



LEGISLATURE OF AMERICAN SAMOA
American Samoa Government

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THE THIRTY-SEVENTH LEGISLATURE OF AMERICAN SAMOA

Fourth Regular Session

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

AN ACT AMENDING THE FORMER GOVERNORS' MONETARY ALLOWANCE TO REFLECT THE CURRENT SALARY OF THE GOVERNOR IN OFFICE; AMENDING SECTION 4.0110 A.S.C.A.

Preamble:

- WHEREAS, Article IV of the Revised Constitution of American Samoa outlines the duties and responsibilities of the elected Governor and Lieutenant Governor. These duties and responsibilities require extensive measures of ensuring that proper actions and services are effectively provided to the people of the territory;
- WHEREAS, since the outbreak of the pandemic, additional responsibilities and priorities of the government and leaders have shifted. These effects have increased the work load of our leaders in assessing and administering proper measures to safeguard our people; and
- WHEREAS, as the primary leaders of our government, the governor and lieutenant governor serve to ensure that the greater good of the people are in place for the quality of life and service ; and
- WHEREAS, the health and welfare of our people continues to be a priority of the government and the duties and responsibilities will continue to increase with the social and economic challenges of inflation and various diseases that reach our shores; and
- WHEREAS, the current law mandates that each former governor is entitled to a monetary allowance of 60% based on their salary when in office. However, with the fluctuating cost of living it is fitting for this allowance to reflect the current salary of the Governor; and
- ~~WHEREAS, it is proposed that these amendments are to be effective in the next administration in 2026.~~

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. Section 4.0110 is amended to read:

“4.0110 Compensation and perquisites--Allowances for former Governor and surviving spouses--“Former Governor” defined.

(a) The Governor is entitled to an annual salary of \$120,000 and other perquisites provided by law including but not limited to: the rent-free use of Government House (the Governor's official residence in Fagatogo); the free use of vehicles for executive, ceremonial duties and family use; and a reasonable food, beverage and entertainment budget for the official residence specified by line item in the Governor's annual fiscal budget.

(b) The Lieutenant Governor is entitled to an annual salary of \$100,000 a year and other perquisites as provided by law including rent-free government quarters, and free use of a vehicle for executive, ceremonial duties and family use.

(c) Each former Governor shall be entitled, for the remainder of his life, to receive from the American Samoa Government a monetary allowance at the rate per annum of 60% of ~~his highest salary during his last year in office~~ the current governor's annual salary, payable monthly by the treasurer of American Samoa Government. However, such allowance is not payable for any period during which such former Governor holds an appointive or elective office or position in or under the American Samoa Government or the Federal Government to which is attached a rate of pay other than a nominal rate.

(d) The surviving spouse of each former Governor shall be entitled to receive from the American Samoa Government a monetary allowance at the rate per annum of 30% of the former Governor's highest salary during his last year in office, payable monthly by the Treasurer of the American Samoa Government. The monetary allowance of such surviving spouse;

(1) commences on the day after the former Governor dies;

(2) terminates on the last day of the month before such widow;

(A) dies; or

(B) remarries; and

(3) is not payable for any period during which such widow holds an appointive or elective office or position in or under the American Samoa Government or the Federal Government to which is attached a rate of pay other than a nominal rate.

(e) As used in this section, the term “former Governor” means a person:

(1) who, on or after January 1, 1978, shall have held the office of the Governor of the Territory of American Samoa for a full term of at least 4 years;

(2) whose service in such office shall have terminated other than by removal pursuant to A.S.C.A., 4.0109 of this chapter; and

(3) who does not then currently hold such office.

(f) Funds shall be made available from the Office of the Governor's budget.”

Sec 2. ~~Effective date.~~


~~The effective date of this Act shall be the first day of the next administration in 2026.~~



TUAOLO MANAIA FRUEAN
President of the Senate



SAVALI TALAVOU ALE
Speaker, House of Representatives



Hon. Lemann S. P. Mauga
Governor
of American Samoa

12/8/2022

NOFOA'IGA TOLUSEFULU-FITU FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Lona Fa

Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulutasi o Iulai
Lua afe luasefululua

O SE TULAFONO E SUIA AI ALAUNI TUPE O E SA AVEA MA KOVANA E ATAGIA AI LE TOTOGI O LOO IAI NEI AO I AI I LE TOFI KOVANA; SUIA AI LE MAGA 4.0110 TTAS.

Faatomuaga:

TALUAI, o le Vaega IV o le Tusi o le Faavae o Amerika Samoa o loo faatulaga ai tiute ma matafaioi a le Kovana filifilia ma le Lutena Kovana. O nei tiute ma matafaioi e moomia le silasila totoa ma le mautinoa o gaiouga ma auaunaga talafeagai e tuuina atu i tagata o le teritori; ma

TALUAI, talu mai le amataga o le faama'i, sa faaopoopo ai matafaioi ma galuega faataua a le malo ma siitia tiute a taitai. O nei aafiaga na faateleina ai le mamafa o galuega a o tatou taitai i le tagai totoa ma fuafua tataua auaunaga talafeagai mo le saogalemu o tatou tagata; ma

TALUAI, o taitai autu i le tatou malo, o le kovana ma le lutena kovana e auauna ina ia mautinoa o mea lelei mo tagata ua faatulagaina mo le lelei i le soifuaga ma le tautua; ma

TALUAI, o le soifua maloloina ma le saogalemu o o tatou tagata o loo fa'auuina pea ona faamuamua i le malo ma tiute ma matafaioi o le a fa'auuau pea ona faateleina i luitau i le soifuaga masani ma le tamaoaiga ona o le siitia o tau o oloa ma faama'i eseese ua oo mai i o tatou laufanua; ma

TALUAI, o le tulafono e aloaia ai le faatagaina o e sa avea ma kovana i alauni tupe e 60% e fua i le togi a'o i ai i le tofi Kovana. Peitai, ona o le fesuisui ai o le tau o le soifuaga ua talafeagai ai lena alauni faatusatusa i le togi ua i ai nei le Kovana; ma

~~TALUAI, e fautuaina o nei suiga o le a amata faamamaluina i le isi nofoaiga i le 2026.~~

IA FAATULAFONOINA E LE FONO FAITULAFONO A AMERIKA SAMOA;

Maga 1. 4.0110 ua suia faitauina faapea:

“4.0110 Totogi ma isi mea e manaomia—Alauni mo se tasi sa avea ma Kovana ma faletua o soifua pea—Faamalamalamaina o le “avea muamua ma Kovana”.

(a) O le Kovana e agavaa i se totogi faaletausaga e \$120,000 ma isi penefiti ua aiaia e le tulafono e aofia ae le faatapulaaina ai le faaaogaina saoloto o le Maota o le Malo (o le maota aloaia faalemalo o le Kovana i Fagatogo); faaoga saoloto o taavale mo tiute faamalosi tulafono, sauniga faapitoa, ma faaaogaina e lona aiga; ma se paketi o meataumafa e talafeagai ai, meainu ma faafiafiaga mo le maota o le malo ua faamaoti i le faasoaga o tupefaaalu i le paketi faaletausaga a le Kovana.

(e) O le Kovana Lutena e agavaa i se totogi faaletausaga o le \$100,000 i le tausaga ma isi penefiti e pei ona aiaia e le tulafono e aofia ai fale o le malo e faaoga saoloto, ma le faaaogaina saoloto o se taavale mo tiute faalemalo ma sauniga faapitoa, ma le aiga.

(i) O e uma na umia le tofi Kovana o le a agavaa, mo le taimi o loo totoe o lona soifua, e maua mai le Malo o Amerika Samoa se alauni tupe i le fua i tausaga taitasi o le 60% o lona ~~totogi aupito maua luga faaletausaga ao i ai o ia i le tausaga mulimuli o le tofi le totogi lea ua iai nei le Kovana i le tausaga~~, e totogi atu i masina taitasi e le Teutupe o le Malo o Amerika Samoa. Ae peitai, o lea alauni o le a le toe maua i soo se vaitaimi na umia ai e lea Kovana se tofi filifilia poo se tofi palotaina i totonu poo lalo o le Malo o Amerika Samoa poo le Malo Feterale ma o lena tofi na tuuina i ai se totogi e sili atu na i lo se totogi laititi.

(o) O le faletua o soifua pea o lē sa avea ma Kovana o le a agavaa i le 30% i le tausaga o le totogi aupito maua luga faaletausaga o lē sa avea ma Kovana i lona tausaga mulimuli i le tofi, e totogi atu i masina taitasi e le Teutupe o le Malo o Amerika Samoa. O lenei alauni tupe mo lea faletua o soifua pea e:

(1) amata i le aso e sosoo ai ma le maliu o lē sa avea ma Kovana;

(2) e faamuta i le aso mulimuli o le masina ae lei:

(A) maliu le faletua; pe

(E) toe faaipoipo; ma

(3) e le totogi atua mo soo se vaitaimi e umia ai e lea faletua ua oti lana tane se tofi filifilia pe palotaina poo se tofi i totonu poo lalo o le malo o Amerika Samoa poo le Malo Feterale ua aiaia i ai se totogi e ‘ese mai se totogi maualalo.

(u) E pei ona faaaogaina i lenei maga, o le upu “o lē sa avea ma Kovana” o lona uiga o se tagata:

(1) o sē sa ia umia le tofi Kovana o le Teritori o Amerika Samoa ia Ianuari 1, 1978 mo se nofoaiga atoa e 4 tausaga;

(2) o lana tautua i lea tofi sa faamutaina, e 'ese mai ai ile aveesea e tusa ai ma le TTAS 4.0109 o lenei mataupu; ma

(3) o sē e le o toe umia i le taimi nei lea tofi.

(f) O tupe e faatino ai lenei tulafono o lea fa'aavanoaina mai le paketi a le Ofisa o le Kovana."

Maga 2. ~~Aso e taualoa ai.~~

~~O le a taualoa lenei tulafono i le aso muamua o le isi nofoaiga i le 2026.~~



TUAOLO MANAIA FRUEAN
Peresetene, Maota Maualuga



SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui



Hon. Lemani S. P. Mauga
Governor
of American Samoa

12/8/2022