

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 793

Idea Bank

SPONSOR(S): Hasner

TIED BILLS:

IDEN./SIM. BILLS:

| REFERENCE | ACTION | ANALYST | STAFF DIRECTOR |
|--|-----------------|------------------|------------------|
| 1) <u>Committee on Audit & Performance</u> | <u>5 Y, 0 N</u> | <u>De La Paz</u> | <u>De La Paz</u> |
| 2) <u>Government Efficiency & Accountability Council</u> | <u></u> | <u>De La Paz</u> | <u>Cooper</u> |
| 3) <u>Policy & Budget Council</u> | <u></u> | <u></u> | <u></u> |
| 4) <u></u> | <u></u> | <u></u> | <u></u> |
| 5) <u></u> | <u></u> | <u></u> | <u></u> |

SUMMARY ANALYSIS

HB 793 is an approach to implementing idea 100 from the book *100 Innovative Ideas For Florida's Future*. The bill establishes the National Idea Bank within the Department of Management Services (DMS). The bill requires DMS to create and maintain the Idea Bank on an Internet website with nationwide access. The website must provide a guided process for citizens and organizations to submit ideas. In addition, the bill provides that DMS must:

- Solicit and showcase successful ideas from across the nation on the website;
- Provide an annual list of top ideas received during the prior fiscal year;
- Organize and present all information to the public and to private organizations in a readily available, systematic and retrievable format; and
- Publicize the existence and use of the Idea Bank.

The bill also requires DMS to publish an annual report summarizing the ideas collected during the previous fiscal year. The report must also list the "top ideas" received and submit the report to the Governor, Speaker of the House of Representatives, and the President of the Senate by September 15th of each year. The report must also be posted on the Idea Bank website. The bill does not specify how DMS is to make some of the required determinations necessary to carry out certain aspects of their statutory responsibilities.

The bill provides for a \$1.1 million appropriation of recurring General Revenue funds for four fulltime positions within DMS to carry out the provisions of the act.

Note: The Committee on Audit & Performance adopted a strike-all amendment which substantially changed the bill. See Section IV of this analysis.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

It could be said that this bill provides a means for the promotion of potentially all of the House principles through its provision providing for a centralized location for the collection of policy ideas, and its requirement that initiatives and programs that have succeeded be documented. The extent to which the individual House principles of providing limited government, lower taxes, personal responsibility, safeguarding individual liberty, empowering families, and enhancing public security, are advanced as a result of this bill, will depend on the substance, objective and effectiveness of the individual idea proposals themselves which are subsequently implemented.

B. EFFECT OF PROPOSED CHANGES:

In September of 2005, then Speaker Designate Marco Rubio announced his plan to provide Floridians with a more direct role in proposing, determining and directing the development and implementation of public policy by the Florida Legislature. The plan called for the publication of a book entitled *100 Innovative Ideas For Florida's Future*. Prior to the Legislature's organizational session of 2006, numerous public meetings, called "Idearaisers," were held to propose, discuss and evaluate policy ideas which would be considered for inclusion in the book. In addition, an interactive website www.100ideas.org was established for people to schedule their own idearaisers, submit their ideas for consideration, or review and comment on ideas submitted by others. The published book was released in November of 2006.

In order to continue the collection and development of ideas into the future for Florida as well as to others around the nation, a proposal for a National Idea Bank was included as Idea # 100 in the book. The book's statement of the problem addressed by the 100th idea states that "[t]here is a lack of civic involvement and no coordinated database of ideas."¹ The solution offered in the book was for Florida to create a nationwide, web-based "Idea Bank" to give people from both inside and outside of Florida an opportunity to submit their ideas, track their development and view a chronicle of successful policy proposals.

HB 793 is an approach to implementing idea 100. The bill establishes the National Idea Bank within the Department of Management Services (DMS). The bill requires DMS to create and maintain the Idea Bank on an Internet website with nationwide access. The website must provide a guided process for citizens and organizations to submit ideas. In addition, the bill provides that DMS must:

- Solicit and showcase successful ideas from across the nation on the website;
- Provide an annual list of top ideas received during the prior fiscal year;
- Organize and present all information to the public and to private organizations in a readily available, systematic and retrievable format; and
- Publicize the existence and use of the Idea Bank.

Finally, the bill requires DMS to publish an annual report summarizing the ideas collected during the previous fiscal year. The report must also list the "top ideas" received and submit the report to the Governor, Speaker of the House of Representatives, and the President of the Senate by September 15th of each year. The report must also be posted on the Idea Bank website

C. SECTION DIRECTORY:

Section 1. Creates the National Idea Bank within the Department of Management Services.

¹ 100 Innovative Ideas For Florida's Future, at 168.

Section 2. Provides an appropriation.

Section 3. Provides and effective date.

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:

| | 2007-08 |
|-----------------------------------|---------|
| Department of Management Services | |
| Recurring expense: | |
| General Revenue Fund | \$1.1M |
| <hr/> | |
| Total Expense | |
| General Revenue Fund | \$1.1M |
| (4 FTEs) | |

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 because this bill does not appear to: require counties or cities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties and cities have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

This bill requires the Department of Management Services to “solicit and showcase . . . successful ideas on the website.” In addition, DMS is directed to produce an annual list of the “top ideas” received during the previous fiscal year. The bill is not specific as to how DMS is to make the required determinations necessary to carry out these responsibilities. Without objective criteria, guidelines or specific instructions on how to make a qualitative determination of an idea’s success, especially when comparing one idea’s performance to another’s, the agency will either have to develop its own criteria for determining an idea’s success and comparative performance, or resolve each question subjectively. One possible alternative to a requirement of listing “top ideas, ” for example, would be a requirement to list ideas which are the most frequently replicated in other states or jurisdictions.

D. STATEMENT OF THE SPONSOR

The sponsor has indicated his intention to waive providing a statement at this time.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

At the meeting of the Committee on Audit and Performance held on February 21, 2007, the committee adopted a strike-all amendment that removed the \$1.1 million appropriation from the bill. The amendment also moved the placement and responsibility of creating and maintaining the National Idea Bank from the Department of Management Services to the Legislative Committee on Intergovernmental Relations (LCIR). The amendment requires that the Idea Bank be operated from an Internet website operated by the Florida Legislature. In addition, the amendment addressed drafting issues identified in section III C of the analysis. The amendment requires the LCIR to solicit and showcase ideas submitted which subsequently become law or are otherwise successfully implemented. In addition, the amendment replaces the requirement to produce a list of “top ideas” with a requirement to produce a list of ideas that are the most frequently replicated by other jurisdictions and around Florida.