

THE THIRTY-THIRD LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the thirteenth day of January
two thousand and fourteen

AN ACT INCREASING THE AMOUNTS OF FUNDS THAT THE BUDGET OFFICE
MAY TRANSFER BETWEEN LINE ITEM ACCOUNTS; AMENDING SECTION
10.0402 A.S.C.A.

Preamble:

WHEREAS, Chapters 04, 05 and 06 of Title 10, A.S.C.A., creating the Office of Program Planning and Budget Development, and establishing budget procedures and governing budget expenditures, were enacted into law in 1977; and

WHEREAS, in the 36 years since these chapters were enacted, the economic conditions have changed dramatically, the value of the dollar has shrunk through continued inflation, and the size of the government's budget has grown significantly; and

WHEREAS, these changing circumstances have rendered the existing authorized transfer amounts no longer practical and therefore of limited value in effective and timely budget management; and

WHEREAS, increasing the authorized budget transfer amounts will facilitate more efficient allocation of resources within the Budget Office, and contribute to more accurate and timely budget reporting.

NOW, THEREFORE, BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. 10.0402 is amended to read:

"10.0402 Duties and responsibilities.

In addition to any duties and responsibilities otherwise prescribed by law, the office of program planning and budget development also has the following duties and responsibilities:

(1) to conduct necessary operational planning and management methods as are utilized by departments and agencies of the government;

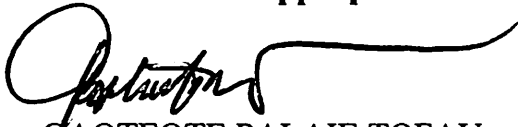
(2) subject to the approval of the Governor, to prescribe a budget calendar for the guidance of all executive agencies and a system of quarterly allotments to insure that appropriations and non-appropriated funds are not exhausted beyond the fiscal period for which the appropriations and funds are made available;

(3) to institute a system of form control:

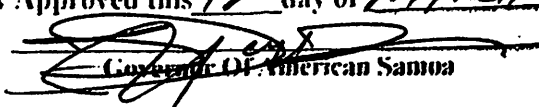
(4) to perform other duties and responsibilities as may be prescribed by the Governor, by law, or by rule;

(5) adopt rules under the Administrative Procedure Act, section 4.1001 et. seq.:

(6) adopt rules under subsection (5) permitting budget managers to move line accounts amounts up to ~~\$5,000~~ \$10,000 or 15% whichever is lesser, of a line account from one line account to another; permitting the budget Director to move amounts up to ~~\$25,000~~ \$100,000 or 30% of line account, whichever is lesser, similarly from one line account to another; and requiring legislative appropriation on all line item account shifts over 30% or ~~\$25,000~~ \$100,000. Transfers of federally funded amounts will be governed by guidelines issued, from time to time, by committees or appropriations of the U.S. Senate and House of Representatives.”


GAOTEOTE PALAIE TOFAU
President of the Senate


SAVALI TALAVOU ALE
Speaker, House of Representatives

Hereby Approved this 12 day of MARCH 2014

Governor of American Samoa

NOFOAIGA TOLUSEFULU-TOLU FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Lona Tolu

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulutolu o Ianuari
Lua afe sefulu fa

O SE TULAFONO E FAAOPOOPO AI LE AOFAI E MAFAI ONA FEAVEA'I E LE OFISA O LE PAKETI I LE VĀ O LEA VAEGATUPE MA LEA VAEGATUPE; SUIA AI LE MAGA 10.0402 T.T.A.S.

Fa'atomuaga:

TALUAI, o Mataupu 04, 05, ma le 06 o le Ulutala 10 T.T.A.S., lea na faavae ai taualumaga o le paketi ma pulea ai le faaaogaina o le tupefaasoaso, na faatulafonoina i le 1977; ma

TALUAI, i le 36 tausaga talu ona aloa'ia le faaaoga o nei mataupu, ua matua tele lava suiga o le tulaga o le tamaoaiga, ma ua pa'u foi lava le aoga o le talā ona o le faaauau pea o le siitaga o le tau o le soifuaga, ma ua matua tupu tele foi le aofai o le malo; ma

TALUAI, o suiga e tele nei ua aliali mai ai ua le o toe talafeagai aofaiga o tupe ia na faataga ona feaveai i totonu o le paketi ma ua fai ma ala ua matua faatapulaa ai le aoga ma le pulea lelei o tupe; ma

TALUAI, o le siitia o le aofai o le tupe e mafai ona feaveai mai le tasi vaegatupe i le isi o le a faavave ai ona fetuunai ma feaveai tupe i totonu o le Ofisa o le Paketi ma fesoasoani ai foi i le lipotia sa'o ma le vave o le tupe.

O LENEI, O LE MEA LEA, IA FAATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1. 10.0402 ua suia e faitauina:

"10.0402 Tiute ma matafaioi

E le gata i tiute ma fatuaiga e faatonu mai le tulafono, o isi foi nei matafaioi a le ofisa o fuafuaga ma le atina'e o le paketi:

(1) latou te faia ni metotia e tatau ai mo le fuafuaina e faagaoioia ai ma pulea e pei ona faaaogaina e matagaluega ma vaega a le malo;

(2) e faalagolago i le faamaonia e le Kovana, latou te fuafuaina se kalena faapaketi e fai ma ta'iala mo vaega uma o le faamalosi tulafono ma se faiga e

faatulaga ai tupe e faaoga ta'ikuata ina ia mautinoa ai e le uma ona faaoga o tupe ua uma ona faasoa ma tupe foi e lei faasoasoina i talaatu o le piliota faaletupe o loo fuafuaina e faaoga ai;

(3) ina ia faia se faiga e pulea ai pepa faaoga;

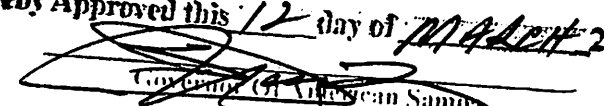
(4) faataunuu isi tiute ma galuega e tuuina mai e le Kovana, o le tulafono, poo ni tulafono foi mo le faia o galuega;

(5) faaogaina tulafono e faia ai galuega i lalo o le Tulafono o Faagasologa tau le Pulea o Galuega, maga 4.1001 ma isi e mulimuli mai ai:

(6) faaoga tulafono e faia ai galuega i lalo o le soamaga (5) e faataga ai pule o tupe latou te feavea'ia ma fetuunai aofaiga e oo atu i le ~~\$5,000~~\$10,000 poo le 15% poo le fea lava e laititi, o se vaega tupe mai le tasi laina i le isi; faataga ai le Faatonusili o le paketi e fetuunai e oo ni aofaiga e oo atu i le ~~\$25,000~~\$100,000 poo le 30% o se vaegatupe, poo le fea lava e laititi, e pei lava foi ona faia mai lea teugatupe i le isi; ma manaomia ai le faasoa e le fonofaitulafono o fesiitaiga uma e sili atu i le 30% poo le ~~\$25,000~~\$100,000. O le feavea'ia o tupe a le malo tele o le a pulea lava lea i ta'iala e tuuina mai lea taimi i lea taimi, e komiti poo faasoagatupe foi a le Senate ma le Maota o Sui o le Konekeresi."


GAOTEOTE PALAIE TOFAU
Peresetene, Maota Maualuga


SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui

Hereby Approved this 12 day of MARCH 2014

Governor of American Samoa