



AMERICAN SAMOA GOVERNMENT  
PAGO PAGO, AMERICAN SAMOA 96799

In reply refer to:

LEGISLATURE OF AMERICAN SAMOA

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

Senate Chamber  
April 10, 1991

I certify that Senate Bill No. 22-39 passed third reading on this date in the Senate during its First Regular Session of the Twenty-second Legislature of American Samoa.

*Leo'o V. Ma'o*  
LEO'O VA'A MA'O  
Secretary of the Senate

House Chamber  
April 19, 1991

I certify that Senate Bill No. 22-39 passed third reading on this date in the House of Representatives during its First Special Session of the Twenty-second Legislature of American Samoa.

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

THE TWENTY-SECOND LEGISLATURE OF AMERICAN SAMOA

First Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa on Monday, the fourteenth day of January one thousand nine hundred and ninety one

AN ACT INCREASING THE COST OF LIVING ALLOWANCE FOR RETIREES AND BENEFICIARIES OF THE RETIREMENT FUND WHO RETIRED PRIOR TO JULY 1, 1990; AMENDING SECTION 7.1442 ASCA.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 7.1442 is amended to read:

"7.1442 Retirement payments.

(a) Each member shall receive an annual service retirement annuity on retirement equal to 2 percent of the average annual salary of the member multiplied by his total years of service up to a maximum of 30 years. Beginning October 1, 1983, the annual service retirement annuity is increased to retirees by percentage according to the calendar year of retirement as follows:

1982	-----	2%
1981	-----	4%
1980	-----	6%
1979	-----	8%
1971-1978	-----	10%

Beginning October 1, 1986, the annual service retirement annuity is increased to retirees by percentage according to the calendar year of retirement as follows:

1986 -----	2%
1985 -----	3%
1984 -----	4%
Before 1984 -----	5%

Beginning October 1, 1988, the annual service retirement annuity is increased to retirees by percentage according to the year of retirement as follows:

October 1987 to September 1988 -----	2%
October 1986 to September 1987 -----	3%
September 1986 or Before -----	4%

Beginning October 1, 1990, the annual service retirement annuity is increased to retirees by percentage according to the year of retirement as follows:

<u>October 1984 to June 1990 -----</u>	<u>2%</u>
<u>October 1987 to September 1984 -----</u>	<u>4%</u>
<u>September 1978 or Before -----</u>	<u>6%</u>

(b) Service retirement annuities shall be payable in equal monthly installments, rounded to the nearest dollar, as life annuities, and shall not be increased, decreased, revoked, or repealed except for error, or except where specifically otherwise provided.

(c) The first payment of a life annuity shall be made pro rata for the fraction of a month elapsing between the date of retirement and the end of that month. The last payment shall be made as of the date of death.


(d) Instead of an annuity payable for the life of a retired member, the member may elect to receive a lesser retirement annuity during his lifetime but with all or a portion of that annuity continued to a contingent annuitant designated by the member at the time of retirement. The amount of the lesser annuity elected is determined by the board so that the value of that annuity at the time of retirement will be the same as the value of the life annuity otherwise payable without an election. The election may not be permitted by the board unless the value at retirement of expected monthly annuity payments during the life of the retired member is no less than one-half the value of the life annuity otherwise payable without such an election.

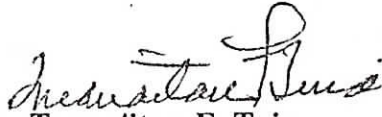
(e) Should a member who is eligible for early retirement as provided by 7.1441 retire, the amount of his retirement annuity is determined in the same manner as described, but then reduced by one-fourth of one percent multiplied by the number of completed months in the period which begins at the date of early retirement and ends at the date when the member first would be eligible to retire because of age or accrued service credit with an unreduced retirement annuity.

(f) Should a member who is eligible for vested retirement as provided by section 7.1441 retire, the amount of his retirement annuity is determined in the same manner as described, but then reduced by one-half of one percent multiplied by the number of completed months in the period which begins at the date of retirement, and ends at the date of the member's sixty-fifth birthday. The annuity so determined, that is normal retirement annuity less deduction for retirement prior to attaining age 65 as calculated above, will be paid to retiree or beneficiary.

(g) Should a member retire after attaining age 65, the amount of his retirement annuity is determined as described, but is additionally increased by one-fourth of one percent multiplied by the number of completed months in the period which begins on the date of the member's sixty-fifth birthday and ends on the member's retirement date.

(h) Not less often than once every 2 years the board recommends to the Governor, for proposal to the Legislature, that service and medical retirement annuities currently payable to retired members and other annuitants be increased or not. These recommendations by the board are made after due consideration by the board of current conditions, and are accompanied by a statement of the cost of any proposed increase as certified by the actuary."

  
Letuli Tolba  
PRESIDENT OF THE SENATE

  
Tuana'itau F. Tuia  
SPEAKER OF THE HOUSE

Hereby Approved this 15<sup>th</sup> day of May, 1991

  
Governor of American Samoa

**NOFOAIGA LUASEFULU-LUA FONOFAITULAFONO O AMERIKA SAMOA**

**Fono Tele Muamua**

**Nofoia ma usua i Fagatogo, Tutuila, Amerika Samoa  
Aso Gafua, aso sefulufa o Ianuari  
tasi le afe iva selau iva sefulu-tasi**

**O SE TULAFONO E SI'I AI LE ALAUNI O LE TAU O LE SOIFUAGA MO TAGATA  
RITAEA MA O LATOU SULI O E NA RITAEA AO LUMANA'I IULAI 1, 1990; SUIA LE  
MAGA 7.1442 TFAS.**

**IA FA'ATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:**

Maga 1. 7.1442 ua suia e faitauina:

"7.1442 Totogi o ritaea.

(a) O totino ta'itasi ia maua se tupe ritaea o le ritaea i tausaga ta'itasi e tusa o le 2 pasene o le tu'u fa'atasi o le totogi i le tausaga a le totino fa'atele i ona tausaga atoa galue e o'o atu i le 30 tausaga. E amata ia Oketopa 1, 1983, o le tupe maua i le tausaga mo le tautua ua fa'aopoopo i tagata ritaea i pasene e tusa i tausaga kalena o le ritaea e pei ona fa'aalia i lalo:

1982-----	2%
1981-----	4%
1980-----	6%
1979-----	8%
1978-----	10%

Amata ia Oketopa 1, 1986, o le tupe maua i tausaga ta'itasi o le tautua ua fa'aopoopo i tagata ritaea i le pasene e tusa ai le tausaga kalena o le ritaea e pei ona fa'aalloa i lalo:

1986-----	2%
1985-----	3%
1984-----	4%
Tua o le 1984-----	5%

Amata ia Oketopa 1, 1988, o le totogi tausaga o le litaea mo totino o le ritaea o le a si'i i se pasene e fua i le tausaga na litaea ai e pei ona fa'aalia i lalo:

Oketopa 1987 ia Setema 1988-----2%  
Oketopa 1986 ia Setema 1987-----3%  
Setema 1978 ma tua atu-----4%

Amata ia Oketopa 1, 1990, o le totogi tausaga o le litaea mo totino o le ritaea o le a si'i i se pasene e fua i le tausaga na litaea ai e pei ona fa'aalia i lalo:

Oketopa 1984 ia Iuni 1990-----2%  
Oketopa 1987 ia Setema 1984-----4%  
Setema 1987 ma tua atu-----6%

(e) Tupe maua o le ritaea i tausaga ta'itasi ia totogia i aofa'i tutusa i masina ta'itasi, ia fa'aatoa le tala aupito lata i ai, e avea ma tupe maua i le olaga atoa, ma ia le fa'aopopopina, fa'aitiitia, aveesea, pe soloia vagana se mea ua sese, pe vagana ua i ai se isi mea ua saunia fa'apitoa.

(i) O le ulua'i tupe totogi atu o le tupe maua tausaga ta'itasi mo le olaga atoa o se totino ritaea ia faia i le fa'atulagaga muamua mo le vaegamea o le masina e va a'i le aso o le ritaea ma le iuga o le masina. O le tupe mulimuli e maua ia faia i le aso e oti ai.

(o) Afai e le totogi atu i se totino ritaea tupe maua i tausaga ta'itasi i lona olaga atoa, o le totino e mafai ona filifili e maua se aofa'i itiiti i lona olaga atoa a'o se vaega o lena tupe e maua pea e se tagata fa'asinoina e le totino i le taimi e ritaea ai. O le aofa'i itiiti o le tupe ua filifilia e fuafua e le komiti ona o le aofa'i o lena tupe maua i le taimi o le ritaea e tutusa ma le aofa'i o le tupe maua i le olaga atoa afai e leai e totogi atu lava e aunoa ma se filifiliga. O le filifiliga e le mafai ona fa'atagaina e le komiti vagana o le aofa'i o le ritaea o masina fuafuaina i le olaga atoa o le totino ritaea e le itiiti i le tasi le afa o le aofa'i o le tupe maua tausaga ta'itasi afai e leai e totogi atu lava e aunoa ma se filifiliga.

(u) Afai o se totino ua agava'a mo le ritaea vave e pei ona saunia i le 7.1441 ua ritaea, o le aofa'i o lana ritaea tausaga ta'itasi ua fuafua i le tulaga lava e pei ona fa'amatalaina, ae fa'aitiitia i le tasi-o-vaefa o le tasi pasene fa'atele i le numera o masina ua mae'a i le taimi e amata i le aso o le ritaea vave ma e uma i le aso sa ulua'i agava'a ai e ritaea ona o tausaga o le matua po'o kereti fa'aputu o le tautua fa'atasi ma le tupe ritaea tausaga ta'itasi e le fa'aitiitia.

(f) Afai o se totino ua agava'a mo le ritaea e pei ona aiaia i le maga 7.1441 ua ritaea, o le aofa'i o le tupe maua o le ritaea tausaga ta'itasi e fuafua i le tulaga lava e pei ona fa'amatalaina, ae fa'aitiitia i le tasi-afa o le pasene e tasi fa'atele i le numera o masina ua mae'a i le periota e amata i le aso o le ritaea, ma fa'ai'u lona onosefulu-lima aso fanau o le totino. O le tupe maua tausaga ta'itasi ua fuafuaina, o le ritaea masani toese mai ai lona ritaea a'o le'i o'o i le 65 tausaga o le soifua e pei ona fuafuaina i luga, o le a totogia i le tagata ritaea po'o tagata fa'asinoina e talia.

(g) Pe afai e ritaea se totino pe a te'a lona 65 tausaga, o le aofa'i o lona ritaea i tausaga ta'itasi e fuafuaina e pei ona fa'amatalaina, ae ua fa'aopoopo lona si'i i le tasi-vaefa o le tasi pasene fa'atele i le numera o masina ua mae'a o le periota e amata i le aso e atoa ai le onosefulu-lima tausaga o le soifua ma fa'amuta i le aso o le ritaea o le totino.

(l) E le itiiti'i le fa'atasi i tausaga ta'i 2 e fautua e le komiti i le Kovana, mo se tulafono taufa'aofi i le Fonofaitulafono, fa'apea o tautua ma ritaea ma'i o lo'o totogi nei i tagata ritaea ma isi tagata o lo'o talia tupe ia fa'aopoopo pe leai. O nei fautuaga a le komiti e faia pe a uma ona iloilo e le komiti tulaga o i ai nei, ma o i ai ma se tala o le tau o so o se si'i fuafuaina e pei ona fa'amaonia e le su'esu'e inisiua fa'apitoa.



Letuli Toloa

PERESETENE, MAOTA MAUALUGA



Tuara'itau F. Tuia

FOFOGA FETALAI, MAOTA O SUI

Hereby Approved this ..... day of ....., 19.....

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Governor of American Samoa