

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.)

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

BILL: SM 976

INTRODUCER: Senator Pizzo

SUBJECT: Haitian and Caribbean American Recognitions

DATE: January 10, 2020

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Ponder	McVaney	GO	Favorable
2.			JU	
3.			RC	

I. Summary:

SM 976 urges Congress to recognize:

- January 1 as “Haitian Independence Day”;
- The month of May as “Haitian American Heritage Month”;
- May 18 as “Haitian Flag Day”; and
- The month of June as “Caribbean American Heritage Month.”

A memorial is not subject to the approval or veto powers of the Governor, is not subject to constitutional title requirements, and does not have the effect of law.

II. Present Situation:

Background

Haiti

Located in the Caribbean Sea on the western one-third of the island of Hispaniola, Haiti is a country of approximately 10.8 million people.¹ Haiti and the United States “share a deeply intertwined history and a long standing friendship.”² Due in part to Haiti’s close proximity to the United States, there are approximately 1,036,385³ people of Haitian descent living in the United

¹ United States Central Intelligence Agency, *The World Factbook: Haiti*, <https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html> (last visited December 27, 2019).

² Statement of President Barack Obama on Haitian Flag Day, 2009 WL 1383714, at 1.

³ Selected Population Profile in the United States, Haitian, Years 2018, 2017, 2016, <https://data.census.gov/cedsci/all?q=&g=&t=581%20-%20Haitian%20%28336-359%29&table=S0201&tid=ACSSPP1Y2018.S0201&hidePreview=false&lastDisplayedRow=16> (last visited December 27, 2019).

States – a large portion of whom reside in and around the city of Miami and the greater South Florida area.⁴

The month of May is of cultural significance to the people of Haiti and the Haitian diaspora with many celebrations held during the month throughout the country. One of the most celebrated holidays is Haitian Flag Day, celebrated on May 18. Many governmental entities in the United States have issued resolutions or proclamations recognizing the importance of the month of May in Haitian and Haitian American culture, including but not limited to the following:

- In 1999, Massachusetts first celebrated Haitian Heritage Month and has held annual celebrations since that time;⁵
- In 2001, Miami-Dade County passed a resolution designating May as “Haitian Cultural Heritage Month”⁶ and has held annual celebration in the county ever since;⁷
- In 2003, the Palm Beach County School District issued a resolution recognizing May as “Haitian Heritage Month”;⁸ and
- On May 1, 2011, Governor Deval Patrick of the Commonwealth of Massachusetts proclaimed the month of May to be “Haitian Heritage Month,” with subsequent annual proclamations following through 2014, and Governor Baker has issued subsequent annual proclamations since taking office in 2015.⁹

At the federal level, 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 109th congress.¹⁰ Additionally, House Resolution 224, sponsored by Congresswoman Frederica Wilson, was introduced, but never heard, during the 113th Congress.¹¹

⁴ See Migration Policy Institute, *Haitian Immigrants in the United States*, <http://www.migrationpolicy.org/article/haitian-immigrants-united-states> (last visited December 27, 2019).

⁵ Heritage Month Celebration, <http://www.hauinc.org/HeritageMonthCelebration.asp> (last visited December 27, 2019).

⁶ Miami-Dade Board of County Commissioners, *County Resolution R-452-01*, available at <http://www.miamidade.gov/govaction/matter.asp?matter=011622&file=false&yearFolder=Y2001> (last visited December 27, 2019).

⁷ Miami-Dade County, *Haitian Cultural Heritage Month kicks off on May 1*, <http://www.miamidade.gov/district02/releases/2015-04-24-haitian-month.asp> (last visited December 27, 2019).

⁸ A copy of the resolution, dated April 23, 1992, is on file with the House of Representatives Local & Federal Affairs Committee.

⁹ See May is Haitian Heritage Month, <https://www.waltham.lib.ma.us/blog/main/?m=201105> (last visited December 27, 2019).

¹⁰ 109th Congress 2005-2006, *H. Res. 777 – Expressing the sense of the House of Representatives, in recognition of the contributions of the Haitian people to the history and culture of the United States, by establishing “Haitian-American Heritage Month”*, available at <https://www.congress.gov/bill/109th-congress/house-resolution/777?q=%7B%22search%22%5C%22hres777%5C%22%22%5D%7D&resultIndex=5>

¹¹ 113th Congress 2013-2014, *H. Res. 224 – Expressing the sense of the House of Representatives that a Haitian-American Heritage Month should be established in recognition of the contributions of the Haitian people to the history and culture of the United States*, available at <https://www.congress.gov/bill/113th-congress/house-resolution/224?r=25>

Caribbean American History

In 2014, approximately 4 million immigrants from the Caribbean resided in the United States, accounting for 9 percent of the nation's 42.4 million immigrants.¹² In the early 1900s, the United States became a major destination for Caribbean migrants due to the increased economic opportunities the industrial revolution created.¹³ The United States is currently the top destination for Caribbean emigrants, accounting for more than 60 percent of the 6 million Caribbean emigrants worldwide.¹⁴

Caribbean Americans have made numerous contributions to the United States.¹⁵ Some of the most famous Caribbean Americans include Alexander Hamilton, the first Secretary of the Treasury for the United States, who was born on the Caribbean Island of Nevis,¹⁶ W.E.B. Du Bois, a civil rights activist and the first African American to graduate from Harvard, was the son of a Haitian immigrant,¹⁷ and Colin Powell, the first African American Secretary of State, was the son of Jamaican immigrants.¹⁸

History of Caribbean American Heritage Month

On March 14, 2004, Congresswoman Barbara Lee introduced House Resolution 570 “[e]xpressing the sense of the House of Representatives that there should be established a Caribbean American Heritage Month.” The resolution was not enacted.¹⁹ During the 109th Congress (2005-2006), the resolution was reintroduced as House Concurrent Resolution 71 with 81 bipartisan co-sponsors that originated from 26 states plus American Samoa, District of Columbia, Guam, Puerto Rico, and the US Virgin Islands.²⁰ On June 27, 2005, the resolution passed in the U.S. House and on February 14, 2006, the Senate agreed to the resolution without amendment; thereby declaring June as Caribbean American Heritage Month.²¹ In June of 2006, President George Bush issued a presidential proclamation recognizing Caribbean American Heritage Month.²² In each year since, the White House has issued an annual proclamation

¹² Migration Policy Institute, *Caribbean Immigrants in the United States*, <http://www.migrationpolicy.org/article/caribbean-immigrants-united-states> (last visited December 27, 2019).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Biographical Directory of the United States Congress, *Alexander Hamilton*, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=h000101> (last visited December 27, 2019).

¹⁶ *Id.*

¹⁷ National Consortium on Racial and Ethnic Fairness in the Courts, *Special Recognition: Caribbean American Heritage Month*, <http://www.national-consortium.org/Special-Recognition/Caribbean.aspx> (last visited at December 27, 2019).

¹⁸ Jonathan Power, *Colin Powell's Jamaican connection*, (Nov. 3, 1995), available at http://articles.baltimoresun.com/1995-11-03/news/1995307066_1_michael-manley-colin-powell-jamaica (last visited December 27, 2019).

¹⁹ Caribbean Heritage Organization, *Institute of Caribbean Studies: The History of National Caribbean American Heritage Month*, <http://caribbeanheritage.org/wp-content/uploads/2016/12/cam-congressional-resolution.pdf> (last visited December 27, 2019).

²⁰ *Id.*

²¹ *Id.*

²² National Caribbean American Heritage Foundation, *National Caribbean-American Heritage Month Marks Tenth Anniversary in 2016*, <http://www.caribbeanamericanmonth.org/> (last visited December 27, 2019).

recognizing June as Caribbean American Heritage Month.²³ June of 2016 marked the tenth anniversary of June as National Caribbean American Heritage Month.²⁴

Federal Recognition of Other Commemorative Events

Congress has passed legislation relating to national observances and commemorative months on several occasions. For example, Congress has passed legislation to commemorate or authorize the President to proclaim February as “National African American History Month,” November as “Native American Heritage Month,”²⁵ May as “Jewish American Heritage Month,” May as “Asian Pacific Heritage Month,” and the period beginning September 15 and ending October 15 as “National Hispanic Heritage Month.”²⁶ In addition, Congress has passed legislation to commemorate or authorize the President to proclaim several days of national observance such as Flag Day on June 14,²⁷ and Native American Heritage Day on the first Friday after Thanksgiving.²⁸

III. Effect of Proposed Changes:

The memorial urges Congress to recognize:

- January 1 as “Haitian Independence Day”;
- The month of May as “Haitian American Heritage Month”;
- May 18 as “Haitian Flag Day”;
- The month of June as “Caribbean American Heritage Month.”

Copies of the memorial will be sent by the Secretary of state to the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Florida delegation to 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.

²³ *Id.*

²⁴ *Id.*

²⁵ The observance was first authorized by President H.W. Bush in 1990 under the title ‘National American Indian Heritage Month’ and has since been titled under several variations. The current title of the observation is ‘Native American Heritage Month.’ LIBRARY OF CONGRESS, *About Native American Heritage Month*, <http://nativeamericanheritagemonth.gov/about/> (last visited December 27, 2019).

²⁶ Library of Congress, *Commemorative Observances*, <http://www.loc.gov/law/help/commemorative-observations/> (Last visited December 27, 2019).

²⁷ House Joint Resolution 211, Pub. L. 99-54 (1985), available at <https://www.gpo.gov/fdsys/pkg/STATUTE-99/pdf/STATUTE-99-Pg97.pdf>

²⁸ House Joint Resolution 40, Pub. L. 111-33 (2009), available at <https://www.congress.gov/bill/111th-congress/house-joint-resolution/40/text>

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. The bill does not require counties and municipalities to spend funds, reduce the counties' or municipalities' ability to raise revenue, or reduce the percentage of state tax shared with counties or municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
