



Tapuitema

...ina ia manino le folaua.



Official American Samoa Government Weekly Newsletter

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In This Issue

Governor still wants to award cash bonuses for early retirement pg. 3

Governor names former hospital CEO as new head of Health Department pg. 4

DMWR to redesign fish market at Fagatogo Marketplace pg. 4

DHSS OPEN INVITATION pg. 5

Historical Notes and much more

For additional news, information and much, much, more about your government, visit the ASG Website at <http://www.american.samoa.gov>

GOVERNOR TOGIOLA T.A. TULAFONO SUBMITS THREE TAX AND REVENUE MEASURES TO THE LEGISLATURE

On Monday, January 10, Governor Togiola submitted to the Legislature three bills as part of his plans to address the funding shortfalls currently being experienced by the American Samoa Government. The Department of Treasury estimates that ASG is incurring a deficit at the rate of approximately \$600,000 on payroll and recurring obligations from month to month.

WAGE TAX

The first bill entitled the **Wage Tax** stipulates that wages earned in the Territory shall be taxed at the rate of four percent (4%). This tax is in addition to American Samoa's income tax as set forth in Chapters 4 and 5 of this Title. This tax shall be paid by the wage earner and reported on the wage earner's

immediately increase the minimum withholding for all employees from 4% to 8%. This wage tax shall be effective as of January 1, 2011. Revenue generated from this wage tax shall be deposited in the general fund and shall not be subject to earmark. If approved the bill shall take effect immediately.

Additional Information: As part of President Obama's tax legislation, social security tax was lowered by 2%. This lowered payroll tax took effect as of January 1, 2011. By instituting this wage tax, ASG will be utilizing this funding in order to assist our operations for this year and adding on an additional 2% to further fund government operations. It should be noted that 35% of the Making Work Pay Credit is still available to all eligible employees for tax year 2010.

CORPORATE FRANCHISE TAX

The second bill entitled the **Corporate Franchise Tax** states that all corporations organized under the laws of the Territory of American Samoa, including subchapter (s) corporations and all limited liability companies that are permitted to transact business within the Territory of American Samoa shall pay a corporate franchise tax of \$2,000 annually. The impetus for this bill is the relatively small amount of tax paid by the great majority of corporations. This franchise tax ensures that ASG will receive at least \$2,000 from each corporation for the privilege of existing in the Territory. If approved, this bill shall take effect immediately.

(Continued on page 2)

ASG RADIO PROGRAM

With: Gov. Togiola Tulafono

On: KSBS FM 92.1

Saturdays @ 7:30 a.m.

THREE TAX AND REVENUE MEASURES...*(continued from page 1)*

BUSINESS LICENSES, PERMIT FEES & REVOCATION FOR TAX DELINQUENCY

The third bill seeks to amend the following license fees by adjusting them for inflation. It also proposes a process whereby a business license may be revoked for tax delinquency:

Section 1.

The following annual business license fees are established:

- | | | |
|---|--------------------|--------|
| (1) alcoholic beverage establishments: | | |
| (A) beer tavern | \$50 | \$350 |
| (B) alcoholic beverage license | \$75 | \$535 |
| (2) retail store, per business location | \$25 | \$175 |
| (3) wholesale store, per business location | \$25 | \$175 |
| (4) billiard and pool hall, per table | \$25 | \$175 |
| (5) public dance hall | \$50 | \$350 |
| (6) movie theater, per theater | \$50 | \$350 |
| (7) auctioneer, per auction sale | \$6.50 | \$45 |
| (8) beer importer | \$25 | \$175 |
| (9) beer vendor | \$25 | \$175 |
| (10) alcoholic beverage importer | \$1,000 | \$2100 |
| (11) alcoholic beverage vendor | \$1,000 | \$2100 |
| (12) garage and/or repair shop | \$25 | \$175 |
| (13) service station | \$25 | \$175 |
| (14) all other business, profession, agencies or activities | \$25 | \$175 |

Section 2.

License fees.

The following license fees are established:

- raffles, ~~\$5~~ \$35;
 (2) fund raising, per occasion, local, occasional bingo games, \$100;
 (3) fund raising, per occasion, local, raffles, \$500;
 (2) (4) visiting of foreign entertainment groups, performing in public or in private, ~~\$100~~ \$700.

Section 3.

Renewal of license.

(a) A licensee may renew his license at the expiration thereof by payment of license fee and by filing with the renewal application an affidavit, subject to the penalties of perjury, that he has continued to comply with all of the prerequisites and qualifications provided by law and rules and regulations which were certified by the proper departments of the government in the application for his original license. The renewing licensee may not be required to obtain the approval of the government or any department or agency thereof regarding the application of the zoning law of the Territory of American Samoa to the licensee's business premises; provided, that the licensed business is located upon the identical premises upon which it was located on the date of the issuance of the previous license.

(b) A licensee who fails to renew his license on or before 31 December of each year shall be assessed a penalty of \$2 14 per day for which he is delinquent, which penalty shall become part of the renewal fee. Any licensee who fails to renew his license on or before 30 January shall be required to discontinue his business until he renews the license or be subject to an injunction issued by the High Court of American Samoa and to prosecution under 27.0219. Failure to renew while continuing the operation of a business constitutes a refusal of and

failure to obtain a license under the provisions of this chapter.

(c) Renewal of a licensee's business license may be delayed for tax delinquency until the licensee enters into a written tax payment schedule with the Department of Treasury.

27.0217 Payment of all fees and debts prerequisite to issuance of license. (a) No license may be issued unless the applicant has paid all fees and debts, ~~except~~ taxes, he may owe the government. The fees or debts must be clearly related to the operation of the business. This limitation may not be used for the purpose of collecting fees or debts owed to the government for reasons other than operation of the business for which the license is to be issued.

(b) Approval of the application of an applicant who owes taxes to the government shall be withheld until the applicant enters a written payment schedule with the Department of Treasury to pay the taxes owed.

27.0218 Revocation of license.

Any license issued to 1) a person which is based on information subsequently found by the Governor or Commission to be false, or 2) a person who has entered into a written payment schedule with the Department of Treasury for the payment of taxed owed to the government, where that person has been non-compliant with the written payment schedule for three consecutive months, is subject to revocation after a due notice and hearing in accordance with the Administrative Procedure Act, 4.1001 et seq. The revocation is in addition to any other penalties.

If passed by the Legislature and approved by the Governor, these fees shall be effective immediately.

SHARE IMPORTANT INFORMATION & ACTIVITIES IN YOUR ASG NEWSLETTER

with your ASG workforce as well as the citizens of American Samoa. Email your articles, announcements, pictures or other information to:

Harry Stevens (harry.stevens@americansamoa.gov) or **Jacinta Galea'i** (jacinta@americansamoa.gov)

Governor still wants to award cash bonuses for early retirement

Governor Togiola Tulafono is still pursuing his request to have the Fono approve legislation that provides early retirement cash bonuses for government employees who decide to retire early.

Togiola said that while the Fono does not support giving bonuses to those who sacrificed many years of service for the government (when

they are alive), they have no problems awarding a \$10K benefit when they die.

Togiola said this practice means the benefit goes to other people instead of the person who actually worked for the government. He told the Fono that it is the retiree who needs to be rewarded, and there shouldn't be any concerns about funeral expenses

because such a thing is a cultural obligation.

Senate President Gaoteote Palaie Tofau responded by saying that those who oversee the Retirement Fund have testified against the retirement bonus bill. He said that while the intention of the bill may be good, it is the Retirement Fund Board members who do not agree with it.

DHSS/SAMHSA

The A'apa Atu program is completing its final focus of the villages and communities across the island, during this past holiday and ending January 31, 2011.

May we remind those of you (children, adolescents, adults, and families) who may still be experiencing prolonged/lingering symptoms of disaster related psychological trauma (startle response, grief and sadness with inability to move forward, fear, reoccurring dreams/nightmares, sadness/depression, quick-tempered irritability, withdrawal and isolation) that we are here to assist and provide recovery oriented services and/or referrals as needed.

Disaster Crisis Counseling DHSS/SAMHSA We can help with "Managing Reactions"

To enhance skills to calm upsetting physical and emotional reactions; learn new strategies to deal with reactions to stressful situations, including reminders; and put words to uncomfortable emotions to better understand and manage distress.

SKILL STEPS:

- **Identify Distressing Reactions and their Triggers**
- **Teach Skills to Address Distressing Reactions**
- **Create a Plan to Manage a Reaction**

Promoting Resilience, Empowerment & Recovery

**Contact: 633-3810
24-hour hotline**

Governor names former hospital CEO as new head of Health Department

Former CEO of the LBJ Tropical Medical Center Taufete'e John Faumuina has been named by Governor Togiola Tulafono as the new head of the Department of Health, replacing former Health Director Tuiasina Dr. Salamo Laumoli who resigned last September and has since relocated to Hawaii.

In a January 5 memo released by the Governor's Office, Togiola announced the appointment of Taufete'e saying he has the utmost confidence in him and requested that everyone extend to him their full

support and cooperation.

The appointment is subject to Fono confirmation. Since Tuia-sina's departure, DOH deputy director Elisapeta Ponausua has been acting director since October 2010.

Taufete'e ended his tenure as hospital CEO in mid-2006 after holding the position for about 8 years. Afterwards, he became a member of the Election Office's senior staff.

In related news, Governor Togiola

has appointed Tusipasi Suiuaonoa as the director of the Office of Veterans and Military Affairs, which falls under the Governor's Office. This appointment is not subject to legislative approval.

The post was held by Faimealelei Anthony Allen who stepped down after being elected last November as a faipule from Aua.

Suiuaonoa is a retired military man who is currently the Chief Protocol Officer for the Governor's Office, a post he will hold along with his new appointment.

DMWR to redesign fish market at Fagatogo Marketplace

The Department of Marine and Wildlife Resources plans to re-design the space at the multi-million-dollar Fagatogo Marketplace, the space allocated for the sale of fresh fish. If all goes well, the fish market will be open for operation later this year in March.

The board that oversees the Fagatogo Marketplace, which includes higher ups from the depart-

ments of Marine and Wildlife Resources, Commerce, and Agriculture, last week accepted DMWR's proposal to re-design the space that has been reserved for the fish market.

The project is necessary because the current space does not have the proper drainage, which is required especially when cleaning fish to ensure that the area is clean

and up to sanitary standards.

In addition to drainage work, glass boxes will be installed to display fresh fish.

DMWR took charge of the fish market after the initial plan to let the American Samoa Fishermen's Cooperative take over, didn't fall through.

PUBLIC NOTICE

To all alcoholic beverage licensees

Be advised that the Department of Public Safety, in collaboration with the Ta'ita'itama Prevent Underage Drinking Initiative and the Alcoholic Beverage Control Board

will be conducting compliance check activities in your area beginning December 2010 and continuing through December 2011.

Please remember that selling alcoholic beverages to a person under 21 years old is illegal per American Samoa Code, Title 27, Chapter 05; Section 27.0531: ***"No licensee may sell any alcoholic beverage to any person under 21."***

American Samoa is committed to protecting the health, safety, and welfare of its people. Our priority issue is to combat and prevent underage drinking and the problems that arise from this illegal activity.

**For additional information, feel free to contact the
Enforcing Underage Drinking Laws - EUDL Program at 633-1582.**

HISTORICAL NOTES

By: Stan Sorensen, Historian, Office of the Governor

On January 11, 1938, Pan American World Airways' *Samoan Clipper* (a Sikorsky S-42B flying boat, piloted by Captain Edwin Musick) exploded northwest of Tutuila, at 14 degrees 8 minutes South Latitude and 170degrees 51 minutes West Longitude, shortly after taking off from Pago Pago Harbor. The explosion occurred when one of the *Clipper's* engines developed an oil leak. In order to lighten the airplane and make a safe landing, Captain Musick decided to jettison his excess fuel. His last message, at 8:27 a.m., said "We are going to dump gas and we can't use the radio during the dumping. Stand by." The fuel apparently streamed over the lowered flaps and struck a hot exhaust manifold, thus igniting and causing the airplane's fuel tanks to explode. Samoan *fantasi* and the seaplane tender USS *Avocet*, sent to look for survivors, found none: only an oil slick, and some uniform coats and pieces of aluminum floating on the water. (Responding to angry complaints by Pan Am pilots following the *Samoan Clipper's* loss, the Sikorsky Aircraft Company extended the length of the dump valves on all S-42s, so that dumped fuel would not be deflected into the engine exhaust manifolds by the flaps).

On January 11, 1942, at 2:26 a.m., "a Japanese submarine surfaced about 10,000 yards off the north coast [of Tutuila] between Southworth Point and Fagasa Bay," and fired about fifteen projectiles from its 5.5-inch deck gun at the U.S. Naval Station Tutuila over a period of approximately ten minutes. The first shell struck the rear of the store of Frank Shimasaki, one of Tutuila's few Japanese residents. The store was closed at the time, as Mr. Shimasaki was interned because of his 'foreign background.' The next one inflicted slight damage on the naval dispensary, the third landed on the lawn behind the naval quarters known as "Centipede Row," while the fourth hit the stone seawall outside the customs house. The others fell harmlessly into the harbor. "The fire was not returned, notwithstanding the eagerness of the Samoan Marines to test their skill against the enemy....No American or Samoan Marines were wounded." Commander Edwin B. Robinson, who was bicycling behind Centipede Row, was wounded in the knee by a piece of shrapnel and "a member of the colorful native Fita Fita Guard" received minor injuries; they were the only casualties. This was the only time that the Japanese attacked Tutuila during World War II, but "Japanese submarines did patrol the waters around Samoa prior to the attack on Pearl Harbor, and were active in the area throughout the war."

On January 15, 1936, Lieutenant Commander Thomas Benjamin Fitzpatrick relieved Captain Otto Carl Dowling and began his six-day term as American Samoa's 24th naval.

On January 15, 1944, the First Samoan Battalion, U.S. Marine Corps Reserve was disbanded, and its personnel were assigned to the Marine Barracks at the U.S. Naval Station Tutuila. The battalion's strength was "9 Marine officers, 1 Navy officer, 32 American Marines and 494 Samoan Marines."

On January 16, 1903, each *matai* who signed the Deed of Cession of Tutuila received a watch, a medal and a diploma from President Theodore Roosevelt.

On January 17, 1878, a treaty which "merely guaranteed the United States a site for a naval station at Pango Pango [*sic*] (though not the exclusive privileges of the unratified treaty of 1872)" was signed by Le Mamea Maaka, Samoa's envoy to the United States, and the U.S. Secretary of State, William M. Evarts.

On January 17, 1942, the Commander-in-Chief, Pacific Fleet (CINCPAC), Admiral Chester William Nimitz, USN, appointed Brigadier General Henry Louis Larsen, USMC, as Military Governor and Island Commander of Tutuila. This created an unusual situation, since the Governor of American Samoa, Captain Laurence Wild, USN, was senior to Larsen in position, but junior to him in rank.

American Samoa Government**DEPARTMENT OF HUMAN AND SOCIAL SERVICES****American Samoa WIC Program****OPEN INVITATION****3rd Health Heroes Nutrition Fair for the American Samoa WIC Program**

Theme: "For the Love of Children"

You are cordially invited to join us for the 3rd Health Heroes Nutrition Fair for the American Samoa WIC Program. The fair will feature a puppet show for the children and lots of nutritious food, games, activities, prizes for the entire family, and gardening competition for prizes. Be sure not to miss out on food samples, food demonstrations, children nutrition activities and games, lots of prizes, and a grand prize drawing for a hand-made baby quilt!

This fair is sponsored by the Women's Community Action Program (W-CAP), under the direction of Mrs. Ali Pili, and the following local organizations/community service providers/vendors:

- CNR Land Grant
- Feleti Barstow Public Library
- McDonald's
- Nutrition Services Department of LBJ Hospital
- Pritchard's Bakery
- Sodexo American Samoa
- CBT True Value hardware
- EFNEP (Nutrition)
- GHC Reid
- Origin Gas
- Pizza Hut
- Sea Grant
- Niuborn Baby Store
- SMLS (Swap Meet Liquidation Store)

DATE: Friday, January 28, 2011

TIME: 8:00 a.m. - 11:00 a.m.

PLACE: Amouli Satellite Clinic

(This is signed by DHSS director Leilua Stevenson)