

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

Bill No. 321-20002

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.**

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

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

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

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

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

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

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

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

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

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

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

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.