



TESTIMONY OF CHRISTOPHER BRESEE
MANAGER OF GOVERNMENT AFFAIRS

ON BEHALF OF
THE AIR-CONDITIONING, HEATING, AND REFRIGERATION INSTITUTE

BEFORE THE MAINE LEGISLATURE
JOINT STANDING COMMITTEE ON INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT
AND BUSINESS

HEARING ON LEGISLATIVE DOCUMENT 1487

APRIL 18, 2023

Good afternoon, Chairs Curry and Roberts. My name is Chris Bresee, Manager of Government Affairs for the Air-Conditioning, Heating, and Refrigeration Institute (AHRI). Thank you for allowing me to speak with you today in opposition to LD 1487 unless amended. AHRI supports amending the scope of the legislation to exclude equipment that requires quality installation to ensure safety and environmental stewardship.

AHRI represents more than 330 manufacturers of air conditioning, heating, water heating, and commercial refrigeration (HVACR) equipment. It is an internationally recognized advocate for the HVACR industry and certifies the performance of many of the products manufactured by its members. In North America, the annual economic activity resulting from the HVACR industry is approximately \$256 billion. In the United States alone, AHRI member companies, along with distributors, contractors, and technicians employ more than 1.3 million people.

AHRI respectfully opposes LD 1487 as currently drafted without amendment to the scope of the legislation. The legislation would mandate that original equipment manufacturers (OEMs) make available to owners of digital electronic equipment or independent repair providers any part, tool, service manual, or other device, implement, or information for the purposes of diagnosing, maintaining, or repairing digital electronic equipment made by the OEM.

AHRI represents companies dedicated to manufacturing and installing highly effective and efficient heating, cooling, water heating, and commercial refrigeration systems for the health, safety, comfort, and productivity of the residents of Maine. However, the equipment our companies manufacture and install is complex and requires highly skilled professionals to service and install it. Our industry places a high value on the use of skilled, trained, and certified contractors to handle the sophisticated equipment our manufacturers produce.

One of the primary reasons AHRI believes it is critical that HVACR equipment only be repaired or maintained by licensed professionals is to protect the environment. If not properly installed, maintained, and repaired, HVACR equipment, including cutting-edge energy efficient technologies, will not provide important energy saving benefits and will undermine energy efficiency initiatives.

In addition to these concerns, equipment warranties could potentially be nullified if service were conducted by an unqualified contractor. A manufacturer's warranty is critical for consumer protection and confidence in the equipment they are purchasing. Should a homeowner's equipment malfunction, a warranty can be crucial for saving costs and having the equipment properly serviced. Manufacturers rely on qualified contractors to perform maintenance and repairs, ensuring that any future warranty issues or product recalls can be honored.

AHRI respects the intent of this legislation, but to avoid these unintended consequences, we believe it is necessary to narrow the definition of "digital electronic equipment" and amend the bill's language to include an exemption for HVACR equipment.

AHRI has seen similar legislation introduced in other states. We recommend that the definition of “digital electronic equipment” used in Section 1.B be stricken and replaced with a definition that more clearly describes the products in the intended scope of the draft.

An additional provision may also be added, clarifying that a digital electronic equipment will not include any home appliance that has a digital electronic equipment embedded within it. AHRI believes that clarifying the definition of digital electronic equipment does not include HVACR equipment would allow the legislation to serve its intended purpose without creating any unintended consequences for products manufactured, distributed, or installed by our members.

Thank you again for the opportunity to present testimony at this hearing. AHRI looks forward to continuing to work with the Maine Legislature to address concerns regarding LD 1487.