

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: SM 600

INTRODUCER: Senator Thompson

SUBJECT: Recognition of Haitian Independence Day, Haitian Flag Day, and Haitian Heritage Month

DATE: February 23, 2016

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Aldana</u>	<u>McKay</u>	<u>CM</u>	<u>Favorable</u>
2.	<u>Aldana</u>	<u>Phelps</u>	<u>RC</u>	<u>Favorable</u>

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## I. Summary:

SM 600 urges Congress to recognize January 1<sup>st</sup> as “Haitian Independence Day,” May 18<sup>th</sup> as “Haitian Flag Day,” and the month of May as “Haitian Heritage Month.”

Legislative memorials are not subject to the Governor’s veto power and are not presented to the Governor for review. Memorials have no force of law, as they are formal petitions to the federal government that generally request the Congress to act on a particular subject.

## II. Present Situation:

### Haiti’s Independence

Haiti is one-third of the island of Hispaniola, with a current population of approximately 10 million people.<sup>1</sup> Haiti’s culture is heavily influenced by West Africa, from which slaves were imported in the 18<sup>th</sup> century by Spanish and French colonizers to support the island’s agrarian economy. In 1789, Haiti had a total population of 520,000 individuals, 452,000 of whom were slaves.<sup>2</sup> From 1791 to 1804,<sup>3</sup> Haitian slaves and free people of color led “the largest and most successful slave rebellion in the Western Hemisphere,”<sup>4</sup> which ultimately resulted in Haitian freedom from colonial rule. The pinnacle of the Haitian Revolution occurred on May 18, 1803, when Jean-Jacques Dessalines, who would become the first president of an independent Haiti,<sup>5</sup>

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<sup>1</sup> U.S. Central Intelligence Agency, *Haiti’s Country Profile: People and Society*, available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html> (last visited Feb. 15, 2016).

<sup>2</sup> Helen Chapin-Metz, Federal Research Division of the Library of Congress, *Dominican Republic and Haiti: Country Studies*, 266 (2001), available at <http://www.loc.gov/resource/frdcstdy.dominicanrepubli00metz/?st=gallery> (last visited Feb. 15, 2016).

<sup>3</sup> Chapin-Metz, *supra* note 2 at 268.

<sup>4</sup> Black Past, *Haitian Revolution (1791-1804)*, available at: <http://www.blackpast.org/gah/haitian-revolution-1791-1804> (last visited Feb. 15, 2016).

<sup>5</sup> Chapin-Metz, *supra* note 2, at 272.

led a newly formed coalition under a blue and red flag to victories against the French.<sup>6</sup> Dessalines' flag would serve as the basis for the modern flag of Haiti. In honor of the creation of its original flag, Haiti celebrates Haitian Flag Day on May 18<sup>th</sup> every year.<sup>7</sup>

Haiti ultimately declared its independence on January 1, 1804, and as a result, Haiti's Independence Day is celebrated on January 1 of every year.

### **Haitians in the United States**

Due in part to Haiti's close proximity to the United States, there are approximately 1.5 million people of Haitian descent living in this country.<sup>8</sup> Florida has the highest population of Haitian immigrants in the U.S., at 280,000—most of whom reside in the greater Miami area.<sup>9</sup> Haitians tend to be newer immigrants, with arrivals from Haiti peaking from 2000 to 2009.<sup>10</sup>

In recognition of the impact of Haitian culture and individuals on the United States, several resolutions have been introduced in the United States House of Representatives to recognize May as "Haitian American Heritage Month." For example, House Resolution 777, sponsored by former Congressman Kendrick Meek, was introduced, but never heard, during the 109<sup>th</sup> Congress.<sup>11</sup> House Resolution 224, sponsored by Congresswoman Frederica Wilson, was introduced, but not heard, during the 113<sup>th</sup> Congress.<sup>12</sup>

Additionally, in 2005, President George Bush and Laura Bush posted a letter to congratulate Haitian-Americans on the heroic accomplishments of their ancestors.<sup>13</sup> In 2010, President Obama recognized the importance of May's Haitian American Heritage Month by making a special presentation at the White House, lauding Haiti's contribution to the worlds of nations.<sup>14</sup> On May 17, 2010, President Obama also welcomed the largest contingency of Haitian-American leaders at the White House for a Haitian Flag Day celebration.<sup>15</sup>

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<sup>6</sup> Biography.com, *Jean-Jacques Dessalines*, available at <http://www.biography.com/people/jean-jacques-dessalines-9273005> (last visited Feb. 15, 2016).

<sup>7</sup> South Florida Times, *Caribbean Crossroads: May is Haitian Heritage Month* (May 21, 2010) available at <http://www.sfltimes.com/uncategorized/caribbean-crossroads-may-is-haitian-heritage-month> (last visited Feb. 15, 2016).

<sup>8</sup> U.S. Census Bureau, *2013 & 2014 American Community Survey*.

<sup>9</sup> Miami-Dade and Broward County combined have a total of 151,700 Haitian immigrants. Migration Policy Institution, U.S. *Immigrant Population by State and County*, (2009-2013) available at: <http://www.migrationpolicy.org/programs/data-hub/charts/us-immigrant-population-state-and-county?width=1000&height=850&iframe=true> (last visited Feb. 15, 2016).

<sup>10</sup> Kristen McCabe, *Caribbean Immigrants in the United States*, (April 2011) available at: <http://www.migrationpolicy.org/article/caribbean-immigrants-united-states> (last visited Feb. 15, 2016).

<sup>11</sup> H.R. 777, 109<sup>th</sup> Congress (2006), available at: <https://www.congress.gov/bill/109th-congress/house-resolution/777?q=%7B%22search%22%3A%5B%22777%22%5D%7D&resultIndex=42> (last visited Feb. 15, 2016).

<sup>12</sup> H.R. 224, 113<sup>th</sup> Congress (2013), available at: <https://www.congress.gov/bill/113th-congress/house-resolution/224> (last visited Feb. 15, 2016).

<sup>13</sup> South Florida Times, *supra* note 7.

<sup>14</sup> *Id.*

<sup>15</sup> Black Past, *supra* note 4.

Miami-Dade County passed a resolution designating May as “Haitian Cultural Heritage Month,” and has held annual celebrations since.<sup>16</sup> Similarly, the Palm Beach County School District adopted a resolution recognizing May as Haitian Heritage Month.<sup>17</sup>

### **Recognition of Cultural Heritage in the United States**

Congress has passed legislation relating to national observances and commemorative months on several occasions. For example, as a result of Congressional action, February is recognized as National African American History Month, November as “American Indian Heritage Month,” May as “Jewish American Heritage Month,” May as “Asian Pacific Heritage Month,” and September 15<sup>th</sup> through October 15<sup>th</sup> as “National Hispanic Heritage Month.”<sup>18</sup>

### **III. Effect of Proposed Changes:**

SM 600 urges the U.S. Congress to recognize January 1 of each year as “Haitian Independence Day,” May 18<sup>th</sup> of each year as “Haitian Flag Day,” and the month of May of each year as “Haitian Heritage Month.”

Copies of the memorial are dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation of the United States Congress.

Legislative memorials are not subject to the Governor’s veto power and are not presented to the Governor for review. Memorials have no force of law, as they are mechanisms for formally petitioning the federal government to act on a particular subject.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

<sup>16</sup> Miami Dade County, Resolution Reallocating \$35,000 to the Haitian American Foundation for Support of Haitian Cultural Heritage Month- May 2001, available at:

<http://www.miamidade.gov/govaction/matter.asp?matter=011622&file=false&yearFolder=Y2001> (last visited Feb. 15, 2016); see also Miami-Dade County, *Haitian Cultural Heritage Month kicks off on May 1*, (Apr. 24, 2015) available at: <http://www.miamidade.gov/district02/releases/2015-04-24-haitian-month.asp> (last visited Feb. 15, 2016).

<sup>17</sup> See, School District of Palm Beach County, Office of Communications, *Palm Beach County to Celebrate Haitian Heritage During the Month of May*, April 11, 2011, available at: <https://news.palmbeachschools.org/pao/2011/04/11/palm-beach-county-to-celebrate-haitian-heritage-during-the-month-of-may/> (last visited Feb. 15, 2016).

<sup>18</sup> See Library of Congress, Commemorative Observances, available at: <http://www.loc.gov/law/help/commemorative-observations/index.php> (last visited Feb. 15, 2016).

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

None.

**IX. Additional Information:**

## A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

## B. Amendments:

None.