



WAYNE STATE
Law School

Fiscal Roundtable: Improving Legislative Oversight

2024 CSG East Annual Meeting

Ian McKnight & Ben Eikey

State Oversight Academy

Carl Levin Center for Oversight and Democracy



levin-center.org

Agenda

- Introduction
- State Oversight Academy resources
- What is legislative oversight?
- Oversight planning exercise and roundtable discussion

Levin Center for Oversight and Democracy



U.S. Sen. Carl Levin



Pennsylvania Oversight Committee



Wayne State Law School



Oregon Legislature Workshop

- Workshops for Congress, state, international legislatures
- Videos, testimony, webinars, social media
- Research & Reports (50-state analysis, contract oversight, more)
- Conferences, panels & events
- State Oversight Academy
- More:
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DC Council Oversight Workshop

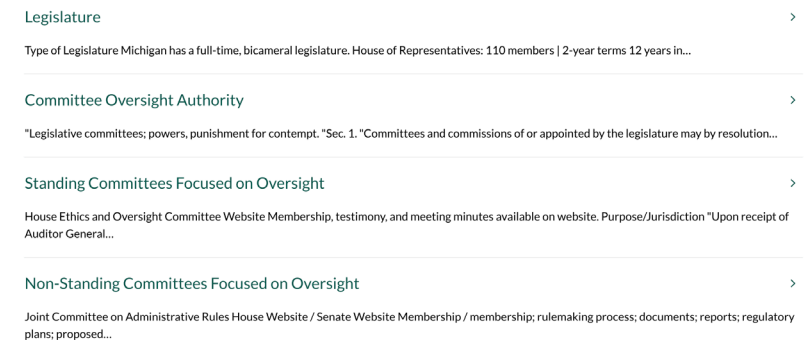
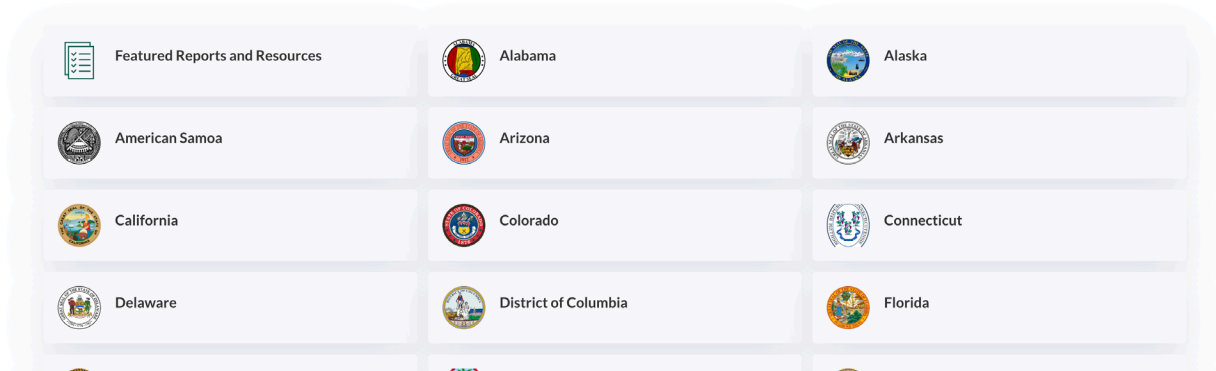
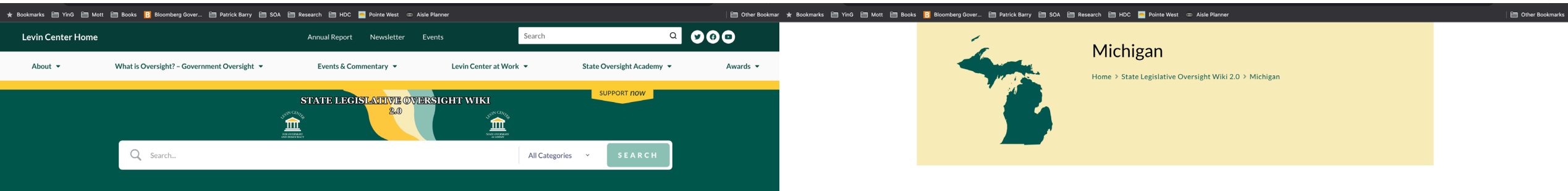
State Oversight Academy Resources

- Workshops for legislators and staff
- Committee testimony
- Oversight consulting
- State Oversight Leaders
- Support for oversight scholars and annual symposium
- State Legislative Oversight Wiki
- Online tutorials and masterclasses
- Portraits in Oversight
- Blog
- Newsletter

State Oversight Academy

State Legislature Oversight Wiki

go.levin-center.org/wiki



What is legislative oversight?

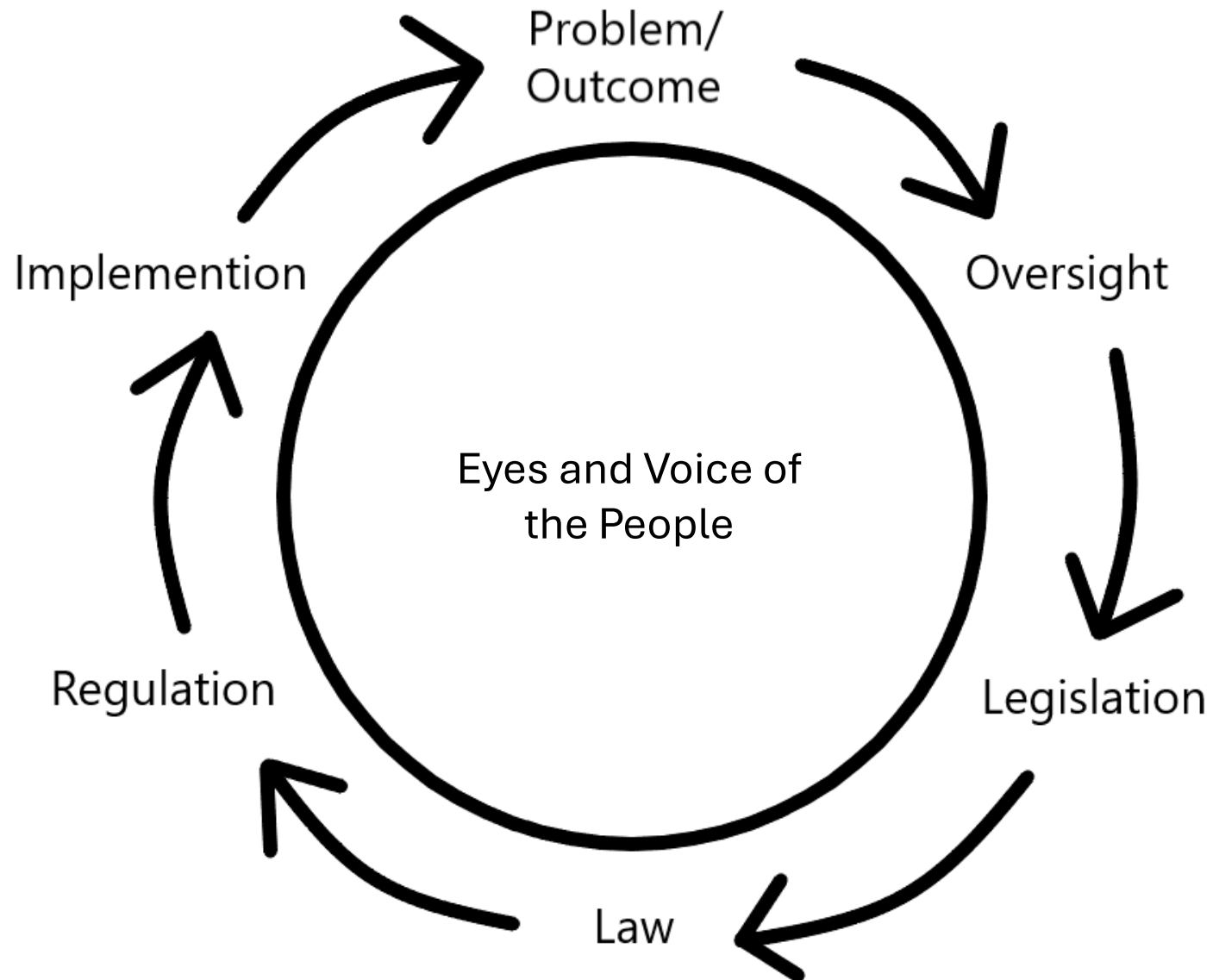
The “eyes and voice” of the people

“It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents.”

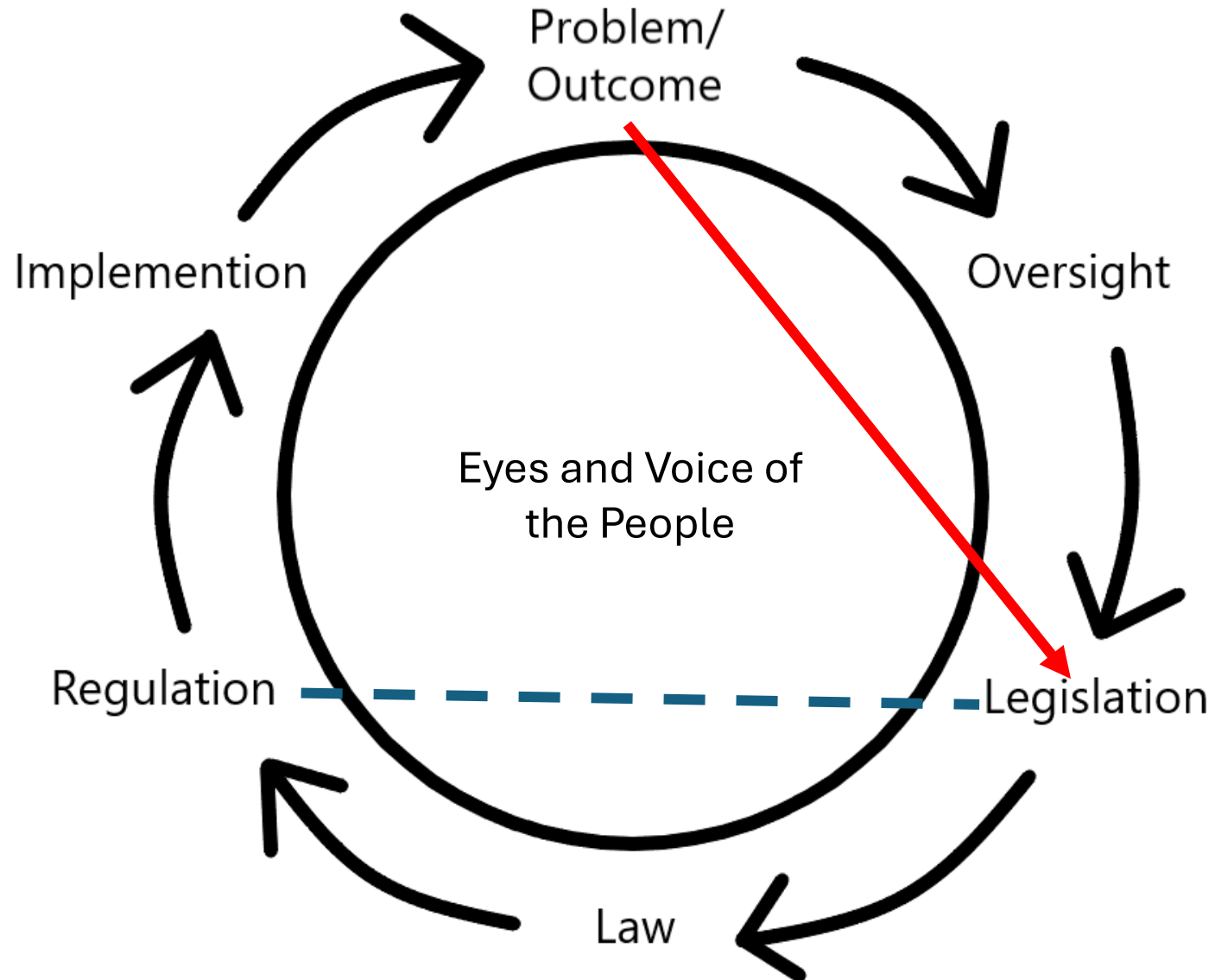
-- United States Supreme Court¹

¹ *Trump v. Mazars USA, LLP*, 140 S.Ct. 2019, 2031 (2020), citing *United States v. Rumely*, 345 U. S. 41, 43 (1953).

Cycle of Accountability



Cycle of Accountability



Routine or Event-Driven Oversight?

Routine: "cop on the beat"	Event-Driven: "firefighter"
Program Outcomes	Scandal
Budgetary	Disaster
Contracts	Chronic Problems
Compliance	Escalating Problems
Deter Malfeasance	Long-term Investigation

Your Superpowers



- Legislator phone calls and emails get returned.
- Legislators can request investigations and reports.
- Legislator and staff questions trigger research, reconsideration, change.
- Oversight can have as much, or more, impact as legislation.

Avenues for State Legislative Oversight

- Analytic Bureaucracies
- Appropriations Process (MI, PA, MN)
- Committees
- Administrative Rule Review
- Advice and Consent
- Monitoring Contracts

Origin of Investigation Topics

- Committee jurisdiction
- Leadership concerns
- Scandals, events, news, problems
- Reports (**SOA Wiki!**)
- Constituents
- Whistleblowers, advocacy groups
- Legislator concerns
- Lawsuits
- Agencies
- Sunset Provisions
- Personal experience
- Oversight plan, long-term vision

Examples of Topics

- Pension funds
- Prison operations
- Foster care
- Disaster response and mitigation
- Lobbying disclosures
- Contract mismanagement
- Infrastructure



Phases of an Investigation

1. Fact finding
2. Written Product
3. Hearing
4. Follow-up



Tutorials: go.levin-center.org/howto

Recommendations for Strengthening Oversight

- Joint oversight committee with balanced party membership
E.g., Michigan SJR O, 2022
- University and non-profit partnerships
- More follow-up (e.g., hearings) on reports
- More contract oversight
- Create oversight plan for a committee, or even full legislature
- Post status and results of investigations on website

For additional resources: go.levin-center.org/resources

Oversight Planning

Oversight planning can and should be undertaken at any of these levels:

- Entire legislature
- House/Senate
- Caucus
- Committee
- Investigation



For additional resources: go.levin-center.org/resources

Oversight Planning Exercise

Fill in the columns on your worksheet to prepare for a group discussion. Choose a scenario below or develop your own.

Scenario 1: Last year, the Legislature appropriated funds for universal school meals. In recent months, the quality of the meals across the state has declined, and much of the food is rejected by students and wasted.

Scenario 2: Road construction costs continue to outpace inflation and regional construction prices, while the useful life of roads is trending shorter.

Scenario 3: Overtime costs for prison employees have risen dramatically for the last four years, far outpacing any other department.

Open-ended factual question	Facts and data to pursue	Relevant oversight avenue(s)	Available resources
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Q&A



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Thank you!

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