

**39th LEGISLATURE
2ND REGULAR SESSION**

**S.B. NO. 39-13
IN THE SENATE**

28 JULY, 2025

INTRODUCED BY: Sen. Utu Sila Poasa, D-3

REFERRED TO COMMITTEE ON:

SUBJECT:

FINANCE & FINANCIAL INSTITUTIONS—DEVELOPMENT BANK OF AMERICAN SAMOA

SUMMARY:

This bill establishes the appointment of one duly designated member of the House of Representatives and the Senate to the Board of Directors of the Development Bank of American Samoa (DBAS).

OWN VOTE			LEGISLATIVE VOTE		
YES	NO		YES	NO	DATE
<input type="checkbox"/>	<input type="checkbox"/>	1ST READING			
<input type="checkbox"/>	<input type="checkbox"/>	COMMITTEE REPORT			
<input type="checkbox"/>	<input type="checkbox"/>	2ND READING			
<input type="checkbox"/>	<input type="checkbox"/>	3RD READING			
<input type="checkbox"/>	<input type="checkbox"/>	AMENDED - SEE CALENDAR DATED			
<input type="checkbox"/>	<input type="checkbox"/>	AMENDED - SEE JOURNAL DATED			
<input type="checkbox"/>	<input type="checkbox"/>	AMENDED - SEE JOURNAL DATED			
<input type="checkbox"/>	<input type="checkbox"/>	RECOMMITTED			
<input type="checkbox"/>	<input type="checkbox"/>	ORDERED TO LIE			
<input type="checkbox"/>	<input type="checkbox"/>	WITHDRAWN			

1 S.B. NO. _____

2 INTRODUCED BY: _____

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE
5 APPOINTMENT OF ONE DULY DESIGNATED MEMBER OF THE HOUSE
6 OF REPRESENTATIVES AND THE SENATE TO THE BOARD OF
7 DIRECTORS OF THE DEVELOPMENT BANK OF AMERICAN SAMOA;
8 AMENDING SECTION 28.0103 A.S.C.A."

9
10 Preamble:

11
12 WHEREAS, recognizing the vital role that legislative insight and oversight play in
13 advancing equitable financial development across American Samoa,
14 and affirming our commitment to collaborative governance that
15 reflects both public trust and institutional accountability, the Senate
16 hereby establishes the appointment of one duly designated member of
17 the House of Representatives and one member of the Senate to the
18 Board of Directors of the Development Bank of American Samoa
19 (DBAS); and

20
21 WHEREAS, this inclusion is grounded in the principle of shared stewardship over
22 public resources and seeks to ensure that the strategic direction of
23 DBAS remains aligned with the broader socio-economic goals of our
24 territory; and

25
26 WHEREAS, by integrating legislative voices into board deliberations, we
27 strengthen transparency, promote representative leadership, and foster
28 informed policy coordination that benefits families, businesses, and
29 communities across the territory.

1
2 BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:
3

4 Section 1. 28.0103 is amended to read:

5 “28.0103 Board of Directors—Creation—President.

6 (a) The affairs of the Bank must be managed and its corporate powers
7 exercised by a Board of Directors, hereinafter referred to as “the Board”, which
8 consists of 10 members, ~~9~~ 7 of whom are to be appointed by the Governor with the
9 advice and consent of the Senate. The Speaker of the House shall appoint one
10 member of the House to serve on the Board. The President of the Senate shall
11 appoint one member of the Senate to serve on the Board. The Chairman, who is a
12 Board member, is elected by a majority of the Board. In the event of a vacancy for
13 any reason whatsoever, the Governor may appoint a person to fill the vacancy until
14 the next session of the Legislature. All Directors serve two-year terms. All
15 appointees may be reappointed to the Board and may be removed by the Governor
16 for cause, provided the majority of the Board concurs in the cause or causes offered.
17 At least 4 of the Board members are representatives of private business or financial
18 interests in American Samoa. The President of the Development Bank is a
19 nonvoting ex officio member of the Board of Directors. The President may not
20 serve as Chairman of the Board of Directors.

21 (b) Any board member who was employed by the American Samoa
22 Government at the time of their appointment to this board—whether by contract,
23 career service, or election—will be considered to have automatically resigned from
24 the board as soon as they leave ASG employment, regardless of the reason.

25 ~~(b)~~(c) The Governor, with the approval of the Board, appoints a President of
26 the Bank, with the advice and consent of the Senate. The President is responsible
27 for the operation of the Bank with the assistance of such other officers and
28 employees as the Board may authorize. The salary of the President and other
29 officers is established by the Board.”

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----- END -----

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**NOFOAIGA TOLUSEFULU-IVA
FONO TELE LONA LUA**

**PMM NU. 39-13
I LE MAOTA MAUALUGA**

28 IULAI, 2025

FA'AULUFALEINA E: Senetoa Utu Sila Poasa, Itumalo 3.

TU'UINA ATU I LE KOMITI

MATA'UPU:

TUPE MA FALETUPE—FALETUPE O ATINAE O AMERIKA SAMOA

'OTO'OTOGA:

O lenei pili e faavae ai se tofiga o se sui e tasi mai le Maota o Sui faapea foi le Senate i le Komiti Faatonu o le Faletupe o Atina'e (DBAS).

LANA PALOTA MONI			PALOTAGA A FAIPULE		
IOE	LEAI		IOE	LEAI	ASO
<input type="checkbox"/>	<input type="checkbox"/>	FAITAUGA MUAMUA			
<input type="checkbox"/>	<input type="checkbox"/>	RIPOTI A LE KOMITI			
<input type="checkbox"/>	<input type="checkbox"/>	FAITAUGA FA'ALUA			
<input type="checkbox"/>	<input type="checkbox"/>	FAITAUGA FA'ATOLU			
<input type="checkbox"/>	<input type="checkbox"/>	SUI - VA'AI ASO I LE KALENA			
<input type="checkbox"/>	<input type="checkbox"/>	SUI - VA'AI ASO TALA 'OTO'OTO			
<input type="checkbox"/>	<input type="checkbox"/>	SUI - VA'AI ASO TALA 'OTO'OTO			
<input type="checkbox"/>	<input type="checkbox"/>	TU'U ATU LE ISI KOMITI			
<input type="checkbox"/>	<input type="checkbox"/>	FA'ATONU E FA'ATA'ATIA			
<input type="checkbox"/>	<input type="checkbox"/>	TOE TAOFI			

1 P.M.M. NU. _____

2 FA'AULUFALEINA E: _____

3
4 O SE PILI E FAAULUTALAINA: "O SE TULAFONO E FAAVAEINA AI SE
5 TOFIGA O SE SUI E TASI MAI LE MAOTA O SUI MA LE SENATE I LE
6 KOMITI FAATONU O LE FALETUPE O ATINA'E O AMERIKA SAMOA;
7 SUIA AI LE MAGA 28.0103 T.T.A.S"

8
9 Fa'atomuaga:

10
11 TALUAI, i le faailoaina o le sao taua o le fonofaitulafono ina ia faatino le vaaia
12 ma ia malamalama i le agai i luma o le atina'e lelei o tupe i Amerika
13 Samoa, ma faamautu a tatou tautinoga i pulega soofaatasi e atagia ai
14 le faatuatuaaina e le atunuu ma le tali atu i faalapotopotoga, o lea, ua
15 faavaeina ai e le Senate le tofia o se sui e toatasi mai le Maota o Sui,
16 ma se toatasi mai le Senate i le Komiti Faatonu o le Faletupe o
17 Atina'e o Amerika Samoa (DBAS); ma

18
19 TALUAI, o lenei faiga e faavae i le manatu tausili ia tausoa lelei le vaaiga o
20 alamanuia lautele ma ia faamautinoa o lo'o o gatasi pea le mea e agai
21 i ai le Faletupe o Atina'e ma sini faamoemoeina tau le tamaoaiga ma
22 le soifua manuia o lo tatou teritori; ma

23
24 TALUAI, o le i ai o leo o le fonofaitulafono i felafolafoaiga a le komiti faafoe, e
25 faamalosia ai le faamalamalamaina o le fa'aaoga o tupe, siitia ai le
26 tulaga o sui o le komiti, ma faaleleia ai le galulue faatasi i faiga faavae
27 e manuia ai aiga, pisinisi, ma nuu i le teritori.

28
29 IA FAATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

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2 Maga 1. 28.0103 ua suia e faitauina faapea:

3 “28.0103 Komiti Faatonu--Faavaeina—Peresetene.

4 (a) O mataupu o le Faletupe e ao ona pulea ma o lona malosi faafaletupe
5 e faagaoioia e le Komiti Faafoe, lea o le a ta’ua mulimuli ane taua o le “Komiti”, e
6 aofia ai totino e toa sefulu, o le toa 9 7 o i latou ia e tofia e le Kovana faatasi ma le
7 fautuaga ma le maliliea a le Senate. O le Fofoga Fetalai o le Maota o Sui na te
8 tofia se sui e toatasi mai le Maota o Sui e tautua i le komiti. O le Peresetene o le
9 Senate na te tofiaina se sui e toatasi mai le Maota Maualuga i totonu o le komiti. O
10 le Taitaifono, o se totino o le Komiti, e filifilia i le fulisia a le Komiti. Pe a tulai
11 mai se avanoa mo soo se mafuaaga, e mafai e le Kovana ona tofia se tagata e
12 faatumu le avanoa se’ia oo i le tauaofiaga e sosoo ai a le Fono Faitulafono. O
13 faatonu uma o le Komiti Faafoe e tailua tausaga e tautua ai. E mafai ona toe tofia
14 faatonu uma sa tofia muamua ma e mafai ona aveeseina e le Kovana mo se mafuaga
15 pe afai ua fulisia le Komiti e malilie i mafuaga ua tuuina mai ua ala ai ona aveesea.
16 Ia le ititi ifo i le toafa totino o le Komiti mai pisinisi tumaoti poo ni faalapotopotoga
17 tau tupe i Amerika Samoa. O le Peresetene o le Faletupe o Atina’e o se totino e ala
18 i luga o lona tofiga o le Peresetene ma e le palota. E le mafai ona avea le Peresetene
19 ma Taitaifono o le Komiti Faatonu.

20 (e) Soo se totino o le komiti faafoe sa faafaigaluega e le Malo o Amerika
21 Samoa i le taimi na tofia ai i lenei komiti—pe konekarate, tagata faigaluega tumau,
22 pe ala foi i se palota—o le a manatu ua otometi lava lona faamavae mai le komiti i
23 le taimi e tuua ai le galuega a le Malo, poo le a lava le mafuaaga.

24 (e)(i) O le Kovana, faatasi ma le famaoniga a le Komiti Faafoe, o ia e tofia
25 se Peresitene o le Faletupe, faatasi ai ma le fautuaga ma le maliea a le Senate. O le
26 Peresitene o lo’o i ai le vaaiga mo le faagaoioia o le Faletupe fa’atasi ma le
27 fesoasoani a ofisa ma tagata faigaluega e pei ona fa’atagaina e le Komiti. O le
28 totogi o le peresitene ma isi ofisa e faatulagaina e le Komiti Faafoe.”

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