

March 29, 2021

Senator Stacy Brenner and Representative Ralph Tucker  
Chairs, Committee on Environment and Natural Resources  
Cross Building, Room 216  
100 State House Station  
Augusta, ME 04333  
Via email: [ENR@legislature.maine.gov](mailto:ENR@legislature.maine.gov)

**Re: CTA Comments on LD940, An Act to Establish Appliance Energy and Water Standards**

Dear Senator Brenner and Representative Tucker -

The Consumer Technology Association (CTA) respectfully submits these comments to voice our concerns and opposition to [Legislative Document No. 940 \(LD940\)](#), An Act to Establish Appliance Energy and Water Standards. While CTA appreciates the Legislature's leadership on energy efficiency, CTA is specifically concerned with the unnecessary standards for computers and computer monitors.

As North America's largest technology trade association, CTA® is the tech sector. Our members are the world's leading innovators – from startups to global brands – helping support more than 18 million American jobs. For many years, CTA has supported and advanced energy efficiency in consumer technology as part of the industry's broader commitment to environmental sustainability. Our industry has achieved real results – more consumer products than ever are using less energy. A recent study commissioned by CTA and produced by Fraunhofer USA finds the number of tech devices in U.S. homes has increased 21 percent since 2010, but those devices now account for 25 percent less residential energy consumption over that same time.<sup>1</sup> We share the Legislature's goal of increasing energy efficiency, but we do not believe the approach outlined in LD940 is the path to get there.

**Standards for computers and computer monitors will not yield additional energy savings in Maine.**

Computers and computer monitors are sold in a U.S. or North American market, not state-by-state. This means that the most stringent energy efficiency standard found within that market is the de facto energy efficiency standard for the entire market. For computers and computer monitors sold in the U.S. or North American market, the most stringent standard is the California Energy Commission (CEC) standard. This means that the computers and computer monitors sold in Maine are already

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<sup>1</sup> Urban, Roth, Singh, & Howes. "Energy Consumption of Consumer Electronics in U.S. Homes in 2017". December 2017. Available at: <http://www.cta.tech/cta/media/policyImages/policyPDFs/Energy-Consumption-of-Consumer-Electronics-in-U-S-Homes-in-2017.pdf>

compliant with the CEC standard without any action needed by the Maine legislature. CTA is requesting the removal of the requirements for computers and computer monitors found at Sec. 4. 2 MRSA §9, sub-§8(A)(1).

**Maine claiming additional cost or energy efficiency savings for its residents is misleading while also increasing regulatory burden on industry.** CTA is concerned with Maine claiming energy efficiency and cost savings for standards already in effect in the state. This is misleading to residents as Maine is not achieving additional energy or cost savings for residents by adopting the CEC standard. As noted above, Maine residents already receive the benefit of the CEC standard regardless of requiring industry to operate under a regulatory scheme in Maine for a California standard they are already complying with. Adopting California's standards does create inefficiencies and compliance burdens for both industry and the state government without ultimately achieving any increase in energy savings for Maine residents.

**Unintended consequences of adopting another state's standards.** CTA is concerned that adoption of another state's regulations could cause unintended consequences that negatively impact the availability of computers and monitors in Maine. LD940 references the California regulations for computers and computer monitors in effect on January 1, 2021, and as amended on December 9, 2020. California should be issuing updated regulations for its computer and computer monitor standards in the very near future based on a December 2020 decision. As written, the current language would not allow Maine to keep pace with amendments to California's regulations. A different standard in Maine means the potential for computers and computer monitors to be pulled from shelves or blocked from online sales until a legislative fix can be made. The concern around unintended consequences is a very real and valid concern for industry and demonstrates how Maine's adoption of the CEC standards as currently written is not only unnecessary but possibly harmful to the availability of these products.

If Maine moves forward with the inclusion of computers and computer monitors in the legislation, **CTA strongly encourages Maine to incorporate language to provide the authority to keep pace with changes to California's regulations.** Sample language could include the following:

Sec. 4. 2 MRSA §9, sub-§8

(E) The office shall adopt by rule a more recent version of the regulations specified in paragraph A in order to maintain or improve consistency with the specified standards. Rules adopted under this subsection shall take effect on or after the effective date of a specified standard.

Such language would allow Maine to realign energy efficiency standards to California standards whenever California's standards are updated without having to go through the time-consuming process of a statutory change. This language also clarifies that Maine would not have broad authority to adopt new energy efficiency standards for computers and computer monitors without it being triggered by a change in California's standards.

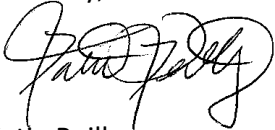
**Conclusion:** CTA and its members are firmly committed to energy efficiency across our industry. For the past 15 years, the industry has worked aggressively on energy efficiency. We're one of the only sectors that actively tracks the energy usage of our products as quantified in CTA's triennial energy

efficiency studies. We continue to work with policymakers across the U.S. and globally to urge innovation-friendly, voluntary and market-oriented approaches to energy efficiency for consumer electronics that have proven successful. We've also developed new approaches –industry-led voluntary agreements– that go beyond existing programs to capture additional energy savings in rapidly-evolving product categories.

Industry and policymakers share the goal of energy efficiency but there are many paths to that goal. We do not believe that the approach outlined in LD940 is the path to get there. CTA recommends removal of the standards for computers and computer monitors. If that is not feasible, it is critical that Maine include language to enable the state to keep pace with changes to California's regulations.

Please do not hesitate to contact me with any questions or requests for additional information.

Sincerely,



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cc: Senator Richard Bennett  
Senator Anne Carney  
Representative Art Bell  
Representative Lydia Blume  
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Representative Chris Johansen  
Representative Beth O'Connor  
Representative Will Tuell  
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