

THE TWENTY-THIRD LEGISLATURE OF AMERICAN SAMOA

First Special Session

Begun and held at Fagatogo, Tutuila, American Samoa
on Monday, the seventeenth day of May
one thousand nine hundred and ninety three

AN ACT INCREASING THE ANNUITIES FOR RETIREES; 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:~~

October 1984 to September 1990	2%
October 1978 to September 1984	4%
September 1978 or Before	6%

Beginning October 1, 1992, annual service retirement annuities are increased to retirees by percentage according to the year of retirement as follows:

<u>1986-1991</u>	<u>2%</u>
<u>1983-1985</u>	<u>3%</u>
<u>1980-1982</u>	<u>4%</u>
<u>1977-1979</u>	<u>5%</u>
<u>1976 and prior</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installments, rounded to the nearest dollar, as life annuities, and shall not be increased, decreased, revoked, or repealed except for error, or except where specifically otherwise provided.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 for early retirement in section 7.1442(e), but then reduced in addition, by one-fourth of one percent multiplied by the number of completed months in the period which begins at the date of termination, and ends at the date of the member's fifty-fifth birthday, subject to maximum additional deduction of 15 percent. The annuity so determined, that is normal retirement annuity less deduction for early retirement and the additional deduction as calculated above, will be paid to retiree or beneficiary.

(g) Should a member retire after attaining 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 Toloa

PRESIDENT OF THE SENATE


Talavou S. Ale

SPEAKER OF THE HOUSE

Hereby Approved this 29 day of June, 19 93


Governor of American Samoa



AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799

In reply refer to:

LEGISLATURE OF AMERICAN SAMOA

CERTIFICATION

Senate Chamber
May 27, 1993

I certify that Senate Bill No. 23-16 passed third reading on this date in the Senate during its First Special Session of the Twenty-third Legislature of American Samoa.

A handwritten signature in blue ink, appearing to read "Leo'o V. Ma'o".

Leo'o V. Ma'o
SECRETARY OF THE SENATE

House Chamber
June 3, 1993

I certify that Senate Bill No. 23-16 passed third reading on this date in the House of Representatives during its First Special Session of the Twenty-third Legislature of American Samoa.

A handwritten signature in black ink, appearing to read "Wally F. Utu".

Wally F. Utu
CHIEF CLERK, HOUSE OF REPRESENTATIVES

NOFOAIGA LUASEFULU-TOLU FONO FAITULAFONO O AMERIKA SAMOA

Fono Fa'apitoa Muamua

**Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulufitu o Me
tasi le afe iva selau iva sefulu tolu**

**O SE TULAFONO E FA'ATELEINA AI LE TUPE E TOTOGI I LE TAUSAGA MO
TAGATA RITAEA; SUIA AI LE MAGA 7.1442 TFAS.**

IA FA'ATULAFONOINA E LE FONO FAITULAFONO 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 i tausaga ta'itasi e tusa o le 2 pasene o le evaresi o le totogi i le tausaga galue e o'o i le 30 tausaga. ~~E amata ia Oketopa 1, 1983, o le tupe maua i le tausaga mo le ritaea 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%
1971-1978	10%

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

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

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

~~Oketopa 1987 ia Setema 1988 — 2%
Oketopa 1986 ia Setema 1987 — 3%
Setema 1986 po'o tua atu — 4%~~

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

~~Oketopa 1984 ia Setema 1990 — 2%
Oketopa 1978 ia Setema 1984 — 4%
Setema 1978 po'o tua atu — 6%~~

Amata ia Oketopa 1, 1992, o totogi tausaga o le ritaea o le a si'i mo tagata ritaea i pasene e fua i le tausaga na ritaea ai e pei ona fa'aalia i lalo:

1986-1991-----2%
1983-1985-----3%
1980-1982-----4%
1977-1979-----5%
1976-ma tua atu-----6%

(e) O 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'aopoopoina, fa'aitiitia, aveçesa pe soloia vagana se mea ua sese, pe vagana ua i ai se isi aiaiga faapitoa.

(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 vaega o le masina e va ai le aso o le ritaea ma le iuga o le masina. O le totogi mulimuli e fua aga'i i le aso e oti'ai.

(o) E 'ese mai le totogi atu i se totino ritaea tupe maua i tausaga ta'itasi i lona olaga atoa, e mafai e le totino ona ia filifilia le maua o se aofa'i itiiti i lona olaga atoa a'o se vaega po'o le atoa o lona tupe o le a maua pea e se tagata fa'asinoiña e le totino i le taimi e ritaea ai. O le aofa'i itiiti o le tupe ua filifilia e fuafua e le komiti ina ia tutusa le aofa'i o lona tupe maua i le taimi o le ritaea ma le aofa'i o le tupe maua i le olaga atoa pe ana fai e totogi atoa atu lava e aunoa ma se filifiliga. E mafai ona te'ena e le komiti le filifiliga vagana o le aofa'i o le ritaea o masina fuafuaina i le olaga atoa o le totino ritaea ia le-itiiti i le tasi afa o le aofa'i o le tupe maua tausaga ta'itasi na tataua ona totogi pe ana fai e leai se filifiliga.

(u) Afai ua ritaea se totino ua agava'a mo le ritaea vave e pei ona aiaia i le 7.1441, o le aofa'i o lona ritaea tausaga ua fuafua i le tulaga e pei ona fa'amatalaina, ae fa'aitiitia i le tasi-o-vaefa o le tasi pasene fa'atele i le aofa'i o masina ua mae'a i le piriota e amata i le aso o le ritaea vave ae gata i le aso-tonu sa tataua ona amata 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 e le fa'aitiitia.

(f) Afai ua ritaea se totino ua agava'a mo le ritaea e pei ona aiaia i le maga 7.1441,

o le aofa'i o le tupe maua o lana ritaea i tausaga ta'itasi e fuafua i le tulaga e pei ona fa'amatalaina mo le ritaea vave i le maga 7.1442(u), ae toe fa'aitiita fo'i i le tasi-vaefa o le pasene e tasi fa'atele i le aofa'i o masina ua mae'a i le piriota e amata i le aso na malolo ai mai le galuega, ae gata i lona limasefulu lima aso fanau o le totino, ma faae'e atu i ai le fa'aitiitiga e fa'atapula'a i le 15 pasene. O le tupe maua tausaga ta'itasi ua fa'apea ona fuafuaina, o le ritaea masani toese mai le ritaea vave ma le fa'aitiitiga fa'aopoopo e pei ona fuafuaina i luga, o le a totogi atu i le tagata ritaea po'o le penefisiari.

(g) Pe afai e ritaea se totino a ua mavae lona 65 tausaga, o le aofa'i o lona ritaea i tausaga ta'itasi e fuafua 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 uma o le piriota e amata i le aso na atoa ai le onosefulu-lima tausaga o le soifua ma fa'amuta i le aso na ritaea ai 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 Fono Faitulafono, pe si'i pe leai ritaea tautua ma ritaea ma'i o lo'o totogi nei i tagata ritaea ma isi tagata o lo'o talia tupe. O nei fautuaga a le komiti e faia pe a uma ona iloilo e le komiti tulaga o i ai nei, ma ia i ai ma se tala o tau o so'o se si'i fuafuaina e pei ona fa'amaonia e le su'esu'e inisiua fa'amaonia."



Letuli Toloa

PERESETENE, MAOTA MAUALUGA



Talavou S. Ale

FOFOGA FETALAI, MAOTA O SUI

Hereby Approved this 29 day of June, 19 93



Governor of American Samoa