

I MINA'TRENTA NA LIHESLATURÁN GUÅHAN
2010 (SECOND) Regular Session

Bill No. 321-2000R

Introduced by:

Adolpho B. Palacios, Sr.



2010 FEB -3 11 8:44 AM

AN ACT TO APPROPRIATE ONE HUNDRED FIFTY TWO THOUSAND ONE HUNDRED AND THREE DOLLARS (\$152,103.00) AND TWO HUNDRED FORTY FIVE THOUSAND EIGHT HUNDRED AND TWO DOLLARS (\$245,802.00) FROM THE UNAPPROPRIATED FISCAL YEAR 2008 AND 2009 MANPOWER DEVELOPMENT FUND (MDF) REVENUES TO THE GUAM DEPARTMENT OF LABOR (GDOL) AND TO AUTHORIZE USE OF MDF FUNDS TO HIRE UNCLASSIFIED WORKERS.

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that to

3 ensure adequate delivery of services to employers in a timely manner, the Guam

4 Department of Labor (GDOL) needs to receive the necessary funding levels. Additional

5 funding sources for the GDOL will supplement current enforcement activities in an effort

6 to prevent waste, fraud, and abuse. The department will also ensure that proper

7 inspection of employee barracks are conducted on a regular basis. In addition, the GDOL

8 will be able to recruit temporary staff necessary to meet department mandates

9 exacerbated with the increased volume of business activity and importation of foreign

10 temporary workers related to the Guam Military Buildup and associated civilian sector

11 projects. Therefore, it is the intent of *I Liheslaturan Guåhan* to appropriate funding to

12 the GDOL from the unappropriated Manpower Development Fund (MDF) Revenues of

1 Fiscal Year 2008 and 2009 respectively. It is further the intent of *I Liheslatura* to
2 authorize the GDOL to expend the appropriations from the MDF.

3 **Section 2. Appropriation.** The sum of One Hundred Fifty Two Thousand One
4 Hundred and Three Dollars (\$152,103.00) from the unappropriated Fiscal Year 2008
5 MDF and the sum of Two Hundred Forty Five Thousand Eight Hundred and Two Dollars
6 (\$245, 802.00) from the unappropriated Fiscal Year 2009 MDF is hereby appropriated to
7 the GDOL.

8 **Section 3. Authorization to Expend.** Notwithstanding any other provision of
9 law, the GDOL is authorized to expend the revenues collected in excess of the adopted
10 revenues for MDF Fiscal Year 2008 and 2009 pursuant to §7120(a) of Title 22, Guam
11 Code Annotated.

12 **Section 4. Continuing Appropriation.** §7120.1. Unused MDF Funds is hereby
13 amended to add a new paragraph to read:

14 “Manpower Development Funds collected in excess of the appropriated amount,
15 based on the MDF Revenue projection, for any given fiscal year shall be automatically
16 appropriated to the next fiscal year and be immediately expendable pursuant to §7120(a)
17 of Title 22, Guam Code Annotated.

18 **Section 5. Authorization to Use Local Funding for Unclassified Positions.**
19 Notwithstanding provisions in current and future budget laws with regard to prohibitions
20 on using local funds to fill positions within the executive branch, the GDOL is authorized
21 to expend funding from the MDF to fill positions within the department to address the
22 temporary workforce demand associated with the Guam Military Buildup as well as pre-
23 and post- Guam Military Buildup public and private sector economic activity. The

1 Department may opt to fill job positions using Limited Term or Unclassified
2 Appointments. This authorization will sunset on September 30, 2017 unless reauthorized
3 in future legislation.