

THE TWENTY-NINTH LEGISLATURE OF AMERICAN SAMOA

Second Regular Session

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

AN ACT ESTABLISHING THE AMERICAN SAMOA GOVERNMENT IMMIGRATION UPGRADE ACCOUNT TO PROVIDE FOR PURCHASES, MAINTENANCE AND UPGRADE OF COMPUTER SYSTEMS, SOFTWARE, HARDWARE, GENERAL SUPPLIES AND VEHICLES; CREATING A SECTION 41.0315 A.S.C.A.; AND PROVIDING FOR AN EARLY EFFECTIVE DATE.

Preamble:

Due to the urgent need to provide specific funding sources to upgrade the condition of equipment and resources of the Immigration Office, Department of Legal Affairs and in order to benefit the public safety, this Act is necessary to preserve the health, safety and welfare of the people of American Samoa and 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. There is created a Section 41.0315 which reads:**

**“41.0315 Identification card fees.**

**(a) The Immigration Office, within the Department of Legal Affairs, may charge certain fees in connection with applications, permits, cards and other general requirements under this title. Fees shall be submitted with any applicable formal applications or petitions prescribed in this chapter and shall be in the amount prescribed by law or rule.**

**(b) The Immigration Office may charge a fee for the issuance or renewal of identification cards. Such fees shall be known as “identification card fees.”**

**(c) A fifty percent (50%) setoff shall be established from identification card fees. Whenever an identification card fee is assessed, the fifty percent (50%) setoff shall be segregated into a separate account designated “ASG IMMIGRATION UPGRADE ACCOUNT,” which shall be administered by**

the Attorney General in conjunction with the Treasurer of American Samoa in accordance with Title 4, Chapter 05 of this code.

(d) Revenue deposited in the ASG Immigration Upgrade Account shall be expended solely for the purchase, maintenance or upgrade of the Immigration Office computer systems to include software, hardware and general office supplies or vehicles. Any revenues not expended for the foregoing purposes may be used for general purchases, equipment and supplies for the Office of the Attorney General.

(e) In no event shall the account exceed a total deposit amount of \$50,000 annually. All revenues generated in excess of this annual amount shall be deposited in the general fund.

(f) For purposes of planning, in no event shall the account exceed a maximum total deposit amount of \$150,000 for any three-year period, in accordance with the annual ceiling listed in (e) above.

(g) The revenue generated from the setoff created in (c) above is hereby appropriated by the Legislature to the Department of Legal Affairs subject to the provisions contained herein."

Sec 2. Effective date.

Due to the urgent need to provide a specific funding source to upgrade the condition of equipment and resources of the Immigration Office, Department of Legal Affairs, and in order to benefit the public safety, 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

*Matagi Ray Ma'ilo McMoore*  
MATAGI RAY MA'ILO MCMOORE  
Speaker, House of Representatives

Hereby Approved this 11<sup>th</sup> day of October 2005

*[Signature]*  
Governor Of American Samoa

NOFOA'IGA LUASEFULU-IVA FONOFAITULAFONO A AMERIKA SAMOA

Fono Tele Lona Lua

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa  
Aso Gafua aso sefulutasi o Iulai  
lua afe ma le lima

O SE TULAFONO E FA'ATULAGA AI SE VAEGATUPE FA'AAGAAGA FA'ALELEIA MO FEMALAGA'IGA O TAGATA ULUFALE MAI I AMERIKA SAMOA E SAUNIA AI MO FA'ATAUGA, TAUSIGA MA LE FA'ALELEIA O TAUALUMAGA FA'ATULAGAINA O KOMEPIUTA, FA'ATULAGAINA O POROKALAMA, TA'IALA MA TAUALUMAGA TUSITUSIA E FA'ATATAU I AI, MEAFAIGALUEGA FA'ATINO TAU A'OA'OGA, SAPALAI LAUTELE MA TA'AVALE; FA'AVAE AI SE MAGA 41.0315 T.T.A.S. MA SAUNIA AI MO SE ASO TAUALOA VAVE.

FA'ATOMUAGA:

Ona o se mana'oga fa'avavevave e saunia ai se vaegatupe fa'apitoa mo fa'atupega e fa'alelei ai tulaga o meafaigaluega, auala e lagolago ma fa'atino ai fuafuaga a le Ofisa o Femalaga'iga, Matagaluega o Mata'upu Fa'aletulafono ma ina ia fa'amanuiaina ai le saogalemu lautele, o lenei tulafono e fa'asaogalemu ai le soifua maloloina, puipuiga ma le tulaga manuia o tagata o Amerika Samoa ma o le a taualoa vave pe a pasia e le Fonofaitulafono ma fa'amaoniaina e le Kovana.

IA FA'ATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1. Ua fa'avaeina se Maga 41.0315 e faitauina:

“41.0315 Tau fa'ae'e o pepa fa'amaonia fa'apitoa o tagata.

(a) O le Ofisa o Femalaga'iga, i lalo o pule'aga a le Matagaluega o Mata'upu Fa'aletulafono, e mafai ona fa'ae'e atu nisi o tau fa'ae'e e i ai sona feso'ota'iga ma talosaga, pemita, pepa fa'amaonia ma isi aiaiga lautele i lalo o lenei ulutala. O tau fa'ae'e ia tu'uina atu fa'atasi ma so'o se talosaga talafeagai aloa'ia po'o talosaga ua aiaia i lenei mata'upu ma ia tusa ma le aofa'iga ua aiaia e le tulafono po'o ta'iala fa'atulagaina.

(e) E mafai e le Ofisa o Femalaga'iga ona fa'ae'e atu se tau mo le tu'uina atu po'o le toefa'afouina o pepa fa'amaonia fa'apitoa o tagata. O ia tau fa'ae'e o le a ta'ua o “tau fa'ae'e o pepa fa'amaonia fa'apitoa o tagata.”

(i) O le limasefulu pasene (50%) e vavae'ese o le a fa'atulagaina mai tau fa'ae'e o pepa fa'amaonia fa'apitoa o tagata. So'o se taimi lava e fa'ae'e atu ai se totogi fa'ae'e i se pepa fa'amaonia fa'apitoa o tagata, o le limasefulu pasene (50%) e vavae'ese o le a teuina i totonu o se fa'aputugatupe mavaevae e fa'ailogaina ma'oti o le “TUPE

FA'AAGAAGA MO TULAGA FA'ALELEIA A LE OFISA O FEMALAGA'IGA A AMERIKA SAMOA." E pule ma fa'asoasoina e le Loia Sili ma e galulue fegalealeai ma le Teutupe o Amerika Samoa e tusa ma le Maga 4, Mata'upu 05 o lenei tulafono.

(o) O tupemaua e teuina i le Teugatupe Mo Tulaga Fa'aleleia o le Ofisa o Femalaga'iga o le a fa'aaogaina fa'apitoa tau lava mo fa'atauga, o le tausiga po'o le fa'aleleiga o le fa'agaoioiga o komepiuta e aofia ai, le fa'atulagaina o porokalama, ta'iala ma taualumaga tusitusia e fa'atatau i ai, meafaigaluega fa'atino tau a'oa'oga ma sapalai 'ese'ese o le ofisa mo le fa'agaoioiga o galuega po'o ta'avale. O so'o se tupemaua e le fa'aaogaina mo fa'amoemoega ua ta'ua e mafai ona fa'aaogaina mo fa'atauga lautele, meafaigaluega ma sapalai mo le Ofisa o le Loia Sili.

(u) E leai lava se tulaga e mafai ai ona sili atu le aofa'iga o tupeteu i le \$50,000.00 i le tausaga. O tupe e maua mai e sili atu i lenei aofa'iga fa'aletausaga o le a teuina i le teugatupe lautele.

(f) Mo fa'amoemoega fuafuaina, e leai lava se tulaga e tataua ona sili atu ai le aofa'iga aupito maualuga i le \$150,000.00 mo so'o se piriota o le tolu tausaga, e tusa ma le maualuga fa'atulagaina fa'aletausaga i le (i) ua ta'ua i luga.

(g) O tupemaua e maua mai i le aofa'iga ua vavae'eseina ma aiaia i le (i) i luga ua fa'asoasoina mai e le Fonofaitulafono i le Matagaluega o Mata'upu Fa'aletulafono e a'afia i aiaiga ua aofia i'inei.

Maga 2. Aso taualoa.

Taluai ona o le mana'oga fa'anatinati e saunia ai se alagatupe mo se fa'atupega fa'apitoa fa'apea ma auala e lagolago ma fa'atino ai fuafuaga a le Ofisa o Femalaga'iga, Matagaluega o le Loia Sili, ma ina ia mafai ona fa'amanuiaina le saogalemu lautele, o le a taualoa vave ai lenei tulafono pe a pasia e le Fonofaitulafono ma fa'amaonia e le Kovana.

*Lolo M. Moliga*  
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Peresetene, Maota Maualuga

*Matagi R. Ma'ilo McMoore*  
MATAGI RAY MA'ILO MCMOORE  
Fofoga Fetalai, Maota o Sui

Hereby Approved this 11th day of October 2005  
*[Signature]*  
Governor Of American Samoa



LEGISLATURE OF AMERICAN SAMOA  
American Samoa Government

CERTIFICATION

House Chamber  
September 12, 2005

I certify that House Bill No. 29-28 passed third reading on this date in the House of Representatives during its Second Regular Session of the Twenty-ninth Legislature of American Samoa.

A handwritten signature in black ink, appearing to read "Fialupe Fiaui Lutu".

FIALUPE FIAUI LUTU  
Chief Clerk, House of Representatives

Senate Chamber  
September 16, 2005

I certify that House Bill No. 29-28 passed third reading on this date in the Senate during its Second Regular Session of the Twenty-ninth Legislature of American Samoa.

A handwritten signature in black ink, appearing to read "Leo V. Ma'o".

LEO'O V. MA'O  
Secretary of the Senate

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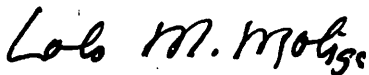
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