



AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799
LEGISLATURE OF AMERICAN SAMOA

In reply refer to:

C E R T I F I C A T I O N

Senate Chamber
September 17, 1988

I certify that Senate Bill No. 139 passed third reading on this date in the Senate during its Fourth Regular Session of the Twentieth Legislature of American Samoa.

Fialupe Aumoeualogo
MRS. FIALUPE AUMOEUALOGO
Asst. Secretary of the Senate

House Chamber
September 6, 1988

I certify that Senate Bill No. 139 passed third reading on this date in the House of Representatives during its Fourth Regular Session of the Twentieth Legislature of American Samoa.

Wally F. Utu
WALLY F. UTU
Chief Clerk
House of Representatives

THE TWENTIETH LEGISLATURE OF AMERICAN SAMOA

Fourth Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the eleventh day of July
one thousand nine hundred and eighty eight

AN ACT AUTHORIZING THE ISSUANCE OF CITATIONS FOR VIOLATIONS OF ENVIRONMENTAL LAWS AND RULES GENERALLY; AND AMENDING SECTIONS 25.2010, 25.2020, 25.2021 AND 25.2032 ASCA.

PREAMBLE:

Present law only permits issuance of citations for the public health offense of depositing or allowing the accumulation of solid waste, industrial waste or other refuse at unauthorized places. This act expands this citation authority to include the issuance of citations for violations of environmental laws and rules generally.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 25.2010 is amended to read:

"25.2010 Citation for offense.

When solid waste, industrial waste, or other refuse is deposited or allowed to accumulate in violation of 25.2003, or when there is a violation of any provision of this title, any valid rule promulgated under this title, or any village regulation for health and sanitation adopted in accordance with this title, or where there is a refusal or neglect to comply with any lawful order issued by the director of health in carrying out the provisions of this title, a sanitarian or other authorized person, including members of the division department of public safety, may issue a citation therefor."

Sec 2. 25.2020 is amended to read:

"25.2020 Fine for offense--Payment--Disposition.

(a) The district court may, unless otherwise specifically provided, impose a maximum fine of not more than:

- (1) \$25 \$50 for a first offense;
- (2) \$50 \$75 for a second offense;
- (3) \$75 \$100 for a third offense;
- (4) \$100 \$125 for a fourth or subsequent offense.

(b) The district court may order the imprisonment of any

person guilty of a misdemeanor referred to in 25.2021.

(c) Any fine imposed under this section title must be paid to the violations clerk within the time specified by the court not to exceed 14 days from the day the fine is imposed.

(d) All money collected by fines and costs under this chapter shall be paid to the treasurer of American Samoa and placed by him into the general fund."

Sec 3. 25.2021 is amended to read:

"25.2021 Failure to answer citation or pay fine a misdemeanor.


Regardless of the disposition of the charge upon which a citation is issued or fine imposed, a person is guilty of a misdemeanor if he wilfully fails to:


- (1) answer a lawful citation; or
- (2) pay a fine imposed under this section title within the time required unless retrial is requested."

Sec 4. 25.2032 is amended to read:

"25.2032 Persons with 4 or more offenses.

No person who has been found guilty of, or has signed a plea of guilty to, 3 prior offenses under this chapter title in the current calendar year shall be permitted to appear before the violations bureau unless the district court shall, by general order applying to certain specified offenses, permit such appearance, conditioned upon the payment of a substantially increased fine, which increase shall not exceed the amounts set forth in 25.2020 or in other applicable provisions of this title and which shall be specified in such general order."


LETULI TOLOA
President of the Senate


TUANA'ITAU F. TUIĀ
Speaker of the House

Hereby Approved this 19th day of OCTOBER, 19 88


Governor of American Samoa

NOFOAIGA LUASEFULU FONOFAITULAFONO O AMERIKA SAMOA

Fono Tele Lona Fa

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulutasi o Iulai
tasi le afe iva selau valusefulu valu

O SE TULAFONO E FA'ATAGAINA AI LE TU'U ATU O PEPA MOLIA MO
SE SOLITULAFONO O TULAFONO O'LE SI'OMIA MA TULAFONO LAUTELE;
MA SUI AI MAGA 25.2010, 25.2020, 25.2021 MA LE 25.2032 TFAS.

FA'ATOMUAGA:

O le tulafono o iai nei ua fa'ataga ai ona tu'uina atu
pepa molia na'o solitulafono o le soifua maloloina lautele
ona o le lafoa'i po'o le fa'atagaina le fa'aputuga o otaota,
mea lafoa'i mai falegaosi ai mea po'o isi lapisi i nofoaga
e le fa'atulafonoina. O lenei pili e fa'alautele ai le
malosi o moliaga e aofia ai le tu'uina atu o pepa molia mo
soligatulafono o tulafono o le si'omia ma tulafono galue
lautele.

IA FAATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

Maga 1. 25.2010 ua suia e faitauina:

"25.2010 Moliga mo solitulafono.

Afai o otaota, mea lafoa'i mai falegaosi ai mea, po'o
isi lapisi ua laofa'iina pe ua fa'atagaina e fa'aputu o le
soliga o le 25.2003, pe afai e iai se soliga o so'o se
aiaga o lenei vaega, so'o se tulafono galue aloaia ua
fa'amalaulauina i lalo o lenei vaega, po'o so'o se tulafono
falenu'u mo le soifua maloloina ma le fa'amamaina ua taliaina
e tusa ma lenei vaega, pe afai e iai se teena po'o se le
faia e usita'i ai i so'o se poloaiga fa'aletulafono ua
tu'uina atu e le fa'atonu o le soifua maloloina i le fa'a-
malosia o aiaga o lenei vaega, o le ofisa o le tumama po'o
se isi tagata ua fa'atagaina, e aofia ai totino o le vaega
matagaluega o le saogalemu lautele, e mafai ona tu'u atu
se pepa molia."

Maga 2. 25.2020 ua suia e faitauina:

"25.2020 Sala tupe mo solitulafono--Totogia--Fa'aiuga.

(a) O le fa'amasinoga itumalo e mafai, vaqana ai ua
fa'atulagaina maoti, fa'ae'e atu le sala tupe e maualuga
e le silia i le:

- (1) \$25 \$50 mo le solitulafono muamua;
- (2) \$50 \$75 mo le solitulafono lona lua;
- (3) \$75 \$100 mo le solitulafono lona tolu;
- (4) \$100 \$125 mo lona fa po'o nisi solitulafono mulimuli mai.

(e) O le fa'amasinoga itumalo e mafai ona fa'atonu le fa'afalepuipua o so'o se tagata e nofosala i se solitulafono mamā ua taua i le 25.2021.

(i) So'o se sala tupe e fa'ae'e atu i lalo o lenei maga vaega e ao ona totogi atu i le failautusi o solitulafono i totonu o le taimi ua fa'amaoti mai e le fa'amasinoga e le silia i le le 14 aso mai le aso ua fa'ae'e atu ai le sala tupe.

(o) O tupe uma e aoina o sala tupe ma tau o le fa'amasinoga i lalo o lenei mataupu ia totogi atu i le Teutupe o Amerika Samoa ma ia teuina e ia i le teugatupe lautele."

Maga 3. 25.2021 ua suia e faitauina:

"25.2021 Anuilagi e tali le moliaga po'o le totogi le sala tupe solitulafono mamā.

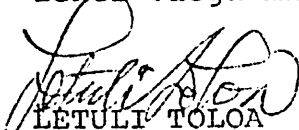
E le afaina ai le iuga o le moliga na alai ona tu'uina atu le pepa molia po'o le sala tupe fa'ae'eina atu, o se tagata ua nofosala i se solitulafono mama pe afai na ia faia ma le loto iai le:

- (1) le taliaina se pepa molia fa'atulafonoina; po'o
- (2) le totogia le sala tupe ua fa'ae'eina atu i lalo o lenei maga vaega i totonu o le taimi atofaina vagana ai se toe iloilogā ua talosagaina.

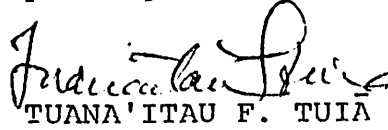
Maga 4. 25.2032 ua suia e faitauina:

"25.2032 Tagata ua atoa le 4 solitulafono pe sili atu.

E leai se tagata o se ua nofosala i, pe na ia sainia se tali e tonu le moliga i le, 3 solitulafono muamua i lalo o lenei mataupu vaega i le tausaga fa'akalena faitauina e fa'atagaina e o'o atu i luma o le ofisa o solitulafono vagana ai le fa'amasinoga itumalo e, i se poloaiga lautele e fa'atatau i nisi solitulafono maoti, fa'ataga ai le alu iai, e fa'alagolago i le totogia o se sala tupe fa'apoopo o lea fa'apoopoga ia le silia i aofa'iga ua fa'atulagaina mai i le 25.2020 po'o isi aiaiga talafeagai o lenei vaega ma taua maoti i lena poloaiga lautele."


LETULI TOLOA

Peresetene, Maota Maua luga


TUANA'ITAU F. TUIA

Fofoga Fetalai, Maota o Sui

Hereby Approved this 19th day of OCTOBER, 1988



Governor of American Samoa