

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1553 Victims of Communism Day

SPONSOR(S): Government Operations Subcommittee, Borrero, Fischer and others

TIED BILLS: None **IDEN./SIM. BILLS:** CS/SB 1606

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Government Operations Subcommittee	18 Y, 0 N, As CS	Roth	Smith
2) Education & Employment Committee	19 Y, 0 N	Bauman	Hassell

SUMMARY ANALYSIS

Chapter 683, F.S., provides designations for legal holidays and special observances. Recognition of a legal holiday or special observance may apply statewide or may be limited to a particular region. Depending on the holiday or special observance, certain actions may be required to be performed for the commemoration or observance of the date, day, or month.

Communism is a political and economic doctrine that aims to replace private property and a profit-based economy with public ownership and communal control of at least the major means of production and the natural resources of a society. Following the Bolshevik Revolution in Russia on November 6 and 7, 1917, the first communist state was formed under Vladimir Lenin.

The bill requires the Governor to annually issue a proclamation designating November 7 as Victims of Communism Day and calls for public schools to suitably observe such day as a day honoring the 100 million people who have fallen victim to communist regimes across the world. The bill also calls for the observance of Victims of Communism Day to be suitably observed by public exercise in the state capital and elsewhere as designated by the Governor.

Beginning in the 2022-2023 school year, the bill requires high school students enrolled in the U.S. Government course, to receive at least 45 minutes of instruction on "Victims of Communism Day" on topics of communist dictators and how the victims of communism suffered under these regimes.

The bill does not appear to have a fiscal impact on the state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Legal Holidays and Observances

Chapter 683, F.S., provides designations for legal holidays and special observances. Recognition of a legal holiday or special observance may apply statewide or may be limited to a particular region. For example, “Gasparilla Day”¹ is a legal holiday observed only in Hillsborough County, while “Bill of Rights Day,”² if issued by the Governor, applies throughout the state. Depending on the holiday or special observance, certain actions may be required to be performed for the commemoration or observance of the date, day, or month.³ Florida law recognizes the month of September as “American Founders’ Month,”⁴ in which public schools are encouraged to coordinate instruction related to the nation’s founding fathers at all grade levels, and the last full week of classes in September as “Celebrate Freedom Week,”⁵ in which public schools are required to include at least three hours of grade-appropriate instruction related to the meaning and importance of the Declaration of Independence in social studies classes.⁶

There are 21 legal holidays⁷ established in law and 34 special observances.⁸ The state recognizes nine paid holidays that are observed by all state branches and agencies.⁹

History of Communism

Communism is a political and economic doctrine that aims to replace private property and a profit-based economy with public ownership and communal control of at least the major means of production and the natural resources of a society.¹⁰ Vladimir Lenin is recognized as being the leader of the world’s first communist state, following the Bolshevik Revolution in Russia on November 6 and 7, 1917.

Karl Marx

Karl Marx (Marx) was a German economist, philosopher, and historian who lived between 1818 and 1883. He was a prominent voice in the debate against capitalism, writing the famous books *The Communist Manifesto* and *Das Kapital* and inspiring many global political communist movements around the world.¹¹

Vladimir Lenin

On November 6 and 7, 1917, leftist revolutionaries led by Bolshevik Party leader Vladimir Lenin (Lenin) launched a coup d’état against the existing provisional government. The provisional government had

¹ Section 683.08, F.S.

² Section 683.25, F.S.

³ For example, the Governor may annually issue a proclamation designating April 2 as “Florida State Day” and may designate the week of March 27 to April 2 as “Pascua Florida Week.” Section 683.06, F.S.

⁴ Section 683.1455, F.S.

⁵ Section 1003.421, F.S.

⁶ See Florida Department of Education, *American Founders’ Month*, <http://www.fldoe.org/academics/standards/subject-areas/social-studies/American-Founders-Month.stml> (last visited March 25, 2021).

⁷ Section 683.01, F.S.

⁸ Sections 683.04 - 683.333, F.S.

⁹ Section 110.117(1), F.S. Paid state holidays include: New Year’s Day, the Birthday of Martin Luther King, Jr., Memorial Day, Independence Day, Labor Day, Veterans’ Day, Thanksgiving Day, the Friday after Thanksgiving, and Christmas Day.

¹⁰ Britannica.com, *Communism*, available at <https://www.britannica.com/topic/communism> (last visited March 12, 2021).

¹¹ Corporate Finance Institute, *Karl Marx*, available at <https://corporatefinanceinstitute.com/resources/knowledge/economics/karl-marx/> (last visited March 11, 2021).

been assembled by a group of leaders from Russia's bourgeois capitalist class. Lenin instead called for a Soviet government that would be ruled directly by councils of soldiers, peasants, and workers.¹²

The Bolsheviks and their allies occupied government buildings and other strategic locations in Petrograd (now Saint Petersburg, Russia) and soon formed a new government with Lenin as its head. Lenin became the dictator of the world's first communist state.¹³

Joseph Stalin

In 1912, Lenin appointed Joseph Stalin (Stalin) to serve on the first Central Committee of the Bolshevik Party. After the Bolsheviks seized power in Russia in November of 1917, Stalin continued to move up the party ladder, and in 1922 he became secretary general of the Central Committee of the Communist Party.¹⁴

After Lenin died in 1924, Stalin won the power struggle for control of the Communist Party. By the late 1920s, Stalin had become dictator of the Soviet Union and launched a series of five-year plans intended to transform the Soviet Union from a peasant society into an industrial superpower. His development plan was centered on government control of the economy and included the forced collectivization of Soviet agriculture, in which the government took control of farms. Millions of farmers refused to cooperate with Stalin's orders and were shot or exiled as punishment. The forced collectivization also led to widespread famine across the Soviet Union that killed millions.¹⁵

During the second half of the 1930s, Stalin instituted the Great Purge, a series of campaigns designed to rid the Communist Party, the military, and other parts of Soviet society from those he considered a threat. It is estimated that Stalin was responsible for the deaths of 20 million people during his brutal rule.¹⁶

Mao Zedong

In 1921, Mao Zedong (Zedong) became one of the inaugural members of the Chinese Communist Party. Zedong helped establish the Soviet Republic of China and was elected chairman of the small republic. He developed a small but strong army of guerilla fighters, and directed the torture and execution of any dissidents who defied party law.¹⁷

In 1937, the Japanese Imperial Army invaded China, forcing Chiang Kai-shek (Kai-shek) (the Chinese leader) to flee the capital. Unable to fight a war on two fronts, Kai-shek reached out to the Communists for a truce and support. During this time, Zedong established himself as a military leader and, with aid from Allied forces, helped fight the Japanese. With the Japanese defeat in 1945, Zedong set his sights on controlling all of China. China entered into a civil war, and on October 1, 1949, Zedong announced the establishment of the People's Republic of China.¹⁸

Over the next few years, Zedong instituted sweeping land reform, sometimes through persuasion and other times through coercion, using violence and terror when he deemed it necessary. He seized warlord land, converting it into people's communes. Thousands of Chinese were labeled "rightists," and were imprisoned.¹⁹

In January 1958, Zedong launched the "Great Leap Forward," attempting to increase agricultural and industrial production. At first, reports were promising, with accounts of overwhelming advancement.

¹² History.com, *Russian Revolution* (updated February 28, 2020), available at <https://www.history.com/topics/russia/russian-revolution> (last visited March 11, 2021).

¹³ *Id.*

¹⁴ History.com, *Joseph Stalin* (updated September 19, 2019) available at <https://www.history.com/topics/russia/joseph-stalin> (last visited March 11, 2021).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Biography.com, *Mao Tse-tung Biography* (updated September 1, 2020), available at <https://www.biography.com/political-figure/mao-tse-tung> (last visited March 12, 2021).

¹⁸ *Id.*

¹⁹ *Id.*

However, agricultural production did not come close to expectations, and reports of massive steel production proved to be false. Within a year, a famine set in and entire villages died of starvation. An estimated 40 million people died of hunger between 1959 and 1961.²⁰

Ho Chi Minh

In 1923, Ho Chi Minh (Minh) visited Moscow for training at Comintern, an organization created by Lenin to promote worldwide revolution. Minh then travelled to southern China to organize a revolutionary movement among Vietnamese exiles, and in 1930 founded the Indo-Chinese Communist Party. After the Japanese invasion of Indo-China in 1941, Minh returned to his home country (Vietnam) and founded the Viet Minh, a communist-dominated independence movement, to fight the Japanese.²¹

At the end of World War II the Viet Minh announced Vietnamese independence. The French refused to relinquish their colony and in 1946, war broke out. After eight years of war, the country was split into a communist north and non-communist south and Minh became president of North Vietnam. He was determined to reunite Vietnam under communist rule. By the early 1960s, North Vietnamese-backed guerrillas (the Vietcong) were attacking the South Vietnamese government. In 1975, the Communists took the South Vietnamese capital (Saigon) and renamed it Ho Chi Minh City in Minh's honor.²²

Pol Pot

In 1949, Pol Pot (Pot) left Cambodia for Paris where he became involved with the French Communist Party and joined a group of young left-wing Cambodian nationalists. He returned to Cambodia and spent 12 years building up the Communist Party and serving as the party's secretary.²³

In 1975, Pot led the Khmer Rouge guerrilla forces in their overthrow of the existing Cambodian regime. It is estimated that from 1975 to 1979, under the leadership of Pol Pot, the government caused the deaths of more than one million people from forced labor, starvation, disease, torture, or execution while carrying out a program of radical social and agricultural reforms.²⁴

Requirements for a Standard High School Diploma

Beginning with students entering grade 9, receipt of a standard high school diploma requires successful completion of 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.²⁵ Of the 24 required credits, three credits must be in social studies. A student must earn one credit in United States History; one credit in World History; one-half credit in Economics; and one-half credit in United States Government.²⁶ Course standards for United States Government include evaluating and defending positions on the founding ideals and principles of American government, explaining how nations are governed differently, and comparing indicators of democratization in other countries, among others.²⁷ Course standards for World History include comparing the philosophies of capitalism, socialism, and communism; identifying factors that led to the decline and fall of communism in the Soviet Union and Eastern Europe; and analyzing the successes and failures of democratic reform efforts in other countries and regions.²⁸

Effect of the Bill

²⁰ *Id.*

²¹ BBC.com, *History: Ho Chi Minh (1890-1969)*, available at http://www.bbc.co.uk/history/historic_figures/ho_chi_minh.shtml (last visited March 12, 2021).

²² *Id.*

²³ Britannica, *Pol Pot: Cambodian Political Leader*, available at <https://www.britannica.com/biography/Pol-Pot> (last visited March 12, 2021).

²⁴ *Id.*

²⁵ Section 1003.4282(1)(a), F.S.

²⁶ Section 1003.4282(3)(d), F.S.

²⁷ See CPALMS, *United States Government Course Standards*, <https://www.cpalms.org/Public/PreviewCourse/Preview/633> (last visited March 25, 2021).

²⁸ See CPALMS, *World History Course Standards*, <https://www.cpalms.org/Public/PreviewCourse/Preview/4473> (last visited March 25, 2021).

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The bill specifies that if November 7 falls on a day that is not a school day, Victims of Communism Day must be observed in the schools on the school day next preceding or on such school day as may be designated by local school authorities.

Beginning in the 2022-2023 school year, the bill requires high school students enrolled in the U.S. Government class, required for a standard high school diploma, to receive at least 45 minutes of instruction on "Victims of Communism Day" on topics such as Mao Zedong in China, Joseph Stalin and the Soviet System, Fidel Castro and the Cuban Revolution, Vladimir Lenin and the Russian Revolution, Ho Chi Minh in Vietnam, and Nicolas Maduro in Venezuela and how the victims suffered under these regimes through suppression of speech, poverty, starvation, migration, and systemic lethal violence against civilians.

B. SECTION DIRECTORY:

Section 1: Creates s. 683.334, F.S., designating November 7 as "Victims of Communism Day," and requiring certain instruction of high school students on Victims of Communism Day.

Section 2: Provides an effective date of upon becoming a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

There is no rule-making authority nor is there a need for rule-making authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 17, 2021, the Government Operations Subcommittee adopted a proposed committee substitute (PCS) with one amendment, and reported the bill favorably as a committee substitute. The PCS differed from the bill in the following ways:

- Removed the legal holiday provision and instead designated “Victims of Communism Day” as a special observance.
- Removed a requirement the Legislature annually observe a moment of silence in observance of Victims of Communism Day.

The adopted amendment to the PCS required certain high school students to receive instruction on “Victims of Communism Day.”

This analysis is drafted to the committee substitute as approved by the Government Operations Subcommittee.