Innovations

LEGISLATIVE STRENGTHENING

Taking Oversight to LOFTy Heights in Oklahoma

BY NATALIE WOOD

Strong legislative oversight is a top priority for many state lawmakers, with good reason. It is a fundamental institutional check and balance, crucial to legislative independence and effectiveness.

To help meet this responsibility, at least three-fourths of state legislatures have specialized units to evaluate state government policies and programs, and a majority of legislative audit or evaluation offices have operated for more than 25 years. Alaska and South Dakota expanded their oversight capacity by adding program evaluation units in 2013 and 2018, respectively. This year, it was Oklahoma’s turn.

Lawmakers in the Sooner State passed legislation (Senate Bill 1), co-sponsored by Senate President Pro Tem Greg Treat (R) and House Speaker Charles McCall (R), creating a nonpartisan, centralized legislative staff office: the Legislative Office of Fiscal Transparency, or LOFT. The bill empowers LOFT to review budgetary decisions and agency performance—distinct from audits performed by the executive branch. The law also sets powers, duties and definitions for the new agency, appropriates funding and creates a bipartisan legislative committee to oversee its work.

The legislation is the culmination of several years of work to strengthen legislative oversight in Oklahoma. A previous Senate-led attempt was vetoed by the governor, and budgeting constraints over several legislative sessions stymied House-led measures.

That changed in 2017 when the Legislature passed a bill, authored by McCall, that formed the Agency Performance and Accountability Commission, whose members were appointed by legislative leaders and the governor. The commission was authorized to audit a limited number of agencies, was staffed by legislative and executive branch personnel and was permitted to contract with other entities to conduct audits.

Still, the Legislature wanted more. Last year, leaders coalesced around ideas that more fully supported legislative oversight. The Senate held an interim hearing on the topic, during which experts from NCSL and the New Mexico Legislature shared insights—including key considerations for structuring audit and evaluation offices.

That hearing helped inform Oklahoma’s approach. “To say NCSL played a small part in helping us would be an understatement,” Treat says. “Meeting with my colleagues and staff in other states and learning new concepts was so useful.” Input from New Mexico illustrated how unbiased information can help ensure bipartisan action in response to audits and evaluation.

Budget transparency and government accountability were top priorities for the Senate majority in 2019, and SB 1 was the first Senate bill filed. In addition to creating and empowering LOFT, and the legislative committee to oversee its work, it repeals the commission.

Increased oversight resonates with Oklahomans, who want to know their tax dollars are spent effectively and appropriately. McCall says the Legislature has a duty to provide this assurance, and that “(LOFT) will ensure lawmakers are getting accurate and timely information from agencies so we can make better informed decisions for citizens.”

Treat adds that SB1 creates a new level of transparency, since everything the agency produces will be available to the public. “When we hold the executive branch accountable, it helps us be accountable to citizens,” he says.

SB1 took effect on May 24, and legislative leadership will make appointments to LOFT’s oversight committee this summer.

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