

**39th LEGISLATURE
1ST REGULAR SESSION**

**S.B. NO. 39-07
IN THE SENATE**

10 MARCH 2025

INTRODUCED BY: Sen. Togiola T. A. Tulafono, D-5

REFERRED TO COMMITTEE ON:

**SUBJECT: EXECUTIVE – TERM OF OFFICE – AMENDING OFFICIAL DATE OF
SWEARING-IN**

SUMMARY:

This bill aims to amend the statutory provisions governing the inauguration of the Governor and Lieutenant Governor of American Samoa’s official date of their swearing-in and ensuring a seamless transition of Executive authority.

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	WITHDRAWN			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. 39-07

2 INTRODUCED BY: _____



3
4 A BILL FOR AN ACT ENTITLED “AN ACT AMENDING THE STATUTORY
5 PROVISIONS GOVERNING THE INAUGURATION OF THE GOVERNOR
6 AND LIEUTENANT GOVERNOR OF AMERICAN SAMOA, ESTABLISHING
7 JANUARY 10 AT 12:00 PM AS THE OFFICIAL DATE OF THEIR SWEARING-
8 IN AND ENSURING A SEAMLESS TRANSITION OF EXECUTIVE
9 AUTHORITY, AMENDING SECTION 4.0105, A.S.C.A.”

10
11 Preamble:

12 WHEREAS, the American Samoa Revised Constitution in Article II, Section 6
13 mandates that the Legislature shall convene and swear in newly
14 elected members on January 3 at 12:00 PM, marking the
15 commencement of the Legislative session; and

16
17 WHEREAS, our laws provide that the Governor and Lieutenant Governor are
18 sworn in at the same time as our newly elected and appointed
19 members of the Legislature on January 3; and

20
21 WHEREAS, while our Constitution sets the specific date and time for the
22 Legislature’s swearing-in, it is our statutes that determine the timing
23 for the Governor and Lieutenant Governor’s inauguration. This
24 scheduling conflict prevents the leaders of our territory from being
25 able to attend and participate in one another’s ceremonies; and

26
27 WHEREAS, the attendance and participation of the Legislature at the inauguration
28 of the Governor and Lieutenant Governor are significant as they
29 symbolize unity and mutual respect between the Legislative and

1 Executive Branches. The Legislature’s participation at the
2 inauguration represents a unified commitment to serve the people of
3 the Territory. It reflects the cultural emphasis on coming together
4 during pivotal moments in our Territory’s history to acknowledge
5 shared responsibilities and uphold the harmony of leadership; and
6

7 WHEREAS, this ceremonial gathering also embodies the spirit of “fa’aaloalo”, or
8 respect, which is central to the Samoan culture. It reflects the Samoan
9 practice of convening the Fono, or council, in village governance,
10 where key leaders gather to deliberate and affirm decisions for the
11 well-being of the community. Similarly, the Legislature’s role in the
12 inauguration reinforces the cultural ethos of partnership and collective
13 stewardship. By participating, they honor the communal and
14 cooperative values that are deeply rooted in the Samoan way of life;
15 and
16

17 WHEREAS, amending the law to align the Governor’s swearing-in ceremony to
18 January 10 at 12:00 PM allows members of the Fono adequate time to
19 convene and participate in this significant occasion, reflecting the
20 joint commitment of both branches to the people of our Territory; and
21

22 WHEREAS, the extended timeline for the inauguration of the Governor and
23 Lieutenant Governor facilitates adequate preparation and public
24 recognition of this historic event while ensuring attendance by key
25 Legislative representatives.
26

27 BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:
28

29 Section 1. Section 4.0105 is amended to read:

1 "4.0105 Term of office.

2 The first elected Governor and Lieutenant Governor shall serve terms of 3
3 years each from 12 noon on 3 January 1978 until 12 noon 3 January 1981 and until
4 their successors are elected and qualified. All succeeding Governors and Lieutenant
5 Governors shall serve terms of 4 years each commencing at 12 noon on 310 January
6 next after their election and terminating at 12 noon at 310 January 4 years later, and
7 until their successors are elected and qualified."

8

9 Sec 2. Effective date.

10 This Act shall become effective immediately upon passage by the
11 Legislature and approval by the Governor.

12

13

14

----- END -----

NOFOA'IGA TOLUSEFULU-IVA
FONO TELE MUAMUA

PMM NU. 39-07
I LE MAOTA MAUALUGA

10 MARCH 2025

FA'AULUFALEINA E: Senatoa Togiola T.A. Tulafono, Itumalo-5

TU'UINA ATU I LE KOMITI:

MATA'UPU:

**FAAMALOSI TULAFONO – UMI O TOFI – SUIA O ASO ALOA'IA E
FAATAUTO AI**

'OTO'OTOGA:

O lenei pili e suia ai aiaiga faaetulafono o loo pulea ai le aso e aloa'ia ai ma le taimi o le faauuga ma le faatautoga o le Kovana ma le Lutena Kovana o Amerika Samoa ia mautinoa ai le sologa lelei o le fesuia'ia o le pule faakovana.

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. 39-07
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O SE PILI MO SE TULAFONO UA FAAIGOAINA: “O SE TULAFONO E SUIA AI AIAIGA FAALETULAFONO O LE FAAUUGA O LE KOVANA MA LE LUTENA KOVANA O AMERIKA SAMOA, E FAAVAE AI LE ASO 10 O IANUARI I LE 12 I LE AOALI E FAI MA ASO MA TAIMI ALOA’IA MO LO LA FAATAUTOGA MA IA MAUTINOA AI LE SOLOGA LELEI O LE FESUIA’IA O LE PULE FAAKOVANA, SUIA AI MAGA 4,0105 TTAS.”

Faatomuaga:

TALUAI, o loo faatulafonoina i le Faavae Toe Teuteu o Amerika Samoa Vaega II, Maga 6 o le Fonofaitulafono e usua ma faatautoina sui filifilia fou ia Ianuari 3 i le 12 i le aoali, e faailoga ai le amataina o le tauaofiaga a le Fono; ma

TALUAI, o a tatou tulafono o loo aiaia ai o le Kovana ma le Lt. Kovana e faatauto foi i le taimi lava lea e tasi, faapea ma sui filifilia fou o le Fonofaitulafono i le aso 3 o Ianuari; ma

TALUAI, a o faatulaga mai e lo tatou faavae le aso faapitoa ma le taimi mo le faatautoga o le Fonofaitulafono, o le faauuga o le Kovana ma le Lutena Kovana, o loo aumai i le tulafono. O le feteena’iga la i taimi, ua taofia ai ta’ita’i o le Teritori mai le auai atu o le isi vaega i sauniga faatauto o le isi vaega; ma

TALUAI, e taua le auai o le Fonofaitulafono i le faauuga o le Kovana ma le Lutena Kovana e faailoa ai le tutu faatasi ma le fefaaaloaloa’i i le va o le Fonofaitulafono ma le Lala Faamalosi Tulafono. O le auai o le Fono i le

1 faauuga e faailoa ai le tutu faatasi e tautua tagata o le Teritori. E atagia ai le
2 faamamafaina o le omai faatasi i taimi taua i le talafaasolopito o lo tatou
3 Teritori e faailoa ai le fefaasoaa'i i matafaioi ma taofi ai le galulue faatasi o
4 ta'ita'i; ma

5
6 TALUAI, o le potopoto faatasi i sauniga e faaalua ai le agaga o le faaaloalo, o se aga e
7 ogatotonu i le Faasamoa. E atagia ai le masani Faasamoa o le usuia o le
8 Fono, i pulega faalenuu, e potopoto ai ta'ita'i e feutaga'i ma faamaonia
9 faaiuga mo le manuia o le nuu. E faapena foi le matafaioi a le
10 Fonofaitulafono i le faauuga – e faamalosi ai le galulue faatasi faapaaga
11 mo le faafoega o le malo. O le auai, e faaalua ai le faatauaina o le galulue
12 faatasi e pei ona totoina i le soifuaga Faasamoa; ma

13
14 TALUAI, o le suia o le tulafono ina ia faia le sauniga o le faatautoga o le Kovana i le
15 aso 10 o Ianuari i le 12 i le aoauli o le a faataga ai sui o le Fono e potopoto
16 ai ma auai atu i lena sauniga taua, e atagia atu ai i le lautele le tutu faatasi o
17 lala e lua o le malo; ma

18
19 TALUAI, o le taimi lea ua tuu atu i tua mo le faauuga o le Kovana ma le Lutena
20 Kovana o le a lava ai le taimi e sauniuni ai ma faailoa ai foi i le lautele lena
21 sauniga taua faaletalafaasolopito ae mautinoa ai ma le auai o sui iloa o le
22 Fonofaitulafono.

23
24 IA FAATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

25
26 Maga 1. 4.0105 ua suia nei e faitauina faapea:

27 “4.0105 Umi o Tofi.

28 O le ulua'i Kovana palotaina ma le Kovana Lutena filifilia ia galue mo le umi e 3
29 tausaga taitoatasi mai le 12 i le aoauli o Ianuari 3, 1978 seia oo i le 12 o Ianuari 3, 1981

1 ma se'ia filifilia ma agavaa o laua sui. O Kovana ma Kovana Lutena uma e sosoo ai ia
2 galue mo le umi e 4 tausaga amataina i le 12 i le aoauli o le aso 310 Ianuari e sosoo ai ma
3 le filifiliga ma faamuta i le 12 i le aoauli o le aso 310 Ianuari le 4 tausaga mulimuli mai,
4 ma se'ia filifilia ma agavaa o la'ua sui.”

5

6 Maga 2. Aso e taualoaina ai.

7 O lenei tulafono o le a taualoa i le taimi lava e pasia ai e le Fonofaitulafono ma
8 faamaonia e le Kovana.

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