

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 10 - 0 - 0

Yeas: Barton, Cameron, Edwards C., Esquivel, Holvey, Kennemer, Matthews, Thatcher, Witt, Schaufler

Nays: 0

Exc.: 0

Prepared By: Theresa Van Winkle, Administrator

Meeting Dates: 5/8

WHAT THE MEASURE DOES: Establishes that the Public Contracting Code may not be construed to prohibit a contracting agency from giving preference in awarding a public contract to a business enterprise that is owned or controlled by a disabled veteran. Permits a contracting agency to limit competition for certain contracts to a business enterprise that is owned or controlled by disabled veteran and to require a contractor to award a subcontract to a business enterprise that is owned or controlled by disabled veteran. Prohibits discrimination against a subcontractor that is owned or controlled by or that employs a disabled veteran. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Whether measure is mandatory or permissive
- Current number of deployed soldiers
- Unemployment rate of veterans
- Upcoming events related to appreciation of veterans and their families

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The state's Public Contracting Code allows contracting agencies to promote affirmative action goals, policies or programs for disadvantaged or minority groups, and to require a contractor to subcontract services or materials to a certified emerging small business. Public contracting statutes also prohibit a bidder or proposer who competes for or is rewarded a public contract from discriminating against a subcontractor that is minority or women-owned or is an emerging small business enterprise. SB 479-A extends these provisions to a business enterprise that is owned, controlled by, or employs service-disabled veterans.

Disabled job seekers continue to face barriers in the form of employer discomfort and misconceptions about the cost of disability accommodations. According to a January 2007 Small Business Administration study, veterans with service-connected disabilities are self-employed at lower rates than veterans without such disabilities. Federal law contains provisions relating to government contracting by small businesses owned and controlled by veterans as well as by veterans with service-connected disabilities, including a disabled veteran outreach program.