(c) The finance committee is authorized to establish a special bond fund or account for the payment of the principal of and interest on any bonds and to

pay costs of administration of such bonds and to establish a separate fund or account to serve as a reserve for the payment of such principal and interest.

(d) The provisions of ASCA Section 20.1607(h), exclusive of the last sentence, and ASCA Section 15.0301 shall remain in effect to secure the payment of the refunding bonds so long as they remain outstanding, notwithstanding the retirement of the 1988 bonds of the American Samoa Economic Development Authority out of the proceeds of such refunding bonds. All other taxes and other revenues pledged to pay obligations refunded by the bonds shall also remain in effect to secure the payment of the refunding bonds so long as they remain outstanding, notwithstanding the retirement of such obligations.

(e) The finance committee is authorized to contract for a trustee bank to maintain the assets of American Samoa Government's general fund in a special account of the bank created and maintained for such purposes. The finance committee may contract that all or any necessary portion of taxes and other revenue of American Samoa Government's general fund shall first be deposited in such general fund account maintained with such bank. Pursuant to such contract, the bank shall, by the last business day of each month, verify that the required deposit of principal of and interest on such refunding bonds for the prior month have been made into the bond fund securing such bonds. If any such monthly deposit has not been made when such verification takes place, such bank shall make the required deposit in the bond fund or reserve account out of any moneys on hand in the General Fund account.

(f) The finance committee may contract that the trustee bank so named may not be replaced without the consent of a majority of the holders of the bonds secured thereby if such replacement has any adverse affect on any bond

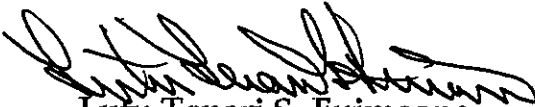
owners or on the value of any bond. No authorization for the refunding bonds or the security therefor may be repealed or modified by the legislature in any manner detrimental to the bond owners relying thereon until such bonds are no longer outstanding.

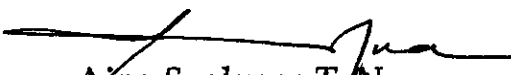
11.3012 Consent to suit.

The American Samoa Government, whether acting in its governmental or proprietary capacity, is subject to suit in the territorial and federal courts for obligations created in this chapter, and shall be liable for damages and subject to the equity powers of the courts in any action brought to enforce the obligations of American Samoa Government or the rights of any participant in a transaction whereby American Samoa Government borrows money or otherwise incurs indebtedness or incurs other obligations in connection with any indebtedness, as if American Samoa Government were a private person or corporation. Venue for any litigation with respect to bonds issued pursuant to this act shall be laid in the High Court of American Samoa or the Federal District Court, District of Hawaii."

Sec 2. Effective date.

Due to the necessity of giving notice of redemption or prepayment of certain obligations as soon as possible, this act shall become effective immediately upon passage by the Legislature and approval by the Governor.


Lutu Tenari S. Fuimaono
PRESIDENT OF THE SENATE


Aina Saoluaga T. Nua
SPEAKER OF THE HOUSE

Hereby Approved this 6th day of April, 2000


Governor of American Samoa

NOFOA'IGA LUASEFULU-ONO FONOFAITULAFONO O AMERIKA SAMOA

Nofoa ma usua i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulu o Ianuari
tausaga lua afe

O SE TULAFONO E FA'ATAGA AI LE MALO E TU'UINA ATU PONE E
TOE FA'ATUPE AI AITALAFU E LEI TOTOGIA A LE MALO O
AMERIKA SAMOA; FA'AVAEINA LE KOMITI O TUPE A LE MALO O
AMERIKA SAMOA; FA'AMAONIAINA LE MALOSI MO SE FEAGAIGA
O LE FOLAFOLAGA E FEAGALMA LE TOE TOTOGIINA O IA PONE E
LE TEUGATUPE O LE RITAEA A TAGATA FAIGALUEGA A LE MALO O
AMERIKA SAMOA; FA'ATULAGAINA AIAIGA MA TU'UTU'UGA MO
LE TOE TOTOGI ATU O IA PONE; FA'AVAEINA SE MATA'UPU 30 I LE
ULUTALA 11 TTAS; MA SAUNIA MO SE ASO E TAUALOAINA VAVE
AI.

Fa'atomuaga

Ona o se mana'oga e tu'uina atu se fa'aaliga mo le fa'asa'olotoina po'o
mo le totogiina o nisi o aitalafu i le vave e mafai ai, o le a taualoa vave ai lenei
tulafono taufa'aofi pe a pasia e le Fono Faitulafono ma fa'amaoniaina e le
Kovana.

FA FA'ATULAFONOINA E LE FONÓ FAITULAFONO A AMERIKA SAMOA:

Maga 1. Ua fa'avaeina se Mata'upu 30 fou i le Ulutala 11 TTAS e faitauina:

"Mata'upu 30

KOMITI O TUPE A AMERIKA SAMOA

Maga:

- 11.3001 Malosi e fa'aaogaina ai.
- 11.3002 Komiti tupe
- 11.3003 Fa'amaumauga--Fesoasoani fa'alepulega ma failautusi
- 11.3004 Tulafono galue ma poloa'iga--Ta'ita'ifono.
- 11.3005 Ripoti o taualumaga o le puleaina o aitalafu.
- 11.3006 Fa'amaoniga o le nofoaitalafu--Tu'uina atu--Saini
- 11.3007 Fa'amaoniga o le nofoaitalafu--Tu'uina atu--Tiute ma malosi o le komiti o tupe.
- 11.3008 Fa'atulagaga o tupe mai le fa'atauina atu o pone.
- 11.3009 Folafolaga a le teugatupe o le ritaea o pone toefa'atupeina a le malo.
- 11.3010 Fa'atagaga fa'ale Fono Faitulafono mo le toe fa'atupeina o pone.
- 11.3011 Teugatupe tausi fa'atagaina.
- 11.3012 Malie e faia se tagi.

11.3001 Malosi e fa'aaogaina ai.

O lenei mata'upu o le a fa'aaoga i pone uma, pepa tupe taualoa ma isi fa'amaoniga o nofoaitalafu a le Malo o Amerika Samoa (MAS) ua fa'atagaina e le fono faitulafono, vagana ai ua fa'atulagaina e 'ese mai i tulafono aiaia. O le a le fa'atatau i nofoaitalafu a so'o se vaega fa'alemalo po'o so'o se koporesi lautele.

11.3002 Komiti tupe.

O le kovana, le kovana lutena ma le teutupe, po'o o latou tagata tofiaina, o le a fa'avae ai le komiti o tupe a Amerika Samoa. O le to'alua o totino o le komiti e maua ai se korama e fa'agaioi ai.

11.3003 Fa'amaumauga--Fesoasoani ma failautusi fa'alepulega.

O le a tausia e le komiti o tupe se fa'amaumauga lautele atoatoa ma mae'a o āna taualumaga i ni tusi fa'amaumau talafeagai. O le kovana o le a na tofiaina ni fesoasoani ma failautusi fa'alepulega mo le komiti o le tupe.

11.3004 Tulafono galue ma poloa'iga--Ta'ita'ifono.

E mafai e le komiti o tupe ona aiaia ni tulafono galue ma poloa'iga alagatatau mo le fa'ataunu'uina o āna fatuaiga. O le kovana, po'o le sui tofia o le kovana, o le a galue e fai ma ta'ita'ifono o le komiti. O le kovana lutena po'o le sui tofia o le kovana lutena o le a galue e fai ma failautusi.

11.3005 Ripoti o taualumaga o le puleaina o aitalafu.

O le a saunia e le komiti o le tupe ni ripoti tusitusia fa'aletausaga e 'oto'otoina ai taualumaga o le puleaina o aitalafu a le komiti o tupe, o ia ripoti ia auina atu i vaega o i ai se ma'ana'oga patino i le tu'uina atu ma le fa'atauina atu o pone e le komiti, ma isi tagata e tusi talosaga mai.

11.3006 Fa'amaoniga o nofoaitalafu--Tu'uina atu--Saini.

O pone, pepa tupe aloa'ia ma isi fa'amaoniga o nofoaitalafu a le Malo o Amerika Samoa o le a tu'uina atu e le komiti o tupe. E mafai ona tu'uina atu i le taimi e tasi po'o i se vaega mai lea taimi i lea taimi. O le aso atofaina e totogi ai vaega o pone ta'itasi o le a iloiloina e le komiti o tupe. O fa'amaoniga uma o nofoaitalafu o le sainiaina i le igoa o le Malo o Amerika Samoa e le kovana ma le kovana lutena. O se kopi o saini a ia ali'i ofisa ua fa'atagaina ma o ia fa'amaoniga o le nofoaitalafu e mafai ona tu'uina atu ma e le afaina ai le sainiaina e so'o se ali'i ofisa po'o ai lava le kopi o le saini ua fa'a'iloa mai i ia fa'amaoniga o le nofoaitalafu ua taofaina e umia tofi i lena taimi e tu'uina atu ai po'o le taimi e tiliva atu ai i le tagata fa'atau. Vagana ai mo le nofoaitalafu ua fa'ae'eina mai mo fa'amoemoega e toe fa'aolaina mai, e

fa'atagaina e leai se nofoaitalafu e mafai ona fa'ae'eina mai e le komiti o tupe, po'o tupe nōnō mo so'o se mafua'aga, e aunoa ma le fa'atagaga e le fono faitulafono i le aofa'i ma le fa'amoemoe o lea nofoaitalafu.

11.3007 Fa'amaoniga o le nofoaitalafu--Tu'uina atu--Komiti tupe, tiute ma malosi.

(a) O le komiti o le a iloiloina i se i'ugafono le aofai, le aso po'o aso, aiaiga, tu'utu'uga, feagaiga, telē, fua o initeresi po'o fua (e mafai ona fa'atulagaina pe 'ese mai ai), aso atofaina po'o aso atofaina e totogi ai, aia e fa'aola mai ai, tulaga e fa'agaioi ai ma le taualoaina, tulaga ma le tau o le fa'atauga ma le ituaiga o pone uma, tusitusiga po'o isi fa'amaoniga o le nofoaitalafu.

(e) O ia pone, tusitusiga po'o isi fa'amaoniga o nofoaitalafu e mafai ona totogi atu i lē o i ai le poloa'iga po'o i le ōna ua resitaraina. O le i'ugafono ua fa'atagaina e mafai ona saunia mo le teuina i le teugatupe tausi i so'o se faletupe lautele tupe uma po'o so'o se vaega o tupe o pone, pepa tupe aloa'ia po'o isi fa'amaoniga o nofoaitalafu po'o tupe fa'aleoleoina mo lona totogiina.

(i) E mafai e le komiti tupe ona tu'uina atu pone, pepa tupe aloa'ia po'o isi fa'amaoniga o nofoaitalafu e fa'aola ai pe a'o le'i o'o i le aso atofaina e totogi ai so'o se pone e le'i totogia, pepa tupe aloa'ia po'o isi fa'amaoniga o le nofoaitalafu po'o aitalafu a le Malo o Amerika Samoa, po'o sona vaega. O pone e toefa'aolaina mai e mafai ona fa'amaoniaina i le tulaga lava e tasi pe afai e toefa'aolaina mai aitalafu, po'o so'o se isi tulaga na mua'i te'ena e le tulafono.

(o) O le komiti tupe e mafai ona sa'ilia inisiua o pone, tusi fa'amaonia o aitalafu po'o isi fa'amaoniga e lagolago ai aitalafu mo le fa'amoemoe o le fa'amautuina o peimeni po'o le fa'aleleiina o fa'atauga i maketi, po'o o mea e lua, o so'o se pone fa'ale teritori, pepa tupe aloa'ia po'o isi fa'amaoniga o nofoaitalafu, e mafai ona osia konekarati mo tautua o tagata tausi, sui e totogi, po'o se totino galulue

fa'atasi, faufautua fa'aletupe ma fautua o pone ma e mafai ona fa'ataga le fa'agaioia ma le tilivaina o maliliega, folafolaga tusitusia e totogi, ma isi feagaiga e fa'atatau i ai.

11.3008 Fa'aaogaina o tupe mai fa'atauga o pone.

O tupe o fa'atauga o so'o se pone o le a fa'aaogaina patino mo fa'amoemoega, e aofia ai so'o se tupefa'aalu e tula'i mai e feso'ota'i ma le tu'uina atu ma le fa'atauina o ia pone, ua aiaia ma'oti i tulafono fa'avae lautele po'o tulafono fa'apitoa ua fa'atagaina ai le tu'uina atu o ia pone.

11.3009 Folafolaga o le teugatupe o le ritaea o pone toefa'aola a Amerika Samoa.

(a) O le Teugatupe o le Ritaea a Tagata faigaluega a Amerika Samoa ua fa'atagaina e le TTAS Maga 7.1444 e fai ma avega tau'ave, e ala i gaioiga a lana Komiti Tausi, o le a na faia peimeni o le aofai na talosagaina ma le pasene o pone e tu'uina atu e le komiti tupe a Amerika Samoa mo le fa'amoemoe o le a fa'aolaina mai o aitalafu e le'i totogia a le Malo o Amerika Samoa o ia pone e toetotogiina e mafai ona tu'uina atu i le aofa'i e le silia i le \$19,000,000. O le peimeni o aofa'i e le'i totogia, pe afa'i e i ai, i lalo o se feagaiga e totogi o le a aiaia ai so'o se meatotino a le Teugatupe o le Ritaea ma ua fa'atagaina le Teugatupe o le Ritaea e fa'amaonia lana folafolaga i le folafolaina mai o so'o se mea o ana meatotino. O le aiaia o so'o se tupe e tu'uina atu e le Teugatupe o le Ritaea e tusa ma lea feagaiga o le folafolaga e totogi ai e fa'auigaina o se no'ogatupe i le Malo o Amerika Samoa e toetotogi atu i tu'utu'uga o le a malilie fa'atasi i ai le komiti tupe ma le Teugatupe o le Ritaea. O le Komiti Tausi e mafai ona fa'ataga le fa'agaioia o, ma fa'aulufaleina e le Teugatupe o le Ritaea i totonu, maliliega, Tu'uina atu o aia, folafolaga e fai ma avega tau'ave, tu'uina atu meatotino, folafolaga ma isi fa'amaumauga e alagatau pe aoga mo le fa'agaioiga ma le fa'atinoina o ia folafolaga aiaia.

(e) O le vaega o so'o se nogatupe ua aiaia ma ua fa'ae'eina atu i ai le vaega lava e tasi i le aofa'i atoa o lea nogatupe e fai ma fua o le toetotogia o aitalafu a le Malo o Amerika Samoa i le Teugatupe o le Ritaea ua tau'aveina i le ulua'i aofa'iga na talosagaina o pone e toefa'aolaina o le a le faitauina o se "aitalafu ua tu'uina mai e le Malo" mo fa'amoemoega o le fa'amutaga ua fa'ae'eina atu e le TTAS Maga 7.1444 (g) (3).

(i) O le komiti tupe ua fa'atagaina e osia feagaiga ma fa'amaoniaina so'o se nogatupe e aiaia e le Teugatupe o le Ritaea i le Malo o Amerika Samoa i le mokesiina (tu'uina atu o se meatotino i tu'utu'uga) po'o le folafolaina atu o so'o se meatotino a Amerika Samoa, e aofia ai, ae le fa'atapula'aina i, lona aia fa'aletulafono i le Maota o Ofisa Fa'amalositulafono.

(o) O se folafolaga e feagai ma le totoigiina, o le taimi lava e fa'ataunu'uina ai ma fa'alagolagoina e le tagata fa'atau ia pone e toefa'aolaina ua fa'amaoniaina atoatoa po'o sona vaega, ma e talitonuina ua taualea ma fa'amalosiina i lalo o tulafono a Amerika Samoa ma e leai se vaega o le fa'atagaga po'o le pule mo ia pone e toefa'aolaina mai, o le feagaiga e totogi po'o so'o se isi fa'amaoniga e totogi ai, o le mea lea o le a soloia pe suia ai i se tulaga e le manuia i e e oia ia pone a'o o lo'o i ai pea ia pone e le'i totogia.

11.3010 Fa'atagaga Fa'alefonofaitulafono o pone e toefa'aolaina mai.

(a) Ua fa'atagaina le komiti tupe o Amerika Samoa e tu'uina atu pone e toefa'aolaina mai i le aofa'i na talosagaina e le silia i le \$19,000,000 mo le fa'amoemoega o le toefa'aolaina atu o se vaega po'o aitalafu uma ua ta'ua i lalo ma totogi tau uma e tula'i mai e feso'otai ma le tu'uina atu o pone ma le toetotogiina mai:

1. O le aitalafu o le fa'atauina o le lisi a Amerika Samoa na fa'amaonia ai pone e le'i totogia a le Pule'aga Atia'e o le Tamaoaiga a Amerika Samoa na tu'uina atu i lalo o le aso 1 o Me, 1988.

2. O le Nogatupe o le 1991 mai le Teugatupe o le Ritaea a Tagatafaigaluega a Amerika Samoa i le ulua'i aofa'i na talosagaina e \$5,000,000.

3 O le nogatupe i le 1998 mai le Teugatupe o le Ritaea a Tagatafaigaluega a le Malo o Amerika Samoa i le ulua'i aofa'i na talosagaina e \$10,000,000.

(e) O ia pone e toefa'aolaina mai o le a avea ma aitalafu lautele a le Malo o Amerika Samoa ma le komiti tupe ua fa'atagaina e folafola atu le fa'atuatua ma le fa'amaoni atoatoa o le Malo o Amerika Samoa e totogi vave ma atoa le aofa'i na talosagaina ma le pasene o ia pone pe a o'o i le taimi e totogi ai ma le totogia. O le aofa'i na talosagaina o pone e toefa'aolaina mai e mafai ona sili atu i le aofa'i na talosagaina o le aitalafu e toetotogi o ia pone pe afai e ausia se teuina o tupe o le aofa'i atoa ma le pasene.

11.3011 Tupe tausī fa'atagaina.

(a) Ua fa'atagaina le komiti tupe e faia feagaiga ma se faletupe tausī po'o kamupani tausī meatotino mo tautua uma alagatau pe aoga e feso'ota'i ma tu'uina atu, fa'atau atu, tiliva atu ma le totogiina o ia pone ua fa'amaoniaina.

(e) O tupe uma mai alagatupe ua ta'ua i lalo e mafai ona folafolaina atu e komiti tupe e totogi ai ma fa'amaonia pone e toefa'aolaina maai ma o le a totogi sa'o atu i le teugatupe o pone ua fa'amaoniaina ai ia pone:

(1) O totogi uma o uafu ma tau fa'ae'e e fa'atatau i ai na mua'i folafolaina atu, e tusa ma le TTAS Maga 20.1607, i le totogia o pone o le Pule'aga Atia'e o le Tamaoaiga a Amerika Samoa na tu'uina atu i lalo o le aso 1 o Me, 1988.

2. O le aofa'i e \$500,000 i le tausaga mai le tupe māmā o le Pule'aga o Feso'ota'iga mamao a Amerika Samoa (sa ta'ua muamua o le Ofisa o Feso'ota'iga a Amerika Samoa), o mea uma e pei ona aiaia i le Tulafono Lautele 20-39 o le Nofoa'iga Iona 20 a le Fono Faitulafono a Amerika Samoa, 1987, e totogi ai ma

fa'amaonia ai pone a le Pule'aga Atia'e o le Tamaoaiga a Amerika Samoa na tu'uina atu i le aso 1 o Me, 1988.

(3) O le aofa'i e \$600,000 i le tausaga mai tupemaua māmā o le Pule'aga o Feso'ota'iga i fafo a Amerika Samoa (na mua'i ta'ua o le Ofisa o Feso'ota'iga a Amerika Samoa), o mea uma e pei ona aiaia i le Tulafono Lautele 22-6 o le Nofoa'iga 22 a le Fono Faitulafono a Amerika Samoa, 1991, e totogi ma fa'amaonia ai se nogatupe a le Malo o Amerika Samoa mai le Teugatupe o le Ritaea.

(4) O le vaega lena o lafoga o le tapa'a ma le alakaholo na fa'ae'eina atu e tusa ma le TTAS Maga 11.1002 na mua'i folafolaina atu e le Malo o Amerika Samoa e totogi ma fa'amaonia ai se nogatupe mai le Teugatupe o le Ritaea i le Malo o Amerika Samoa.

(i) Ua fa'atagaina le komiti tupe e fa'avae se teugatupe o pone fa'apitoa po'o se fa'aputugatupe mo le totogiina o aofa'i talosagaina ma pasene o so'o se pone ma totogi ai tau fa'ae'e o le fa'agaioiga o ia pone ma fa'avae se teugatupe e 'ese mai ai po'o se fa'aputuga tupe e ave ma alagatupe fa'aleoleo mo le totogiina o ia aofa'i talosagaina ma pasene.

(o) O aiaiga o le TTAS Maga 20.1607 (1), e le faitauina ai le fuai'upu mulimuli, ma le TTAS Maga 15.0301 o le a tumau pea lona malosi e fa'amaonia ai le totogiina o pone e toefa'aolaina mai a'o le'i totogia, e le afaina ai le totogiina uma o pone o le 1988 o le Pule'aga Atia'e o le Tamaoaiga a Amerika Samoa mai tupe o ia pone e toefa'aolaina mai. O isi lafoga uma ma isi tupemaua ua folafolaina e totogi ai aitalafu e toefa'aolaina mai i pone a'o tumau pea lona fa'amaalosiaina e fa'amaonia ai le totogia o pone e toe fa'aolaina mai a'o le'i totogia, e le afaina ai le totogiina uma o ia aitalafu.

(u) O le komiti tupe ua fa'atagaina e osi feagaiga ma faletupe tausi e fa'amautuina meatotino o le teugatupe lautele a le Malo o Amerika Samoa i se fa'aputugatupe fa'apitoa a le faletupe e fa'avaeina ma tausia mo ia fa'amoemoe. O le

komiti tupe e mafai ona faia se aiaiga o lafoga uma po'o sona vaega ma isi tupemaua o le teugatupe lautele a le Malo o Amerika Samoa o le a mua'i teuina i lea fa'aputugatupe lautele ua aiaia ma lena faletupe. E tusa ma lena feagaiga, o le faletupe o le a, i le aso mulimuli o pisinisi o masina ta'itasi, ia fa'amaonia mai o tupe totogi o aofa'i na talosagaina ma pasene mana'omia fa'atonuina o ia pone e toe fa'aolaina mo le masina ua tuana'i na faia i le teugatupe o pone e fa'amaoniaina ai ia pone. Afai e le faia ia totogi fa'alemasina pe afai ua fa'ataunu'uina ia fa'amaoniaina, o lea faletupe o le a totogia tupe mana'omia i le teugatupe o pone po'o fa'aputuga fa'aleoleo mai i so'o se tupe o i ai i le fa'aputugatupe o Teugatupe Lautele.

(f) O le komiti tupe e mafai ona osia se feagaiga ma se faletupe tausi ua ta'ua ma e le mafai ona suia e aunoa ma le fulisia o e ua umia pone ua fa'amaoniaina, pe afai o lea suiga e i ai so'o afaina tugā i so'o se o'na pone po'o le tau o so'o se pone. E leai se fa'atagaga mo pone e toe totogiina po'o lona fa'amaoniaina e mafai ona soloia pe suia e le fono faitulafono i so'o se tulaga e afaina ai e o'na pone ua fa'alagolago i ai vagana ai o ia pone ua le toe anuilagi.


11.3012 Malie e molia.

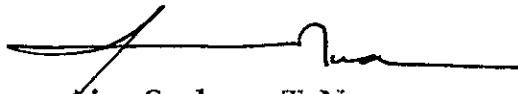
O le Malo o Amerika Samoa, pe o lo'o fa'agaoioia i lona tulaga fa'alemalo po'o le pule aoao, e a'afia i se moliaga i fa'amasinoga fa'ale teritori ma le fetarale mo aitalafu ua fa'avaeina i lenei mata'upu, ma e mafai ona fa'ae'eina atu i ai le totogia o tupe e le'i totogia ma a'afia i malosi tutusa o fa'amasinoga i so'o tagi e aumaia e fa'analosia ai aitalafu a le Malo o Amerika Samoa po'o aia o so'o se itu na aufa'atasi ai i se aiaiga na nono tupe ai le Malo o Amerika Samoa pe na tula'i mai ai fo'i le nofoaitalafu e ese mai ai, pe ua fa'ae'eina atu ai isi aitalafu e feso'ota'i ma so'o se isi nofoaitalafu, ma e foliga mai o le Malo o Amerika Samoa o se tagata tua po'o se koporesi. O le vaega e feagai ma so'o se iloiloga e fa'atatau i pone ua tu'uina atu e

tusa ma lenei tulafono o le a tu'uina atu i le Fa'amasinoga o Amerika Samoa po'o Fa'amasinoga Falelima o le Fetarale, o le Falelima o Hawaii."

Maga 2. Aso taualoa.

Ona o se mana'oga e tu'uina atu se fa'aaliga i le toefa'atula'ia mai po'o le totogiina o nisi o aitalafu i le vave e mafai ai, o le a taualoa vave ai lenei tulafono taufa'aofi pe a pasia e le Fono Faitulafono ma fa'amaoniaina e le Kovana.


Lutu Tenari S. Fuimaono
PERESETENE, MAOTA MAUALUGA


Aina Saoluaga T. Nua
FOFOGA FETALAI, MAOTA O SUI

Hereby Approved this 6th day of April, 2000


Governor of American Samoa