

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 INCREASING THE NUMBER OF MEMBERS OF THE IMMIGRATION BOARD OF AMERICAN SAMOA, TO BROADEN THE BASE OF MEMBERSHIP OF THE BOARD, AND INCREASES THE NUMBER OF MEMBERS NECESSARY TO CONSTITUTE A QUORUM; AMENDING SECTIONS 41.0203 AND 41.0204 A.S.C.A.

Preamble:

WHEREAS, it is in the interest of good governance to increase public participation in key boards and commissions of the American Samoa Government; and

WHEREAS, the appointment of a broad range of diverse and qualified persons enhances and invigorates the boards and commissions on which they serve; and

WHEREAS, the Immigration Board of American Samoa will benefit from increasing the size of its membership from five to ~~nine~~ seven members, and by broadening the qualifications for membership, through broader public participation in its affairs, which will result in a more extensive range of skills and experienced resources being available to benefit the board.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 41.0203 is amended to read:

“41.0203 Immigration Board-Creation-Members.

There is created the Immigration Board of American Samoa, consisting of 57 at-large members, who are nationals or citizens of the United States of American Samoan ancestry. The members shall be appointed by the Governor with the consent and approval of the Legislature. The 57 at-large members shall serve for 5 year terms, but for no more than 2 consecutive terms: except the original appointees shall be appointed for terms of 1, 2, 3, 4 or 5 years. Members shall serve on the Board until a successor is approved. The Board members shall elect their own chairman annually.”


Sec 2. 41.0204 is amended to read:

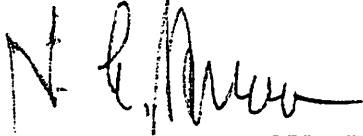
“41.0204 Meetings--Quorum--Vote.

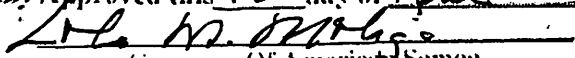
The Board shall meet at times and places determined necessary by the chairman for conducting business of the Board. The presence of at least 35 members shall be necessary to constitute a quorum and a vote of the majority will be required to decide any issue. All members of the Board including the chairman shall be entitled to one vote.”

Sec 3. Effective date.

In accordance with Article II, Section 19 of the Revised Constitution of American Samoa, this bill shall become effective 60 days after the end of the session at which it has been passed.


GAOTEOTE PALAIE TOFAU
President of the Senate


SAVALI TALAVOU ALE
Speaker, House of Representatives

Hereby Approved this 12 day of April 2015

Governor Of American Samoa



OFFICE OF THE GOVERNOR

LOLO L. M. MOLIGA
GOVERNOR

American Samoa

LEMANU P. MAUGA
LIEUTENANT GOVERNOR

April 12, 2013

Serial #: 397

Honorable Savali Talavou Ale
Speaker of the House of Representatives
Legislature of American Samoa
Pago Pago, American Samoa 96799

Dear Mr. Speaker:

I have today approved and signed into law House Bill No. 33-5, captioned "AN ACT INCREASING THE NUMBER OF MEMBERS OF THE IMMIGRATION BOARD OF AMERICAN SAMOA, TO BROADEN THE BASE OF MEMBERSHIP OF THE BOARD, AND INCREASES THE NUMBER OF MEMBERS NECESSARY TO CONSITITUTE A QUORUM, AMENDING SECTIONS 41.0203 AND 41.0204 A.S.C.A.

By increasing the level of public participation on key boards and commissions of the American Samoa Government, such as the Immigration Board, we can contribute to improving the quality of governance in general, and more specifically, infuse the boards and commissions with fresh ideas and a broader range of skill sets and experiences. This will ensure a wider range of the community's concerns are adequately addressed.

I do note that H.B. No. 33-5 increases the quorum from three to five members while taking total Board membership from five to seven members. The originally proposed legislation increased the quorum from three to five members while taking total membership from seven to nine. While I question whether taking the quorum to five members was necessary in view of a seven member Board, I nonetheless desire to move forward and if future difficulties arise in regularly obtaining a quorum to conduct business, we can consider that matter at a later date.

I appreciate your work and the work of your colleagues in the passage of this measure.

Sincerely,

Lolo M. Moliga
LOLO M. MOLIGA



LOLO L. M. MOLIGA
GOVERNOR

OFFICE OF THE GOVERNOR

American Samoa

LEMANU P. MAUGA
LIEUTENANT GOVERNOR

April 12, 2013

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President of the Senate
Legislature of American Samoa
Pago Pago, American Samoa 96799

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LOLO M. MOLIGA