

A bill for an act

relating to commerce; authorizing use and sale of incandescent light bulbs
manufactured in Minnesota; proposing coding for new law in Minnesota Statutes,
chapter 325E.

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

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

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

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

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

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

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

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

H.F. No. 3474, as introduced - 86th Legislative Session (2009-2010) [10-5922]

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.