



**For Immediate Release**

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## **Levin Center Testified about Gaps in State Contract Oversight and Recommends Best Practices in Michigan Senate Oversight Hearing**



*Photo 1: Levin Center's Ben Eikey and Professor Marjorie Sarbaugh Thompson testified in Michigan Senate Oversight Committee on state legislative contract oversight.*

9/21/2021 – Today, the Levin Center testified before the Michigan Senate Oversight Committee on how state legislatures can oversee state government contracts, including emergency contracts issued outside the ordinary procurement process. Ben Eikey, a

Republican who leads the Center's state oversight efforts, and Wayne State Professor Marjorie Sarbaugh-Thompson, spoke at the hearing about state contract oversight efforts in state legislatures across the country, and shared lessons from the Center's research on how the Michigan Legislature could enhance their own oversight of government contracts.

"Today's Levin Center's presentation on state legislative contract oversight was timely and offered several recommendations for how we might enhance contract oversight in Michigan. I appreciate them sharing their research and expertise on state legislatures across the country." Chair of the Senate Oversight Committee Ed McBroom said after the hearing.

"Our studies of state oversight of government contracts reveal that often state legislatures don't conduct rigorous oversight of government contracts even when these contracts involve important government responsibilities and large amounts of money," Eikey said. "But a growing number of state legislatures are finding ways to improve oversight of state contracts and we are pleased to discuss this today in the Michigan Senate Oversight Committee. We hope our findings and recommendations are helpful to this committee as it moves forward," Eikey said.

The Levin Center's recommendations for improving contract oversight, based on best practices in state legislatures across the country, included:

- Formally assigning contract oversight to a specific committee in the legislature;
- Assigning contract oversight to a joint committee comprised of members from both houses of the legislature and equal membership from both parties;
- Using an audit agency like the Office of the Auditor General to identify problems with contracting practices;
- Collaborating with state administrative procurement staff to develop effective methods of contract oversight;
- Prioritizing certain types of contracts for in-depth oversight, such as contracts involving substantial taxpayer dollars, essential services, or vulnerable populations served;
- A legislative member on the DTMB State Administrative Board;
- Prioritize contract oversight within a broader vision of oversight priorities over the course of an entire legislative session;
- Establish mechanisms for the legislature to request contract performance audits from the DTMB State Administrative Board.

Copies of the Levin Center-commissioned reports on state legislative oversight can be found on its website: the 2019 report on oversight practices in all 50 states<sup>1</sup>, the 2020

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<sup>1</sup> <http://stateoversightmap.org/>

report on state legislative oversight of emergency COVID-related contracts<sup>2</sup>, and the 2021 report on how six state legislatures improved their contract oversight<sup>3</sup>.

The Levin Center at Wayne Law is named in honor of former U.S. Sen. Carl Levin, Michigan's longest-serving U.S. senator who retired in 2015 after 36 years in the Senate conducting fact-based, bipartisan oversight investigations. The center's mission is to promote high quality oversight in Congress and the 50 state legislatures through oversight workshops, research, events, commentary, and other activities. While the Levin Center is affiliated with Wayne State University Law School, its views do not present the institutional views, if any, of Wayne State University or the Law School.

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<sup>2</sup> [https://law.wayne.edu/levin-center/pdfs/three\\_covid\\_case\\_studies-levin\\_center-final\\_11-18-2020.pdf?utm\\_source=link&utm\\_medium=email-5fa968a8e1a47&utm\\_campaign=Report+Release%3A+%26quot%3BState+Legislative+Oversight++of++Emergenc&utm\\_content=Download+the+report](https://law.wayne.edu/levin-center/pdfs/three_covid_case_studies-levin_center-final_11-18-2020.pdf?utm_source=link&utm_medium=email-5fa968a8e1a47&utm_campaign=Report+Release%3A+%26quot%3BState+Legislative+Oversight++of++Emergenc&utm_content=Download+the+report)

<sup>3</sup> [https://law.wayne.edu/levin-center/pdfs/legislative\\_oversight\\_of\\_state\\_government\\_contracts\\_april\\_2021.pdf](https://law.wayne.edu/levin-center/pdfs/legislative_oversight_of_state_government_contracts_april_2021.pdf)