I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO *I MAGA'LAHEN GUÅHAN*

This is to certify that **Substitute Bill No. 225-31 (LS), "AN ACT TO *ADD* NEW §§5011 AND 5012 TO PART A, ARTICLE 1 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING A PROCUREMENT POLICY IN FAVOR OF SERVICE-DISABLED VETERAN OWNED BUSINESSES, AND TO BE CITED AS *"THE SUPPORT FOR DISABLED VETERAN BUSINESSES ACT"*,"** was on the 19th day of September, 2011, duly and regularly passed.

Judith T. Won Pat, Ed.D.
Speaker

Attested:

Tina Rose Muña Barnes
Legislative Secretary

This Act was received by *I Maga'lahen Guåhan* this 20th day of Sept., 2011, at 4:10 o'clock P.M.

Assistant Staff Officer
Maga'lahi's Office

APPROVED:

EDWARD J.B. CALVO
I Maga'lahen Guåhan

Date: _____

Public Law No. _____

I MINA'TRENTAI UNU NA LIHESLATURAN GUÅHAN
2011 (FIRST) Regular Session

Bill No. 225-31 (LS)
As substituted by the Committee on Youth, Cultural Affairs, Procurement, General Government Operations & Public Broadcasting; and amended on the Floor.

Introduced by: T. R Muña Barnes
B. J.F. Cruz
T. C. Ada
F. F. Blas, Jr.
Judith P. Guthertz, DPA
V. Anthony Ada
Adolpho B. Palacios, Sr.
Chris M. Dueñas
Sam Mabini, Ph.D.
v. c. pangelinan
Dennis G. Rodriguez, Jr.
R. J. Respicio
M. Silva Taijeron
Aline A.Yamashita, Ph.D.
Judith T. Won Pat, Ed.D.

AN ACT TO *ADD* NEW §§5011 AND 5012 TO PART A, ARTICLE 1 OF CHAPTER 5, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO ADOPTING A PROCUREMENT POLICY IN FAVOR OF SERVICE-DISABLED VETERAN OWNED BUSINESSES, AND TO BE CITED AS "*THE SUPPORT FOR DISABLED VETERAN BUSINESSES ACT*".

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A new §5011 is hereby *added* to Part A, Article 1 of Chapter 5, Title 5, Guam Code Annotated, to read as follows:

"**§ 5011. Policy In Favor of Service-Disabled Veteran Owned Businesses.** Notwithstanding any provision of law, and *except* for the procurement of professional services, if any entity of the government of Guam or any entity expending governmental funds intends to procure any

supply or service, which is offered by a business concern that is at least fifty-one percent (51%) owned by a service-disabled veteran(s), that entity *shall* procure such supply or service from that business concern, if the supply or service is available within the period required by the procuring entity and the price for the supply or service *does not* exceed one hundred five percent (105%) of the lowest price bidder, and *shall* be in addition to any other procurement benefit the service-disabled veteran owned business may qualify for under Guam law."

Section 2. A new §5012 is hereby *added* to Part A, Article 1 of Chapter 5, Title 5, Guam Code Annotated, to read as follows:

"**§ 5012. Qualifications of a Service-Disabled Veteran Owned Business.** A business concern is qualified under §5011 of this Chapter if:

(a) the business concern is licensed to do business on Guam;

(b) the business concern maintains its headquarters on Guam;

(c) the business concern is *at least* fifty-one percent (51%) owned by a service-disabled veteran(s) who served in the active U.S. military service, was discharged or released under honorable conditions and whose disability is service-connected as demonstrated by a DD214, and certified by an award letter from the U.S. Department of Veterans Affairs;

(d) the DD214 and Disability award letter from the U.S. Department of Veterans Affairs are submitted to the procuring entity for every service or supply offered; and

(e) the service-disabled veteran(s) owner of the business concern has filed individual tax returns on Guam for a period of *at least* three (3) consecutive years."