

## Improving accountability in state government

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This week the House will consider a portion of a larger bill that was authored by and originally filed by Senator Sheheen in the Senate, and that I later filed as a companion bill in the House. “The Government Accountability Act of 2008” has received some positive attention lately and is currently on the House calendar waiting its turn to be debated on the floor.

H. 4538, originally a 168-page bill, proposes several reforms aimed at making our state government more accountable. It amends the “Whistleblower Act,” expanding the protection for and the means by which a whistleblower can report wrongdoings; establishes Legislative Oversight of Agency Programs and Operations; requires the governor and the General Assembly to use a Programmatic Budget Model which provides more meaning and understanding of the numbers associated with agencies and programs; creates an Office of Inspector General to prevent and detect fraud and waste in state government; and restructures certain government agencies and offices.

Earlier this year the House Judiciary Committee appointed an Ad Hoc Committee on Government Restructuring. This committee evaluated several bills that sought to restructure government. The committee chose to pass out only one section of H. 4538, the section relating to Legislative Oversight of Agency Programs and Operations – arguably the core piece of this extensive bill.

The Legislative Oversight section of H. 4538 provides the General Assembly with the tools necessary to enhance its oversight capabilities. It provides an organized framework for the Legislature to fulfill its duty to see that the laws enacted are carried out effectively, efficiently, and as intended by the General Assembly.

H. 4538 establishes that it is the responsibility of legislative committees to exercise oversight of governmental departments, agencies, boards, and commissions, and the programs they administer. The bill distributes and assigns government agency oversight jurisdiction among the standing committees of the House and Senate.

Each committee must conduct oversight studies of its assigned agencies at least once every four years. In addition, by majority vote, a committee may open a study or investigation at any time. The motion for the study must state the subject matter and the scope of the investigation. All testimony given to the committee must be under oath.

I would venture to say that most South Carolinians assume the legislature already performs legislative oversight. The truth is, while some of the basic powers have been in place, they have been difficult to utilize without a logical and formal system.

Currently, the budget process is the closest thing to oversight the Legislature has. Unfortunately, budget writers do not have the time to thoroughly review each agency and program to the extent necessary to exercise true oversight. In addition, certain circumstances may arise that should not have to wait until budget time to be addressed.

“The Accountability Act of 2008” seeks to strengthen the legislature’s ability to determine the application, administration, execution, and effectiveness of the laws it passes. This process will give legislators the information and insight as to whether or not conditions and circumstances need to change to provide good government for the citizens of South Carolina.