

THE THIRTY-EIGHTH LEGISLATURE OF AMERICAN SAMOA

Second Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa  
on Monday, the tenth of July  
two thousand and twenty three

AN ACT TO PROVIDE FOR AN INCREASE IN COMPENSATION-THE OFFICE  
EXPENSE FUND FOR LEGISLATORS; AMENDING SECTION 2.0102-2.0104;  
A.S.C.A.

Preamble

WHEREAS, The American Samoa Legislature is comprised of the Senate and the House of Representatives, first convened in October ~~1984~~ 1948 and this year will celebrate it's 75<sup>th</sup> anniversary of that historic day; and

WHEREAS, the Senate is comprised of eighteen members representing their Senate Districts and the House of Representatives is comprised of twenty members representing their House Districts. These dedicated individuals devote themselves and their time to the leadership of our community year-round; and

WHEREAS, American Samoa Code Annotated 2.0202 establishes the annual salary for the Senators, Representatives, and Delegate has not been updated since 1982 despite the immense rise in cost of living since that time; and

WHEREAS, however, the senators and representatives have additional challenges to their duties and responsibilities as the Fono building is still under construction and they do not have any offices to conduct meetings. They must find spaces in their homes or meet at restaurants in order to conduct

business. This arrangement necessitates additional expenses for the senators and representatives; and

WHEREAS, legislators are servants of the community and are expected to be available at all times for the needs and concerns of their constituents. As such, an increase in the office expense fund is essential for incidental expenses for legislators.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

**Section 1. — 2.0102 is amended to read:**

**~~“2.0102 — Compensation of legislators.~~**

**~~(a) The annual salary of the President of the Senate and the Speaker of the House is \$30,000\$50,000.~~**

**~~(b) The annual salary of other members of the Legislature is \$25,000\$45,000.~~**

**~~(c) The annual salary of the delegate from Swains Island is \$20,000\$40,000.”~~**

Sec 2. 2.0104 is amended to read:

“2.0104 Office expense fund for legislators.

(a) There shall be paid in equal biweekly installments an annual expense allowance of:

(1) \$45,000\$65,000 per annum to each member of the Senate and House of Representatives; and

(2) \$60,000-\$80,000 per annum to the President of the Senate and Speaker of the House of Representatives.

(b) This allowance is for the purpose of defraying expenses relating to or resulting from the discharge of their official duties. An accounting of the expenditures incurred by the member is not required.

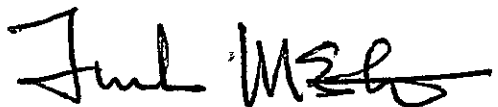
Unless the member so elects, the allowance provided in this section is not income and the member is not required to report the amount of the allowance as income for tax purposes. A member may not subsequently claim the allowance as non-income once the election has been made to designate it as taxable income.”

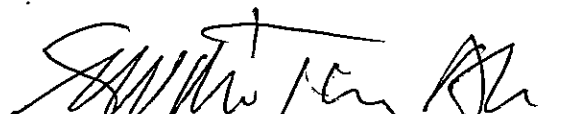
Sec 3. Source of funding.


The surplus of ~~FY2023~~ FY 2022 from unbudgeted, unexpended and unobligated revenues of the American Samoa Government shall be made available to the Legislature for the purpose set forth herein.

Sec 4. Effective date.

Section ~~12~~ of this bill shall become effective 60 days after the end of the session at which it has passed

  
TUAOLO MANAIA E. FRUEAN  
President of the Senate

  
SAVALI TALAVOU ALE  
Speaker, House of Representatives

  
LEMANU P. S. MAUGA  
Governor of American Samoa

NOFOAIGA TOLUSEFULU-VALU FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Lona Lua

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa  
Aso Gafua, aso 10 o Iulai  
Lua afe luasefuluvalu

“ O SE TULAFONO E AIAIA AI LE SIITIA AI TUPE FA’A’ALU E LE OFISA MO  
LE FONOFAITULAFONO; SUIA LE MAGA ~~2.0102~~ 2.0104; T.T.A.S.”

Faatomuaga:

TALUAI, o le Fonofaitulafono a Amerika Samoa e aofia ai le Senate ma le Maota o Sui, sa muamua ona fono ia Oketopa 1948 ma o lenei tausaga o le a faamanatuina ai lona 75 tausaga i lona aso i tala faasolopito; ma

TALUAI, O le Senate e aofia ai totino e sefulu-valu, o sui mai itumalo faa-Senate ma le Maota o Sui e aofia ai totino e lua sefulu o sui mai i o latou itumalo faafaipule. O nei tagata taitoatasi ua faapaiaina ma tuu atu atoa o latou tagata ma o latou taimi e taitaiina o tatou nuu i le tausaga atoa; ma

TALUAI, o le tulafono a Amerika Samoa 2.0202 o loo faavae ai le totogi i le tausaga mo le Senetoga, Faipule ma le faafouina o le sui usufono talu mai le 1982 e ui i le siitia tele o le tau o le soifuaga talu mai lona taimi; ma

TALUAI, e ui i lea, e iai isi luitau I Senetoga ma Faipule i o tiute ma matafaioi ona o loo fau pea le falefono ma e leai ni o latou ofisa e faatautaia ai fonotaga. E tatau ona latou sailia avaona i o latou fale pe feiloai i faleaiga ina ia mafai ai ona faatautaia pisinisi. O lenei faatulagaga e manaomia ai se tupe faaoga faaopoopo mo Senetoga ma faipule; ma

TALUAI, o faipule o auauna a le lautele ma e faamoemoe ia maua avanoa i taimi uma mo manaoga ma atugaluga a o latou itumalo. Ona o lea, o le siitia o tupe fa’a’alu e le ofisa e ta’ua mo tupe fa’a’alu faafuasei mo le faipule.

IA FAATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

Maga 1. ~~2.0102~~ ua sua e faitauina:

~~“2.0102 — Totogi o faipule.~~

~~(a) O le totogi faaletausaga o le Peresetene o le Maota Maualuga ma le Fofogafetalai o le Maota o sui e \$30,000 \$50,000.~~

~~(e) O le totogi faaletausaga o faipule o le Fonofaitulafono e \$25,000 \$45,000.~~

~~(i) O le totogi faaletausaga o le sui o Swains e \$20,000 \$40,000.”~~

Maga 2. 2.0104 sua e faitauina:

“2.0104 Tupe fa’a’alu e le Ofisa mo faipule.

(a) E tatau ona totogi i vaega tutusa tai lua vaiaso se alauni o tupe fa’a’alu faaletausaga e:

(1) \$45,000 ~~\$65,000~~ i le tausaga i le totino o le Senate ma le Maota o Sui; ma

(2) \$60,000 ~~\$80,000~~ i le tausaga i le Peresetene o le Senate ma le Fofogafetalai i le Maota o Sui.

(e) o leni alauni e mo le faamoemoe i le totogiina o tupe fa’a’alu e fesootai poo taunuuga mai le faamatuuina atu o ō latou tiute aloaia. E le manaomia se faamaumauga o tupe alu sa fa’aalu e le sui.

Sei vagana ua filifilia e le sui usufono, o le alauni ua aiaia i leni maga e le o se tupe maua ma e le manaomia e le sui ona lipoti atu le aofaiga o le alauni e avea ma tupe maua mo faamoemoega tau lafoga. E le mafai e se sui ona toe tapaina le alauni e le o ni tupe maua pe a uma ona fai le palota e tofia ai o se tupe maua faalafogaina”

Maga 3. Punaoa e faatupeina ai.

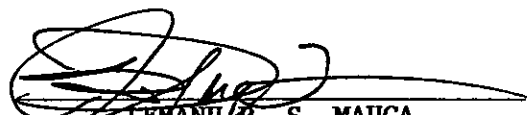
O tupe faasili o le Tausaga Faaletupe 2023, 2022 mai tupe e lei pakeiina, lei faaaogaina, tupe maua e lei faatulagaina e le Malo o Amerika Samoa e tatau ona faaavanoaina i le Fonofaitulafono mo le faamoemoe o loo faamatala mai i totonu.

Aso e taualoa ai.

O le Maga 2 o leni pili e taualoaina i le 60 aso pe a maea le tauaofiaga ina ua pasia.

  
TUAOLO MANAIA E. FRUEAN  
Peresetene, Maota Maualuga

  
SAVALI TALAVOU ALE  
Fofoga Fetalai, Maota o Sui

  
LEMANU P. S. MAUGA  
Kovana o Amerika Samoa