



EXECUTIVE ORDER 2006-30

RELATIVE TO ESTABLISHING AN AGREEMENT WITH A CONSORTIUM OF FINANCIAL LENDING AND INVESTMENT INSTITUTIONS FOR THE PURPOSE OF PAYING THE COST OF LIVING ADJUSTMENT AWARD PURSUANT TO PUBLIC LAW 28-151 AND SUPERIOR COURT OF GUAM CASE NO. SP 0206-93

WHEREAS, in Superior Court Case No. SP0206-93, the total Cost of Living Adjustment ("COLA") award to be paid to the COLA Class from the General Fund is \$123,580,231.00; and

WHEREAS, the Governor wants to satisfy the judgment and pay the COLA Class their full COLA award; unfortunately, the General Fund does not have \$123,580,231.00 cash readily available for the COLA and still provide fundamental government services; and

WHEREAS, the Governor wants to pay the COLA Class their full COLA award at once rather than delay payments to the Class through a series of payments for a term; and

WHEREAS, in the Governor's determination to pay the COLA Class their entire COLA award without further delay, the Governor would like to enter into an agreement with a consortium of financial lending and investment institutions in order to satisfy the COLA judgment and pay the COLA Class their full COLA award.

NOW THEREFORE, I, FELIX P. CAMACHO, Governor of Guam, pursuant to the authority vested in me by the Organic Act of Guam, as amended do hereby declare:

- 1) **Consortium of Financial Lending and Investment Institutions.** The Governor of Guam proposes to enter into an agreement with a consortium of financial lending and investment institutions for the purpose of pooling their resources in order for the government of Guam to pay the COLA judgment amount or \$123,580,231.00 to the COLA Class and said agreement shall be remitted to the Legislature for approval.
- 2) **Retirement Fund.** The Government of Guam Retirement Fund may participate in the consortium agreement and fund up to 60% of the judgment amount into the consortium.
- 3) **Terms.** The terms and conditions of the agreement shall be determined by the Governor with the approval of the Legislature.
- 4) **Source of Funding.** The Governor may pledge up to Ten Million Dollars (\$10,000,000) per year from payments received by the government of Guam pursuant to Section 30 of the Organic Act.



5) **Legislation.** This Executive Order shall follow with necessary legislation to implement the mandates of this Executive Order. *I Liheslaturan Guåhan* is also requested to enact any other measures necessary and appropriate to carry out the full intents and purposes of this Executive Order, and to provide assistance to *I Maga'låhen Guåhan*, without undue delay, in furthering the payment of the COLA awards to the COLA class.

SIGNED AND PROMULGATED at Hagåtña, Guam this 28th day of NOVEMBER, 2006.

A handwritten signature in black ink, appearing to read "F. Camacho", written over a horizontal line.

FELIX P. CAMACHO
I Maga' Låhen Guåhan
Governor of Guam