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Legislative Document

No. 940

H.P. 696

House of Representatives, March 8, 2021

An Act To Establish Appliance Energy and Water Standards

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative PLUECKER of Warren.
Cosponsored by Representatives: DOUDERA of Camden, GRAMLICH of Old Orchard Beach, Senator: MAXMIN of Lincoln.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 2 MRSA §9, sub-§3, ¶I**, as enacted by PL 2007, c. 656, Pt. C, §1, is amended
3 to read:

4 I. Monitor energy transmission capacity planning and policy affecting this State and
5 the regulatory approval process for the development of energy infrastructure pursuant
6 to Title 35-A, section 122 and make recommendations to the Governor and the
7 Legislature as necessary for changes to the relevant laws and rules to facilitate energy
8 infrastructure planning and development; ~~and~~

9 **Sec. 2. 2 MRSA §9, sub-§3, ¶J**, as amended by PL 2011, c. 55, §2, is further
10 amended to read:

11 J. Take action as necessary to carry out the goals and objectives of the state energy
12 plan prepared pursuant to paragraph C including lowering the total cost of energy to
13 consumers in this State; and

14 **Sec. 3. 2 MRSA §9, sub-§3, ¶K** is enacted to read:

15 K. Take action as necessary regarding the appliance and product efficiency standards
16 set forth in subsection 8, including, but not limited to, the enforcement of those
17 standards.

18 **Sec. 4. 2 MRSA §9, sub-§8** is enacted to read:

19 **8. Appliance and product efficiency standards.** The following provisions apply to
20 the sale or offering for sale in the State of certain new appliances and products.

21 A. Beginning January 1, 2023, a person may not sell or offer for sale in the State any
22 of the following appliances and products that are prohibited from sale in the State of
23 California pursuant to the California Code of Regulations, Title 20, Division 2, Chapter
24 4, Article 4, as those regulations were in effect on January 1, 2021 and as amended on
25 December 9, 2020:

26 (1) Computers and computer monitors;

27 (2) General service lamps;

28 (3) Commercial hot food holding cabinets;

29 (4) Plumbing fittings that are showerheads, lavatory faucets, kitchen faucets,
30 public lavatory faucets, metering faucets, kitchen replacement aerators and
31 lavatory replacement aerators;

32 (5) Plumbing fixtures that are water closets and urinals;

33 (6) Portable electric spas;

34 (7) Spray sprinkler bodies; and

35 (8) Water dispensers.

36 For the purposes of this paragraph, the appliances and products listed in subparagraphs
37 (1) to (8) have the same meanings as in the California Code of Regulations, Title 20,
38 Division 2, Chapter 4, Article 4, as those regulations were in effect on January 1, 2021,
39 except that "general service lamps" means medium-base incandescent light bulbs that
40 are: reflector lamps that are ER30, BR30, BR40 or ER40 lamps rated at 50 watts or

1 less; reflector lamps that are BR30, BR40 or ER40 lamps rated at 65 watts; reflector
2 lamps that are R20 lamps rated at 45 watts or less; B, BA, CA, F and G shape lamps as
3 defined in American National Standards Institute standard C79.1-2002 with a lumen
4 output greater than or equal to 200 and rated at 40 watts or less; A and C shape lamps
5 as defined in American National Standards Institute standard C79.1-2002 with a lumen
6 output greater than or equal to 200 and less than 310; shatter-resistant lamps; and 3-
7 way lamps.

8 B. In determining a person's compliance with paragraph A, the office shall, to the
9 greatest extent practicable and where consistent with the requirements of this
10 subsection, use information contained in the modernized appliance efficiency database
11 system established pursuant to the California Code of Regulations, Title 20, Division
12 2, Chapter 4, Article 4, as those regulations were in effect on January 1, 2021.

13 C. A person who violates paragraph A commits a civil violation for which a fine of
14 not more than \$100 may be adjudged for each unit of a product sold or offered for sale
15 in violation of paragraph A.

16 D. Beginning January 15, 2022, and annually thereafter, the office shall submit to the
17 joint standing committee of the Legislature having jurisdiction over energy, utilities
18 and technology matters a report describing any recent or anticipated changes to the
19 California Code of Regulations, Title 20, Division 2, Chapter 4, Article 4 and including
20 recommendations as to whether, based on such changes or for other specified reasons,
21 the provisions of this subsection require amendment. After reviewing the report, the
22 joint standing committee may report out legislation relating to the report.

23 This subsection does not apply to any appliances and products listed in paragraph A,
24 subparagraphs (1) to (8) that are manufactured before January 1, 2022 or that are sold or
25 offered for sale in the State in used condition.

26 **Sec. 5. Memorandum of understanding regarding technical assistance to**
27 **consumers and businesses.** The Governor's Energy Office may enter into a
28 memorandum of understanding or other formalized agreement with the Efficiency Maine
29 Trust, established in the Maine Revised Statutes, Title 35-A, chapter 97, for the provision
30 of technical assistance by the trust to consumers and businesses in the scope and application
31 of the State's efficiency standards under Title 2, section 9, subsection 8.

32 SUMMARY

33 This bill provides that, beginning January 1, 2023, a person may not sell or offer for
34 sale in the State any of the following new products that were prohibited from sale in the
35 State of California under its appliance efficiency regulations, as those regulations were in
36 effect on January 1, 2021: computers and computer monitors; certain general service lamps;
37 commercial hot food holding cabinets; plumbing fittings that are showerheads, lavatory
38 faucets, kitchen faucets, public lavatory faucets, metering faucets, kitchen replacement
39 aerators and lavatory replacement aerators; plumbing fixtures that are water closets and
40 urinals; portable electric spas; spray sprinkler bodies; and water dispensers.

41 The Governor's Energy Office is required to enforce this prohibition, and fines for a
42 violation of the prohibition are specified. The office is authorized to enter into a
43 memorandum of understanding or other formalized agreement with the Efficiency Maine
44 Trust for the provision of technical assistance by the trust to consumers and businesses

1 regarding this prohibition. The office is also required to submit an annual report to the
2 joint standing committee of the Legislature having jurisdiction over energy, utilities and
3 technology matters describing any recent or anticipated changes to the California appliance
4 efficiency regulations and including recommendations as to whether, based on such
5 changes or for other specified reasons, the state provision requires amendment.