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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3474**

March 8, 2010

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act
1.2 relating to commerce; authorizing use and sale of incandescent light bulbs
1.3 manufactured in Minnesota; proposing coding for new law in Minnesota Statutes,
1.4 chapter 325E.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[325E.66] STATES' RIGHTS; SALE OF INCANDESCENT BULBS.**

1.7 **Subdivision 1. Legislative findings.** The legislature finds that:

1.8 (a) The Tenth Amendment to the Constitution of the United States guarantees to the
1.9 states and their citizens all powers not granted to the federal government elsewhere in the
1.10 Constitution and reserves to this state and the citizens of this state certain powers as they
1.11 were understood at the time this state was admitted to statehood.

1.12 (b) The Ninth Amendment to the Constitution of the United States guarantees to the
1.13 people rights not enumerated in the Constitution, including rights as they were understood
1.14 at the time this state was admitted to statehood.

1.15 (c) The guaranty of those powers and rights is a matter of contract between this state,
1.16 the citizens of this state, and the United States as of the time that the compact with the
1.17 United States was agreed to and adopted by this state and the United States.

1.18 (d) The regulation of intrastate commerce is vested in the states under article 1,
1.19 section 8, Constitution of the United States, and the Ninth and Tenth Amendments to the
1.20 Constitution of the United States.

1.21 **Subd. 2. Incandescent light bulbs.** An incandescent light bulb that is manufactured
1.22 commercially or privately in Minnesota and that is not exported to another state is not
1.23 subject to federal law or federal regulation under the authority of Congress to regulate
1.24 interstate commerce and is not considered to have traveled in interstate commerce.

2.1 Notwithstanding any other law, a person may possess, use, manufacture, purchase, install,
2.2 transport, sell, or internationally export an incandescent light bulb that is manufactured
2.3 commercially or privately in this state if the light bulb is not exported to another state.
2.4 This section applies to an incandescent light bulb that is manufactured in this state from
2.5 basic materials and that can be manufactured without the inclusion of any significant parts
2.6 imported from another state. The importation into this state of any generic or insignificant
2.7 part that has other manufacturing or consumer product applications or any basic materials
2.8 does not subject the incandescent light bulb to federal regulation.