LOLO M. MOLIGA
GOVERNOR

OFFICE OF THE GOVERNOR
AMERICAN SAMOA GOVERNMENT
Telephone: (684) 633-4116 Fax: (684) 633-2269

LEMANU P. MAUGA
LIEUTENANT GOVERNOR

October 25, 2016

Serial No: **640**

Honorable Gaoteote Pala'ie Tofau
President of the Senate
Legislature of American Samoa
Pago Pago, American Samoa 96799

Dear Mr. President:

I have today signed into law S.B. 34-28, "AN ACT IMPROVING LITTER ENFORCEMENT IN AMERICAN SAMOA; AUTHORIZING CERTAIN GOVERNMENT AGENCIES TO ISSUE LITTERING CITATIONS; DESIGNATING THE AMERICAN SAMOA ENVIRONMENTAL PROTECTION AGENCY AS LEAD AGENCY FOR ADMINISTRATIVE MANAGEMENT; AND IMPOSING PENALTIES AND ENFORCEMENT FEES; CREATING A CHAPTER 22 UNDER TITLE 25 A.S.C.A.; AND REPEALING SECTIONS 22.0330, 46.4806 AND CHAPTER 13 OF TITLE 22 WHICH ARE INCONSISTENT WITH THE NEW CHAPTER 22 OF TITLE 25 A.S;C;A."

This Bill, aptly entitled the "Keep American Samoa Beautiful Act", is a significant piece of legislation that rationalizes existing confusion in our litter enforcement laws by creating a comprehensive scheme of regulation, It will enable more effective enforcement by a number of agencies. Previously, only the Department of Public Safety has been able to enforce laws against littering. This new Bill extends the enforcement authority to include the American Samoa Environmental Protection Agency, the American Samoa Power Authority, the Department of Health, the Department of Marine and Wildlife Resources, the Department of Parks and Recreation, and the Office of Samoan Affairs. The new law will also contribute additional funding for litter law enforcement through collection of a "litter enforcement costs offset fee" for each conviction under the law.

As we face the known difficulties of sustaining our tuna industry, we must look to other avenues for economic development, one of which is the tourism industry. S.B. 34-28 contributes in this regard at it will assist in cleaning up our environment in order to make American Samoa a more attractive place to visit for tourists and locals alike. Finally, this Bill, by enhancing our litter enforcement capabilities, will help reduce the run-off of human-generated rubbish into our streams and lagoons, contributing to a healthier ecosystem.

I wish to express my appreciation to you and your colleagues, and to the agencies involved, for your efforts and collaboration in the passage of this Bill.

Sincerely,

Lolo M. Moliga

LOLO M. MOLIGA
Governor

cc: Lieutenant Governor
Secretary of Samoan Affairs
Commissioner of Public Safety
Director, American Samoa Environmental Protection Agency/
Executive Director, American Samoa Power Authority
Director, Department of Health
Director, Office of Marine and Wildlife Resources
Director, Parks and Recreation

LOLO M. MOLIGA
GOVERNOR

OFFICE OF THE GOVERNOR
AMERICAN SAMOA GOVERNMENT
Telephone: (684) 633-4116 Fax: (684) 633-2269

LEMANU P. MAUGA
LIEUTENANT GOVERNOR

October 25, 2016

Serial No: **641**

Honorable Savali Talavou Ale
Speaker of the House of Representatives
Legislature of American Samoa
Pago Pago, American Samoa 96799

Dear Mr. Speaker:

I have today signed into law S.B. 34-28, "AN ACT IMPROVING LITTER ENFORCEMENT IN AMERICAN SAMOA; AUTHORIZING CERTAIN GOVERNMENT AGENCIES TO ISSUE LITTERING CITATIONS; DESIGNATING THE AMERICAN SAMOA ENVIRONMENTAL PROTECTION AGENCY AS LEAD AGENCY FOR ADMINISTRATIVE MANAGEMENT; AND IMPOSING PENALTIES AND ENFORCEMENT FEES; CREATING A CHAPTER 22 UNDER TITLE 25 A.S.C.A.; AND REPEALING SECTIONS 22.0330, 46.4806 AND CHAPTER 13 OF TITLE 22 WHICH ARE INCONSISTENT WITH THE NEW CHAPTER 22 OF TITLE 25 A.S;C;A."

This Bill, aptly entitled the "Keep American Samoa Beautiful Act", is a significant piece of legislation that rationalizes existing confusion in our litter enforcement laws by creating a comprehensive scheme of regulation, It will enable more effective enforcement by a number of agencies. Previously, only the Department of Public Safety has been able to enforce laws against littering. This new Bill extends the enforcement authority to include the American Samoa Environmental Protection Agency, the American Samoa Power Authority, the Department of Health, the Department of Marine and Wildlife Resources, the Department of Parks and Recreation, and the Office of Samoan Affairs. The new law will also contribute additional funding for litter law enforcement through collection of a "litter enforcement costs offset fee" for each conviction under the law.

As we face the known difficulties of sustaining our tuna industry, we must look to other avenues for economic development, one of which is the tourism industry. S.B. 34-28 contributes in this regard at it will assist in cleaning up our environment in order to make American Samoa a more attractive place to visit for tourists and locals alike. Finally, this Bill, by enhancing our litter enforcement capabilities, will help reduce the run-off of human-generated rubbish into our streams and lagoons, contributing to a healthier ecosystem.

I wish to express my appreciation to you and your colleagues, and to the agencies involved, for your efforts and collaboration in the passage of this Bill.

Sincerely,

Lolo M. Moliga

LOLO M. MOLIGA
Governor

cc: Lieutenant Governor
Secretary of Samoan Affairs
Commissioner of Public Safety
Director, American Samoa Environmental Protection Agency/
Executive Director, American Samoa Power Authority
Director, Department of Health
Director, Office of Marine and Wildlife Resources
Director, Parks and Recreation

S.B. NO. 34-28 PUBLIC LAW NO. 34-20

THE THIRTY-FOURTH 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 sixteen

AN ACT IMPROVING LITTER ENFORCEMENT IN AMERICAN SAMOA; AUTHORIZING CERTAIN GOVERNMENT AGENCIES TO ISSUE LITTERING CITATIONS; DESIGNATING THE AMERICAN SAMOA ENVIRONMENTAL PROTECTION AGENCY AS LEAD AGENCY FOR ADMINISTRATIVE MANAGEMENT; AND IMPOSING PENALTIES AND ENFORCEMENT FEES; CREATING A CHAPTER 22 UNDER TITLE 25 A.S.C.A.; AND REPEALING SECTIONS 22.0330, 46.4806 AND CHAPTER 13 OF TITLE 22 WHICH ARE INCONSISTENT WITH THE NEW CHAPTER 22 OF TITLE 25 A.S.C.A.

WHEREAS, despite increased government and community efforts to clean up American Samoa, litter continues to accumulate at an alarming rate on the land and waters of the Territory; and

WHEREAS, according to data collected by the American Samoa Environmental Protection Agency (AS-EPA), some of the most common types of litter are cigarette butts, bottles, cans, shopping bags, snack food packaging, and foam take-out products. Between the months of February to April 2016, local community groups participating in AS-EPA's "Keep American Samoa Beautiful" program collected a total of 3,223 pounds of litter from

roadsides, streams, and coastal areas on Tutuila. This number does not include the countless pounds of litter also collected by the government and private contractors during this same time period; and

WHEREAS, in addition to the direct cost of litter removal, litter harms human health, the environment, tourism, economic development, and the community's overall quality of life. The recent outbreak and proliferation of mosquito-borne diseases is directly linked to American Samoa's litter problem, as rain collecting in littered items provides an ideal incubator for mosquito larvae to spawn and ultimately spread disease; and

WHEREAS, litter is caused by a lack of concern and pride for the environment, as well as improper waste handling and disposal practices. National litter research indicates that people tend to litter in places where: (1) they feel no sense of ownership, (2) they know someone else will clean up, (3) litter has already accumulated, (4) there are insufficient trash receptacles, (5) disposal costs are high, and (6) litter laws are weakly enforced; and

WHEREAS, although there are already certain laws that regulate littering in American Samoa (*see* A.S.C.A. Title 22, Chapter 13, as well as A.S.C.A. sections 22.0330 and 46.4806), enforcement of these outdated laws has proven inadequate to combat our ever-increasing litter problem. Given the Territory's current and projected population growth and development, proactive measures are necessary to address the health and environmental harm caused by the litter epidemic; and

WHEREAS, this bill aims to improve the Territory's litter control efforts. It authorizes certain government agencies to issue litter citations and provides a funding source to supplement litter enforcement activities; and

WHEREAS, it is in the public's interest for the Legislature to adopt these updated litter control measures, in order to provide a healthy and clean environment for the residents and visitors of American Samoa.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. There is created a Chapter 22 under Title 25 A.S.C.A. which reads:

"CHAPTER 22

LITTER CONTROL

Sections:

25.2201 This Act.

25.2202 Definitions.

25.2203 Littering prohibited.

25.2204 Prohibition of tampering with or removing a litter receptacle.

25.2205 Responsibility of government.

25.2206 Responsibility of businesses.

25.2207 Responsibility of pulenuu.

25.2208 Enforcement powers.

25.2209 Penalties.

25.2210 Litter enforcement costs.

25.2211 Administrative management.

25.2212 Preservation of authority.

25.2213 Severability.

25.2201 This Act.

This Act shall be known as the "Keep American Samoa Beautiful Act."

25.2202 Definitions.

(a) For purposes of this Act and chapter, the following definitions shall apply:

(1) "Litter" means rubbish, refuse, waste materials, garbage, trash, offal, any dead animal, or any debris of any kind or description whether or not it is of value, including improperly discarded paper, metal, plastic, glass, cloth, and any liquid, infectious, or solid wastes.

(2) "Littering" means placing, throwing, or dropping litter on public, communal, or private real property, or in any waters of the Territory, except:

(A) In a place designated by the solid waste official for the purpose of collection and disposal by the solid waste agency; or

(B) Into a litter receptacle.

(3) "Litter receptacle" means any container approved by the solid waste agency for the depositing of wastes; litter receptacles shall include "collection bins" and "waste containers" as defined in A.S.C.A. Section 25.0101.

(4) "Public place" means any area that is used or held out for use by the public, whether owned or operated by public or private interests.

(5) "Solid waste agency" means the government agency designated by the Governor or by other law as responsible for the management of solid waste in American Samoa, including the pickup, transportation and disposal of solid waste, as defined in A.S.C.A. Section 25.0101.

(6) "Solid waste official" means the official appointed by the Governor to oversee solid waste collection and disposal issues in American Samoa, as defined in A.S.C.A. Section 25.0101.

(7) "Territory" means the United States Territory of American Samoa.

(8) "Waters of the Territory" means any stream, river, ocean, canal, harbor, bay, or the lake located within the territorial limits of American Samoa.

25.2203 Litter prohibited.

(a) No person shall place, throw, or drop litter on public, communal, or private real property, or in any waters of the Territory, except:

(1) In a place designated by the solid waste official for the purpose of collection and disposal by the solid waste agency; or

(2) Into a litter receptacle.

(b) In the case of litter discarded from a moving motor vehicle, the vehicle may only be stopped by law enforcement officers of the Department of Public Safety. The driver of the motor vehicle is responsible for the littering violation.

(c) This section does not restrict a person in the use of his or her own communal or private real property, provided that litter is properly discarded.

(d) If littering on public, communal, or private real property creates a public health nuisance as defined in A.S.C.A. Section 25.0101, the public nuisance provisions contained in A.S.C.A. Section 25.0107 through 25.0109 may be revoked.

25.2204 Prohibition of tampering with or removing a litter receptacle.

(a) A person shall not in any way tamper with or damage any litter receptacle so as to interfere with its designated purpose or to detrimentally affect its appearance.

(b) A person shall not remove from its place any litter receptacle which the person does not own or for which the person does not have responsibility.

25.2205 Responsibility of government.

Litter receptacles shall be suitably located along the public highways of the Territory, village access roads, residential areas, in other public places, beaches, and park and recreation areas. The solid waste official, in consultation with the Director of the American Samoa Environmental Protection Agency and the Director of the Department of Parks and Recreation, shall be responsible for continuous implementation of this provision.

25.2206 Responsibility of businesses.

Notwithstanding any other provision of law, every owner or operator of a commercial establishment in the Territory shall be responsible for providing and maintaining litter receptacles of sufficient volume and in sufficient numbers to meet the needs of patrons customarily coming on to the business premises.

25.2207 Responsibility of pulenuu.

(a) It shall be one of the duties of the pulenuu to regularly and thoroughly inspect all portions of his village and all other areas within his jurisdiction for compliance with the applicable provisions of this chapter.

(b) The pulenuu shall have the authority to charge any person within his jurisdiction with failure to comply with any provision of this chapter or any regulations adopted under it. If the matter charged is not made punishable by any village regulation in the village in which the offense occurs, the pulenuu shall consult the Attorney General, who shall take appropriate action.

(c) The pulenuu shall also assist the government in carrying out litter control efforts within his jurisdiction, and he may request the advice and assistance of the government on litter control problems within his jurisdiction.

25.2208 Enforcement powers.

(a) This chapter shall be enforced by issuance of a written citation:

(1) The form of the citation shall be approved by the Attorney General, and copies of the form shall be ordered and paid for by each agency having authority to issue citations under this chapter.

(2) Citations shall be signed by the authorized person who issues the citation.

(3) A citation must be served by personal delivery to the defendant.

(4) No code sections need be specified if the charged violation is specifically designated through the use of indicated boxes provided on the citation.

(5) The citation may also contain other information pertinent to the offense charged, together with such forms for appearance, plea, and waiver as may be necessary.

(b) Answering and challenging citations shall follow the procedures set forth in A.S.C.A. Title 25 Chapter 20.

(c) The following departments and agencies may authorize employees to issue and serve citations for violations of this chapter, provided that any person so authorized has the training and experience necessary to perform the job as determined in consultation with the Attorney General:

(1) American Samoa Environmental Protection Agency (AS-EPA);

(2) American Samoa Power Authority (ASPA);

(3) Department of Health (DOH);

(4) Department of Marine and Wildlife Resources (DMWR);

(5) Department of Parks and Recreation (DPR);

(6) Department of Public Safety (DPS)~~.~~ ;

(7) Office of Samoan Affairs.

25.2209 Penalties.

(a) Littering, or violation of any provision of this chapter, is an infraction punishable under the following schedule of fines, at the discretion of the District Court;

	NO LESS THAN	and NO MORE THAN
First Offense	$50.00	$100.00
Second Offense	$100.00	$200.00
Third Offense	$400.00	$500.00
Fourth Offense	$500.00	$1,000.00

(b) Additionally, or in lieu of fines, any person convicted under this chapter may be ordered to pick up and remove litter from public places, including streams

and the seashores, under the direction of the government agency designated by the Governor to oversee such litter removal. The designated government agency shall consult and coordinate with the appropriate judicial authorities, as necessary, to ensure compliance with the Court's orders.

(1) For the first offense, the violator shall spend four hours picking up litter.

(2) For any subsequent offense, the violator shall spend eight hours picking up litter.

(c) Any person convicted under this chapter shall be required to remove the litter that they caused or shall be liable for the costs of removing that litter.

(d) Any fine imposed under this chapter must be paid to the violations bureau within the time specified by the court. If the court does not specify a deadline, payment must be made no later than fourteen (14) calendar days from the date the fine is imposed.

(e) All fines collected shall be deposited into the general fund and subject to appropriation by the Legislature and approval by the Governor.

25.2210 Litter enforcement costs.

(a) In addition to any fines or removal costs assessed under this chapter, the Court shall impose a litter enforcement costs offset fee of ten dollars ($10.00) per conviction under this chapter.

(b) Such fee, when assessed, shall be segregated into a separate checking account designated "ASG – Litter Enforcement Account" overseen by the Treasurer of American Samoa. Such funds shall be expended solely for purchase and maintenance of equipment and materials used for government-led litter enforcement activities in the Territory. AS-EPA is the government agency designated to administer these funds.

(c) The revenues generated from the fee imposed in this section shall be subject to appropriation by the Legislature and approval by the Governor.

25.2211 Administrative management.

(a) AS-EPA shall function as the lead agency for implementation and management of this chapter, to include the following:

(1) AS-EPA shall adopt regulations in accordance with 4.1001, et seq., the Administrative Procedures Act, as necessary to implement this chapter and to provide for its effective and efficient administration.

(2) AS-EPA shall develop and conduct a public education program to explain and clarify the purposes and requirements of this chapter to the public.

(3) AS-EPA shall conduct enforcement training for its authorized employees and those of other government agencies having litter enforcement responsibilities, to include refresher training at necessary periodic intervals as determined by AS-EPA.

(4) AS-EPA shall collaborate and coordinate with other government agencies, as well as interested community organizations, for the purpose of effectively and efficiently implementing this chapter.

25.2212 Preservation of authority.

The provisions of this chapter shall not in any way preempt or diminish the authority of any government agency to enforce other laws or regulations relating to litter or solid waste in the Territory.

25.2213 Severability.

If any provision of this chapter or its application to particular persons or circumstances is held invalid by a court of law, the application of such provision to other persons or circumstances shall not be affected, nor shall the remainder of the provisions of this chapter be affected thereby."

Sec 2. Repealer.

"Sections 22.0330, 46.4806 and Chapter 13 of Title 22 are hereby repealed."

Sec 3. **Effective date.**

This Act shall become effective sixty (60) days after the end of the session in which it was passed by the Legislature and approval by the Governor.

GAOTEOTE PALAIE TOFAU
President of the Senate

SAVALI TALAVOU ALE
Speaker, House of Representatives

Hereby Approved this 25th day of October 2018

Governor Of American Samoa

NOFOAIGA TOLUSEFULU-FA FONOFAITULAFONO A AMERIKA SAMOA

Fono Tele Lona Fa

Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa

Aso Gafua, aso sefulutasi o Iulai

lua afe sefulu ono

O SE TULAFONO E SIITIA AI LE FAAMALOSIA O LE TULAFONO O LE FAAOTAOTA I AMERIKA SAMOA; FAATAGA AI NI VAEGA A LE MALO LATOU TE FAASALA AI LE FAAOTAOTA; TOFIA AI LE ASEPA E TA'IMUA I LE PULEA O LEA GALUEGA; MA FAIA FAASALAGA MA FAATULAGA LE TOTOGI O LE FAAMALOSIA O LE TULAFONO; FAAVAE AI SE MATAUPU 22 I LALO O LE ULUTALA 25 O LE T.T.A.S.; MA SOLOIA AI MAGA 22.0330, 46.4806 MA LE MATAUPU 13 O LE ULUTALA 22 LEA O LE A FETEENA'I MA LE MATAUPU 22 FOU O LE ULUTALA 25 T.T.A.S.

TALUAI, e ui i le tele o taumafaiga a le malo ma le atunuu e faamama Amerika Samoa, a e o loo tupu pea ma tele le faaotaota i laufanua ma ogasami o le Teritori; ma

TALUAI, e tusa ai ma faamaumauga a le ASEPA, o nisi o otaota aupito taatele o mulisikaleti, atigifagu, atigi'apa, ato e aumai ai faatau, o tagapepa o taumafa mama, ma ipu o loo fa'aaoga e ave ai taumafa vela. I le va o Fepuari ma Aperila o le 2016, e 3,223 pauna o le otaota mai tafaala, o vaitafe, ma le talafatai o Tutuila sa aoina e vaega o loo auai i le porokalama a le ASEPA o le "Faamatagofie Amerika Samoa." O le fuainumera lea e le

o aofia ai ma le faula'i o le otaota e le mafaitaulia le tele o loo aoina e le malo ma konekarate tua i totonu lava o le vaitaimi lea e pei ona ta'ua; ma

TALUAI, e le gata i le tau lava ia o le la'uina ese o le lapisi, ae o le otaota foi e afaina ai le soifuamaloloina, o le si'omaga, o turisi, atina'e o le tamaoaiga ma le aotelega lava o le soifua manuia o le atunuu. O le faatupula'ia o faama'i e mafua mai le namu e fesootai tonu lava foi ma le faafitauli lenei o le faaotaota, aua o le vai lea mai le timu e to'a I totonu o nisi o lapisi ia e salalau solo e matua fiafia lava le namu e fanafanau ai ma oo loa ina tupu mai ai faama'i; ma

TALUAI, o le faaotaota e mafua mai I le ola le kea ma le leai o se mitamitaga I lou si'omaga, atoa ai foi ma le lē lelei ona taulimaina o faiga I le lafoa'ia o le otaota. I suesuega faatatau I lenei lava faafitauli o loo fa'aalia ai e foliga faigofie lava ona faaotaota tagata i nofoaga: (1) ona o le manatu o le tagata e le o sona fanua lea, (2) ona e iloa e sau le isi tagata e faamama, (3) o nofoaga e o atu o la ua faulai mai ai le lapisi, (4) e le lava ni mea e togi I ai le lapisi, (5) e taugata le lafoa'ia o le lapisi ma le (6) e vaivai le faamalosia o tulafono o le faaotaota; ma

TALUAI, e ui lava ina o lea ua I ai tulafono e aiaia ai le faaotaota I Amerika Samoa, (TTAS Ulutala 22, Mataupu 13, ma maga 22.0330 ma le 46.4806), ae ua faamaonia pea e le taitai ona lava tulafono tuai nei e fofo ai le faafitauli. I le maitauina ai la o le tuputupu pea o le faitau aofai o tagata, ma le atina'e, ua tatau loa ona faia nisi fuafuaga e fofō ai faafitauli tau le soifuamaloloina ma le si'omaga e mafua mai I le faamai pipisi lenei o le faaotaota; ma

TALUAI, o lenei pili e fa'aagaaga ina ia siitia ai taumafaiga mo le faaititia o le faaotaota I le Teritori. E faataga ai nisi o vaega a le malo latou te faasala

tagata faaotaota ma aiaia ai se vaegatupe e lagolago ai galuega mo le faamalosia o tulafono nei; ma

TALUAI, o se mea ua alagatatau mo le lelei lautele ona pasia e le Fonofaitulafono o nei aiaiga mo le pulea lelei o le faaotaota, ina ia maua ai e tagatanuu atoa foi ma tagata asiasi mai I Amerika Samoa se si'omaga soifuamaloloina lelei ma le mama.

IA FA'ATULAFONOINA E LE FONO FAITULAFONO A AMERIKASAMOA:

Maga 1. **Ua faavae nei se Mataupu 22 fou i lalo o le Ulutala 25 TTAS e faitauina faapea:**

"MATAUPU 22
PULEA O LE FAAOTAOTA

Maga:

25.2201 **O lenei Tulafono.**
25.2202 **Uiga.**
25.2203 **Faasā le Faaotaota.**
25.2204 **Faasā o le faalavelave fua poo le aveesea foi o mea e tuu iai le lapisi.**
25.2205 **Matafaioi a le malo.**
25.2206 **Matafaioi a pisinisi.**
25.2207 **Malosi o le pulenuu.**
25.2208 **Malosi e faamalosia ai.**
25.2209 **Faasalaga.**
25.2210 **Totogi o le faamalosia o tulafono o le faaotaota.**
25.2211 **Pulea tau galuega.**
25.2212 **Puipuia o le pule.**
25.2213 **Tuueseeseina o aiaiga.**

25.2201 O lenei Tulafono.

O le Tulafono lenei o le a ta'ua o le "Tulafono o le Faamatagofie Pea Amerika Samoa."

25.2202 Uiga.

(a) Mo lenei lava Tulafono ma le mataupu, o uiga nei o upu o le a Fa'aaoga:

(1) "Otaota" o lona uiga o le lapisi, mea lafoai, toega o mea, soo se ituaiga lapisi lava, soo se manu mate, poo soo se mea lafoai, ma ni fasimea poo iai se aoga pe leai foi, e aofia ai ni pepa e le o lafoa'ia lelei, o u'amea, palasitika *(plastic)*, tioata, lavalava, ma soo se mea suavaia, ma soo se lapisi lava.

(2) "Faaotaota" o lona uiga o le tuuina, togi, pe faapa'ū foi se otaota i se meatotino faitele, o se fanua faaleaiga poo se meatotino tau le tagata lava ia, poo soo se ogasami/vai i le Teritori, vagana ai:

(A) O se nofoaga o loo ua faasinoina e se ofisa o le lapisi e aoina mai ai pe lafoa'ia ai foi le otaota e le vaega; poo

(E) O totonu o se mea e lafoai ai le lapisi.

(3) "Mea e lafoai le lapisi" o lona uiga soo se koneteina lava ua faamaonia e le vaega o le lapisi e tuu i ai le otaota; e aofia ai ia "mea e aoina ai" ma "mea e tuu ai le lapisi" e pei ona ta'u mai i le Maga 25.0101 T.T.A.S.

(4) "Nofoaga faitele" o lona uiga soo se nofoaga e fa'aaoga poo ua fa'aagaaga foi e fa'aaoga e le lautele, poo se fanua faitele poo se fanua tua foi.

(5) "Vaega o le Lapisi" o lona uiga o se vaega a le malo ua tofia e le Kovana poo se isi foi tulafono e gafa ma le vaaia o le lapisi i Amerika Samoa, e aofia ai le aoina, o le felaua'iga ma le lafoa'ia o le otaota, e pei ona ta'u mai i le Maga 25.0101 T.T.A.S.

(6) "Ofisa o le lapisi" o lona uiga o le tagata e tofia e le Kovana e vaaia le aoina ma le lafoa'ia o lapisi i Amerika Samoa e pei ona ta'u mai i le Maga 25.0101 T.T.A.S.

(7) "Teritori" o lona uiga o le Teritori o le Iunaite Setete o Amerika Samoa.

(8) "Ogasami/Vai o le Teritori" o lona uiga soo se alavai, vaitafe, sami, kanala, taulaga, faga, poo se vaituloto e tu i totonu o Amerika Samoa.

25.2203 Faasā le faaotaota.

(a) E faasa soo se tagata ona ia tuu, togi, pe faapa'ū foi se otaota i luga o fanua faitele, fanua tau aiga, poo se meatotino tua, poo soo se ogasami/vai o le Teritori, vagana ai:

(1) O se nofoaga ua faasino mai e se ofisa o le lapisi e ao ai ma lafoai ai le lapisi; poo

(2) O se mea e lafoai iai le otaota.

(e) Afai o se otaota e togi mai i se taavale o loo alu, e na o leoleo lava o le Matagaluega o le Saogalemu Lautele e mafai ona latou taofia le taavale. O le avetaavale o ia lea e tuu i ai le faasalaga o le solitulafono.

(i) O lenei maga e le faasa ai se tagata mai le fa'aaogaina o lona lava fanua, vagana ai ia lafoa'i lelei le otaota.

(o) Afai o le faaotaota i nofoaga faitele, fanua tau aiga, poo se fanua tau le tagata lava ia e tupu mai ai se afaina tau le soifuamaloloina e pei ona faaui ai i le Maga 25.0101 TTAS, e mafai ona faaleaogaina loa aiaiga o loo ta'u mai i Maga 25.0107 e oo i le 25.0109 TTAS.

25.2204 Faasā o le faalavelave fua poo le aveesea foi o se mea e tuu ai lapisi.

(a) E matua faasā lava se tagata mai le lote fua pe faaleaga se mea e tuu ai le lapisi ma faalavelavea ai le fa'aaogaina o lea mea e pei ona fuafuaina ai.

(e) E faasā soo se tasi na te aveesea mai se mea tuulapisi mai le nofoaga e tuu ai, pe afai e le o ia e ona lea mea pe le o ia foi e gafa ma lea lava lapisi.

25.2205 Matafaioi a le malo.

O mea tuu lapisi e tuuina lelei i le mea e tatau ona i ai i luga o alatetele o le Teritori, o auala tua o afioaga, o nofoaga o loo nonofo ai tagata, o isi nofoaga faitele, o matafaga, ma paka ma malaetaalo. I le fesootai ai ma le Faatonusili o le ASEPA ma le Matagaluega o Paka ma Malaetaalo, e gafa ai le ofisa o le lapisi ma le faagaoioia pea o lenei aiaiga.

25.2206 Matafaioi a pisinisi.

E ui lava i nisi aiaiga o le tulafono, soo se tagata e ana ia se pisinisi pe faagaoioia foi se pisinisi i le Teritori, o ia e gafa ma le faia ma le tausia lelei o meatuulapisi ina ia lava e faafeiloaia ai le manao o tagata e o atu i le pisinisi ma ona lotoa.

25.2207 Matafaioi a le pulenuu.

(a) O le tasi o tiute o le pulenuu o le asiasia lelei lea o itu uma o lona afioaga ma isi nofoaga i lalo o lana vaaiga ina ia usita'ia uma aiaiga e tatau ai o lenei mataupu.

(e) O le pulenuu e ia te ia le pule e tuua'ia ai soo se tasi i totonu o lana puleaga i le lē usita'ia o soo se aiaiga o lenei mataupu poo ni tuutuuga foi ua uma ona pasia i lalo lava o le mataupu lenei. Afai e leai se faasalaga e mafai ai ona sala i totonu o tulafono faalenuu, ona faafesootai lea e le pulenuu o le Loia Sili, o ia lea e faia le gaoioiga e tatau ona fai.

(i) E fesoasoani foi le pulenuu i le malo i le faataunuuina o taumafaiga nei i totonu o lona afioaga, ma e mafai foi ona ia talosaga o se fautuaga ma se fesoasoani a le malo i faafitauli tau le faaotaota i lona alaalafaga.

25.2208 Malosi e faamalosia ai.

(a) O le mataupu lenei e faamalosia e ala i le tusia o se moliaga:

(1) O le pepa e tusia ai moliaga e faamaonia e le Loia Sili, ma o kopi o lea pepa e oka ma totogia lava e le vaega ua tuu i ai le pule e faia ai moliaga i lalo o lenei mataupu.

(2) O moliaga uma e sainia e le tagata ua faatagaina na te faia moliaga.

(3) O le moliaga e tatau lava ona tuulima atu i le tagata o loo molia.

(4) E le tau ta'ua fua se maga o le tulafono pe afai o le solitulafono o loo faia faapito lava lea e fa'aaoga ai pusa o loo tuuina mai mo le faia o moliaga.

(5) E mafai foi ona aofia i le moliaga nisi faamatalaga e faatatau i le solitulafono, faatasi ai ma pepa mo le aso e faataunuu ai, o le tali i le moliaga, poo le faagafua foi pe afai e tatau ai.

(e) O le tali ma le teena foi o ni moliaga e mulimuli mai lea i taualumaga o loo ua faataatia mai i le TTAS Ulutala 25 Mataupu 20.

(i) O matagaluega nei o le a ta'ua i lalo e mafai ona faataga o a latou tagata faigaluega latou te faia ma tuuina atu moliaga mo le solia o lenei mataupu, pe afai ua uma ona a'otauina ia tagata ma ua iai foi le tomai masani e tatau ai mo le faataunuuina o le galuega i le fesootai ai ma le Loia Sili:

(1) Vaega o le Puipuia o le Siomaga o Amerika Samoa (ASEPA);

(2) Pulega o le Eletise ma le Suavai (ASPA);

(3) Matagaluega o le Soifuamaloloina (DOH);

(4) Alamanuia o le Sami ma le Vaomatua (DMWR);

(5) Matagaluega o le Paka ma Malaetaalo (DPR);

(6) Matagaluega o le Saogalemu Lautele (DPS)~~.~~;

(7) Ofisa o le Mataupu tau Samoa.

25.2209 Faasalaga.

(a) Faaotaota, poo le solia o soo se aiaiga o lenei mataupu, o se solitulafono e faasala e pei ona o le a faasolo atu i lalo, i le faitalia o le Faamasinoga Faaitumalo:

	E LE ITITI IFO	ma E LE SILI ATU
Solitulafono muamua	$50.00	$100.00
Solitulafono faalua	$100.00	$200.00
Solitulafono faatolu	$400.00	$500.00
Solitulafono faafa	$500.00	$1,000.00

(e) E le gata ai, poo le suitulaga foi i le salatupe, soo se tasi e nofosala i lalo o le mataupu lenei e mafai ona faatonu e alu e piki le otaota ma aveese mai le lapisi mai nofoaga faitele, e aofia ai alavai ma luga o le sami, i lalo o le taitaiga a le vaega o le malo e faatonu e le Kovana e vaaia le galuega lea. O le vaega lea a le malo e fesootai ma galulue faatasi ma le vaega o le faamasinoga pe a tatau ai, ina ia mautinoa ai le usita'ia o faaiuga mai le Faamasinoga.

(1) Mo le solitulafono muamua, e fa itula e taeotaota ai.

(2) O se isi solitulafono mulimuli ane, e 8 itula e taeotaota ai.

(i) Soo se tasi e sala i lalo o le mataupu lenei e manaomia e alu e aveese lana lapisi na fai poo le totogi foi e ia le tau e aveese ai le lapisi na ia faia.

(o) Soo se salatupe e faaee i lalo o le mataupu lenei e tatau ona totogi i le vaega o solitulafono i totonu o le taimi lava e ta'u mai e le faamasinoga. Afai e le ta'ua mai e le faamasinoga se taimi, e tatau ona totogi le sala i totonu o le 14 aso faakalena mai le aso na tuu mai ai le sala.

(u) O salatupe uma e aoina o le a teu i le teugatupe tele a le malo ma e fa'aavanoa mo le faasoa mai e le Fonofaitulafono ma le maliega a le Kovana.

25.2210 Totogi o le faamalosia o tulafono o le faaotaota.

(a) E faaopoopo atu i soo se salatupe poo le tau foi o le aveesea o le lapisi i lalo o lenei mataupu, e faaee mai e le Faamasinoga le totogi e $10 mo sala uma i lalo o lenei mataupu.

(e) O totogi ia, pe afai e tuuina mai, o le a tuuina i totonu o se tusi siaki faapitoa e faaigoaina o le "Teugatupe a le Malo mo le Faamalosia o le Tulafono o le Faaotaota" ae vaaia e le Teutupe o Amerika Samoa. O tupe ia o le a fa'aaoga tasi

lava mo le faatauina ma le tausia lelei o mea e fa'aaoga i galuega o le ta'ita'ia e le malo mo le faamalosia o le tulafono lea i le Teritori. O le vaega a le ASEPA o le a tofia latou te pulea tupe ia.

(i) O tupemaua mai totogi o loo faaee mai le maga lenei o le a fa'aavanoa mo le faasoaina e le Fonofaitulafono ma le maliega mai le Kovana.

25.2211 Pulea tau galuega.

(a) O le ASEPA o le a fai lava ma vaega ta'imua i le faagaoioia ma le pulea o le mataupu lenei e aofia ai mea nei:

(1) E fa'aaoga e le ASEPA tuutuuga e tusa ai ma le 4.1001, ma isi e mulimuli mai ai, o le Tulafono o le Taualumaga o Galuega, e tatau ai mo le faagaoioia o lenei mataupu ma aiaia ai lona fa'aaoga tatau ma le pulea lelei.

(2) O le a atia'e ma faatautaia e le ASEPA se a'oa'oga e faamatala ai ma faamanino mafuaaga ma manaoga o lenei mataupu i le lautele.

(3) O le a faia e le ASEPA le a'oga o le faamalosia mo ana tagata faigaluega ma i latou foi mai isi vaega a le malo e i ai a latou matafaioi i le faamalosia o le tulafono, ina ia aofia ai ma a'oa'oga e saga una'ia ai ma toe faaolaola mai lea taimi i lea taimi e tusa ai ma se faatulagaga a le ASEPA.

(4) E tuufaatasia e le ASEPA ma galulue faatasi foi ma isi vaega a le malo ma faalapotopotoga tua foi e fia auai, le fa'aaoga tatau ma le faagaoioia lelei o lenei mataupu.

25.2212 Puipuia o le pule.

O aiaiga o lenei mataupu o le a leai lava se ala e taofia ai fua pe faaititia ai le pule a soo se vaega o le malo e faamalosia ai isi tulafono poo tuutuuga foi e faatatau i le faaotaota poo le otaota lafoai i le Teritori.

25.2213 Tuueseeseina o aiaiga.

Afai lava e i ai se aiaiga o lenei mataupu poo lona fa'aaogaina foi e faatatau i nisi tagata poo ni mea foi e tutupu e faapea mai le faamasinoga e le fetaui/fa'aaogaina, o le a le afaina ai fua lava le fa'aaoga o lea aiaiga i isi tagata, pe afaina ai fua foi isi aiaiga o le mataupu."

Maga 2. Soloia.

"Ua soloia nei Maga 22.0330, 46.4806 ma le Mataupu 13 o le Ulutala 22."

Maga 3. Aso e taualoa ai.

O lenei Tulafono o le a taualoa i le 60 aso talu ona mae'a le tauaofiaga a le Fono Faitulafono lea na pasia ai ma faamaonia e le Kovana.

Gaoteote Palaie Tofau
Peresetene, Maota Maualuga

SAVALI TALAVOU ALE
Fofoga Fetalai, Maota o Sui

Hereby Approved this 25th day of October 20[illegible]

Governor of American Samoa