



Board of County Commissioners

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COMMENTS FROM TULSA COUNTY, OKLAHOMA ON SEC PROPOSED RULE 34-63576

The Board of County Commissioners in Tulsa County, Tulsa, Oklahoma, I would like to express in the strongest manner possible that this proposed rule is a terrible idea for several reasons. First, its implementation would have a disastrous effect on our ability to recruit volunteers for the numerous boards to which the County must make appointments. Second, the rule has little or no rational relationship to true oversight of financial advice to local governmental entities. Finally, such a rule is, at its heart, punitive toward citizen volunteers, who are the life blood of any successful representative government.

Tulsa County is responsible for making regular appointments to 37 different boards which cover everything from criminal justice issues to parks to public utilities. Those boards are comprised of around 124 individual appointments among them. Without these Boards and the public service volunteers that sit on them, our local government simply could not maintain all of the functions with which the public has entrusted it.

Finding qualified, willing individuals to give of their time and talents to make these boards effective in their duties is one of the more difficult tasks the County Commissioners must perform. Not only are these individuals extremely hard to come by, but the County Commissioners place a high priority on making sure the appointments are rotated with some frequency to keep fresh perspectives within these boards. The various registration, disclosure, fee and other requirements contained in proposed rule 34-63576 would make it prohibitively difficult for any individual to participate in his or her local government through volunteerism on such boards.

In addition to making such volunteerism far more difficult, the proposed rule is patently irrational. If an individual is appointed to a local governing board, he or she is not there to "advise the board"; he or she IS the board. The function of the board should not be determinative of whether its non-governmental members are "advisory". The expertise they individually bring to the board would be more rationally related to whether they are "advising the board." But by that standard, it makes no sense to treat governmental employees and elected officials differently than civilian appointees. If anything, this type of requirement should ONLY apply to outside firms or individuals contracted specifically as a financial advisor to



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a board that has the capacity to issue securities, swap transactions and/or implement investment strategies.

Finally, this proposed rule is truly hostile toward citizen volunteers. Local representative government is composed in part of elected officials and paid employees but in a much more important way of citizen volunteers. Not only do these volunteers provide a significant amount of labor that would otherwise be unavailable to the government without them, but they also provide a proxy presence within the government which is more directly representative than even the elected officials and paid employees of the government themselves. Most credible sources estimate that volunteers account for one third of the total output of governments in the U.S. For local governments, especially ones involving rural areas, volunteerism is even more vital. Without these citizen volunteers, many smaller municipalities would simply not have the resources to employ all of the labor needed to maintain necessary services to its constituency.

This proposed rule is overly broad inasmuch as it unnecessarily brings many civic minded civilians under the heightened scrutiny previously reserved only for financial advisors. Its implementation would mean that many of these individuals would simply say, "No thank you" the next time we call and ask them to take time away from their work and family to serve on a board.

Tulsa County would like to join what it is sure is a nearly unanimous voice amongst local governments in respectfully asking the SEC to please NOT implement this proposed rule such as it is. In a time of ever shrinking revenues and ever growing budget shortfalls, we simply cannot afford to place this heavy a burden on our citizen volunteers.



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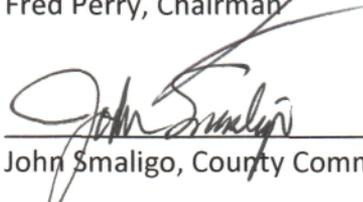
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Sincerely,

Board of County Commissioners
Tulsa County, Tulsa, Oklahoma



Fred Perry, Chairman



John Smaligo, County Commissioner



Karen Keith, County Commissioner