



180 5th St. E. Ste. 260
St. Paul, MN 55101

651-293-1283
NFIB.com/MN
Twitter: @NFIB_MN

January 6, 2022

House File 6 (Stephenson)

Dear Chair Stephenson and House Commerce Committee Members,

Thank you for the opportunity to comment on House File 6, which establishes limitations on pricing changes during a declared emergency. We appreciate Chair Stephenson's willingness to hear the concerns of small businesses across Minnesota.

We encourage the committee to maintain the bill's focus on declared emergencies and flexibility to make price adjustments based on the economic conditions created by the emergency which gave rise to the declaration. However, we encourage the committee to provide greater certainty and clarity for small businesses:

- **Clearer Timelines.** Require the governor to state the term for which the limitations are in effect upon invocation of this section, preferably in increments of 15 days or less, and set the pricing limitations to end upon expiration of the governor's emergency declaration. This provides a simpler, clearer timeline for affected entities. Following a flood, in a pandemic, or during another emergency, small businesses are likely to be focused on protecting or rebuilding their business, employees and communities.
- **Fair Penalties.** Establish reasonable penalty caps and protect small businesses that make good faith errors. A graduated penalty structure and ability to remedy an initial violation is appropriate given the potential for honest mistakes during a chaotic time. Not every small business has sophisticated price and inventory tracking systems that make it easy to know the average price during the period prior to an emergency. And, depending on the emergency, they may not have access to their price records.

Thank you for considering the concerns of small business. We would be glad to provide any additional information.

About NFIB Minnesota: The National Federation of Independent Business (NFIB) represents 10,000 small businesses in every industry and every corner of the state. Nearly 90% of our members have fewer than 20 employees and our average member has 10 employees and

\$500,000 in annual revenue. We are committed to advocating for the best interests of Main Streets across Minnesota.

Sincerely,

A handwritten signature in black ink, appearing to read 'JL Reynolds', with a stylized flourish at the end.

John L. Reynolds
Minnesota State Director
National Federal of Independent Business
john.reynolds@nfib.org
(651) 293-1283