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ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
129TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 1245, L.D. 1750, Bill, "An Act To Establish Appliance Energy and Water Standards"

Amend the bill by striking out everything after the enacting clause and inserting the following:

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

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

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

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

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

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

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

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

A. Beginning January 1, 2022, a person may not sell or offer for sale in the State any of the following appliances and products that are manufactured on or after January 1, 2022 and that are prohibited from sale in the State of California pursuant to the

1 California Code of Regulations, Title 20, Division 2, Chapter 4, Article 4, as those
2 regulations were in effect on January 1, 2020:

3 (1) Computers and computer monitors;

4 (2) General service lamps;

5 (3) Commercial hot food holding cabinets;

6 (4) Plumbing fittings that are showerheads, lavatory faucets, kitchen faucets,
7 public lavatory faucets, metering faucets, kitchen replacement aerators and
8 lavatory replacement aerators;

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

10 (6) Portable electric spas;

11 (7) Spray sprinkler bodies; and

12 (8) Water dispensers.

13 For the purposes of this paragraph, the appliances and products listed in
14 subparagraphs (1) to (8) have the same meanings as in the California Code of
15 Regulations, Title 20, Division 2, Chapter 4, Article 4, as those regulations were in
16 effect on January 1, 2020.

17 B. In determining a person's compliance with paragraph A, the office shall, to the
18 greatest extent practicable and where consistent with the requirements of this
19 subsection, use information contained in the modernized appliance efficiency
20 database system established pursuant to the California Code of Regulations, Title 20,
21 Division 2, Chapter 4, Article 4, as those regulations were in effect on January 1,
22 2020.

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

26 D. Beginning January 15, 2023, and annually thereafter, the office shall submit to the
27 joint standing committee of the Legislature having jurisdiction over energy, utilities
28 and technology matters a report describing any recent or anticipated changes to the
29 California Code of Regulations, Title 20, Division 2, Chapter 4, Article 4 and
30 including recommendations as to whether, based on such changes or for other
31 specified reasons, the provisions of this subsection require amendment. After
32 reviewing the report, the joint standing committee may report out legislation relating
33 to the report.

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

37 **Sec. 5. Memorandum of understanding regarding technical assistance to**
38 **consumers and businesses.** The Governor's Energy Office may enter into a
39 memorandum of understanding or other formalized agreement with the Efficiency Maine

1 Trust, established in the Maine Revised Statutes, Title 35-A, chapter 97, for the provision
2 of technical assistance by the trust to consumers and businesses in the scope and
3 application of the State's efficiency standards under Title 2, section 9, subsection 8.

4 **Sec. 6. Appropriations and allocations.** The following appropriations and
5 allocations are made.

6 **EXECUTIVE DEPARTMENT**

7 **Governor's Energy Office Z122**

8 Initiative: Provides an appropriation for 2 Management Analyst II positions and
9 associated All Other costs.

10	GENERAL FUND	2019-20	2020-21
11	POSITIONS - LEGISLATIVE COUNT	0.000	2.000
12	Personal Services	\$0	\$167,534
13	All Other	\$0	\$6,521
14			
15	GENERAL FUND TOTAL	\$0	\$174,055

16
17 Amend the bill by relettering or renumbering any nonconsecutive Part letter or
18 section number to read consecutively.

19 **SUMMARY**

20 This amendment, which is the majority report of the committee, replaces the bill and
21 provides that, beginning January 1, 2022, a person may not sell or offer for sale in the
22 State any of the following new products that are manufactured on or after January 1, 2022
23 and that were prohibited from sale in the State of California under its appliance efficiency
24 regulations, as those regulations were in effect on January 1, 2020: computers and
25 computer monitors; general service lamps; commercial hot food holding cabinets;
26 plumbing fittings that are showerheads, lavatory faucets, kitchen faucets, public lavatory
27 faucets, metering faucets, kitchen replacement aerators and lavatory replacement aerators;
28 plumbing fixtures that are water closets and urinals; portable electric spas; spray sprinkler
29 bodies; and water dispensers.

30 The Governor's Energy Office is required to enforce this prohibition, and fines for a
31 violation of the prohibition are specified. The office is authorized to enter into a
32 memorandum of understanding or other formalized agreement with the Efficiency Maine
33 Trust for the provision of technical assistance by the trust to consumers and businesses
34 regarding this prohibition. The office is also required to submit an annual report to the
35 joint standing committee of the Legislature having jurisdiction over energy, utilities and
36 technology matters describing any recent or anticipated changes to the California
37 appliance efficiency regulations and including recommendations as to whether, based on
38 such changes or for other specified reasons, the state provision requires amendment.

