

## CALL FOR ACTION

My fellow veterans and veterans' advocates:

A bill that has raised some concerns in the last session proposed the removal of the requirement that the principal place of business requirement of "Set-Aside Act for Disabled Veterans' Businesses" have its principal place of business in this State. A5106/S3136 provided no benefits to New Jersey disabled veterans. Fortunately it did not receive a hearing in the Assembly Military and Veterans' Affairs Committee or the Senate Military and Veterans' Affairs Committee.

Unfortunately this legislation has been reintroduced in the 2020-2021 session as A331, sponsored by Assemblyman Ryan Peters (D-8) and Assemblywoman Jean Stanfield (D-8), introduced, referred to the Assembly Military and Veterans' Affairs Committee 1/14/2020 and S1733, sponsored by Senator Testa (NJ-1) and Senator Gopal (NJ-11). S1733 has been assigned to the Senate Military and Veterans' Affairs committee.

I have discussed this legislation with my veteran colleagues and we stand in opposition to this legislation. In fact we were surprised to find the chairman of the Senate Military and Veterans' Affairs committee signed on as a primary sponsor of this legislation. We were also surprised to find that Assemblyman Peters has a military background and yet is a primary sponsor of this legislation in the Assembly. This legislation, if passed will not benefit any veterans in New Jersey. We believe our first allegiance is to New Jersey veterans. I do not know of any states who offer an opportunity for NJ disabled veterans to bid on their state contracts.

Who this bill will benefit is those who set up shop in a state other than New Jersey to take advantage of more favorable tax laws and then be permitted to bid against New Jersey disabled veteran owned businesses who conduct their businesses here in New Jersey. That places our disabled veterans at a disadvantage. I do not believe that was the intent when our legislators established the set-aside for New Jersey disabled veterans' businesses.

P.L.2015, c116 created a State contract set-aside program for disabled veterans to be administered by the Office of Small Business Assistance in the New Jersey Commerce and Economic Growth Commission. It established a goal that contracting agencies set aside at least 3% of their contracts for disabled veterans' businesses. A disabled veterans' business is defined as a business which has its principal place of business in New Jersey, is independently owned and operated and at least 51% of which is owned and controlled by persons who are disabled veterans. The set-aside program was passed to create economic opportunity for disabled veterans who have their principal place of business in New Jersey and recognize their service and sacrifice.

To allow out-of-state disabled veteran owned businesses to bid on New Jersey contracts without reciprocal agreements with other states does not protect the interests of New Jersey disabled veteran owned businesses.

We stand opposed to any such legislation that would permit such changes without providing reciprocal agreements for our New Jersey residents.

I am asking you to reach out to as many of your colleagues and ask them to send an email stating they are not in favor of this legislation.

Due to the public Health emergency, members of the public will not be allowed at the meeting and the Committee will not be taking oral testimony on any bills.

The public is encouraged to submit written testimony electronically, which will be included in the record. Testimony should be submitted to: [OLSAideSMV@njleg.org](mailto:OLSAideSMV@njleg.org)

Let's get this done for our New Jersey disabled veteran-owned businesses.

Thank you,  
Robert E. McNulty, Sr.