

**THE TWENTY-SEVENTH 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 one***

**AN ACT AUTHORIZING THE GOVERNMENT TO ENTER INTO A CREDIT FACILITY ARRANGEMENT WITH THE BANK OF HAWAII, IDENTIFYING THE SOURCE OF REPAYMENT, CREATING A CHAPTER 14 UNDER TITLE 28 A.S.C.A.; AND PROVIDING FOR AN EARLY EFFECTIVE DATE.**

**Preamble:**

***Due to inconsistent revenue streams and the urgent need to provide for more efficient operation of the government, this act shall become effective 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 Chapter 14 under Title 28 A.S.C.A. which reads:*

***'Chapter 14***

***A.S.G. CREDIT FACILITY AGREEMENTS***

**"28.1401** *Authorization of Credit Facility--Source of Repayment--Reports.*

**(a)** *The Treasurer, on behalf of the government, is authorized to enter into a credit facility with the Bank of Hawaii in an amount not to exceed \$5,000,000 to satisfy appropriated obligations of the government. The Treasurer is authorized to negotiate the terms of the credit, including a variable interest rate, repayment terms and such other terms and conditions as may be required to obtain the credit facility, so long as said terms are standard in the lending industry and consistent with standard banking*

practices and established principles of government borrowing. The Treasurer is further authorized to execute all instruments and documents necessary to conclude the transaction, including promissory notes which evidence indebtedness of the government. Said instruments and documents shall be subject to review and approval by the Attorney General for legal sufficiency prior to execution by the Treasurer.

(b) The principal, plus accrued interest thereon, owing on the credit facility and any charges and fees associated with the facility shall be paid with revenues from the general fund.

(c) Within 30 days of the end of each fiscal year, the Treasurer shall provide a report to the Governor and the Legislature detailing the status of the credit facility and all transactions related thereto which occurred during the prior fiscal year."

Sec 2. *Effective date.*

Due to the inconsistent revenue streams and the urgent need to provide for the efficient operation of the government, this act shall become effective when passed by the Legislature and approved by the Governor.



**Fa'afetai Lefiti**

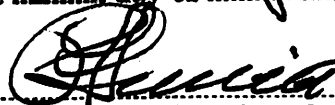
**SENATE PRESIDENT PRO-TEMP**



**Savali Talavou Ale**

**VICE-SPEAKER OF THE HOUSE**

Hereby Approved this 6<sup>th</sup> day of April, 2001



**Governor of American Samoa**

**NOFOAIGA LUASEFULU-FITU FONO FAITULAFONO O AMERIKA SAMOA**

**Fono Tele Muamua**

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

**O SE TULAFONO E FA'ATAGA AI LE MALO E OSIA SE FEAGAIGA  
O LE FA'A'AITALAFUINA O FESOASOANI-TUPE MA LE  
FALETUPE O HAWAII, MA FA'ATULAFONOINA ALAGATUPE E  
TOETOTOGI AI, FA'AVAE AI SE MATA'UPU 14 I LALO O LE  
ULUTALA 28 T.T.A.S.; MA SAUNIA MO SE ASO TAUALOA VAVE.**

**Fa'atomuaga:**

**Ona o le lē mautū ma talafeagai o alagatupe o tupemaua ma le  
mana'oga fa'anatinati e saunia ai mo le fa'agaoioiga solosolo manuia o le  
malo, o le a taualoa ai lenei tulafono taufa'aofi pe a pasia e le Fono  
Faitulafono ma fa'amoniaina e le Kovana.**

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

**Maga 1. Ua fa'avaeina se Mata'upu 14 i lalo o le Ulutala 28 T.T.A.S. e  
faitauina:**

**"Mataupu 14**

**MALILIEGA O LE FA'A'AITALAFUINA O FESOASOANI-TUPE A LE  
MALO O AMERIKA SAMOA**

**"28.1401 Fa'atagaina o le Fa'aaitalafuina o Fesoasoani-tupe--Alagatupe  
e Toetotogi ai--Ripoti.**

**(a) O le Teutupe, e aveva ma sui o le malo, ua fa'atagaina e osia se  
feagaiga mo le fa'aaitalafuina o fesoasoani-tupe ma le Faletupe o Hawaii  
mo se aofa'iga e le sili atu ma le \$5,000,000 e totogi ai fatuaiga (aitalafu)  
fa'asoasoina a le malo. Ua fa'atagaina fo'i le Teutupe e faia se  
feutaga'iga o le feagaiga o le aitalafu, e aofia ai fua 'ese'ese o tupe tului,**

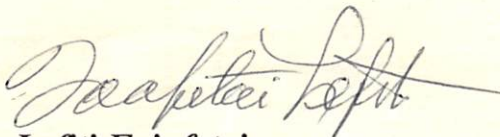
tu'utu'uga o le toetotogiaina ma isi tu'utu'uga ma aiaiga e mana'omia e mafai ai ona fa'avaeina se aitalafu, pe afai o nā tu'utu'uga e ogatasi ma faiga tausisia o fefa'ataua'iga o le nonoina atu o tupe ma e ogatasi fo'i ma ta'iala taualoa o taualumaga tau le faletupe ma mata'upu fa'avae aiaia o nogatupe a le malo. O le Teutupe ua fa'atagaina fo'i e sainia se feagaiga ma fa'amaumauga tusitusia mana'omia e fa'amautuina ai lea feagaiga, e aofia ai le folafolaga tusitusia mo le toetotogiaina e fa'amaonia ai le nofoaitalafu o le malo. O ia feagaiga ma fa'amaumauga o le a a'afia i le iloiloga ma le fa'amaoniaina e le Loia Sili mo le fa'amalieina o aiaiga fa'aletulafono ae le'i sainiaina e le Teutupe.


(e) O le aofa'iga atoa o le nogatupe, fa'aopoopo i ai ma lona tupe tului, o lo'o nofoaitalafu ai i le fa'a'aitalafu o tupe-fesoasoani ma tau fa'ae'e ma totogi e a'afia ma le fa'aaitalafu fesoasoani o le a totogia mai tupemaua mai le teugatupe lautele.

(i) I totonu o le 30 aso i le taufa'ai'uga o tausaga tupe ta'itasi, o le Teutupe o le a na saunia se ripoti e auina atu i le Kovana ma le Fono Faitulafono e auiliili atu ai le tulaga o le fa'aaitalafuina o tupe-fesoasoani fa'apea ma taualumaga uma e fa'atatau i ai sa tula'i mai i le tausaga tupe ua tuana'i."

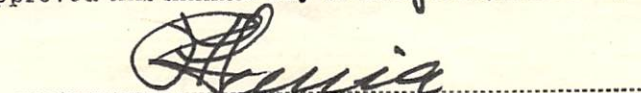
Maga 2. Aso taualoa.

Tahuai ona o le lē talafeagai ma mautu alagatupe e maua fa'apea ma le mana'oga fa'anatinati e saunia ai mo le fa'agaoioiga mamuia o le malo, o le a taualoa fa'anatinati ai lenei tulafono taufa'aofi pe a pasia e le Fono Faitulafono ma fa'amaoniaina e le Kovana.

  
**Lefiti Fa'afetai**  
**PERESETENE LĒ-TUMAU**  
**MAOTA MAUALUGA**

  
**Savali Talavou Ale**  
**SUI FOFOGA FETALAI**  
**MAOTA O SUI**

Hereby Approved this 4<sup>th</sup> day of April, 2001

  
Governor of American Samoa