

News from Senator

BOB DOLE



(R - Kansas)

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DOLE GOES TO BAT FOR KANSAS TOWNS
CALLS FOR LIMITS ON ANTITRUST LIABILITIES FOR LOCAL OFFICIALS

WASHINGTON -- In letters to the leaders of both houses of Congress, Kansas Senator Bob Dole today urged action on legislation that would alter in part the effects of a recent Supreme Court decision that the Senator believes has placed a "chilling" burden on local governments and their representatives.

The letters, to House Speaker "Tip" O'Neill and Senate Majority Leader Howard Baker, state that the Court's decision to allow city officials to be prosecuted for damage awards as the result of their governmental responsibilities goes too far and in fact serves as a deterrent to citizens willing to run for office.

According to Dole, the legislation will not prevent cities or officials from being sued but will limit the burden on municipalities' financial stability. Cities now face the threat of suits seeking millions of dollars in damages. The legislation before Congress would allow courts to order cities to stop any improper activities but would not allow courts to force cities to pay tax dollars in damages. However, Dole pointed out that cities and their officials would still be liable for monetary damages where they acted outside the authority of state law.

The text of the letters is as follows:

The Honorable Thomas P. O'Neill, Jr.
Speaker of the House
H-204 Capitol
Washington, D.C. 20515

Dear Mr. Speaker:

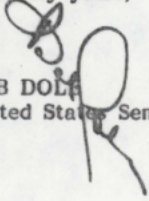
It is my understanding that H.R. 6027, which would limit antitrust liability for local governments and their representatives, has been reported out by the House Judiciary Committee and is awaiting placement on the House Calendar. A companion bill, S. 1578, is currently on the Senate Calendar and hopefully will be considered by the Senate in the near future. I would like to take this opportunity to express my support for this bill and urge its early consideration by the House.

As you know, recent Supreme Court decisions have exposed local officials to money damage awards under the antitrust laws for actions taken within the parameters of their governmental responsibilities. I've been advised by many city and county officials through Kansas that this potential liability has had a significant chilling effect both on the decision making process of elected officials and those contemplating entering public service. By limiting a plaintiff in an action against a government entity to injunctive relief, H.R. 6027 strikes a fair balance between the need for vigorous antitrust enforcement and desire to promote public service.

On behalf of the hundreds of local officials across Kansas, I would urge you to move as quickly as possible to see this provision into law. I am confident that limiting antitrust remedies against local governments to injunctive relief would adequately serve the interests of all parties.

I will thank you in advance for your consideration of this matter.

Sincerely yours,


BOB DOLE
United States Senate