



February 28, 2023

Chair Jamie Becker-Finn
House Judiciary Finance and Civil Law Committee
559 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Dear Chair Becker-Finn and committee members:

On behalf of Minnesota Farmers Union (MFU), I write to share MFU's strong support for Representative Fischer's HF1337, which will provide fair access to the parts, tools, and diagnostic equipment farmers and independent technicians need to repair modern day farm equipment. This legislation will ensure a competitive market for repair and restore farmers' right to fix the things they own.

MFU is a grassroots organization that has represented Minnesota's family farmers, ranchers, and rural communities since 1918. At our annual convention last year members voted to make limiting corporate control and ensuring competitive markets a top priority for 2023. This includes passing Right to Repair legislation like HF1337, which is critical to a genuinely competitive market for repair services.

MFU members care about this issue not only because it will have the practical effect of helping them get more timely repairs on their equipment, but also as a matter of principle. They strongly believe that—as an owner of equipment—they have a right to make repairs. In fact, many farms depend on making in-house repairs to better control costs.

HF1337 relies on the Attorney General's authority under Minn. Stat. 8.31 for enforcement of this legislation. Our members are confident that the Attorney General's Office is well equipped to fairly and strongly enforce this legislation given a strong track record from the Attorney General of engaging in key litigation meant to protect a fair and open marketplace for farmers and rural communities.

Using its authority under Minn. Stat. 8.31 to enforce our state antitrust laws, Minnesota recently joined the Federal Trade Commission and nine other states in a lawsuit against major pesticide manufacturers.ⁱ These manufacturers are using loyalty programs to suppress competition from generic manufacturers, creating an anticompetitive marketplace.

When Governor Walz signed Executive Order 20-10 to prohibit price-gouging in the early stages of the COVID-19 pandemic, that prohibition relied on the Attorney General's authority under Minn. Stat. 8.31 for enforcement.ⁱⁱ The Attorney General used that authority on multiple occasions to protect Minnesota consumers from profiteering.

A final example is the proposed merger between Sanford Health and Fairview Health Services, which would have a profound impact on Minnesota. Minn. Stat. 8.31 provides the Attorney General

the authority to conduct investigations related to various statutes, including the state's antitrust and nonprofit laws. The Attorney General's office is in the process of conducting a comprehensive investigation of this proposed merger.

We hope this committee will agree that the Attorney General's Office is well positioned to help enforce this legislation and ensure a fair and competitive marketplace for repairs in Minnesota.

Thank you for your consideration and to Rep. Fischer for his strong leadership on this issue. If you have any questions, please contact our Government Relations Director, Stu Lourey, at stu@mfu.org or (320) 232-2047 (C).

Sincerely,

A handwritten signature in black ink that reads "Gary Wertish". The signature is written in a cursive style with a large, looped "G" and "W".

Gary Wertish
President, Minnesota Farmers Union

ⁱ https://www.ag.state.mn.us/Office/Communications/2022/09/30_SyngentaCorteva.asp

ⁱⁱ https://mn.gov/governor/assets/FINAL_EO-20-10_EO%2020-10%20Price%20Gouging%20%28002%29_tcm1055-424358.pdf