

THE THIRTIETH LEGISLATURE OF AMERICAN SAMOA

First Regular Session

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

AN ACT AUTHORIZING THE AMERICAN SAMOA GOVERNMENT TO ENTER INTO A LOAN AGREEMENT WITH THE AMERICAN SAMOA GOVERNMENT EMPLOYEES' RETIREMENT FUND; APPROPRIATING MONIES FOR THE REPAYMENT OF SUCH LOAN AND IDENTIFYING THE SOURCE OF FUNDING; AUTHORIZING THE USE OF LOAN PROCEEDS TO FINANCE THE ACQUISITION, EQUIPPING AND RENOVATION OF CAPITAL IMPROVEMENTS AND PROGRAMS; ADJUSTING THE CAP ON ASGERF INVESTMENTS AND LOANS TO THE AMERICAN SAMOA GOVERNMENT; APPROPRIATING REVENUE AND IDENTIFYING THE SOURCE OF FUNDING; AND PROVIDING FOR AN EARLY EFFECTIVE DATE; AMENDING SECTIONS 7.1444, 11.1002, AND 27.1014 A.S.C.A.; CREATING A SECTION 7.1444.5 A.S.C.A.; AND REPEALING SECTION 7.1444.3 A.S.C.A.

Preamble:

Due to the urgent need to provide authority for the American Samoa Government to enter into a loan agreement with the American Samoa Government Employees' Retirement Fund to finance the acquisition, equipping and renovation of and other improvements to various governmental office buildings and other capital projects of the American Samoa Government, 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. 7.1444 is amended to read:

"7.1444 Investment of reserves exceeding current requirements.

(a) The reserves of the Fund in excess of requirements for current operations shall be invested and reinvested by or under authority of the Board of Trustees. At its discretion, the Board may designate one or more of its members

to supervise this function; in either case, references to the Board in this section are considered to refer to the individual or committee exercising the function.

(b) The Board of Trustees has full power and authority to direct the investment and reinvestment of the fund without distinction between principal and income, in property (defined in (c) below) it considers advisable. The Board may invest and reinvest the fund in property in which a prudent man familiar with those matters and using care, skill, prudence, and diligence enterprise would invest in the conduct of like character and with like aims, insuring that the investments of the fund are diversified so as to minimize the risk of large losses unless to do so would clearly not be prudent. The power to manage investments includes, but is not limited to, the power to hold, purchase, sell, convey, assign, transfer, dispose of, lease, subdivide, or partition any assets held or proceeds thereof, to execute or cause to be executed relevant documents; to enter into protective agreements, execute proxies, grant consent; and to do all other things necessary or appropriate to its position as an owner or creditor.

(c) The word "property" means and includes real, personal, and mixed property of any and every kind and nature, including but not limited to, bonds, preferred or common stocks, mortgages, interests in any kind of investment trust or common trust fund, notes, leases, oil or gas royalties, or other evidences of rights, interests or obligations, secured or unsecured, and whether or not they are of a wasting asset nature.

(d) All proceeds and income from investments, of whatever nature, must be credited to the account of the Fund. Transactions in marketable securities are carried out at prevailing market prices.

(e) Investments may be held in bearer form, or may be registered either in the name of the fund or the nominee of the custodian.

(f) Due bills may be accepted from brokers against payment for securities purchased, pending delivery within a reasonable period of time of certificates representing the investments.

(g) Investments may not be made if, after the investment, the fund would own:

(1) any combination of obligations of any one political subdivision, corporation or other single issuing entity in excess of 5 percent of Fund assets at cost. This paragraph does not apply to general obligations of the United States or the Dominion of Canada or of the government; or

(2) obligations of the Dominion of Canada, together with its political subdivisions and corporations organized under its law or the law of its provinces in excess of 10 percent of fund assets at cost; or

(3) obligations or other investments issued or guaranteed by the government in excess of ~~10~~ 17.5 percent of Fund assets; provided, however, that this limitation does not apply to the obligations or other investments that are unconditionally guaranteed as to principal and interest by, or supported by lease

assignment from another entity whose principal business is outside of American Samoa.

(h) The Board may engage one or more financial institutions as custodians to assume responsibility for the physical possession of Fund assets or evidences of assets. The custodian submits reports, accountings, and other information in a form and at such times as requested by the Board. All costs incurred for custodial services are paid by the Fund. The custodian holds all assets for the account of the Fund and acts only upon instructions of the board. Custodians may not be engaged unless they:

- (1) have been continuously engaged in rendering pension trust investment services for a period of 10 or more years; and
- (2) are organized under the laws of the United States, a state, or a Territory; and

(3) are custodians for not less than 20 corporate, municipal or governmental retirement funds with total assets of not less than \$30,000,000.

(i) In order to secure expert advice and counsel, the Board may engage an investment agent who is an investment counselor as qualified by this subsection. The custodian may be engaged as the investment agent. All costs incurred in this connection are paid by the fund. Persons, firms, or corporations may not be eligible for employment as investment agent which acts as principal for its own account or as broker for a client other than the fund in connection with the sale of any security to or the purchase of any security from the Fund. Investment agents may not be engaged unless:

(1) the principal business of the person, firm, or corporation selected by the Board consists of rendering investment supervisory services; i.e., the giving of continuing advice concerning investment of funds on the basis of the individual needs of each client;

(2) the principal control of the person, firm, or corporation rests with individuals who are actively engaged in the business;

(3) the person, firm, or corporation and its predecessors have been continuously engaged in the business for a period of 10 or more years;

(4) the person, firm, or corporation is registered as an investment advisor under United States law;

(5) the contract between the Board and the investment agent is of no specific duration and is voidable at any time by either party; and

(6) the person, firm, or corporation certifies, in writing, to the Board, that the assets under its direct investment supervision are in excess of \$30,000.000. The Board establishes and may from time to time change operating arrangements with the investment agent in order to facilitate efficient management and timely -investment action. Investment may not be made unless in the opinion of the investment agent it is an appropriate investment for the Fund and is an authorized investment, or in the absence of that opinion, unless preceded by a resolution of the Board directing the investment."

Sec 2. 11.1002 is amended to read:

"11.1002 Amount of tax on certain items.

(a) The tax on each item is:

(1) beer, malt extract, alcoholic beverage, tobacco products and smoking accessories:

(A) one hundred ninety percent of the basis of beer as defined in 27.0501(6), and malt extract, except that any person 21 years of age or over may bring into American Samoa tax free an amount of any alcoholic beverage as defined in 27.0501(1) or 27.0501(6) not to exceed 1 liter per trip if such alcoholic beverage is for his personal use and consumption and not for resale; and except further that any alcoholic beverage and tobacco products brought into American Samoa for export at the duty free shop at Pago Pago International Airport is also tax free; one hundred fifty percent (150%) of the basis of beer or malt extract shall be deposited in the general fund and shall be available for appropriation by the Legislature; and forty percent (40%) of the basis of beer or malt extract shall be deposited in the general fund in an account earmarked for and dedicated to the repayment of the government loan approved in 7.1444.3. ~~Upon full repayment of said loan, the assessment and collection of this forty percent (40%) tax shall be repealed 7.1444.5. Upon full repayment of said loan, collection of this tax shall be deposited into the general fund and shall be available for appropriation by the Legislature;~~

(B) alcoholic beverages as defined in 27.0501(1) shall be taxed as follows: fifteen (0.15) cents per one percent (1%) of alcohol by weight per liter, with a minimum tax of two dollars (\$2.00) per liter.

Of the revenues collected from the tax on alcoholic beverages, fifty percent (50%) shall be appropriated to fund the Feleti Barstow Public Library; twenty-five percent (25%) shall be appropriated to fund the Office of Administrative Law Judge; twelve and one-half percent (12.5%) shall be deposited in the general fund and shall be available for appropriation by the Legislature; and twelve and one-half percent (12.5%) shall be deposited in the general fund in an account earmarked for and dedicated to the repayment of the government loan approved in 7.1444.3. ~~Upon full repayment of said loan, the twelve and one-half percent (12.5%) dedicated to repayment of the loan 7.1444.5. Upon full repayment of said loan, collection of this tax shall be deposited in the general fund and shall be available for appropriation by the Legislature.~~

(C) Twelve point five cents per cigarette, per cigar, or per 10 grams of smoking tobacco, except that any person 21 years of age or over may bring into American Samoa tax free tobacco products not to exceed either 200 cigarettes or 100 cigars and or 2 kilograms of smoking tobacco per trip if such tobacco products are for his personal use and consumption and not for resale; and twenty percent (20%) shall be deposited in an account earmarked for and dedicated to the repayment of the government loan approved in 7.1444.3. ~~Upon~~

~~full repayment of said loan, the assessment and collection of this twenty percent (20%) tax shall be reverted into the general fund subject upon appropriation by the Legislature 7.1444.5. Upon full repayment of said loan, collection of this tax shall be deposited in the general fund and shall be available for appropriation by the Legislature.~~

(2) one hundred fifty percent of the basis of firearms and firearm ammunition;

(3) motor vehicles:

(A) twenty-five percent of the basis of motor bicycles, automobiles, trucks, and vans, to be used for commercial purposes;

(B) notwithstanding the provisions of paragraph (A), the tax levied on motor bicycles automobiles, trucks, and vans, imported into American Samoa for personal or family use shall be 10 percent of the basis thereof. If a motor bicycle, automobile, truck or van, are converted to commercial use after being imported for personal or family use, it shall then be subject to the balance of the applicable tax imposed under paragraph (A).

(C) No tax exemption, including that provided by Title 11, Chapter 16, shall be granted for any motor vehicle. All other motor vehicles not taxed under this subsection shall be subjected to the tax under 11.1002(a)(7);

(4) petroleum products:

(A) thirty-five cents a gallon on fuel manufactured for use in motor vehicles, other than diesel fuels, 1.5 cents of this to be used for revenue for law enforcement costs and the driver's training control school and 10 cents of it to be placed in an earmarked revenue fund for road maintenance;

(B) three and one-half cents a gallon on fuel manufactured for use in diesel engines, other than aircraft fuels. An express exception is made for the purpose of extending a full three and one-half cent excise tax credit for fuels which, subject to verification by the Treasurer of American Samoa, were sold to any commercial fishing vessel for the purpose of refueling. For purposes of this section, "Commercial Fishing Vessels" shall be defined as all purse seiners and longliner vessels actively engaged in commercial fishing in excess of five tons dead weight, plus reefers of "Mother Ships" that are used to transship fish products, plus diesel fuel tankers that provide fuel at sea to the commercial fishing vessels;

(C) one and one-half cents a gallon on kerosene and similar petroleum products;

(D) fifteen percent of the basis of lubricating oils;

(E) one cent a gallon on jet and other aircraft fuels, to be placed in the enterprise fund for the operation of Pago Pago International Airport;

(F) three cents a pound of liquified petroleum gas such as butane and propane or mixtures; thereof, and ethane;

(G) thirty-one and one-half cents per gallon, to be collected by the petroleum supplier at the point of sale, on fuel manufactured for use in diesel

engines, excluding diesel fuel used by stationary boilers or burners, stationary generators of electric power and marine vessels.

(5) forty percent of the basis of all construction materials, as defined in 26.1501 et seq., which are of a lesser quality than the standard grades established under such chapter;

(6) fifteen cents per 12 fluid ounces or fraction thereof on all soft drinks or nonalcoholic carbonated beverages, to be applied to the measure of the container in which it is offered for sale by the importer.

(7) five percent of the basis of all items not listed in subsections (a) (1) through (a)(6) of this section or exempted by this section which are imported for commercial use or resale purposes. The revenues received from the three percent excise tax shall be deposited in the general fund and shall be available for appropriation by the Legislature, except that \$500,000 is appropriated for the student financial aid provided for in 11.0605.

(b) The minimum tax shall be 25 cents.

(c) Items otherwise taxable under subsection (a)(1) and (a)(7) of this section are exempted from the taxes imposed by this section when they are brought into American Samoa for export sale for consumption outside American Samoa; provided that importation and sale of these items are made pursuant to rules promulgated by the Treasurer under the Administrative Procedures Act 4.1001 et seq., that require, among other things, separate storage of these items clearly identified for export sale and a system of delivery to the purchaser ensuring their exportation.

(d) Payment of the taxes imposed by this section on items brought into American Samoa for consumption within American Samoa may be postponed pursuant to rules promulgated by the Treasurer under the Administrative Procedures Act, 4.1001 et. seq., that require, among other things, separate storage of those items clearly identified for domestic sale and consumption and a system of delivery to the importer ensuring payment of the taxes at the time of delivery.

(e) The Treasurer shall promulgate rules under the Administrative Procedures Act, 4.1001 et seq., to ensure that the taxes imposed when the exception set forth in subsection (a)(7) of this section is inapplicable are paid.

(f) One percent (1%) of the five percent excise tax shall be earmarked for the repairs, renovations and upgrading of all public schools facilities and equipment in American Samoa beginning in the fiscal year 1995."

Sec 3. 27.1014 is amended to read:

"27.1014 Customs officers service fees.

(a) Charges shall be collected for services of customs officers from the owner, master or agency of a vessel as follows:

(1) attendance of customs officers at any place other than port of entry, per day, \$15.00;

(2) attendance of customs officers outside of regular business hours, per hour, \$7.50;

(3) granting clearance to commercial vessels per entry and per departure, \$3.00;

(4) granting clearance to noncommercial vessels, per entry and per departure, \$25.00.

(5) processing Customs Declaration of Entry forms, \$5.00 per declaration per vessel. This charge shall not apply to passengers. The revenues from this charge shall be deposited in an account earmarked for and dedicated to the repayment of the government loan approved in 7.1444.3. Upon full repayment of said loan, this charge shall be repealed 7.1444.5. Upon full repayment of said loan, collection of this tax shall be deposited in the general fund and shall be available for appropriation by the Legislature.

(b) The schedule of charges in paragraph (a) (1) and (a)(2) contemplates that those charges are calculated per man/per hour, or per man/per day, provided that where attendance of customs officers as paragraph (a)(1) is off Tutuila Island, the cost of travel, per diem, or other costs, including overtime, will be charged and collected from whomsoever requires such off-island attendance of customs officers.”

Sec 4. There is created a section 7.1444.5 which reads:

“7.1444.5 Loan to American Samoa Government—Renovations of Capital Improvements and Projects.

(a) In accordance with the provisions of section 7.1444(g)(3), which limits any investment in obligations or other instruments issued or guaranteed by the government to no more than seventeen and one-half percent of Fund assets at cost, the Governor, on behalf of the American Samoa Government (ASG), and the Board of Directors of the American Samoa Government Employees' Retirement Fund (ASGERF) are authorized to enter into a loan agreement whereby the AGERF will lend and ASG will borrow an amount not to exceed \$20,000,000.

(b) The Governor is authorized to utilize the \$20,000,000 loan amount in financing the costs of acquiring, improving, equipping or renovating all or a portion of the following capital projects: harbor dredging projects in Tutuila and Manu'a, port office/fire department buildings, port tug boat, KVZK antennae, customs bond warehouse, executive office building-annex (Territorial Energy Office, Election Office and the Office of Protection and Advocacy for the Disable), executive office building-tax office extension, executive office building-roof, library extension, immigration office building, procurement warehouse, airport hangar, Airport terminal and jet-way, seawalls, animal pound and veterinary clinic, Fono building and funding the Pacific Arts Festival. The Governor shall determine the application of available loan proceeds as between the various improvements set forth in this section (the “Improvements”) so as to

accomplish, as nearly as may be, all of such Improvements. If the Governor shall determine that it has become impractical to accomplish any of such Improvements or portions thereof for any reason, including changed conditions, lack of funding or costs substantially in excess of those estimated, the Governor shall not be required to finance all of such Improvements. Any remaining proceeds of the loan amount may be used to finance additional capital projects as approved by the Legislature.

(c) Such loan shall be general obligation of American Samoa Government and the Governor 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 loan. The Governor, and/or his designee(s), are authorized to negotiate the terms of the loan, including an interest rate, repayment terms and such other terms and conditions as may be required, except that the interest rate shall be fixed at seven and one-half percent (7.5%). The Governor and the ASGERF Board are further authorized to execute all instruments and documents necessary to conclude the transaction, including promissory notes which evidence the indebtedness of ASG. The Governor is authorized to pledge the Full Faith and Credit of ASG as well as to provide collateral as required by the ASGERF Board to secure the loan.

(d) Interest and principal payments on the loan authorized in this section shall be amortized over a ten-year term and payments to be made monthly.

(e) There is appropriated such sums from the Government's general funds necessary for repayment of the loan authorized in this section, in order to finance the costs of acquiring, improving, equipping or renovating all or a portion of the following capital projects: harbor dredging projects in Tutuila and Manu'a, port office/fire department buildings, port tug boat, KVZK antennae, customs bond warehouse, executive office building-annex (Territorial Energy Office, Election Office and the Office of Protection and Advocacy for the Disabled), executive office building-tax office extension, executive office building-roof, library extension, immigration office building, procurement warehouse, airport hangar, Airport terminal and jet-way, seawalls, animal pound and veterinary clinic, Fono building and for funding the Pacific Arts Festival.

(f) Funds shall be made available from the following sources as identified below, for repayment of the loan authorized in this section to finance the costs of acquiring, improving, equipping or renovating all or a portion of the following capital projects: harbor dredging projects in Tutuila and Manu'a, port office/fire department buildings, port tug boat, KVZK antennae, customs bond warehouse, executive office building-annex (Territorial Energy Office, Election Office and the Office of Protection and Advocacy for the Disabled), executive office building-tax office extension, executive office building-roof, library extension, immigration office building, procurement warehouse, airport hangar, Airport terminal and jet-way, seawalls, animal pound and veterinary clinic, Fono building and for funding the Pacific Arts Festival:

- (1) Forty percent (40%) of the excise taxes collected on beer and malt extract as imposed pursuant to A.S.C.A., section 11.1002(a)(1)(A).
- (2) Twelve and one-half percent (12.5%) of the excise taxes collected on alcoholic beverages as imposed pursuant to A.S.C.A., Section 11.1002(a)(1)(B).
- (3) Twenty percent (20%) of the excise taxes collected on tobacco products as imposed pursuant to A.S.C.A., section 11.1002(a)(1)(C).
- (4) All of the revenues collected from the Customs Entry Declaration Forms Processing Fee as imposed pursuant to A.S.C.A., section 27.1014(a)(5)."

Sec 5. Appropriation of revenue.

There is appropriated such sums from the Government's general funds necessary for repayment of the loan authorized in this section, in order to finance the costs of acquiring, improving, equipping or renovating all or a portion of the following capital projects: harbor dredging projects in Tutuila and Manu'a, port office/fire department buildings, port tug boat, KVZK antennae, customs bond warehouse, executive office building-annex (Territorial Energy Office, Election Office and the Office of Protection and Advocacy for the Disabled), executive office building-tax office extension, executive office building-roof, library extension, immigration office building, procurement warehouse, airport hangar, Airport terminal and jet-way, seawalls, animal pound and veterinary clinic, Fono building and for funding the Pacific Arts Festival.

Sec 6. Source of funding.

Funds shall be made available from the following sources as identified below, for repayment of the loan authorized in this section to finance the costs of acquiring, improving, equipping or renovating all or a portion of the following capital projects: harbor dredging projects in Tutuila and Manu'a, port office/fire department buildings, port tug boat, KVZK antennae, customs bond warehouse, executive office building-annex (Territorial Energy Office, Election Office and the Office of Protection and Advocacy for the Disabled), executive office building-tax office extension, executive office building-roof, library extension, immigration office building, procurement warehouse, airport hangar, Airport terminal and jet-way, seawalls, animal pound and veterinary clinic, Fono building and for funding the Pacific Arts Festival:

- (1) Forty percent (40%) of the excise taxes collected on beer and malt extract as imposed pursuant to A.S.C.A., section 11.1002(a)(1)(A).
- (2) Twelve and one-half percent (12.5%) of the excise taxes collected on alcoholic beverages as imposed pursuant to A.S.C.A., Section 11.1002(a)(1)(B).
- (3) Twenty percent (20%) of the excise taxes collected on tobacco products as imposed pursuant to A.S.C.A., section 11.1002(a)(1)(C).
- (4) All of the revenues collected from the Customs Entry Declaration Forms Processing Fee as imposed pursuant to A.S.C.A., section 27.1014(a)(5).

Sec 7. Sunset provision.

“7.1444.5 is hereby repealed on the date that the loan approved is fully paid and 7.1444(g)(3) shall be reenacted in the form in which it existed on the day before the effective date of this Act. Specifically, the limit on Fund assets that may be obligated and invested by ASGERF shall be restored to 10 percent.”

Sec 8. Repealer.

“7.1444.3 is hereby repealed.”

Sec 9. Effective Date.

Due to the urgent need to provide authority for the American Samoa Government to enter into a loan agreement with the American Samoa Government Employees' Retirement Fund to finance the acquisition, equipping and renovation of and other improvements to various governmental office buildings and other capital projects of the American Samoa Government, this act shall become effective immediately upon passage by the Legislature and approval by the Governor.

Lolo M. Moliga
LOLO M. MOLIGA
President of the Senate

Savali Talavou Ale
SAVALI TALAVOU ALE
Speaker, House of Representatives

Hereby Approved this 23rd day of April 2007
[Signature]
Governor Of American Samoa

NOFOA'IGA TOLUSEFULU FONOFAITULAFONO A AMERIKA SAMOA

FONO TELE MUAMUA

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
 Aso Gafua, aso valu o Ianuari
 lua afe ma le fitu

O SE TULAFONO E FAATAGA AI LE MALO O AMERIKA SAMOA E FAIA SE MALILIEGA MA LE TUPE O LE LITAEA A TAGATA FAIGALUEGA A LE MALO MO SE NOGATUPE; FAASOA AI TUPE MO LE TOE TOTOGIINA O LEA NOGATUPE MA FAAILOA LE MEA E SAU AI IA TUPE; FAATAGA AI LE FAAAOGA O TUPE MAI LE NOGATUPE E FAATUPE AI LE FAATINOINA MA LE FAALELEIA ATILI O GALUEGA TETELE MA POROKALAMA; TOE FETUUNAI AI LE MAUALUGA E MAFAI ONA OO I AI TUPE INIVESI A LE LITAEA MA TUPE NA TE FAAUNE ATU I LE MALO O AMERIKA SAMOA; FAASOASOA AI TUPE MAUA MA FAAILOA LE MEA E SAU AI LE TUPE; MA AIAIA AI SE ASO VAVE E TAUALOA AI; SUIA AI MAGA 7.1444, 11.1002, MA LE 27.1014 TTAS; FAAVAE AI SE MAGA 7.1444.5 TTAS; MA SOLOIA AI LE MAGA 7.1444.3 TTAS.

Faatomuaga:

Talu ai le manaoga vave ina ia maua se faatagaga e faia ai e le Malo o Amerika Samoa se maliliega ma le Tupe o le Litaea mo se nogatupe e faatupe ai le faagaoioia ma faaleleia o ofisa o le malo ma isi galuega tetele o lea o le a taualoa ai lenei tulafono i le taimi lava e pasia ai e le Fonofaitulafono ma faamaonia e le Kovana.

IA FAATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

Maga 1. 7.1444 ua suia nei e fai tauina faapea:

“7.1444 Teuina (inivesi) o tupe faaleoleo e sili atu i manaoga ia o loo fai nei.

(a) O tupe faaleoleo a le Tupe (Litaea) e sili atu i lo mana'oga o loo i ai mo ana galuega i le taimi nei, e inivesi ma toe inivesi foi i le pule a le Komiti Tausimavaega. I lana fitalia, e mafai ai e le Komiti ona tofia o se toatasi o sui pe sili atu foi e vaavaaia le matafaioi lenei; poo le fea lava la o mea nei e lua, o taimi uma e ta'ua ai le Komiti i le maga lenei e faatatau lava lea i le tagata poo le komiti foi o loo vaaia pe faatinoina le matafaioi lea.

(e) O le Komiti Tausimavaega (Komiti Faafoe) e i ai le malosi atoa lava ma le pule e faatonu ai le inivesi ma le toe inivesi atili o le tupe e aunoa ma se faailogaina poo se tupe amata poo se tupe maua, i meatotino (e pei ona o le a ta'ua i le (i) i lalo) e manatu ia e talafeagai ai. E mafai e le Komiti ona inivesi ma

toe inivesi le tupe i meatotino e manatu se tagata e masani i mea faapea, ma lona faaeteete, lona tomai faapitoa, le pulea lelei, ma le filifili tonu e inivesi ai ni tupe ina ia mautinoa ai o loo faasalafa solo le teuina o tupe ina ia tuuititia ai le tulaga o le faaono mamulu atu ma soona tele le tupe e maumau, sei vagana ai la e manino mai o sea faiga e le lelei mo le tupe. O le malosi e pulea ai inivesi e aofia ai ae le gata ai iina, le malosi e taofi ai, faatau mai, faatau atu, fesuia'i, lafoai, lisi, pe vaevae ni aseta o loo taofia poo ni tupe foi e maua mai ai, ina ia faatinoina ai ni faamaumauga poo ni pepa e talafeagai ai; e faia ai ni maliliega e puipuia ai, le malosi e fai ai ma sui o le isi tagata, tuu mai ai se faatagaga; ma fai ai isi mea uma lava e tatau ai I lona tulaga o ia e ana le mea lea poo ia foi lea o loo nofoaitalafu ai se tasi.

(i) O le upu o le “meatotino” e aofia ai ni mea tau fanua, o mea tau le tagata lava ia, ma meatotino fefilo i soo se ituaiga lava, e aofia ai ae le pau ai lea, pone o soo se ituaiga, mokesi, se aia i soo se ituaiga o inivesi e faaagaaga mo nisi, ni folafolaga tusitusia mo le totogiina o ni tupe, lisi, o ni tupe maua mai i ni siea o suauu poo le kesi poo nisi lava faamaoniga o ni aia mo ni meatotino faapena.

(o) O tupe uma lava e maua mai inivesi, o soo se ituaiga, e tatau ona tuuina i totonu o le Tupe o le Litaea. O fefaataua'iga ma gaoioiga e faia I ni mea e folafolaina e totogi ai ni aitalafu, e tatau lava ona faia lea i tau o loo malosi i le maketi i lena taimi.

(u) O tupe inivesi e mafai ona faia i se igoa pe lesitala foi a le o le igoa o le tupe poo se tasi e filifilia mo le tausia o le tupe.

(f) O pili mo tupe totogi atu e mafai ona taliaina mai sui na latou feutaga'ia aitalafu mo le totogi o mea na faatau mo le toe totogiina atu o aitalafu, e faatalitali ai le aumaia o tupe e faamaonia ai inivesi i se taimi talafeagai.

(g) E le mafai ona faia ni inivesi pe afai e uma ane ona faia ae maua e le tupe mea nei:

(1) soo se tuufaatasiga o mea e totogi a soo se soavaega faapolokiki, sosaiete, poo seisi vaega toatasi e silia i le 5 pasene o aseta a le Tupe o le Litaea, i le tau na aumai ai.

(2) aitalafu a Kanata, faatasi ai ma ona soavaega faapolokiki ma sosaiete na faia i lalo o ana tulafono poo tulafono a ona itumalo e sili atu i le 10% o aseta a le tupe na aumai ai; poo

(3) aitalafu poo isi inivesi na faia pe na folafola foi e faamauina e le malo e silia i le 10 17.5 pasene o aseta a le Tupe i tau na aumai ai; pe afai lea, o lenei tuutapulaa e le aafia ai folafolaga/aitalafu poo isi inivesi e faamauina le tupe amata ma le tupe tului, e aunoa ma se noataga pe lagolagoina foi i se lisi ua fesuiai mai, seisi vaega e faia lana pisinisi autu i fafo atu o Amerika Samoa.

(l) E mafai e le Komiti ona faaaoga se faletupe e tasi pe sili atu foi e fai ma vaega latou te vaaia le tupe e pei o le tausia o aseta poo faamaoniga o aseta. O le vaega la lea e fai mai a latou lipoti, ma isi faamaumauga uma i se faiga ma taimi e pei ona talosagainaina e le Komiti. O totogi uma o auaunaga tau le vaaia o tupe e totogi lava e le Tupe o le Litaea. O le tausitupe e taofia aseta uma mo le

Tupe ma galue faatatau i faatonuga mai le komiti. E le faaaogaina lava vaega tausi tupe ia sei vagana ai:

(1) ua leva ona galue pea i galuega tau inivesi o tupe mo nisi mo se vaitaimi e 10 tausaga ma sili atu; ma

(2) na tuufaatasia e tusa ai ma tulafono a le Iunaite Setete, se setete poo se Teritori; ma

(3) e fai ma tausi tupe mo ni tupe o litaea e le itiiti ifo i le 20 a ni kamupani, ni aai tetele ma ni malo e le ititi ifo i le \$30,000,000 a latou aseta.

(m) Ina ia maua fautuaga lelei ma mausali, e mafai e le Komiti ona faaaoga se tagata tomai i mea tau inivesi e pei ona ta'ua ona agavaa i lenei soamaga. E mafai foi ona fai ma sui inivesi le vaega lea e tausia tupe. O pili uma lava e mafua mai i galuega nei e totogiina e le tupe o le litaea. E mafai ona le agavaa ni tagata, kamupani poo ni sosaiete e galulue e fai ma sui inivesi pe afai o ia o se sui mo ia lava poo se sui foi mo se isi tagata e ese mai ai i le tupe, e fesootai ma le faatauina atu o ni mea na folafola mo le totogiina o se aitalafu poo le faatauina mai foi o se mea faapea mai le Tupe o le Litaea. E le mafai ona faaaoga o ni sui e faia inivesi sei vagana:

(1) o le pisinisi autu a le tagata, kamupani, poo se sosaiete foi na filifilia e le Komiti e i ai le faatinoina o auauanaga e vaavaaia ai inivesi; o lona uiga, o le tuuina mai o fautuaga faifaipea faatatau i le inivesi o tupe e faatatau i mana'oga o tagata taitoatasi o ana tagata;

(2) o le vaaiga autu lava a le tagata, le kamupani, poo le sosaiete e mo tagata o loo ola pea lo latou auai i le pisinisi;

(3) o le tagata, kamupani, poo le sosaiete ma isi na muamua atu ia i latou o loo faaauau pea lava ona galulue i lea pisinisi mo se vaitaimi e 10 tausaga pe sili atu;

(4) o le tagata, kamupani, poo le sosaiete o loo lesitala o se fautua mo inivesi i lalo o tulafono a le Iunaite Setete;

(5) o le konekarate i le va o le Komiti ma sui inivesi e le o faapito mai se umi e fai ai ma e mafai ona faaleaogaina i soo se taimi lava e se tasi o i la'ua; ma

(6) o le tagata, le kamupani, poo le sosaiete o loo faamaonia, i se tusitusiga i le Komiti, o aseta o loo i lalo o lana vaaiga tau inivesi tuusa'o e silia i le \$30,000,000. E faavaeina e le Komiti ma e mafai foi ona ia suia mai lea taimi i lea taimi fetuunaiga o le faia o galuega ma le sui inivesi ina ia faafaigofie ai le pulea lelei ma vave le faia o gaoioiga mo inivesi. E le faia ni inivesi sei vagana ai e manatu le sui inivesi o se inivesi e tatau ona fai mo le Tupe o le Litaea ma o se inivesi foi e faatagaina, ae a leai foi se manatu faapea, sei vagana ai ua fai muamua se iugafono e le Komiti e faatonu ai le faia o lea inivesi."

Maga 2. Ua suia nei le 11.1002 e faitauina faapea:

“11.1002 Aofai o lafoga o nisi o oloa.

(a) O le lafoga mo oloa taitasi e faapenei:

(1) pia, molo, taumafa e i ai le 'avamalosi (alakaholo), tapaa ma mea e faaaoga mo le taumafaina o le tapaa:

(A) O le 190% o le faavae o le pia e pei ona faamatalaina i le 27.0501(6), ma le molo, vagana ai se tagata ua 21 tausaga le matua pe sili atu foi e mafai ona ia aumaia e aunoa ma se lafoga soo se taumfa 'ava malosi e tusa ai ma le mea o loo ta'u mai i le 27.0501(1) poo le 27.0501(6) ia le silia le lita i le malaga pe afai o sea 'avamalosi e faaaoga mo ia lava ae le mo se toe faatauina atu; ma sei vagana foi o se taumafa 'avamalosi poo ni oloa tau tapaa e aumai i Amerika Samoa mo le toe avatua i fafo e le faleoloa leai se tiute i le Malaevaalele Faale-va-malo o Pago Pago e leai se lafoga o ia mea; 150% le faavae o le pia poo le molo o le a teuina i le teugatupe tele ma faaavanoa mo le faasoasoa a le Fonofaitulafono; ma le 40% o le faavae o le pia ma le molo e teu i le teugatupe tele ma ia faailoga ese lava mo le toe totogiina o le nogatupe a le malo lea na pasia i le 7.1444.3. A ~~mae'a-loa-ona-totogi-atoa-le-nogatupe-lea-ona-soloia-loa-lea-o-le-aoina-o-le-40%-lea~~ 7.1444.5. A ~~mae'a-loa-ona-toe-totogi-atoa-le-nogatupe-lea, ona avane loa lea o le~~ lafoga lenei e aoina e teu i se teugatupe faapitoa mo le faasoasoaina e le Fonofaitulafono;

(E) o taumafa 'avamalosi e pei ona ta'ua mai i le 27.0501(1) o le a faalafogaina faapenei: e sefululima sene (0.15) mo pasene taitasi o le mamafa o le alakaholo oi le lita e tasi, e i ai ma le lafoga aupito maulalo e \$2.00 i le lita.

O tupe maua mai le lafoga o 'avamalosi, e faasoa le 50% mo le Faletusi o le Feleti Barstow; 25% e faasoa mo le Ofisa o le Faamasino o Tulafono tau Galuega (ALJ); 12.5% e tuu i le teugatupe tele e faaavanoa mo le faasoa a le Fonofaitulafono; ma le 12.5% e faailoga ese i le teugatupe tele mo le toe totogiina o le nogatupe a le malo o loo i le 7.1444.3. A ~~mae'a-ona-totogi-uma-o-le-nogatupe-lea-ona-avane-lea-o-le-12.5%-lea-e-teu-i-se-teugatupe-faailoga-ese-mo-le-toe-totogiina-e-pne-o-loo-pasia-i-le~~ 7.1444.5. A ~~mae'a-ona-toe-totogi-uma-o-le-nogatupe-lea, ona~~ lafoga o le a teuina lea i le teugatupe tele e faaavanoa mai ai mo le faasoasoaina e le Fonofaitulafono.

(I) E 12.5 sene (le lafoga) mo le sikaleti e tasi, le sika, poo le tai 10 kalama o le tapaa, sei vagana ai soo se tagata e 21 tausaga le matua pe sili atu, e mafai ona ia aumaia e aunoa ma se lafoga ni oloa tau tapaa e le silia i le 200 sikaleti poo le 100 sika ma se/poo le 2 kilokalama o tapaai le Malaga pe afai o ia tapaa e faaaoga e ia lava ae le mo se toe faatau atu; e 20% e teuina i se teugatupe faailoga ese mo le toe totogiina o le nogatupe o loo i le 7.1444.3. A ~~mae'a-ona-totogi-uma-lea-nogatupe-ona-toe-foi-lea-o-le-20%-lea-i-le-teugatupe-tele-mo-le-toe-faasoasoaina-e-le-Fonofaitulafono~~ 7.1444.5. A ~~mae'a-ona-toe-totogi-uma-le-nogatupe-lea, ona teuina loa lea o le lafoga lea e ao i le teugatupe a le malo e~~ faaavanoa mai ai mo le faasoaina e le Fonofaitulafono.

- (2) o le 150% o le faavae o auupega ma ututau;
- (3) taavale afi.

(A) 25% o le faavae o uilaafi, taavale, lolii, ma veni e faaaoga mo pisinisi;

(E) E le afaina ai aiaiga o le palakalafa (A), o le lafoga mo uilaafi, taavale, loli, ma veni e aumai i Amerika Samoa mo le tagata lava ia poo le faaaoga foi e le aiga, e 10%. Ae afai o sea uilaafi, taavale, loli poo se veni e toe sui mulimuli ane ma faaaoga mo se pisinisi e tatau la ona toe totogiina le paleni o le lafoga e pei ona ta'ua i le palakalafa (A).

(I) E leai se faagafuaga, e aofia ai ma lea o loo ta'u mai i le Ulutala 11, Mataupu 16, e tuuina atu mo soo se taavale afi. O isi taavale uma e le o faalafogaina i lalo o le soamaga lenei e tatau ona faalafoga i lalo o le 11.1002(a)(7);

(4) oloa tau suauu:

(A) 35 sene i le kalone o le suauu e gaosia mo le faaaoga i taavale, e ese mai ai i le tiso, o le 1.5 sene o lea tupe e faaaoga e totogi ai le faamalosia o le tulafono ma le a'oga avetaavale ae o le 10 sene e ave i se teugatupe e faailoga mo le tausia lelei ai o le auala.

(E) 3 ma le 'afasene i le kalone o suauu e gaosia mo le faaaoga i afi tiso, e ese mai ai suauu vaalele. E i ai se faagafuaga faapitoa lava mo le faaopoopoina o le taimi o le toe faafo'ia o le lafoga atoa lava e 3 ma le 'afasene mo suauu sa faatau atu i soo se vaafagota faapisinisi e utuina ai, pe afai e faamaonia mai lea e le Teutupe o Amerika Samoa. Mo lenei lava maga, "o Vaafagota Faapisinisi" o lona uiga o vaafagota e faaaoga ai upega tetele ma vaa e faaaoga 'afa'afaloloa e fagogota faapisinisi e silia i le ta'ilima tone le mamafa, faatasi ai ma vaa e la'u i ai uta i'a a "Vaa-Faatinā" ma vaa la'usuauu latou te avatua le suauu e utu ai vaa ia i luga o le sami;

(I) tasi ma le 'afasene i le kalone ole kalasini ma isi oloa faapena;

(O) 15% o le faavae o suauu e faasuauu ai u'amea;

(U) tasi le sene i le kalone o suauu vaalele e tuu i le tupe a le Malaevaalele Faale-va-o-malo mo ana galuega;

(F) 3 sene i le pauna o soo se ituaiga o kesi suauu faasuavaia (LPG);

(G) 31 ma le 'afasene i le kalone, e aoina mai e le kamupani o loo aumaia le suauu i le nofoaga na te faatau atu i ai le suauu, mo le suauu gaosi mo afi tiso, e le aofia ai le tiso o loo faaaoga i ogau mu tetele ma mea e faapupuna ai le vai, o afi tetele gaosi eletise ma vaa o le sami.

(5) 40% o le faavae o meafaufale uma, e pei ona ta'ua i le 26.1501 ma isi maga e mulimuli mai ai, lea e maulalo ifo lona tulaga nai lo le mea o loo ta'u mai i lea lava mataupu;

(6) 15 sene i le 12 aunese faasuavaia poo sona vaega foi, i fagu/apaina uma e leai se alakaholo o i ai, ina ia faaopoopo atu i le fua o le 'apa poo le fagu lea e faatau mai ai;

(7) O le 5% o le faavae o oloa uma lava e le o lisiina i soamaga (a)(1) e oo i le (a)(6)o lenei maga pe faagafua foi i lenei maga a o loo aumaia mo le faaaogaina faapisinisi poo le toe faatauina atu foi. O tupe maua mai le 3% o le lafoga o oloa o le a teuina i le teugatupe tele mo le faasoaina e le Fonofaitulafono,

vagana ai le \$500,000 e faasoaina mo le fesoasoani tau tupe mo tamaiti a'oga e pei ona aiaia ai i le 11.0605.

(e) O le lafoga aupito maulalo e 25 sene.

(i) O oloa o loo faalafogaina i lalo o soamaga (a)(1) ma le (a)(7)o lenei maga e faagafua lea mai lafoga o loo faaee i le maga lenei pe afai e aumai iinei mo le toe faatauina atu i fafo atu o Amerika Samoa; pe afai lea o le aumaia i totonu ma le faatauina atu o nei oloa e faia e tusa ai ma tulafono galue ua faalauaiteleina e le Teutupe i lalo o le Tulafono o le Faagasologa o Galuega 4.1001 ma faasolo mai ai, e manaomia ai le teuina ese o ia oloa ia manino lelei lo latou faailoaina mo le toe faatau atu i atunuu i fafo atoa ai ma se faiga e tiliva atu ai ia oloa ina ia mautinoa ai ua ave i fafo.

(o) O le totogia o lafoga o loo faaee i le maga lenei mo oloa o loo aumaia mo le faaaoga i Amerika Samoa e mafai lava ona tolopoina e tusa ai ma tulafono ua faalauaiteleina e le Teutupe i lalo o le Tulafono o Faagasologa o Galuega 4.1001 ma faasolo mai ai, lea e manaomia ai le teuina ese o ia oloa ia manino lelei ona faailoaina e faapea o oloa ia e faatauina atu mo le faaaoga i totonu lava o le tatou lotoifale atoa ai ma se faiga e tiliva ai i le faioloa ma ia mautinoa ai le totogia o le lafoga i le taimi e tiliva ai.

(u) E faalauaiteleina e le Teutupe tulafono galue i lalo o le Tulafono o Faagasologa o Galuega, 4.1001 ma luma mai, ina ia mautinoa ai ua totogi lafoga na faaee i le taimi na faia ai le faagafuaga lea e aiaia i le soamaga (a)(7) o lenei lava maga.

(f) O le 1% o le 5% o le lafoga o oloa e faailoga mo le lipea, toe faafou ma faaleleia atili falea'oga uma o le malo ma mea e faaaoga ai e amata mai le tausaga faaletupe e 1995.”

Maga 3. 27.1014 ua suia nei e faitauina faapea:

“27.1014 Totogi mo auaunaga a ofisa o le Tiute.

(a) E aoina totogi mo auaunaga a ofisa o le tiute mai le e ana le vaa, le kapetenipoo se sui foi o le vaa e faapenei:

(1) o le oo atu o ofisa a le tiute i soo se nofoaga e ese mai ai i le taulaga e ulufale mai ai vaa, e \$15.00 i le aso;

(2) o le galue o ofisa o le tiute i luga atu o itula masani faapisinisi, e \$7.50 i le itula;

(3) kilaina o vaa la'upasese, e \$3 i le taunu mai ma le toe tuuva ese atu;

(4) kilaina o isi vaa e le la'upasese e \$25.00 i le taunu mai ma le toe tuuva ese atu;

(5) faagasoloina o pepa e Folafola ai ni oloa aumai i totonu mo le Tiute, e \$5.00 mo le folafolaga e tasi i le vaa e tasi. O le totogi lea e le aafia ai pasese. O tupemaua mai galuega ia e tuu i totonu o se teugatupe faaagaaga mo le toe totogiina o le nogatupe a le malo na pasia i le 7.1444.3. A mae'a ona totogi uma le nogatupe lea, o le a soloia loa lea tupe totogi 7.1444.5. A mae'a ona totogi uma

lea nogatupe, ona tuu loa lea o le lafoga lenei i le teugatupe tele e faaavanoa mai mo le faasoasoaina e le Fonofaitulafono.

(e) O le faasologa o totogi o loo i le palakalafa (a)(1) ma le (a)(2) o loo fuafua o ia totogi o loo faavae i luga o le tagata/i le itula, poo le tagata foi/i le aso, pe afai o le nofoaga na oo atu i ai ofisa o le tiute e pei ona i ai le palakalafa (a)(1) e motu ese mai le motu o Tutuila, o le totogi la o le pasese, le totogi mo aso taitasi e e toesea ai, ma isi totogi e aofia ai ovataimi, o le a gafa lea ma le tagata poo ai lava sa ia moomia le auaunaga i fafo atu o Tutuila a ofisa o le tiute.”

Maga 4. Ua faavae nei se maga 7.1444.5 e faitauina faapea:

“7.1444.5 Tupe nono e le Malo o Amerika Samoa—Toe faaleleia o Galuega Tetele.

(a) Ina ia tusa ai ma aiaiga o le maga 7.1444(g)(3), lea e faatapulaa ai soo se inivesi i aitalafu poo isi tupe e tuuina mai pe faamauina e le malo ia le sili atu i le 17.5% o aseta a le Litaea i le tau na faatau mai ai, e faatagaina le Kovana, e fai ai ma sui o le Malo (ASG) ma le Komiti Faafoe o le Tupe o le Litaea (ASGERF) e faia se maliliega o se nogatupe e faa’une mai ai e le ASGERF i le Malo (ASG) se tupe e le silia i le \$20,000,000.

(e) E faataga le Kovana na te faaaoga le tupe lea e \$20,000,000 e faatupe ai le tau o le faia o galuega toe faaleleia poo se vaega foi o galuega ia o le a ta’ua: faalolotoina o uafu i Tutuila ma Manu’a, fale mo ofisa o le taulaga ma le tineimu, vaa tosova, poufaasalalau a le KVZK, faleteuoloa a le tiute, faaopoopoga o le fale mo ofisa o le malo (Ofisa o le Enetia), Ofisa o Palotaga ma le Ofisa o le Puipuiga ma Fautuaga mo tagata e le atoatoa le malosi), faaopoopoga mo le ofisa o lafoga, le taualuga o le fale o ofisa o le malo, ~~ofisa o le lesitala~~, faaopoopoga o le faletusi, ofisa o femalaga’iga, faleteuoloa mo oloa a le malo, faleteuvaalele, falefaatalipasese/faaeevaa a le malaevaalele ma le auala savali mo pasese, o taligalu, fale e tuu ai meaola ma le ofisa o le foma’imanu, Falefono ma le faatupeina o le Faaaliga o aganuu a le Pasefika. O le a i le Kovana le faaaogaina o ni tupe o le nogatupe e fuafua lava i galuega o loo ta’ua i lenei maga (o le “Faaleleia”) ina ia mafai ona faataunuu ai le tele o galuega e mafai ona faia. Afai e manatu le Kovana ua le talafeagai nisi galuega faaleleia poo se vaega foi o ia galuega poo le a lava se mafuaga, e aofia ai ni suiga e faia, le le lava o le tupe poo ua taugata tele foi ua sili mamao atu nai lo le mea sa fuafua ai, ona le moomia lea o le Kovana e faatupe ia Galuega faaleleia. O ni tupe e totoe mai le nogatupe e mafai ona faaaoga e faatupe ai nisi galuega e pasia atu e le Fonofaitulafono.

(i) O lenei nogatupe o se aitalafu aoao a le Malo o Amerika Samoa ma e faataga le Kovana na te folafola atu le faatuatuaga atoa ma le faamoemoeina o le Malo o Amerika Samoa i le vave ona toe totogi atoa o le aofaiga amata ma le tului o lea lava nogatupe. E faatagaina le Kovana, ma/poo sona sui latou te feutaga’ia tuutuuga o le nogatupe, e aofia ai le pasene o le tupu tului, tuutuuga o le toe totogiina ma nisi lava tuutuuga ma aiaiga e faaono manaommia, vagana ai

o le tului e tāmau i le 7.5%. E faatagaina atili foi le Kovana ma le Komiti Tausimavagega a le Litaea (ASGERF) latou te faagaoioia pepa uma lava ma isi mea e talafeagai ai mo le faamae'aina o lenei faiga-feagaiga, e aofia ai folafolaga tusitusia e faamaonia ai le nofoaitalafu o le Malo (ASG). E faataga le Kovana na te folafola le Faatuatuaina Atoatoa ma le Faamoemoeina o le Malo atoa ai foi ma le tuuina atu o se mea e faamauina ai le aitalafu e pei ona manaomia e le Komiti Tausimavaega a le Litaea ina ia faamausali ai le nogatupe.

(o) O totogi o le aofai na amata ai le nogatupe ma le tului o loo faataga atu i lenei maga e tuu'ese lava mai lea taimi i lea taimi i totonu o se vaitaimi e 10 tausaga ma ia totogi ta'imasinga peimeni.

(u) Ua faasoa nei se tupe mai totonu o le teugatupetele a le Malo e talafeagai ma le toe totogiina o le nogatupe ua faatagaina i lenei maga, ina ia faatupe ai le faia o galuega tetele nei: faalolotoina o uafu i Tutuila ma Manu'a, fale mo ofisa o le taulaga ma le tineimu, vaatosovaa, poufaasalalau a le KVZK, faleteuoloa o le tiute, faaopoopoga o le fale mo ofisa o le malo, (Ofisa o le Enetia, Ofisa o Palotaga, ma le Ofisa o le Puipuiga ma Fautuaga mo tagata e le atoatoa le malosi), taualuga o le fale o ofisa o le malo, faaopoopoga o le faletusi, ofisa o femalaga'iga, faleteuoloa mo oloa a le malo, faleteuvaalele, falefaatalipasese/faaeevaa a le malaevaalele ma le auala savali mo pasese, o taligalu, fale e tuu ai meaola ma le ofisa o le foma'imamu, Falefono ma le faatupeina o le Faaaliga-Aganuu a le Pasefika.

(f) O tupe o le a faaavanoa mai i alatupe nei o le a faailoa atu i lalo mo le toe totogiina o le nogatupe ua faataga i lenei maga e faatupe ai le faaleleia poo le toe faafouina o galuega tetele nei: faalolotoina o uafu i Tutuila ma Manu'a, fale o ofisa o le taulaga/tineimu, vaatosovaa, poufaasalalau a le KVZK, faleteuoloa o le tiute, faaopoopoga o le fale o ofisa o le malo (Enetia, Ofisa Palota ma le Ofisa o le Puipuia ma Fautuaga mo tagata e le atoatoa le malosi), faaopoopoga o le ofisa o lafoga, taualuga o le fale o ofisa o le malo, faaopoopoga o le faletusi, ofisa o femalaga'iga, faleteuoloa o oloa a le malo, faleteuvaalele, falefaatalipasese/faaeevaa a le malaevaalele ma le auala savali pasese, o taligalu, nofoaga mo meaola ma le ofisa o e vaaia ai meaola, falefono ma le faatupeina o Faaaliga aganuu a le Pasefika.

(1) 40% o le lafoga oloa o loo aoina mai le pia ma le molo e pei ona faaee ai e tusa ma le maga 11.1002(a)(1)(A), TTAS.

(2) 12.5% o lafoga oloa o loo aoina mai le 'avamalosi poo taumafa alakaholo e pei ona faaee i le Maga 11.1002(a)(1)(E), TTAS.

(3) 20% o lafoga oloa o loo aoina mai oloa tau tapaa e pei ona faaee ai i le Maga 11.1002(a)(1)(I) TTAS,

(4) O tupemaua uma e aoina mai le totogi o Pepa Ulufale a le Tiute e pei ona faaee aii le maga 27.1014(a)(5) TTAS."

Maga 5. Faasoaina o tupemaua.

Ua faasoaina nei ni tupe mai le teugatupetele a le Malo e talafeagai ma le toe totogiina o le nogatupe o loo faatagaina i lenei maga, ina ia faatupe ai le tau o le faatinoina, faaleleia, poo le toe faafou foi o galuega uma lava poo se vaega foi o galuega tetele nei: faalolotoina o uafu i Tutuila ma Manu'a, fale o ofisa o le taulaga/faletineimu, vaatosovaa a le taulaga, pou faasalalau a le KVZK, faleteuoloa a le tiute, faaopoopoga o fale mo ofisa o le malo (EOB - Ofisa o le Enetia, Ofisa o Palotaga ma le Ofisa o le Puipuia ma le Fautua mo i latou e le atoatoa le malosi), faaopoopoga e faatele i ai le ofisa o lafoga, taualuga o le EOB, faaopoopoga mo le faletusi, ofisa o femalaga'iga, faleteuoloa o le Ofisa o oloa a le Malo, faleteuvaalele, falefaatalipasese/faaeevaa a le malaevaalele ma le auala savali mo pasese, taligalu, nofoaga e tuu ai meaola ma le faetalavai mo meaola, Falefono ma le faatupeina o le Faaaliga-Aganuu a le Pasefika.

Maga 6. Le mea e sau ai le tupe.

E faaavanoa mai tupe mai mea nei o le a ta'ua i lalo e toe totogi ai le nogatupe ua fatagaina i lenei maga mo le faatupeina o galuega i le faatinoina, faaleleia poo le toe faafou o galuega tetele uma o le a ta'ua poo se vaega foi: faalolotoina o uafu i Tutuila ma Manu'a, ofisa o le taulaga/faletineimu, vaatosovaa, pou faasalalau a le KVZK, faleteuoloa a le tiute, faaopoopoga o ofisa o le malo (Ofisa ole Enetia, Ofisa o Palota ma le Ofisa o le Puipuia ma le Fautua mo tagata e le atoatoa le malosi), faaopoopoga mo le ofisa o lafoga, taualuga o le fale o ofisa o le malo, faaopoopoga o le faletusi, ofisa o femalaga'iga, faleteuoloa o oloa a le malo, faleteuvaalele, Falefaatalipasese/faaeevaa i le malaevaalele ma le auala savali mo pasese a vaalele, taligalu, nofoaga e tuu ai meaola ma talavai mo meaola, Falefono ma le faatupeina o le Faaaliga-Aganuu a le Pasefika;

(1) 40% o le lafoga oloa o pia ma taumafa mai le molo e pei ona faaee ai I le TTAS Maga 11.1002(a)(1)(A).

(2) 12.5% o le lafoga oloa mai taumafa alakaholo e pei ona faaee i le TTAS Maga 11.1002(a)(1)(E).

(3) 20% o le lafoga mai oloa tau tapaa e pei ona faaee i le TTAS maga 11.1002(a)(1)(I).

(4) O tupemaua uma lava e aoina mai i le faagaoioia o Pepa e folafola ai ni oloa e tiuteina a le Tiute e pei ona faaee i le TTAS maga 27.1014(a)(5).

Maga 7. Aiaiga o le gagaifo o le la o lenei tulafono

“Ua soloia nei le 7.1444.5 i le aso e mae'a uma ai ona toe totogi le nogatupe ua pasia ma o le 7.1444(g)(3) o le a toe faatulafonoina i lona tulaga sa i ai i le aso ao lei taualoaina lenei Tulafono. E faapito lava le tapulaa o aseta a le Tupe (litaea) atonu e mafai ona faa'aitalafu ma inivesi e le ASGERF ina ia toe foi i le 10%.”

Mag 8. Soloia
“Ua soloia nei le 7.1444.3.”

Mag 9. Aso e taualoa ai.

Talu ai le faanatinati o le manao ina ia tuu atu le pule i le Malo (ASG) e faia ai sse maliliega ma le Litaea (ASGERF) mo se nogatupe e faatupe ai galuega tetele fia faaleleia mo fale o ofisa o le malo, o lea o le a taualoa ai lenei tulafono i le taimi lava e pasia ai e le Fonofaitulafono ma sainia e le Kovana.

Lolo M. Moliga

LOLO M. MOLIGA
Peresetene, Maota Maualuga

Savali Talayou Ale
SAVALI TALAYOU ALE
Fofoga Fetalai, Maota o Sui

Hereby Approved this 23rd day of April 2007
K. F. Fetalai
Governor Of American Samoa