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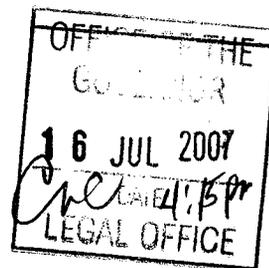
INFORMATION AND GUIDANCE

Ref: GOV 07-0522

To: Governor's Chief of Staff, Office of the Governor

From: Assistant Attorney General

Subject: **Interpretation of 1 GCA §1000(b) Regarding Holidays Falling on Fridays or Mondays**



You have asked whether Friday, July 20, 2007 will be a government of Guam holiday to cover Liberation Day which falls on a Saturday this year.

Section 1000(b) of Title 1 provides:

Whenever a holiday listed in Subsection (a) of this Section falls on a Saturday or Sunday, the government of Guam shall follow the Federal government's practice for that holiday. [Emphasis added.]

Your question centers on the meaning of the term "that holiday" and whether the term limits the Federal practice to Federal holidays only or whether the term covers all government of Guam holidays.

One rule of statutory construction is that, if possible, every word and clause in a statute must be given effect. *Sutherland Statutory Construction* §46.06 (5th ed.) Therefore, the opening phrase in Section 1000(b) beginning with the word "whenever" cannot be ignored, but must be given some significance and operation. If the question is asked, when does the Federal practice take effect, the answer is in the opening phrase "whenever a holiday listed in Subsection (a) of this Section falls on a Saturday or Sunday." To answer otherwise would be to ignore the phrase and render it useless, an outcome contrary to this rule of statutory construction.

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Further, when a significance is ascribed to each and every word in Section 1000(b), especially the words in the opening adverbial phrase, then the meaning of Section 1000(b) becomes quite evident on its face. Another rule of statutory construction, the plain meaning rule, provides that "if the words of a statute are clear and free from ambiguity, the letter of the statute may not be disregarded under the pretext of pursuing its spirit." *Sutherland Statutory Construction* §46.01 (5th ed.) citing *Slavado v. Prudential Property & Casualty Ins. Co.*, 430 A.2d 297 (Pa. 1981). Hence, there is no reason to resort to extrinsic aids of interpretation, and we need look no further than the four corners of Section 1000(b) for its meaning.

For further information concerning this matter, please contact the undersigned and reference our file number 07-0522 for a quicker response.



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