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March 24, 2023

Senate File 2219 (Klein)

Dear Chair Klein and Members of the Senate Commerce Committee,

The National Federation of Independent Business (NFIB) represents 10,000 small businesses across Minnesota. Our average member employs 10 Minnesotans; 90% of our members have fewer than 20 employees. Our mission is to advocate for the best interests of Main Street.

NFIB supports the inclusion of the Digital Fair Repair Action (Sec. 23). We strive to protect our members right to own, operate, and grow their small business without interference. The Digital Fair Repair Act provides small businesses – from family farms to small manufacturers to mom-and-pop repair shops – the ability to do that in a world where digitization of work and life seems unlikely to slow any time soon. This bill expands equipment options and reduces maintenance costs for consumers and small businesses at a time when even mundane tasks now rely on digital electronic equipment.

NFIB opposes the Abnormal Market Disruption Regulations private cause of action (Sec. 24). These complex pricing regulations apply during emergencies that can be chaotic and stressful times for small businesses and communities. Violations already carry a steep administrative penalty of up to \$25,000 per day. For most small businesses, a penalty of this size would be ruinous and is a significant deterrent. Adding treble damages through a civil action is unnecessary and punitive. Few small business owners have in-house legal counsel or lawyers on retainer and litigation costs are extremely burdensome *even if they are successful in court.*

Thank you for considering the small business perspective.

Sincerely,

A handwritten signature in black ink, appearing to read 'John L. Reynolds', is written over a light blue horizontal line.

John L. Reynolds
Minnesota State Director
National Federation of Independent Business
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