

**I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN**  
**2021 (FIRST) Regular Session**  
**VOTING RECORD**

| Bill No. 71-36 (COR)<br>As amended by the Committee on Environment, Revenue and Taxation, Labor, Procurement, and Statistics, Research and Planning; and further amended on the Floor. | Speaker Antonio R. Unpingco Legislative Session Hall<br>Guam Congress Building<br>May 28, 2021 |     |                          |                         |        |         |
|--|--|-----|--------------------------|-------------------------|--------|---------|
| NAME   | Aye  | Nay | Not Voting/<br>Abstained | Out During<br>Roll Call | Absent | Excused |
| Senator V. Anthony Ada   | √  |     |                          |                         |        |         |
| Senator Frank Blas Jr.   | √  |     |                          |                         |        |         |
| Senator Joanne Brown   | √  |     |                          |                         |        |         |
| Senator Christopher M. Dueñas  | √  |     |                          |                         |        |         |
| Senator James C. Moylan  | √  |     |                          |                         |        |         |
| Vice Speaker Tina Rose Muña Barnes   | √  |     |                          |                         |        |         |
| Senator Telen Cruz Nelson  | √  |     |                          |                         |        |         |
| Senator Sabina Flores Perez  | √  |     |                          |                         |        |         |
| Senator Clynton E. Ridgell   | √  |     |                          |                         |        |         |
| Senator Joe S. San Agustin   | √  |     |                          |                         |        |         |
| Senator Amanda L. Shelton  | √  |     |                          |                         |        |         |
| Senator Telo T. Taitague   | √  |     |                          |                         |        |         |
| Senator Jose "Pedo" Terlaje  | √  |     |                          |                         |        |         |
| Speaker Therese M. Terlaje   | √  |     |                          |                         |        |         |
| Senator Mary Camacho Torres  | √  |     |                          |                         |        |         |

**TOTAL**

**15**

**0**

Aye

Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

Excused

CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO  
Clerk of the Legislature

I = Pass

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**Bill No. 71-36 (COR)**

As amended by the Committee on Environment,  
Revenue and Taxation, Labor, Procurement,  
and Statistics, Research, and Planning;  
and further amended on the Floor.

\*

Introduced by:

Amanda L. Shelton  
Telena Cruz Nelson  
Tina Rose Muña Barnes  
Mary Camacho Torres  
Joanne Brown  
Telo T. Taitague

**AN ACT TO *ADD* A NEW § 5013 TO SUBARTICLE A OF  
ARTICLE 1, CHAPTER 5, TITLE 5, GUAM CODE  
ANNOTATED, RELATIVE TO ADOPTING A  
PROCUREMENT POLICY IN FAVOR OF WOMEN-  
OWNED BUSINESSES, AND TO CITE THIS ACT AS  
“*THE SUPPORT FOR WOMEN-OWNED BUSINESSES*  
*ACT.*”**

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

2           **Section 1. Short Title.** This Act *shall* be known as the “*Support for Women-*  
3 *Owned Businesses Act.*”

4           **Section 2. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
5 that women-owned businesses have been at a distinct disadvantage in Guam’s  
6 economy. A review of data from the 2017 Economic Census of Guam conducted by  
7 the U.S. Census Bureau confirms that the percentage of women-owned businesses  
8 on Guam is only about seventeen percent (17%) and depending on the industry,

1 ranges from nine percent (9%) to twenty-two percent (22%). With regard to industry  
2 categorization, in 2017 women-owned businesses represented only nine percent  
3 (9%) of local construction businesses; nineteen percent (19%) of local  
4 manufacturing and retail businesses; seventeen percent (17%) of local wholesale  
5 businesses; thirteen percent (13%) of local finance and insurance businesses;  
6 eighteen percent (18%) of local real estate companies; and twenty-two percent  
7 (22%) of local health care companies (the highest percentage of women-owned  
8 businesses in this census).

9 *I Liheslatura* further finds that current research has shown that the COVID-  
10 19 pandemic has taken a higher toll on women-owned businesses. According to a  
11 recent survey by the U.S. Chamber of Commerce, the number of female business  
12 owners who ranked their business’s overall health as “somewhat or very good” fell  
13 thirteen (13) points during the COVID-19 pandemic, from sixty percent (60%) in  
14 January to forty-seven percent (47%) in July 2020. By contrast, the number of male  
15 business owners reporting a “good” business health status only fell five (5) points  
16 in the same period, from sixty-seven percent (67%) to sixty-two percent (62%). The  
17 U.S. Chamber study also reported that female small business owners are also less  
18 likely to expect future success in the coming year compared to male owners with  
19 regard to revenue, investments, and staffing.

20 *I Liheslatura* further finds that programs designed to increase minority  
21 participation in government procurement help to address the traditional imbalance  
22 of low minority firm participation and helps such businesses grow through greater  
23 access to the large market of government contracts.

24 Therefore, it is the intent of *I Liheslaturan Guåhan* to add a new § 5013 to  
25 Subarticle A of Article 1, Chapter 5, Title 5, Guam Code Annotated, to adopt a  
26 procurement policy in favor of women-owned businesses.

1           **Section 3.** A new § 5013 is hereby *added* to Subarticle A of Article 1,  
2 Chapter 5, Title 5, Guam Code Annotated, to read:

3           **“§ 5013. Policy In Favor of Women-Owned Businesses.**

4           (a) Notwithstanding any other provision of law, if any entity of the  
5 government of Guam or any entity expending governmental funds intends to  
6 procure any supply or service which is offered by a business concern that is  
7 at least fifty-one percent (51%) owned by women, that entity *shall* procure  
8 such supply or service from that business concern if the supply or service is  
9 available within the period required by the procuring entity and the price for  
10 the supply or service *does not* exceed one hundred five percent (105%) of the  
11 lowest price bidder, and *shall* be in addition to any other procurement benefit  
12 the women-owned business may qualify for under Guam law. The procuring  
13 entity shall determine the lowest price to the entity in the case of more than  
14 one (1) women-owned business, or a women-owned business and a service-  
15 disabled veteran owned business, who are competing for the same government  
16 contract.

17           (b) **Qualifications of a Women-Owned Business.** A business  
18 concern is qualified under Subsection (a) of this Section if:

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

20                   (2) the business concern maintains its headquarters on Guam;

21                   (3) the business concern is at least fifty-one percent (51%)  
22 owned by women, who manage day-to-day operations and make long-  
23 term decisions;

24                   (4) the business concern is certified as a Women-Owned  
25 Small Business (WOSB) or an Economically Disadvantaged Women-  
26 Owned Small Business (EDWOSB) by the U.S. Small Business  
27 Administration; and

1                   (5) the owner(s) of the business concern has (have) filed  
2                   individual tax returns on Guam for a period of at least three (3)  
3                   consecutive years.”

4                   **Section 4. Effective Date.** This Act *shall* be effective upon enactment.