

House Joint Resolution

A joint resolution proposing an amendment to Section 12 of Article X of the State Constitution; revising rules of construction to be used when interpreting the extent of political power vested in the legislative branch to provide that the expression of one thing does not imply the exclusion of another, unless the limitation is absolutely necessary to carry out the purpose of the constitutional provision and without regard to the comprehensiveness of the constitutional provision.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 12 of Article X of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE X

MISCELLANEOUS

SECTION 12. Rules of construction.--Unless qualified in the text the following rules of construction shall apply to this constitution.

- (a) "Herein" refers to the entire constitution.
- (b) The singular includes the plural.
- (c) The masculine includes the feminine.
- (d) "Vote of the electors" means the vote of the majority of those voting on the matter in an election, general or

29 special, in which those participating are limited to the
 30 electors of the governmental unit referred to in the text.

31 (e) Vote or other action of a legislative house or other
 32 governmental body means the vote or action of a majority or
 33 other specified percentage of those members voting on the
 34 matter. "Of the membership" means "of all members thereof."

35 (f) The terms "judicial office," "justices" and "judges"
 36 shall not include judges of courts established solely for the
 37 trial of violations of ordinances.

38 (g) "Special law" means a special or local law.

39 (h) Titles and subtitles shall not be used in
 40 construction.

41 (i) In interpreting the extent of political power vested
 42 in the legislative branch by the people, the expression of one
 43 thing does not imply the exclusion of another, unless the
 44 limitation is absolutely necessary to carry out the purpose of
 45 the constitutional provision and without regard to the
 46 comprehensiveness of the constitutional provision.

47 BE IT FURTHER RESOLVED that the following statement be
 48 placed on the ballot:

49 CONSTITUTIONAL AMENDMENT

50 ARTICLE X, SECTION 12

51 RULES OF CONSTRUCTION.--Proposing an amendment to the State
 52 Constitution to revise the rules of construction to be used when
 53 interpreting the State Constitution. The revision provides that,
 54 when interpreting the extent of political power vested in the
 55 Legislature by the people, the expression of one thing does not
 56 imply the exclusion of another, unless the exclusion is

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57 | absolutely necessary to carry out the purpose of the
58 | constitutional provision and without regard to the
59 | comprehensiveness of the constitutional provision. This would
60 | preclude application of the general maxim "expressio unius est
61 | exclusio alterius," which stands for the proposition that the
62 | expression of one thing is the exclusion of another, except when
63 | the exclusion is absolutely necessary to carry out the purpose
64 | of the constitutional provision and without regard to the
65 | comprehensiveness of the constitutional provision.