

Mr. Chairman, members of the committee and those members of the Minnesota Congressional delegation that are special guests of the committee today:

Thank you for this opportunity to speak on behalf of the millions of baseball fans across America, and specifically on behalf of Minnesota Twins fans.

This past July I turned fifty years old. In those fifty years I bet I have been told a thousand times that "life is not fair."

I'm sure my schoolmates on the playground told me that life wasn't fair.

My mother, my father and my teachers all have lamented that "life isn't fair."

Well, I am here today to tell you that in spite of all that advice, I think life should be fair.

In this great democracy I think it is the responsibility of governing bodies like Congress to make every effort to ensure that life is as fair as it can be.

And when people make decisions that are not fair there ought to be consequences.

As you know, besides being Governor, I have a reputation of being a fairly successful entrepreneur.

Well, I have been successful in my business career because I live in a country that has provided me the opportunity to be successful.

The fact is I wasn't given any special favors along the way. I had to do it under the same laws and the same regulations as every other entrepreneur in this country.

That's only fair.

Imagine for a minute that the American Association of Cell Phone Manufacturers met in Chicago last week and at the meeting, thirty of the largest manufacturers got together for cocktails to identify which of them they could buy out and close down in order to reduce the output of their product and maximize the profitability of the remaining manufacturers.

Good idea, right?

But, of course, we all know that eventually their strategy would fail.

It would fail because first of all, their conspiracy would very likely be in violation of the Sherman Antitrust Act and, in an act of fairness to all entrepreneurial Americans, the government would remedy the situation.

Right?

Or maybe, if the government failed to remedy the situation, energetic young entrepreneurs would start up new manufacturing companies and through increased competition, drive prices down and choices for cell phones up.

That's the way it works here in America.

Right.

Except for baseball.

If baseball is your business, and I emphasize business, you can meet in Chicago, conspire to control output of your product in order to maximize profits, and it is perfectly legal.

That's not fair and I think you ought to do something about it.

In 1922 when the United States Supreme Court decided Major League Baseball was a *sport*, not interstate commerce, perhaps it was a sport.

But today Major League Baseball is a self-regulating, billion-dollar monopoly.

Major League Baseball is really no different than OPEC. It controls supply and it controls price with absolutely no accountability.

The simple, logical, and common sense fact is that Major league Baseball is a *business* that should be governed by the same laws as every other *business*.

Commissioner Selig has said that the Minnesota Twins cannot be competitive without a new stadium and therefore they should be eliminated. But without more fundamental economic reforms, many teams cannot be competitive.

I cannot understand how eliminating the Minnesota Twins, or any team, will help the Arizona Diamondbacks draw more fans or resist the temptation to pay their players more than they can afford.

The Minnesota Twins were the first American League team to draw 3 million fans.

Last season the Twins fielded a competitive team that finished second in their division and drew 1.8 million fans, 11th in the American League. The Twins average attendance was better than the Chicago White Sox, also a competitive team, but more importantly a team with a new stadium built in 1991.

Another example of the failed logic of Major League Baseball is that the Twins drew only 1,700 fewer fans per game than the Detroit Tigers, a team from a much larger market that plays in a stadium that is only two years old.

Again, baseball has economic problems. I know this. Minnesotans know this and the members of the Commissioners Blue Ribbon Panel on Baseball Economics know this.

In fact, if I could draw your attention to page 44 of the July 2000 Report of the *Independent* Members of the Commissioner's Blue Ribbon Panel on Baseball Economics, Richard C. Levin, George J. Mitchell, Paul A. Volcker and George Will state flatly:

"If the recommendations outlined in this report are implemented, there should be no immediate need for contraction."

In this kind of environment is it surprising that Minnesotans are hesitant to build a new stadium. What would it get us? A temporary fix?

Minnesotans want assurances that an investment in a new ballpark would add long-term value and are frustrated by the tactics employed by the league. It makes sense for baseball to put its house in order before we build a new stadium.

Over the past couple of years the government has spent hundreds of millions of taxpayer dollars to prosecute Microsoft for alleged violations of anti-trust laws. Why?

In light of what baseball is getting away with, it just doesn't seem fair.

In every case that has come before the Supreme Court since 1922, it has been pointed out that if Congress wants to rectify the baseball situation it simply has to act. All you have to do is pass a law that says that the Sherman Act applies to all business without exception.

And this is all assuming baseball's exemption still exists, our attorney general says it doesn't, but I'll let the lawyers deal with that.

It's only fair to clarify the law and make it absolutely clear that there is no exemption.

Why baseball and not football?

Why baseball and not basketball?

This is crazy.

Common sense and fairness demand that you act now, or you know that millions of dollars will be spent to litigate the issue.

What a waste that would be.



As I said, I'm 50 years old. The Minnesota Twins have been around for 40 of those years. Every person in Minnesota who is my age or younger has had a hometown team to root for pretty much his entire life.

And that's just going to end because 30 major league baseball owners and one commissioner don't have to play by the same rules as everyone else?

We teach our kids to play fair. Now we might have to explain to them why they don't have a team to root for anymore, and when they say, "but that isn't fair," we'll just have to say, "No, it's not. Baseball might be a fair game, but its owners have their own set of rules."

It's time for that to change.

Thank you.