

*I Mina'Trentai Dos Na Liheslaturan Received*  
**Bill Log Sheet**

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES
338-32 (COR)	Judith T. Won Pat, Ed.D. Michael F.Q. San Nicolas T.R. Muna Barnes	AN ACT TO ADD A NEW SUBSECTION (E) TO §70105 OF CHAPTER 70 OF TITLE 11 GUAM CODE ANNOTATED RELATIVE TO THE DEPARTMENT OF REVENUE AND TAXATION INCLUDING FIELDS ON THE BUSINESS LISCENSE APPLICATION AND RENEWAL FORMS IDENTIFYING THE GENDER, ETHNICITY, VETERAN STATUS, AND NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE NUMBER OF BUSINESS OWNERS.	5/12/14 9:43 A.M.	05/14/14	Committee on Aviation, Ground Transportation, Regulatory Concerns, and Future Generations			



## COMMITTEE ON RULES

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May 14, 2014

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### MEMORANDUM

**To: Rennae Meno**  
*Clerk of the Legislature*

**Attorney Therese M. Terlaje**  
*Legislative Legal Counsel*

**From: Senator Rory J. Respicio**   
*Chairperson of the Committee on Rules*

**Subject: Referral of Bill No. 338-32(COR)**

As the Chairperson of the Committee on Rules, I am forwarding my referral of **Bill No. 338-32(COR)**.

Please ensure that the subject bill is referred, in my name, to the respective committee, as shown on the attachment. I also request that the same be forwarded to all members of *I Mina'trentai Dos na Liheslaturan Guåhan*.

Should you have any questions, please feel free to contact our office at 472-7679.

*Si Yu'os Ma'åse!*

Attachment

***I MINA'TRENTAI DOS NA LIHESLATURAN GUÅHAN***  
**2014 (Second) Regular Session**

**Bill No. 334-22 (COR)**

Introduced by:

Judith T. Won Pat, Ed.D.  
Michael F.Q. San Nicolas  
T.R. Muna Barnes

**AN ACT TO ADD A NEW SUBSECTION (E) TO  
§70105 OF CHAPTER 70 OF TITLE 11 GUAM  
CODE ANNOTATED RELATIVE TO THE  
DEPARTMENT OF REVENUE AND TAXATION  
INCLUDING FIELDS ON THE BUSINESS  
LICENSE APPLICATION AND RENEWAL  
FORMS IDENTIFYING THE GENDER,  
ETHNICITY, VETERAN STATUS, AND NORTH  
AMERICAN INDUSTRY CLASSIFICATION  
SYSTEM CODE NUMBER OF BUSINESS  
OWNERS.**

2014 MAY 12 AM 9:43

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

**Section 1. Legislative Findings and Intent.**

The Guam Women's Chamber of Commerce has expressed that there is a need for the Government of Guam to grant procurement preference to small, women-owned businesses applying for Government of Guam contracts. However, government agencies and business interest groups do not collect demographic data from business owners, thus it has been difficult to quantify this need.

§ 72101 of Chapter 72, Title 11 of the Guam Code Annotated states, "every person engaged in or carrying on a business in Guam for the sale or manufacture of any tangible property whatsoever shall be required annually to obtain a commercial

1 license.” This provides a viable avenue for capturing data on local business owners,  
2 who must apply for and renew their business licenses annually at the Department of  
3 Revenue and Taxation. Collecting demographic data through the licensing process  
4 will help the Government of Guam identify the types of business owners in our  
5 community and assess the need for procurement preferences for particular groups of  
6 business owners.

7 A local procurement preference currently exists for service-disabled veterans.  
8 In §5011 and §5012 of Chapter 5, Title 5 of the Guam Code Annotated, it states that  
9 businesses that are at least 51 percent owned by service-disabled veterans are given a  
10 preference in the procurement process for professional services to the Government of  
11 Guam, or any entity expending government funds. While this was a positive step  
12 toward assisting unique groups of small businesses, there has been no tracking  
13 mechanism to determine the success of the preference. Without the data reflecting  
14 how many local businesses are owned by service-disabled veterans, it is hard to assess  
15 what percentage of this group is providing services to the government, if at all. Thus,  
16 before providing future preferences to other groups of small businesses, it is essential  
17 to track how many of these businesses exist.

18 Another incentive for collecting demographic data from business owners is to  
19 be able to identify businesses that may qualify for preferences in contracts from the  
20 Federal Government. The Federal Government has a statutory goal of awarding 23  
21 percent of its prime contracts to small businesses, 5 percent of prime and subcontracts  
22 to women-owned small businesses, 5 percent of prime and subcontracts to small  
23 disadvantaged businesses, 3 percent of prime and subcontracts to service-disabled  
24 veteran-owned small businesses, and 3 percent of prime and subcontracts to  
25 HUBZone certified small businesses.

1 Also, some Federal grants require that a percentage of the grant funding be  
2 given to women-owned businesses for their services. However, it has been difficult for  
3 Government of Guam agencies that receive Federal grants to find such businesses  
4 without any data reflecting which of the island's businesses are women-owned.

5 Finally, another important item that needs to be tracked is the North American  
6 Industry Classification System (NAICS) code number, which is used by Federal  
7 statistical agencies in classifying business establishments for the purpose of collecting,  
8 analyzing, and publishing statistical data related to the business economy.

9 **Section 2. A new subsection (e) is hereby added to §70105 of Chapter 70 of**  
10 **Title 11 Guam Code Annotated to read as follows:**

11 (e) The Business License Application form and Business License renewal card  
12 shall include fields that collect the following data from business owners applying for  
13 or renewing a business license:

- 14 1. Gender
- 15 2. Ethnicity
- 16 3. Veteran Status: Service-disabled or Non Service-disabled
- 17 4. North American Industry Classification System (NAICS) primary  
18 industry code number

19 The Licensing Division shall compile this data and present a quarterly report to the  
20 Bureau of Statistics and Plans.