

THE THIRTY-THIRD LEGISLATURE OF AMERICAN SAMOA

First Regular Session

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

AN ACT APPROPRIATING THE SUM OF \$5,000,000 TO PROVIDE FUNDING FOR THE PARTIAL OR COMPLETE SETTLEMENT OF VARIOUS LEGAL CLAIMS AGAINST THE AMERICAN SAMOA GOVERNMENT, FUNDING TO REIMBURSE DISALLOWED GRANT DRAW DOWNS, FUNDING FOR UNFUNDED EXPENDITURES BY THE OUTGOING ADMINISTRATION, AND FUNDING FOR OTHER MISCELLANEOUS EXPENDITURES.

Preamble:

Due to the urgent need to provide funding to settle claims brought by the United States Department of Labor for violations of the Fair Labor Standards Act and the Equal Employment Opportunity Act, and to settle judgments entered against the American Samoa Government by the High Court of American Samoa, and to reimburse disallowed grant draw downs, and to fund unfunded expenditures by the outgoing administration, and to fund other miscellaneous activities, this act shall be effective immediately upon passage by the Legislature and approval by the Governor.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. Appropriation of revenue.

There is appropriated the sum of \$5,000,000 to provide funding for the following necessary expenditures and continuing activities of the government:

U.S. Dept. of Labor Fair Labor Standards Act Settlement	\$ 916,000
U.S. Dept. of Labor EEOC Settlement	\$ 25,000
HCCA 36-04 Laufou Shopping Centre Judgment partial payment	\$ 550,000
HCCA 01-01 Pacific International Engineering Judgment	\$ 282,000
HCCA 42-09 Amosa/Senetelini Amosa Jr., Judgment	\$ 95,000
Vocational Rehabilitation to reimburse disallowed grant expenditures	\$ 52,000
Americorps to reimburse disallowed grant expenditures	\$ 36,000
Vocational Rehabilitation to receive additional \$200,000 in matching Funds	\$ 50,000
Replenish Governor's Contingency Fund (all funds expended in 1st Qtr.)	\$ 75,000

Replenish Small Village Fund (all funds expended in 1 st Qtr.)	\$ 150,000
Governor's Office for unfunded payouts to former Administration & staff	\$ 500,000
DOE Fagaitua High School restroom facilities	\$ 250,000
DOE school building maintenance and purchase of school supplies	\$ 200,000
Attorney General/Immigration for new tracking system	\$ 250,000
Fono Budget 2013 to restore Budget Office cut	\$ 500,000
Governor & Lt. Governor residences repairs and purchase furnishings	\$ 219,000
Governor's Office contract services for consultancy projects	\$ 300,000
Samoan Affairs to purchase tools & equipment for Village Beautification	\$ 100,000
Distribution:	
Manu'a District	\$30,000
Eastern District	\$30,000
Western District	\$40,000
Immigration Office investigate expenses	\$ 100,000
Amnesty program development and contract services	\$ 250,000
MV Sili Repairing	<u>\$ 100,000</u>
	\$5,000,000

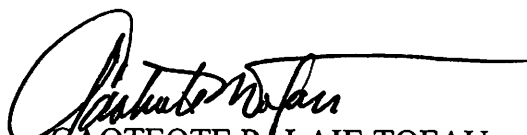
Sec 2. Source of funding.

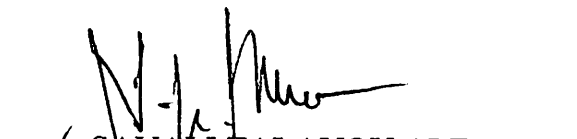
Funds in the amount of \$5,000,000 shall be made available from unbudgeted, unexpended and unobligated revenues of the American Samoa Government for fiscal year two thousand and thirteen from the following sources:

Tobacco MSA Article IX (c) (2) payments	\$1,300,000
Nat'l. Assoc. of Attorney's General Class Action Toyota Settlement	\$ 500,000
Understatement of Recoverable Indirect Costs in Original Budget	\$1,700,000
Military Cover-Over	<u>\$1,500,000</u>
	\$5,000,000

Sec 3. Effective date.

Due to the urgent need to settle outstanding obligations owing the U.S. Department of Labor and outstanding judgments of the High Court of American Samoa, to reimburse disallowed grant draw downs, and to provide continuous funding for key ongoing activities of the government, this act shall become effective immediately upon passage by the Legislature and approval by the Governor.


GAOTEOTE PALAIE TOFAU
President of the Senate


SAVALI TALAVOU ALE
Speaker, House of Representatives

Hereby Approved this 12 day of April, 2013
Lolo M. Malesi
Governor Of American Samoa

NOFOAIGA TOLUSEFULU-TOLU FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Muamua

Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa
 Aso Gafua, aso sefulufa o Ianuari
 Lua afe sefulu tolu

O SE TULAFONO E FAASOA AI LE TUPE E \$5,000,000 E FAATUPE AI SE VAEGA POO LE ATOA FOI LAVA O LE TELE O TAGI FAASAGA I LE MALO, TOE FAATUMU AI TUPE NA AUMAIA I TOTONU O TUPE FAAFESOASOANI MAI LE MALO TELE AE LE FAATAGAINA, O LE FAATUMU AI O TUPE NA FAAAOGA E LE FAIGAMALO LEA UA MAVAE ATU NEI E AUNOA MA SE FAATAGAGA, ATOA AI MA LE TELE O ISI MEA E FAAAOGA AI TUPE.

Fa'atomuaga:

Talu ai le manaoga vave ina ia maua se tupe e totogi ai tagi sa faia e le Vaega o le Leipa a Amerika ona o le solia o le tulafono o tulaga talafeagai tau Leipa ma le Tulafono o Avanoa Tutusa tau Galuega, ma totogi ai iuga a le Faamasinoga Maua luga a Amerika Samoa sa faia faasaga i le Malo, ma toe totogi ai tupe na aveese mai tupe fesoasoani mai le malo tele e ui ina sa le faatagaina, ma faatumu ai tupe na faaaoga e le faigamalo talu ai nei e aunoa ma se faatagaga, ma isi lava anoano o mea e manaomia le faatupeina. O lenei tulafono o le a taualoa i le taimi lava e pasia ai e le Fono ma faamaonia e le Kovana.

IA FAATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1. Faasoaina o tupe maua.

Ua faasoaina nei le tupe e \$5,000,000 mo galuega e tatau ai ma faaaauu ai pea galuega e pei ona o le a ta'ua i lalo:

Iuga o le Tagi a le Matagaluega o Leipa a le Iunaite Setete	\$916,000
Iuga o le Tagi a le Leipa mo Avanoa tutusa faigaluega	\$ 25,000
Se vaega o le iuga o le tagi i le mu o le Laufou	\$550,000
Iuga o le tagi a le Pacific International Engineering (PIE)	\$282,000
Iuga o le tagi a Amosa/Senetelini Amosa Jr.	\$ 95,000
Toe totogiina o tupe na faaaoga aunoa ma se faatagaga (Voc Rehab)	\$ 52,000
Toe totogiina o tupe faaaoga ae le faatagaina (Americorps)	\$ 36,000
Mo le \$200,000 o tupe faafetaui a le Voc Rehab	\$ 50,000
Toe faatumuina o tupe Faaagaaga a le Kovana (na faaaoga uma lava ile kuata muamua o le tausaga faaletupe)	\$ 75,000
Toe faatumu o tupe mo galuega i nuu (faaaoga uma le tupe mo le	

tausaga atoa i le kuata muamua o le tausaga)	\$150,000
Tupe na faaalu e aunoa ma se faatagaga e totogi ai siaki mulimuli a le faigamalo talu ai nei ma le la afaigaluega i le ofisa o le kovana	\$ 500,000
Faleta'ele o le A'oga Maualuga i Fagaitua	\$ 250,000
Faaleleia o falea'oga ma le faatauina o Sapolai/Ofisa o A'oga	\$ 200,000
Faiga e siaki ai tagata femalagai a le Loia Sili/Femalaga'iga	\$ 250,000
Faatumuina o tupe na aveesea mai le tupe faasoasoa a le Fono	\$ 500,000
Toe faafou ma faameafale o maota o le Kovana & Lt. Kovana	\$ 219,000
Auaunaga tau konekarate a le Ofisa o le Kovana	\$ 300,000
Mataupu Tau Samoa/faatauina o meafaigaluega mo le faamatagofie o nuu e faasoaina faapea:	
Manu'a	\$30,000
Falelima i Sasae	\$30,000
Falelima i Sisifo	\$40,000
	\$ 100,000
Tupe mo suesuega a le Ofisa o Femalaga'iga	\$ 100,000
Atina'e ma auunaga konekarate mo le porokalama e faamagalo ai tagata ua silia aso e lei faia ni pepa	\$ 250,000
Faaleleia o le MV Sili	\$ 100,000
	<u>\$5,000,000</u>

Maga 2. Mea e sau ai le tupe.

O le tupe lea e \$5,000,000 e faaavanoa mai tupe e lei faasoaina mo ni galuega, tupe e lei faaaogaina ma tupe e lei faailogaina se mea e faaoga ai a le Malo o Amerika Samoa mo le tausaga tupe e 2013 mai puna'oa nei:

Tupe na maua mai le Tapaa MSA Vaega IX (i) (2)	\$ 1,300,000
Iuga o le Tagi faasaga i le Toyota a le Faalapotopotoga a Loia Sili a le Atunuu	\$ 500,000
Tupe e mafai ona toe maua mai o tupe totogi atu mo Tupe Fesoasoani (Indirect Costs) i le Paketi muamua	\$ 1,700,000
Militeli (cover-over)	\$ 1,500,000
	<u>\$ 5,000,000</u>

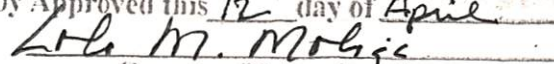
Maga 3. Aso e taualoa ai.

Talu ai le manaoga vave ina ia totogi vave aitalafu a le Malo e tusa ai ma faaiuga a le faamasinoga i tagi a le Matagaluega o le Leipa a le Iunaite Setete, totogi tupe sa faaoga o tupe fesoasoani e aunoa ma se faatagaga, ma le faatupeina o galuega taua a le malo, o lea o le aloa'ia ai leni tulafono i le taimi lava e pasia ai e le Fonofaitulafono ma faamaonia e le Kovana.


GAOTEOTE PALAIE TOFAU
Peresetene, Maota Maualuga


SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui

Hereby Approved this 12 day of April, 2013


Governor Of American Samoa