

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

H.P. 763 - L.D. 1158

An Act to Expand Appliance Energy and Water Standards

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

Sec. 1. 38 MRSA §1616, sub-§1, ¶A-1 is enacted to read:

A-1. Except as provided in subsection 2, beginning January 1, 2027, a person may not sell or offer for sale in the State any of the following appliances and products manufactured on or after January 1, 2027 that are prohibited from sale in rules adopted by the department in accordance with subsection 3:

- (1) Commercial battery chargers;
- (2) Commercial dishwashers;
- (3) Commercial food steamers;
- (4) Commercial fryers;
- (5) Commercial ovens;
- (6) Computer server power supplies; and
- (7) Residential ventilating fans.

Sec. 2. 38 MRSA §1616, sub-§1, ¶B, as enacted by PL 2021, c. 433, §1 and reallocated by RR 2021, c. 2, Pt. A, §135, is amended to read:

B. In determining a person's compliance with ~~paragraph~~ paragraphs A and A-1, the department shall, to the greatest extent practicable and where consistent with the requirements of this subsection, use information available from other states that regulate the same appliances and products.

Sec. 3. 38 MRSA §1616, sub-§1, ¶C, as enacted by PL 2021, c. 433, §1 and reallocated by RR 2021, c. 2, Pt. A, §135, is amended to read:

C. A person who violates paragraph A or A-1 commits a civil violation for which a fine of not more than \$100 may be adjudged.

Sec. 4. 38 MRSA §1616, sub-§2, as enacted by PL 2021, c. 433, §1 and reallocated by RR 2021, c. 2, Pt. A, §135, is repealed and the following enacted in its place:

2. Exclusions; federal preemption. This section does not apply to any appliances and products:

A. Listed in subsection 1, paragraph A, subparagraphs (1) to (8) that are manufactured before January 1, 2023;

B. Listed in subsection 1, paragraph A-1, subparagraphs (1) to (7) that are manufactured before January 1, 2027; or

C. Listed in subsection 1, paragraph A or A-1 that are sold or offered for sale in the State in used condition.

An appliance or product listed in subsection 1, paragraph A or A-1 is exempt from the prohibitions in this section and the rules adopted pursuant to this section if state regulation of the appliance or product is preempted by federal statute or regulation, for as long as that federal preemption remains in effect.

Sec. 5. 38 MRSA §1616, sub-§3, as enacted by PL 2021, c. 433, §1 and reallocated by RR 2021, c. 2, Pt. A, §135, is amended to read:

3. Rules. The department may adopt rules to prohibit the sale or offering for sale in the State of appliances or products described in subsection 1, ~~paragraph~~ paragraphs A and A-1. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.