

STATE UNIVERSITY LAW SCHOOL

CARL LEVIN CENTER
FOR OVERSIGHT AND DEMOCRACY

LEVIN CENTER



FOR OVERSIGHT
AND DEMOCRACY



WAYNE STATE
Law School

MLC Annual Meeting

Fiscal Affairs Forum: Tools for Effective Fiscal Oversight

Ben Eikey

July 28th, 2025



Agenda

- About the Levin Center
- Legislative oversight basics
- Q + A

What is the Levin Center?

- Workshops for Congress, state, local, and international legislatures
- Testimony, webinars, legal analysis, briefs
- Research and reports (50-state analysis, SOA Wiki)
- Conferences, panels, events, civic education
- Oversight experts



Senator
Carl Levin

Maine Govt.
Oversight
Committee



PA House
Oversight
Committee

The State Oversight Academy

- Building a national community of oversight & accountability leaders
- Serving state legislatures and large municipal councils
- Oversight workshops, Online Training Program
- Ongoing technical assistance
- Monthly newsletter

State Legislature Oversight Wiki

Fiscal Committees

Select Agency Reports by Topic

Budget Process by State

State News by Topic and by State

go.levin-center.org/wiki

STATE LEGISLATURE OVERSIGHT WIKI

2.0



SOA Newsletter



What is legislative oversight?

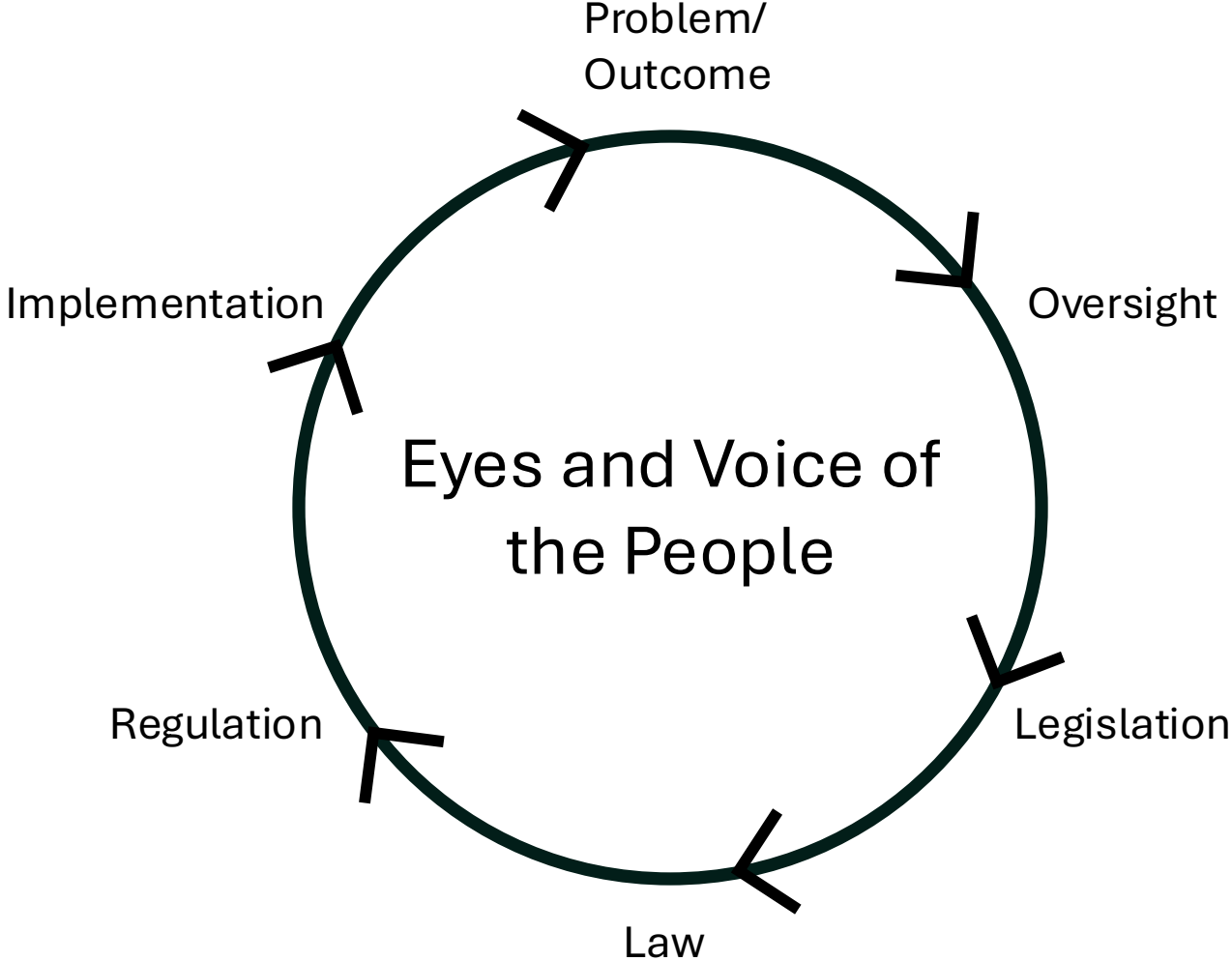
The “eyes and voice” of the people

“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.”

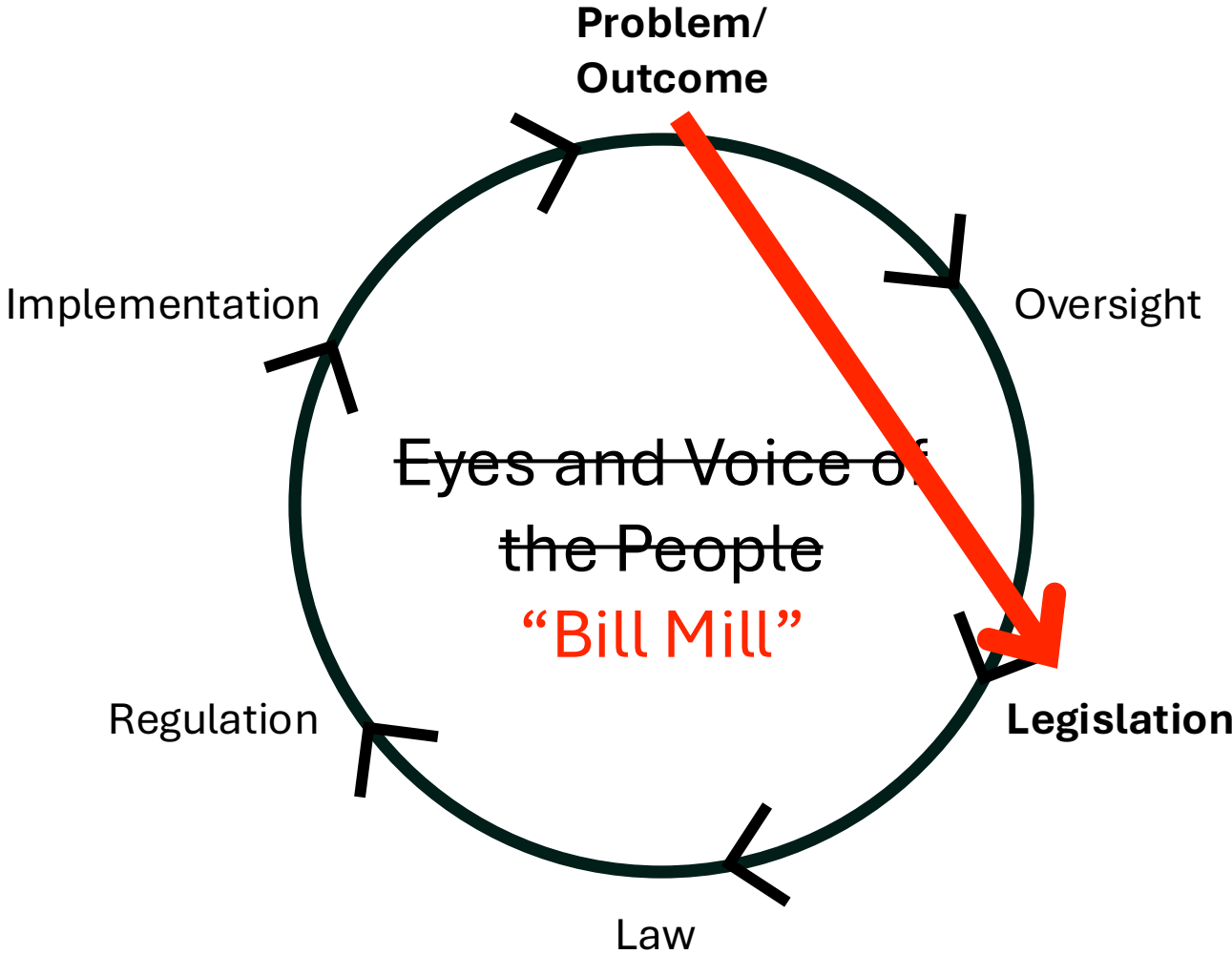
–United States Supreme Court¹

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 vs. Event-Driven Oversight



Routine

Program outcomes

Budgetary

Contracts

Compliance

Deter malfeasance



Event-Driven

Scandal

Disaster

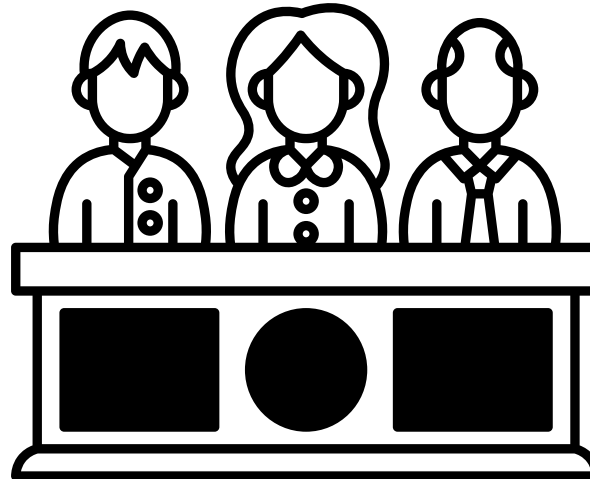
Chronic problems

Escalating problems

Long-term investigation

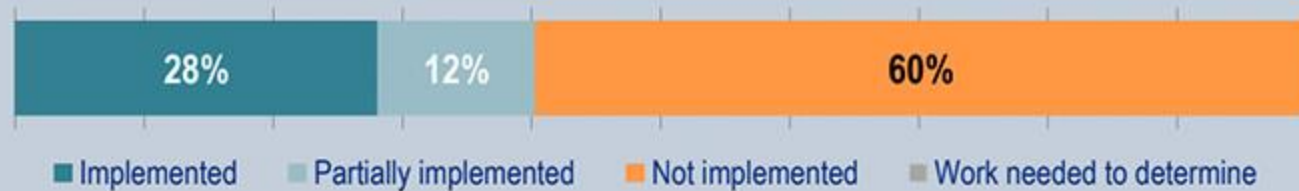
Avenues for State Legislative Oversight

- Oversight partners
- Appropriations process
- Committees
- Advice and consent
- Monitoring contracts
- Administrative rule review



Minnesota Office of the Legislative Auditor

Minnesota Legislature Implementation of OLA Recommendations (2022-2024)



Recommendations
implementation report

Encouraging legislative
hearings

Credit: Office of the Legislative Auditor

Utah Legislative Auditor

A Performance Audit of Health Care in State Prisons (Dec. 2021)

An In-Depth Follow-up of Healthcare in State Prisons (April 2023)

- Four of 13 recommendations from 2021 implemented

Contract Oversight by State Auditors

California State Auditor

Joint Legislative Audit Committee

City of Anaheim tourism related contracts

Unallowable spending, unmet deliverables

Eight recommendations, including an advisory board

Oklahoma LOFT

Department of Mental Health and Substance Abuse Services

Poor budgeting practices

Shortfall of \$63.7 million, \$43 million, \$6.2 million to end of FY25

- Approximately \$30 million

Issue with proper accounting of funds

Hearings, new CFO for Department

Origin of Investigation Topics

- Committee jurisdiction
- Reports
- Constituents
- News
- Personal experience
- Oversight plan / long-term vision



Your Superpowers

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



Phases of an Investigation

1. Fact finding
2. Written product
3. Hearing
4. Follow up

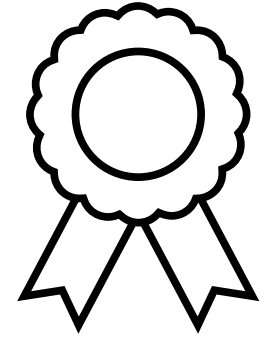


Factual Questions

- Not a hypothesis
- Process-oriented
- “How” and “what” questions, not “yes” or “no”

Great!	Less great...
What kinds of oil spills happen in the Great Lakes and how are they handled?	How come don't we have bigger fines for shipping companies responsible for oil spills?
How do outcomes for students receiving special education services vary across the state?	Why are the schools so bad in my district?

Our Recommendations



Build a culture of oversight

- Oversight should be a priority for legislators and staff
- Staffing should reflect the importance of oversight
- Build in bipartisanship
- Follow up

Improve legislative IT systems

- Collect casework data and use it
 - People-Centered oversight
- Make oversight efforts like committee reports available online

Work with oversight partners

- Connections with auditors are top predictor of oversight effectiveness
- Minnesota: Annual report on implementation of recommendations

Oversight Planning

Open-ended factual question	Facts and data to pursue	Relevant oversight avenue(s)	Available resources
<i>Why do so many roads and bridges in my state rate as dilapidated or unsafe?</i>	<ul style="list-style-type: none">- <i>Road construction methods</i>- <i>Information on contracts and contractors</i>- <i>Project budgets</i>	<ul style="list-style-type: none">- <i>Oversight Partners</i>- <i>Appropriations</i>- <i>Committees</i>- <i>Admin Rule Review</i>- <i>Advice & Consent</i>- <i>Monitoring Contracts</i>	<ul style="list-style-type: none">- <i>Audits</i>- <i>Construction site visits</i>- <i>Interviews with contractors and engineers</i>- <i>Publicly available contract documents</i>

Advancing Oversight. Strengthening Democracy.

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