

**38TH LEGISLATURE
3RD REGULAR SESSION**

**S.J.R. NO. 38-2
IN THE SENATE**

10 JAN 2024

INTRODUCED BY: Sen. Tualo Manaia E. Fruean, D-6

REFERRED TO COMMITTEE ON:

SUBJECT:
CONSTITUTIONAL AMENDMENT – LEGISLATIVE VETO OVERRIDE

SUMMARY:
This joint resolution provides for a Legislative Override of Executive Vetoes without action by the Secretary of the Interior and amends Article II, section 9, of the Revised Constitution of American Samoa.

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	WITHDRAWN			

S.J.R. NO. 38-2
INTRODUCED BY: Jumb W. [Signature]

“A SENATE JOINT RESOLUTION AMENDING ARTICLE II, SECTION 9, OF THE REVISED CONSTITUTION OF AMERICAN SAMOA TO PROVIDE FOR A LEGISLATIVE OVERRIDE OF EXECUTIVE VETOES WITHOUT ACTION BY THE SECRETARY OF THE INTERIOR.”

NOW, THEREFORE, BE IT JOINTLY RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF AMERICAN SAMOA:

THAT, Article II, section 9, of the Revised Constitution of American Samoa is amended to read:

“Section 9. Enactment of law; vetoes. The enacting clause of all bills shall be: “Be it enacted by the Legislature of American Samoa,” and no law shall be enacted except by bill. Bills may originate in either House, and may be amended or rejected by the other. The Governor may submit proposed legislation to the Legislature for consideration by it. He may designate any such proposed legislation is urgent, if he so considers it.

Every bill, having passed both Houses, shall be signed by the President of the Senate and the Speaker of the House, and shall, before it becomes a law, be presented to the Governor for his approval. If he approves it, he shall sign it and it shall become a law, and he shall deposit it in the office of the Secretary of American Samoa. But if it be not approved by him, he shall return it with his objections to the House in which it originated which shall enter the same in their journal: Any bill not returned by the Governor within 10 days (Sundays excepted) after having been presented to him, shall become a law, whether signed by him or

1 BE IT FURTHER RESOLVED, that the Governor is respectfully requested to
2 submit the amendments proposed by this joint resolution to the voters in the next
3 general election in November 2024; and

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5 BE IT FURTHER RESOLVED, that the Secretary of the Senate is directed to
6 transmit copies of this resolution to the Honorable Lemanu P.S. Mauga, Governor
7 of American Samoa, and the Honorable Deb Haaland, Secretary of the Department
8 of the Interior.

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NOFOA'IGA TOLUSEFULU-VALU
FONO TELE LONA TOLU

ISFMM NU. 38-2.
I LE MAOTA MAUALUGA

10 JAN 2024

FA'AULUFALEINA E: Sen. Tuoalo Manaia E. Fruean, D-6

TU'UINA ATU I LE KOMITI:

MATA'UPU:

SUIGA O LE FAAVAE – FAALEAOGAINA E LE FONOFAITULAFONO O LE SAINI
TETEE A LE KOVANA

'OTO'OTOGA:

O lenei iugafono soofaatasi e aiaia ai se malosi o le Fonofaitulafono e faalēaogāina ai
Saini Tetee a le Kovana e aunoa ma se gaoioiga a le Failautusi o le Initeria, ma suia ai le
Vaega II, Maga 9, o le Faavae Toe Teuteu o Amerika Samoa.

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 I.S.F.M.M. NU. 38-2
2 FAAULUFALEINA E: Jul Weh
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4 "O SE I'UGAFONO SO'OFA'ATASI A LE MAOTA MAUALUGA E SUA AI
5 LE VAEGA II, MAGA 9, O LE FAAVAE TOE TEUTEU O AMERIKA
6 SAMOA INA IA FAIA AI SE AIAIGA E MAFAI AI E LE FONO ONA
7 FAALĒAOGĀINA LE TEENA E LE KOVANA O NI MATAUPU E AUNOA
8 MA SE GAOIOIGA A LE FAILAUTUSI O LE INITERIA."

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10 O LENEI, O LE MEA LEA, IA FA'AIUGAFONOINA SO'OFAATASI AI E LE
11 MAOTA MAUALUGA MA LE MAOTA O SUI O LE TERITORI O AMERIKA
12 SAMOA:

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14 E FA'APEA, o le Vaega II, maga 9, o le Faavae Toe Teuteu o Amerika Samoa ua
15 sua e faitauina:

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17 "Maga 9. Faagaoioia o tulafono; teena. O le fuaitau i le faagaoioia o
18 pili uma e faapenei: Ia faagaoioia e le Fonofaitulafono o Amerika Samoa," ma e
19 lei se tulafono e faagaoioia sei vagana e ala i se pili. O pili e mafai ona afua mai i
20 soo se Maota, ma e mafai ona sua ma teena e le tasi maota. E mafai e le Kovana
21 ona faaoo atu se tulafono taufaaofi i le Fono mo sona finagalo. E mafai ona ia faia
22 ina ia faanatinati se tasi o ia pili, pe afai lava e finagalo ai.

23 O pili taitasi, ina ua pasia Maota e lua, e sainia e le Peresetene o le Maota
24 Mauauga ma le Fofogafetalai o le Maota o Sui, ma, a o lei avea ma tulafono, e
25 tuuina atu muamua i le Kovana mo lana faamaoniga. Afai e faamaonia, ona ia
26 sainia lea ma avea ai ma tulafono, ona ia tuuina lea i le ofisa o le Failautusi o
27 Amerika Samoa. Ae afai e le faamaonia e ia, ona ia toe faafoi mai lea o le pili
28 faatasi ma mafuaaga o le teena i le Maota sa afua atu ai le pili ona latou tuuina lea
29 i totonu o tala faamaumau: Soo se pili e le faafoi mai e le Kovana i totonu o le 10

1 aso (vagana ai le Aso Sa) talu ona avatua ia te ia, o le a avea loa ma tulafono, pe
2 sainia pe le sainia foi, sei vagana ai ona ua mafua ona le aumaia ona o loo malolo
3 le Fonofaitulafono; afai la o lea ona le avea lea ma tulafono sei vagana ua sainia e
4 le Kovana i totonu o le 30 aso talu ona uma le malologa; afai o lena ona avea loa
5 lea ma tulafono e pei lava ona tusa ai pe afai na ia sainia a o lei alu le malologa;
6 ona tuuina loa lea o le pili lea e le Kovana i le Ofisa o le Failautusi a Amerika
7 Samoa.

8 E le silia i le 14 masina talu ona teena e le Kovana se pili, e mafai ona
9 faaleaogaina o le teena lea i se palota fulisia a le 2/3 o sui uma lava o Maota taitasi
10 i soo se tauaofiaga a le Fono. O se pili e faapea ona faia, o le a ~~tuuina atu i le~~
11 ~~Kovana mo lana faamaoniga~~ avea ma tulafono i le 90 aso talu ona uma le
12 malologa o le fono lea sa toe pasia ai, Afai na te le faamaoniaina i totonu o le 15
13 aso, ona ia aumaia lea faatasi ma ana mafuaaga i le Failautusi o le Initeria. Afai e
14 faamaonia e le Failautusi o le Initeria ona avea loa lea ma tulafono i totonu o le 90
15 aso talu ona ia mauaina, a leai ona le faapenaina lea.

16 Afai o se pili e auina atu i le Kovana o loo i ai ni mataupu se tele e
17 faasoasoina ai tupe, e mafai ona ia tetee i se tasi o ia mataupu, poo le sili atu foi,
18 poo soo se vaega poo ni vaega o i ai, ae faamaonia nisi mea, ni vaega poo ni itu o
19 le pili. Afai la o lea, na te faapipii i le pili, i le taimi e sainia ai, se faamatalaga o ia
20 mea, poo ni vaega poo ni itu foi, o loo tetee i ai, ma o mea na ia teena, o le a
21 faapena foi ona le aloa'iaina. E pei ona faaoga i lenei parakalafa, o faaupuga ia o
22 "mataupu", "vaega" ma "itu" o le a aofia ai se aiaiga poo ni aiaiga, o se faatonuga,
23 o se tapulaa, poo se isi lava tulafono e aofia i totonu o se pili tupe poo le faapipii
24 foi i soo se mataupu tau tupe i totonu o sea pili tupe.

25 E le gata i lea, e leai se mea i lenei maga e mafai ona faauiga e faapea e
26 faataga ai se suiga i le tulafono e faatatau i le tuueseina poo le fesuia'ia o fanua
27 poo soo se aia o i ai sei vagana o sea suiga na pasia e ni nofoa'iga sosoo se lua a le
28 Fonofaitulafono i se palota a le 2/3 o sui uma lava o Maota taitasi ma le Kovana e
29 tusa ona aiaia ai i le Maga 3 o le Mataupu I."; ma

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2 IA TOE FA'AIUGAFONOINA FOI, e faapea ua talosagaina ma le fa'aaloalo le
3 Kovana e faaoo atu suiga o loo faatu atu i lenei i'ugafono so'ofaatasi i le aupalota i
4 le palotaga tele aoao e sosoo ai ia Novema 2024; ma

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6 IA TOE FA'AIUGAFONOINA FOI, e faapea ua talosagaina le Failautusi o le
7 Senate e faaoo atu kopi o lenei iugafono i le Afioga a Lemanu P.S. Mauga,
8 Kovana o Amerika Samoa, ma le Afioga ia Deb Haaland, Failautusi o le Initeria.

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