



OFFICE OF THE GOVERNOR
American Samoa Government
Pago Pago, American Samoa 96799

Peter T. Coleman, Governor
Galea'i P. Poumele, Lt. Governor

Telephone (684) 633 4116
Fax: (684) 633 2259

October 24, 1989

Serial: 809

The Honorable Tuana'itau F. Tuia
Speaker of the House of Representatives
Legislature of American Samoa
Pago Pago, American Samoa

Dear Mr. Speaker:

I today approve House Bill No. 17. This act allows the return to prior owners condemned land not used by the government for stated public purpose within five years of condemnation.

Sincerely,

A handwritten signature in cursive script, reading "Peter Tali Coleman".

PETER TALI COLEMAN
Governor

cc: Attorney General
Legislative Counsel



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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

House Chamber
 August 31, 1989

I certify that House Bill No. 17 passed third reading on this date in the House of Representatives during its Second Regular Session of the Twentyfirst Legislature of American Samoa;

VOTE: AYES: -----19 NAYS: -----1 ABSTAIN: -----0 ABSENT: -----0

WALLY F. UTU
 Chief Clerk
 House of Representatives

Senate Chamber
 September 14, 1989

I certify that House Bill No. 17 passed third reading on this date in the Senate during its Second Regular Session of the Twentyfirst Legislature of American Samoa.

VOTE: AYES:-----15 NAYS: -----0 ABSTAIN: -----0 ABSENT: -----2

MRS. FIALUPE FELILA FIAUI
 Secretary of the Senate

THE TWENTY-FIRST LEGISLATURE OF AMERICAN SAMOA

Second Regular Session

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

AN ACT REQUIRING THE GOVERNMENT TO RETURN TO PRIOR OWNERS CON-
DEMNED LAND NOT USED FOR THE STATED PUBLIC PURPOSE WITHIN FIVE
YEARS AFTER CONDEMNATION; AMENDING SECTION 37.2001 ASCA.

PREAMBLE:

This bill dealing with the alienation of land must, under Article I, § 3, and Article II, § 9, be passed by a 2/3 vote of the entire membership of both Houses and signed by the Governor in two successive Legislatures.


BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:


Section 1. 37.2001 is amended to read:

"37.2001 Eminent domain--Compensation.

(a) The government may take any land, easement or right-of-way, or any other property interest in American Samoa, when required for public purposes. Where possible, the Governor shall consult with the Legislature about proposed condemnation projects, and shall obtain the advice of the Legislature on all such projects. Payment of just compensation shall be made, in accordance with the procedures described in 43.1001 through 43.1036, to those who may be deprived of their property by such taking.

(b) The public purpose for a parcel of land acquired by the government under eminent domain must be specified in the proposed condemnation. If the subject land is not used for the stated public purpose within five years after condemnation it must be returned to the prior owner with all improvements."


LETULI TOHOA
President of the Senate


TUANA'ITAU F. TUIA
Speaker of the House

Hereby Approved this 24th day of October, 1989


Governor of American Samoa

NOFOAIGA LUASEFULUTASI FONOFAITULAFONO O AMERIKA SAMOA

Fono Tele Lona Lua

Nofoia ma usua i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulu o Iulai
tasi le afe iva selau valusefulu iva

O SE TULAFONO E MANA'OMIA AI LE MALO E FA'AFO'I I TAGATA E
ONA FANUA SA AVE FA'AMALOSI UA LE FA'AAOGAINA MO MAFUA'AGA
SA FA'APITOAINA E FAI AI, I LE LIMA TAUSAGA PE A UMA ONA
AVEMOTU; SUIA MAGA 37.2001 TFAS.

FA'ATOMUAGA:

O lenei 'pili e uiga i le avemotu o fanua e tatau, i
lalo o le Vaega I, M 3 ma le Vaega II, M 9 ona pasia e
le 2/3 palota o totino atoa mo Maota e lua ma sainia e le
Kovana i nofoaiga soso'o e lua o le Fonofaitulafono.

IA FA'ATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

Maga 1. 37.2001 ua suia e faitauina:

"37.2001 Ave fa'amalosi fanua--Totogi.

(a) O le malo e mafai ona ave so'o se fanua, fa'ataga,
po'o le aia o le ui atu, pe so'o se isi lava mana'oga i
fanua i Amerika Samoa, pe a mana'omia mo mea aoga lautele,
Pe mafai, o le Kovana ia feutaga'i ma le Fonofaitulafono e
uiga i galuega fuafua i fanua ave fa'amalosi, ma fesiligia
se fautuaga a le Fonofaitulafono i ia galuega uma. O le
totogi i se aofa'i tatau ia faia, e tusa ma taualumaga ua
fa'amatalaina i le 43.1001 e o'o i le 43.1036 i tagata o le
a avea o latou fanua ua fa'apea ona ave fa'amalosi.

(e) O le mafua'aga o galuega lautele mo se fanua ua
maua e le malo i lalo, o le ave fa'amalosi. Afai o le
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ulua'i pulea pe ana le fanua ma fa'aleleiga uma."


LETULI TOLOA

Peresetene, Maota Maua'uga


TUANA'ITAU F. TUIĀ

Fofoga Fetalai, Maota o Sui

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VOTE: AYES: -----19 NAYS: -----1 ABSTAIN: -----0 ABSENT: -----0

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WALLY F. UTU
Chief Clerk
House of Representatives

Senate Chamber
September 14, 1989

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VOTE: AYES:-----15 NAYS: -----0 ABSTAIN: -----0 ABSENT: -----2

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Secretary of the Senate

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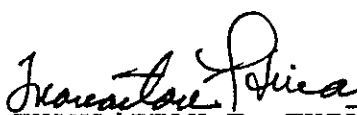
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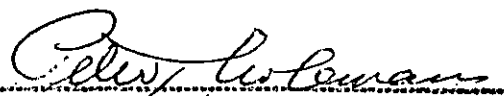
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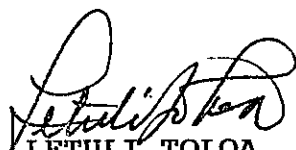
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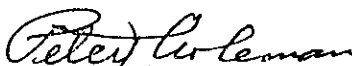
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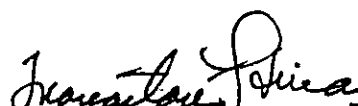
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