

THE TWENTY SIXTH LEGISLATURE

Third Regular Session

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

**AN ACT PROHIBITING THE SOLICITATION OF MONEY ON THE
SIDEWALK OR THE PUBLIC ROADWAY; CREATING A SECTION
22.0407 ASCA.**

Preamble:

There has been an increase of activities by persons, groups and organizations to solicit money and to raise funds by standing and dancing on the side of the roadways and begging for money from drivers and passengers of passing cars and buses, and from pedestrians. These activities include the use of a public-address system which plays music loudly while a commentator calls out to the passing public for donations.

The Legislature finds that this type of fundraising activity is dangerous to the public safety and welfare as it creates an unsafe condition on the public roadways to drivers, passengers in motor vehicles and pedestrians. Further, such an activity creates a nuisance to the public as the amplified sound of music and voice of the commentator distracts and disrupts the peace and quiet of the neighborhood and the public.

The Legislature therefore finds it necessary to prohibit this type of solicitation of money and fundraising on the sidewalk or public highway.


BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

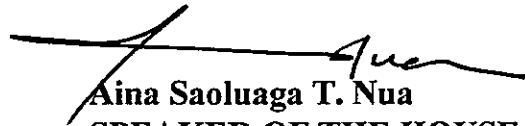
Section 1. There is created a section 22.0407 which reads:

“22.0407 Solicitation of money and fundraising on sidewalk or public roadway prohibited.

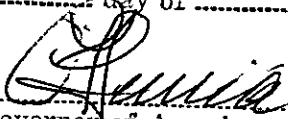
(a) No person may solicit money or raise funds on or near a sidewalk or the public roadway by standing, sitting or dancing, with or without the playing of music or the use of a public-address system, to entice, lure, or urge by requests or pleas to drivers, occupants of vehicles or pedestrians for money or funds, or a pledge therefor.

(b) Any police officer who observes a violation of this section shall immediately confiscate and take in to possession all equipment and money found at the location of the solicitation or fundraising. Any item confiscated shall be held in the custody of the department of public safety until disposed of by order of the court.”


Lutu Tenari S. Fuimaono
PRESIDENT OF THE SENATE


Aina Saoluaga T. Nua
SPEAKER OF THE HOUSE

hereby Approved this 31st day of January, 2000


Governor of American Samoa

NOFOA'IGA LUASEFULU-ONO FONO FAITULAFONO O AMERIKA SAMOA

Fono Tele Lona Tolu

**Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulu o Ianuari
tausaga lua afe**

**O SE TULAFONO E FA'ASĀ AI LE TALOSAGAINA O TUPE I ALASAVALI
PO'O-TAFĀALA O LE MALO; FA'AVAE AI SE MAGA 22.0407 TTAS.**

Fa'atomuaga:

Ua i ai se fa'ateleina o gaoioiga a tagata, vaega ma fa'alapotopotoga mo le talosagaina o tupe ma le sa'ilia o tupe e ala i le tūtū ma sisiva i autafa o tafāala ma 'aisi tupe ai mai ave ta'avale ma tagata pāsese o ta'avale ma pasi femalagaa'i fa'apea ma tagata feoa'i. O ia gaoioiga e aofia ai le fa'aogaina o se la'au fa'aleotele leo mo fa'asalalauga e tā fa'aleotele ai musika a'o tauvala'au le fofoga o le fa'alapotopotoga i le mamalu lautele feafioa'i mo foa'i tupe.

Ua silafia e le Fono Faitulafono o ia ituaiga gaoioiga o le sa'ilia o tupe fa'apea e mata'utia i le saogalemu lautele ma le manuia lautele o tagata au ā e tula'i mai ai se tulaga lē saogalemu i tafāala mo ave ta'avale, tagata pasese i ta'avale afi ma tagata feafioa'i. Ae lē gata i lea, o ia gaoioiga e fa'asoesā tele i le mamalu lautele ona o le fa'aleoteleina o musika ma le si'ufofoga o le fofoga o le fa'alapotopotoga e tosina 'ese ai le mafaufau i se isi mea ma fa'avevesi ai le filemu ma le legaoi ā o nofoaga e lalata i ai ma le mamalu lautele.

O le mea lea ua manatu le Fono Faitulafono e alatatau ona fa'asā lenei ituaiga talosaga tupe ma le sa'ilia o tupe e faia i alasavali po'o alatele o le malo.

IA FA'ATULAFONOINA E LE FONO FAITULAFONO O AMERIKA SAMOA:

Maga 1. Ua fa'avaeina se maga 22.0407 e faitauina:
"22.0407 Talosagaina o tupe ma le sa'ilia o tupe i alasavali po'o tafāala o le malo ua fa'asaina.


(a) E lē mafai e se tagata ona talosagaina se tupe pe sa'ili tupe i pe latalata i se alasavali po'o tafāala o le malo i le tū ai, nofo pe sivasiva ai, o tāina ai pe leai fo'i se musika po'o le fa'aogaina o se la'au fa'aleotele leo mo fa'asalalauga, e fa'atosina ai,

u'una'ia ai pe tauānauina ai e ala i talosaga po'o le fa'atauanauina o ave ta'avale, tagata femalagaa'i o ta'avale po'o tagata feafioa'i mo se tupe po'o tupe, po'o se folafolaga o se foa'itupe.

(e) O so'o se ali'i-ofisa leoleo na te va'aia se soliga o lenei maga o le a na taofia vave loa ma ave'esea mea uma o fa'atino ai gaoioiga fa'apea ma tupe na maua i le nofoaga o le aisiga o tupe po'o le sa'ilia o tupe. O so'o se mea na fa'aaogaina i le fa'agaoioiga o le sa'iliga o tupe na ave'eseina fa'amalosi o le a i lalo o le va'ava'a'iga a le matagaluega o le saogalemu lautele vagana ua fa'atulagaina i se poloa'iga a le fa'amasinoga."



Lutu Tenari S. Fuimaono
PERESETENE, MAOTA MAUALUGA



Aina Saoluaga T. Nua
FOFOGA FETALAI, MAOTA O SUI

ereby Approved this 31st day of January, ~~19~~ 2000



Governor of American Samoa