

THE THIRTY-THIRD LEGISLATURE OF AMERICAN SAMOA

Fourth Regular Session

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

AN ACT CLARIFYING THE BAN ON CAMPAIGN ACTIVITIES AT THE POLLING PLACE AND SURROUNDING AREA; PROVIDING FOR A RUN-OFF ELECTION WHERE TWO OR MORE CANDIDATES, PARTICIPATING IN AN ELECTION WITH AT LEAST ONE OTHER CANDIDATE, HAVE EQUAL VOTES; THE DELIVERING OF BALLOTS WITHIN 45 DAYS OF A GENERAL ELECTION TO ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS VOTING FOR THE U.S. DELEGATE TO CONGRESS; THE INCLUSION OF SAMOAN CUSTOMARY PRESENTATIONS IN THE DEFINITION OF ELECTION FRAUD; AND PROHIBITS FREE FOOD AND BEVERAGES AND ERECTION OR PLACEMENT OF TENTS AND SIGNAGE TO INFLUENCE VOTES ON ELECTION DAY AS A CLASS A MISDEMEANOR; AMENDING SECTIONS 6.0702, 6.0901, 6.1103, 6.1203 AND 6.1205 A.S.C.A.

Preamble:

In order to protect the Territory's compelling interest in orderly and fair elections, it is necessary to amend election law to clarify certain ongoing practices leading up to and taking place on the day of an election as contrary to the spirit of our democratic process. The practice of distributing free food and beverages, including but not limited to barbeque plates, the erection of tents and placement of signage on the day of election may unfairly influence electors in the exercise of the franchise, and when conducted near such locations where voting is taking place, tends to disrupt the flow of voting activities at such locations. Furthermore, although it may be Samoan custom for candidates to make presentations of money to their families or village councils, the same may unfairly influence electors and is contrary to the law. The High court has declared that where law and custom conflict, the law prevails. Mau Mau, Jr. v. Fuimaono, 27 ASR2d 46 (1994). These acts must be clarified in the election law as unlawful in order to ensure orderly and fair elections. In addition, the election law is amended to provide for a run-off election where two or more candidates, participating in an election with at least one other candidate, have equal votes as well as to comply with the federally mandated 45-day timeframe to deliver absentee ballots to uniformed service and overseas voters.

Due to the urgent need to provide for the upcoming 2014 General Election, 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. 6.0702 is amended to read:

“6.0702 Admission within polling place.

(a) No person, other than the district officials, the candidates or 1 representative appointed in writing by each candidate, and such qualified electors as are for the time being actually engaged in voting or going to and returning therefrom, may be permitted within the polling place and that area surrounding the polling place reasonably calculated to preserve a neutral, peaceful, and quiet atmosphere for the balloting process. No campaign activities, as defined in Section 6.1205 (7) A.S.C.A., shall be allowed within the area described above. Any other person, except those persons described above, who remains or loiters within the area immediately surrounding a polling place during the time appointed for voting, or who fails to vacate the polling place and area immediately surrounding it in response to the lawful order of an election official, is guilty of a class B misdemeanor. If a qualified elector is manifestly physically disabled, the qualified elector may be assisted by anyone through the area specified.

(b) Upon application to the Chief Election Officer, The Chief Election Officer may allow nonvoter groups to observe the election for educational purposes. The Chief Election Officer shall use his discretion in granting permission and ensure that persons whose applications are granted may observe the election at designated precincts in a manner that they will not interfere with the election process.”

Sec 2. 6.0901 is amended to read:

“6.0901 Tie vote—~~Run-off~~—Decision by lot.

In case of the failure of an election by reason of the equality of vote between 2 or more candidates participating in an election with at least one other candidate, the tie shall be decided by a run-off election held no later than 30 days thereafter, unless an election contest is filed in accordance with 6.0902 and 6.0903. In case of the failure of such run-off election again by reason of the equality of votes between such candidates, the tie shall be decided by lot, under the supervision of the Chief Election Officer. In case of the failure of an election by reason of the equality of vote between 2 or more candidates participating in an election without any other candidate, no run-off election shall be held and the tie shall be directly decided by lot, under the supervision of the Chief Election Officer. When an election is decided by lot, the candidates may agree in a signed statement to the use of a lot. If the candidates agree, they shall be bound by the lot and shall not neither may bring an election contest under sections 6.0902 and 6.0903 after the drawing of the lot. Each

candidate shall be present at the drawing of the lot together with 2 witnesses to be selected by him.”

Sec 3. 6.1103 is amended to read:

“6.1103 Delivery of ballots.

Immediately upon receipt of a request within the time limits specified in 6.1102, the Chief Election Officer shall examine the records to ascertain whether or not the qualified elector is lawfully entitled to vote as requested. As soon as official ballots are printed and available, the Chief Election Officer shall:

(a) for those persons entitled to vote under 6.1101(c)(1), mail in a forwarding envelope, via airmail, an official ballot and other materials prescribed in 6.1104. All requests postmarked by the 15th day prior to the election shall be processed, and ballots mailed to the qualified electors requesting them as soon as reasonably practicable, but in no event later than 24 hours after receipt of the request;

(b) for those persons entitled to vote under 6.1101(c)(1)(iv) and (v), and who are voting in an election for the Delegate to the U.S. House of Representatives, ~~the Chief Election Officer shall~~ establish procedures by which such absent voters may designate the preferred method of absentee ballot transmission and the Chief Election Officer shall, in accordance with adopted procedures, transmit blank absentee ballots by mail, electronically, and by facsimile as designated by the absent voter, no later than 45 days prior to a general election; and

(c) for those persons entitled to vote under 6.1101 (c) (2) and (3), deliver an official ballot to enable such persons to vote at the designated absentee polling place or in a manner prescribed by rules adopted by the Chief Election Officer.”

Sec 4. 6.1203 is amended to read:

“6.1203 Election frauds.

The following persons are considered guilty of an election fraud:

(1) every person who, directly or indirectly, personally or through another, gives, procures, or lends, or agrees or offers to give, procure, or lend, or who endeavors to procure, any money or office or place of employment or valuable consideration to or for any qualified elector, or to or for any person for a qualified elector, or to or for any person, even if the same is presented in accordance with Samoan custom, in order to induce any qualified elector to vote or refrain from voting, or to vote or refrain from voting for any particular person or issue, or who does any such act on account of any person having voted or refrained from voting for any particular person at any election;

(2) every person who advances or pays, or causes to be paid, any money to, or to the use of, any other person, even if the same is presented in accordance with Samoan custom, with the intent that the money, or any part thereof, shall be expended in bribery at any election, or for any purpose connected with or incidental to any election;

(3) every qualified elector who, before, during, or after any election, directly or indirectly, personally or through another, receives, agrees, or contracts for any money, gift, loan, or valuable consideration, office, place, or employment for himself or any other person, even if the same is accepted in accordance with Samoan custom, for voting or agreeing to vote, or for refraining to vote or agreeing to refrain from voting, or for voting or refraining to vote for any particular person or issue;

(4) every person who, directly or indirectly, personally or through another, makes use of, or threatens to make use of, any force, violence, or restraint; or inflicts or threatens to inflict any injury, damage, or loss in, any manner, or in any way practices intimidation upon or against any person in order to induce or compel the person to vote or refrain from voting, or to vote or refrain from voting for any particular person or party; or who by abduction, distress, or any device or contrivance impedes, prevents, or otherwise interferes with the free exercise of the elective franchise;

(5) every person who, at any election, votes or attempts to vote in the name of any other person, living or dead, or in some fictitious name, or who, having once voted, votes or attempts to vote again, or knowingly gives or attempts to give more than one ballot for the same office at one time of voting;

(6) every person who, before or during an election, knowingly publishes a false statement of the withdrawal of any candidate at the election;

(7) every person who induces or procures any person to withdraw from being a candidate at an election in consideration of any payment or gift or valuable consideration, even if the same is presented in accordance with Samoan custom; or of any threat; and every candidate who withdraws from being a candidate in pursuance of such inducement of procurement;

(8) every public officer by law required to do or perform any act or thing with reference to any of the provisions in any law concerning elections contained who willfully fails, neglects, or refuses to do or perform the same, or who willfully performs it in such a way as to hinder the objects thereof, or who is guilty of any willful violation of any of the provisions thereof;

(9) any person willfully tampering or attempting to tamper with, disarrange, deface, or impair in any manner whatsoever, or destroy any voting equipment while the same is in use at any election, or who, after the equipment is locked in order to preserve the registration or record of any election made by the same, tampers or attempts to tamper with any voting equipment.”

Sec 5. 6.1205 is amended to read:

“6.1205 Misdemeanors.

The following persons are guilty of a class B misdemeanor, and upon conviction, sentenced accordingly:

(1) any person who offers any bribe or makes any promise of gain, or with knowledge of the same permits any person to offer any bribe or make any promise

of gain for his benefit, to any qualified elector to induce him to sign a nomination paper, and any person who accepts any bribe or promise of gain of any kind as consideration for signing it, whether the bribe or promise of gain is offered or accepted before or after the signing;

(2) any person who willfully tears down or destroys or defaces any election proclamation or any poster or notice or list of qualified electors or card of instructions or specimen ballot, issued or posted by authority of law;

(3) any person printing or duplicating or causing to be printed or duplicated any ballot, conforming as to the size, weight, shape, thickness, or color, to the official ballot so that it could be cast or counted as an official ballot in an election;

(4) every person who is disorderly or creates a disturbance whereby any meeting of the district officials or the Board of Registration of qualified electors during an election is disturbed or interfered with; or whereby any person who intends to be lawfully present at any meeting or election is prevented from attending; or who causes any disturbance at any election; and every person assisting or aiding or abetting any disturbance;

(5) every person who, either in person or through another, in any manner breaks up or prevents, or endeavors to break up or prevent, the holding of any meeting of the board of registration of qualified electors, or in any manner breaks up or prevents, or endeavors to break up or prevent, the holding of any election;

(6) any person, other than those designated by 6.0702, who remains or loiters within the area specified for voting as set forth in 6.0702 during the time appointed for voting;

(7) any person, including candidates carrying on any campaign activities within the area described in 6.0702 on the day on which an election is being held for the purpose of influencing votes; campaign activities include but are not limited to:

(A) the distribution, circulation, posting, or stacking of campaign cards, pamphlets, and other literature, the erection or placement of bill boards or other signage;

(B) the use of public address systems and other public communication media;

(C) the use of motor caravans or parades or the erection of tents; and

(D) the use of entertainment troupes or the free distribution of goods and services; the "day of election" as used in this paragraph shall commence at midnight on the day the polls are opened and end with the closing of the polls;

(8) any person who opens a reply envelope containing an absentee ballot voted under 6.1101 et seq. other than those authorized to do so;

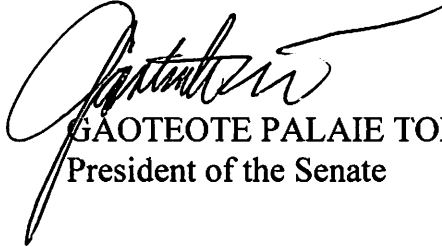
(9) any qualified elector who makes any false statement in any affidavit required for absentee voting under 6.1101 et seq.;

(10) every person who willfully violates or fails to obey any of the provisions of law, punishment for which is not otherwise specially provided for in chapters 01 through 12 of this title.;

(11) any person, including candidates, distributing free food or beverages for the purpose of influencing votes on the day of election; the "day of election" as used in this paragraph shall commence at midnight on the day the polls are opened and end with the closing of the polls."

Sec 6. Effective date.

Due to the urgent need to provide maximum access to the polls for electors in the upcoming 2014 General Election, 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 24th day of September 2014
Lolo M. Moku
Governor of the American Samoa

NOFOAIGA TOLUSEFULU-TOLU FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Lona Fa

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
 Aso Gafua, aso sefulufa o Iulai
 Lua afe sefulu fa

O SE TULAFONO E FAAMANINO AI LE FAASAINA O GAOIOIGA FAAKEMUPENI I LE MEA E FAIA AI LE PALOTA MA NOFOAGA E SIOMIA AI; AIAIA AI LE TAUVAGA MULIMULI E SAILI AI LE MANUMALO PE AFAI E TOALUA PE SILI ATU NI SUITAUVA SA AUAI I LE PALOTA, E TUTUSA LE NUMERA O PALOTA; O LE TILIVAINA O PEPAPALOTA I TOTONU O LE 45 ASO O SE PALOTAGA AOA O I E O LOO TAUTUA I TOTONU O VAEGA'AU MA TAGATA PALOTA O LOO I FAFO E PALOTA MO LE SUI I LE KONEKERESI; O LE AOFIA AI O FAAALOALOGA FAASAMOA I LE FAAUIGAINA O FAIGA TAUFASSESE I PALOTAGA; MA FAASA AI LE TUFU FUA O TAUMAFU MA MEAINU, MA LE FAATUINA O FALEIE MA SAINI INA IA AAFIA AI LE FAIA O LE PALOTA I LE ASO O PALOTAGA MA IA AVEA LEA MA SOLITULAFONO MAMA TULAGA A; SUIA AI MAGA 6.0702, 6.0901, 6.1103, 6.1203, MA LE 6.1205 T.T.A.S.

Faatomuaga:

Ina ia puipui i le faanaunaga o le Teritori ia sologa lelei ma ia manuia tualumaga uma o faigapalota, ua alagata ai ona suia le tulafono o palota ina ia faamanino lelei nisi o faiga o loo masani ai i le taimi a o agai atu i le palota atoa foi ma le aso o le palota o loo feteenai ma le agaga o faiga faatemokarasi. O le masani o le tufaina fua o mea'ai ma meainu, e aofia ai ae le pau ai lena, ia papakiu (BBQ), o le faatuina o faleie ma saini i le aso o le palota e mafai ona taaina ai le faia o le palota a le tagata ma lona aia tatau, ma pe afai e faia lea faiga e latalata i le mea o loo faia ai le palota, ma faaono faalavelavea ai le gasolo lelei o le faia o le palota. I le ma le isi, e ui ina atonu o le aganuu faasamoa le faia o ni lafo ma ni faaaloaloga i aiga ma fono faalenuu, e mafai lava foi e lea faiga ona taaina ai le faia o palota ma e feteenai foi ma le tulafono. Ua uma ona folafola e le Faamasinoga e faapea, afai e feteenai le tulafono ma le aganuu, e malo le tulafono. Mau Mau, Jr. faasaga ia Fuimaono, 27 ASR2o 46 (1994). O nei gaoioiga e tatau ona faamanino e le tusa ma le tulafono i le faiga o le palota ina ia mautinoa ai le manuia ma le sologa lelei o tualumaga o le palota. E le gata i lea, ua suia le tulafono o palota ina ia aiaia ai se palotaga mulimuli e tauva ai ni suitauva e toalua pe sili atu pe afai e tutusa le numera o palota ma se tasi suitauva, pe sili atu foi, ma ia usita'ia ai foi ma le taimi lea e

faatulafonoina e le malo tele e 45 aso e tiliva ai pepapalota mo tagata palota i fafo ma i latou o loo la'ei pea le togiga a vaega'au.

Talu ai le manaoga vave ina ia aiaia ai mo le Palotaga Aoao o loo loma nei o le 2014, o lea o le a taualoga ai lenei tulafono i le tami lava e pasia ai e le Fonofaitulafono ma faamaonia e le Kovana.

IA FAATULAFONOINA E LE FONO FAITULAFONO O AMERIKA SAMOA:

Maga 1. 6.0702 ua suia e faitauina:

“6.0702 Ulufale i totonu o le falepalota.

(a) E leai se tagata, vagana ai le ‘aumautofi o itumalo, o suitauva poo se sui e toatasi e tofia e ala i se tusitusiga a suitauva taitasi, ma tagata palota o loo oo atu e faia a latou palota ma toe foi, e mafai ona faataga i totonu o le falepalota ma autafa ane o le falepalota ina ia faatumauina ai faigatutusa, o le filemu, ma ia leai se pisa aua le faagasologa o le palota. E leai se gaoioiga faakemupeni, e pei ona faauiga mai le Maga 6.1205(7) T.T.A.S., e faatagaina i totonu o le nofoaga lea e pei ona ta’ua i luga. Soo se isi tagata, vagana ai tagata o loo ta’ua i luga, e nofonofo pe i ai pea i totonu o le nofoaga lea e siomia ai le falepalota i le taimi o loo faatulaga mo palotaga, pe le tuua foi le falepalota ma autafa ane o le fale pe a faatonuina e se tagata faipalota e tusa ai ma le tulafono, ua nofosala i se solitulafono mama Tulaga E. Afai o se tagata palota e le atoatoa le malosi o le tino, e mafai ona fesoasoani i ai o soo se tasi i nofoaga ia o loo ta’ua.

(e) I luga o se talosaga e avatu i le Ofisa Sili Faipalota, Oo le Ofisa Sili Faipalota e mafai ona ia faataga se vaega e le palota latou te maitauina, mo mafuaga faalea’oa’oga, le faiga o le palota. I le faitalia o le Ofisa Sili Faipalota, e faataga ai e ia ma ia mautinoa o tagata ia ua talia a latou talosaga e mafai ona latou maitauina le faia o le palota i itumalo e tofia mai i ai, ma ia faia i se tulaga e le afaina ai le faagasologa o le palota.”

Maga 2. 6.0901 ua suia e faitauina:

“6.0901 Palota tutusa—Tauvaga e saili le manumalo—Faaiuga e ala i se seigapepa.

Afai e le maua se manumalo i se palota e ala i le tutusa o palota i le va o suitauva se toalua pe sili atu foi o e sa taufetuli i se palota ma se isi suitauva e toatasi pe sili atu, ona faia lea o se tasi palota e saili ai le manumalo ia le silia i le 30 aso talu ona uma le palota, sei vagana ai ua faila se faatuiese e tusa ai ma le 6.0902 ma le 6.0903. Afai e le maua lava se manumalo pe a uma ane le palota lea i le va o ni suitauva se toalua pe sili atu, e le toe faia la se isi palota ae o le a saili loa le manumalo i le seiina o pepa, i lalo o le taitaiga a le Ofisa Sili Faipalota. Afai e le maua se iuga o se palotaga ona e tutusa palota i le va o ni suitauva se toalua pe sili atu foi e aunoa ma se isi lava suitauva, e leai se palotaga e saili ai le manumalo e faia ae o le a saili loa le manumalo e ala i se seigapepa, i lalo o le taitaiga a le Ofisa Sili fai Palota. Afai o le a faia se faaiuga o se palota e ala i se seigapepa, e mafai ona

malilie faatasi suitauva e ala i se folafolaga e sainia ina ia faaaogaina le seiga pepa. Afai e malilie suitauva, e noatia latou i le faaiuga lea ma e le e le mafai e se tasi ona faia o se faatuiese i lalo o maga 6.0902 ma le 6.0903 pe a mae'a ona seiina o pepa. E tatau ona i ai o suitauva taitasi i le taimi e faia ai le sei faatasi ai ma ni molimau se toalua e filifilia e ia."

Maga 3. 6.1103 ua suia e faitauina:

"6.1103 Tilivaina o pepapalota.

O le taimi lava e maua ai se talosaga i totonu o taimi faatapulaa ia o loo ta'ua i le 6.0112, o le a tagai loa le Ofisa Sili Faipalota i faamaumauga ina ia mautinoa pe agavaa le tagata palota e palota ai e tusa ma le tulafono e pei ona talosaga mai ai. O le taimi lava e mae'a ai ona lolomi ma avanoa mai pepa palota, o le a faia loa e le Ofisa Sili Faipalota mea nei:

(a) mo latou e agavaa e palota i lalo o le 6.1101(i)(1), meli loa i se teutusi, i le meli vaalele, se pepa palota aloaia ma isi pepa o loo faatonu mai le 6.1104. O talosaga uma e faailogaina e le falemeli e lei oo i lona 15 o aso a o lumanai ai le palota, o le a faagasolo, ma meli pepa palota i tagata agavaa e palota i le vave e mafai ai, ae ia le silia i le 24 itula talu ona maua o le talosaga;

(e) mo latou e agavaa e palota i lalo o le 6.1101(i)(1)(iv) ma le (v), ma o loo palota i se palotaga mo le Sui i le Maota o Sui a le Iunaite Setete, ~~o le Ofisa Sili Faipalota o le a~~ ia faavaeina taualumaga e faaaoga e feaveai ai pepapalota mo tagata palota mai fafo ma o le a faaoo atu foi e le Ofisa Sili Faipalota, e tusa ai ma taualumaga, ua faaaogaina pepa palota lei faatumuina i le meli, e ala i le komipiuta ma le fax, e pei ona filifilia mai e le tagata palota mai fafo, e le silia le 45 aso a o lei oo i le palota aoao; ma

(i) mo latou e agavaa e palota i lalo o le 6.1101(i)(2) ma le (3), tiliva se pepa palota aloa'ia ina ia mafai ai ona palota ia tagata i falepalota ua fuafuaina mo palota mai fafo poo se auala ua faatonuina i aiaiga ua faaaoga e le Ofisa Sili Faipalota."

Maga 4. 6.1203 ua suia e faitauina:

"6.1203 Faiga taufaasese o palotaga.

O tagata nei e ta'ua ua nofosala i se faiga taufaasese o palota:

(1) o tagata taitoatasi e faia, tuusa'o pe leai foi, e faia e ia pe ala i se tasi tagata, ona tuu atu, faatau mai, faaune atu, pe malie foi pe ofo e avatu, faatau, pe faaune, pe taumafai foi e faatau mai, o se tupe poo se ofisa poo se mea e galue ai poo se mea aoga/taua mo soo se tagata agavaa e palota, poo se mea e tuuina atu pe faia mo se tagata palota, tusa lava poo lea mea e tuuina atu e tusa ai ma aganuu faasamoa, ina ia taumafai ai e palota pe le palota foi, pe palota foi pe leai mo se tagata poo se mataupu, pe faia foi soo se gaoioiga faapea e ala i se tagata ua uma ona palota poo ua le palota foi mo soo se tagata i soo se palotaga;

(2) o tagata taitoatasi uma e avatua pe totogi atu, pe faia ina ia totogi atu se tupe, poo le faaaogaina e se isi lava tagata, tusa lava poo lea mea e tuuina atu e

tusa ai ma le aganuu faasamoa, ma le faamoemoe o le tupe lea, poo se vaega foi, o le a faaaoga e togitupe ai soo se palota, poo se isi lava mafuaga e fesootai ma soo se palota;

(3) o tagata agavaa e palota, a o lei faia le palota, o le taimi o le palota, poo le mae'a foi o le palota ae maua sa'o lava pe ui mai foi se tasi auala, malie, pe konekarate foi mo soo se tupe, se meaalofa, se nogatupe, poo se isi lava meaaoga, ofisa, nofoaga, poo se galuega mo ia poo se isi lava tagata, tusa lava poo le taliaina o ia mea e tusa ma aganuu faasamoa, mo le palota ai pe malie foi e palota, poo le le palota pe malie foi e le palota, pe palota poo le le palota mo soo se tagata poo se mataupu;

(4) o tagata taitoatasi e, faaaoga tuusao pe ala mai foi i se isi, pe faamatau foi ina ia faaaoga se ituaiga faiga faamalosi, sauaga, poo le taofiofia; pe faatupu pe folafola foi e faaoo se manu'a leaga poo soo se mea lava e afaina ai, poo le faafefe foi i soo se auala faasaga i soo se tagata ina ia faamalosi ai pe una'ia lea tagata e palota pe aua foi nei palota, mo soo se tagata poo se vaega; pe auala foi i le ave faamalosi, faataugā, poo soo se faiga lava e taofia ai, po o le faalavelave ai i soo se itu i le faaalua o le filifiliga saoloto a le tagata;

(5) o tagata taitoatasi e palota pe taumafai e palota i soo se palotaga e faaaoga ai le igoa o se tasi tagata o loo ola poo ua maliu, pe faaaoga foi se igoa pepelo, pe talu ai ona sa palota muamua, e palota pe taumafai e toe palota, pe tuuina atu ma lona iloa pe taumafai foi e tuuina atu ni pepa palota sili atu mo le ofisa lava e tasi sa palota ai i le taimi muamua na palota ai;

(6) o tagata taitoatasi, a o lei oo i le palota, poo le taimi foi o le palota, na te faalauaitete ma lona iloa ni faaupuga sese e faapea ua toe faaui i tua se suitauva o se palotaga;

(7) o tagata taitoatasi e taumafai pe una'ia soo se tagata e toe aveese lona avea ai ma suitauva i se palotaga ona o se totogi poo se meaalofa poo se meaaoga foi, tusa lava pe a faia lea mea e tusa ai ma aganuu faasamoa; poo se taufaamata'u; ma soo se suitauva e toe ave i tua lona suafa mai lona avea ma suitauva ona o se mafuaga faapea;

(8) o sui taitasi uma faalemalo e manaomia e le tulafono ona ia faia o se gaioioiga poo se mea e faatatau i se tasi o aiaiga o soo se tulafono faatatau i palotaga e le faia ma lona loto i ai, faatuatuanai, pe musu foi e faia lona tiute, pe faia foi ma le loto malie lona tiute i se auala e faavaivaia ai aiaiga ua i ai, poo le nofosala foi i le soliga o soo se aiaiga o loo i ai;

(9) soo se tagata e lotea pe taumafai foi e faia se mea sese, toe fetuunai, faaleaga, pe faia soo se mea lava, pe faaleaga se mea e faaaoga mo le palota a o loo faaaoga ia mea i soo se palotaga, poo lona tago fua foi e lote se pusa poo se meafaigaluega ua uma ona loka ina ia puipuimalu ai palota poo se faamaumauga foi o soo se palotaga.”

**Maga 5 6.1205 ua suia e faitauina:
“6.1205 Solitulafono Mama.**

O tagata nei e nofosala i le Solitulafono Mama Tulaga E, ma afai e faamaonia la latou nofosala, o le a faasalaina e tusa ai ma le tulafono:

(1) soo se tagata e ofoina e togitupe pe faia se folafolaga o se mea e maua, pe faia foi ma le iloa lona faataga o soo se tagata e ofo atu se tupe pe faia se folafolaga o se mea e maua i soo se tagata palota ina ia faatosina mai ai e sainia se pepa e filifilia ai, ma soo se tagata e taliaina se tupe poo se folafolaga o soo se ituaiga lava o mea e maua mo le sainia o lea pepa, pe ofoina le tupe poo le folafolaga pe taliaina a o lei saina poo le uma foi ona saina;

(2) soo se tagata na te faia ma le loto i ai lona faaleagaina o soo se folafolaga tau palota poo soo se faaaliga poo se lisi o tagata agavaa e palota poo se pepa o ni faatonuga poo se faataitaiga o le palota e tuuina mai pe faatu foi e tusa ai ma le pule a le tulafono;

(3) soo se tagata e lomina pe kopiina pe faia foi ina ia lomina pe faia ni kopi o soo se pepa palota, ia tutusa lelei lona tele, le mamafa, o foliga, le mafiafia poo le lanu ma le pepa palota alo'ia ina ia mafai ai ona faaoga e palota ai ma faitaulia ai e avea ma pepa palota a'ia i se palotaga;

(4) tagata taitoatasi e faavevesi pe mafua ai foi se pisa e faalavelavea ai se fonofono a alii maotofi o itumalo poo le Komiti Faafoe o le Lesitala o le 'aupalota agavaa i le taimi o palota; pe taofia ai le auai atu o soo se tagata o loo fia auai e tusa ma le tulafono i soo se fonotaga poo se palotaga; pe faatupu foi se vevesi i soo se palotaga; ma soo se tagata e fesoasoani i le faatupuina o soo se vevesi;

(5) tagata taitoasi e faataapeapeina e ia lava pe auala atu foi i se tasi tagata, pe taumafai foi e faamalepe le faia o se fonofono a le komiti faafoe o le lesitala o tagata agavaa e palota, poo le faataape pe taofia foi pe taumafai e faamalepe le faia o soo se palotaga;

(6) soo se tagata, e ese mai ai ia i latou o loo ta'u mai le 6.0702, e nofonofono pea poo le fealualuai i totonu o le nofoaga ua faasino mo le palota e pei ona faaali mai le 6.0702 i le taimi faatulaga mo le palota;

(7) soo se tagata, e aofia ai ma suitauva e faia ni gaoioiga faakemupeni i le nofoaga lea e ta'u mai le 6.0702 i le aso e faia ai le palota mo le faamoemoe e taaina ai le palota; o gaoioiga faakemupeni e aofia ai ae le faatapulaa ai mea nei:

(A) o le tufatufaina, o le faasalalauina, faaali, poo le faaputu o pepa kemupeni, o tusi ma isi tusitusiga, o le faatuina poo le tuu ai o laupapa poo nisi saina;

(E) faaaogaina o masini faaleotele leo ma isi auala o fesoataiga lautele;

(I) faaaogaina o taavale poo ni savaliga poo le faatuina o ni fale'ie; ma

(O) faaaogaina o ni vaega faafiafia poo le tufaina fua o oloa ma ni auaunaga; o le "aso palota" e pei ona faaoga i lenei parakalafa e amata i le vaeluaga o le po o le aso lea e tatala ai falepalota ma e uma i le taimi e tapunia ai palotaga;

(8) soo se tagata e tatalaina se teutusi o loo i ai se palota mai fafo na faia i lalo o le 6.1101 ma isi maga e mulimuli mai ai, e ese ai nai lo latou ua faatagaina mo lea galuega;

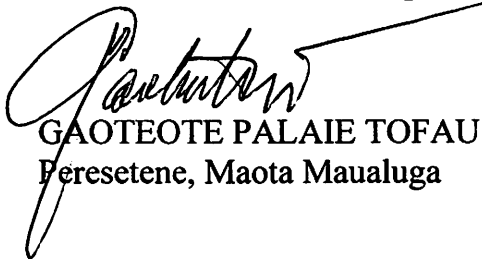
(9) soo se tagata agavaa e palota e faia se faamatalaga sese i soo se folafolaga tauto e manaomia mo le palota ai i lalo o le 6.1101 ma isi;

(10) o tagata taitoatasi e solia ma le loto i ai pe le usita'ia foi soo se aiaiga o le tulafono, o le faasalaga o lea solitulafono e le o aiaia faapitoa mai mataupu 01 e oo i le 12 o lenei ulutala;

(11) soo se tagata, e aofia ai ma suitauva, e tufatufaina fua ni mea'ai poo meainu mo le faamoemoe e taaina ai le palota i le aso o le palota; o le "aso o le palota" e pei ona faaaogaina i lenei parakalafa e amata i le vaeluaga o le po o le aso e talaia ai falepalota ma faaiu i le tapunia o falepalota."

Maga 6 Aso e taualoa ai.

Talu ai le manaoga vave ina ia tuuina atu avanoa uma lava e oo atu ai le 'au palota i falepalota i Palotaga Aoao o loma nei o le 2014, o lea o le a taualoa ai lenei tulafono i le taimi lava e pasia ai e le Fonofaitulafono ma faamaonia e le Kovana.


GAOTEOTE PALAIE TOFAU
Peresetene, Maota Mauuluga


SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui

~~Hereby~~ Approved this 24th day of September ~~2014~~
Lala M. Moeke
Governor Of American Samoa