

# MAINE STATE LEGISLATURE

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2mg  
2020

L.D. 1750

Date: 3/11/20 Majority

(Filing No. H-741 )

**ENVIRONMENT AND NATURAL RESOURCES**

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

COMMITTEE AMENDMENT "A" 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

**COMMITTEE AMENDMENT**

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

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

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

**EXECUTIVE DEPARTMENT**

**Governor's Energy Office Z122**

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

GENERAL FUND	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	2.000
Personal Services	\$0	\$167,534
All Other	\$0	\$6,521
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$174,055</b>

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

**SUMMARY**

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

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





# 129th MAINE LEGISLATURE

LD 1750

LR 878(02)

## An Act To Establish Appliance Energy and Water Standards

Fiscal Note for Bill as Amended by Committee Amendment *A(H-741)*

Committee: Environment and Natural Resources

Fiscal Note Required: Yes

### Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$174,055	\$179,081	\$184,258
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$174,055	\$179,081	\$184,258

### Correctional and Judicial Impact Statements

The additional workload associated with the minimal number of new cases filed in the court system does not require additional funding at this time.

The collection of additional fine and/or fee revenue will increase General Fund and dedicated revenue by minor amounts.

### Fiscal Detail and Notes

This bill prohibits the sale of certain appliances in Maine on or after January 1, 2022 that have been prohibited from sale in California. The bill authorizes the Governor's Energy Office (GEO) to create the prohibition program, enforce the prohibition and to enter into an agreement with the Efficiency Maine Trust to provide technical assistance to educate customers and businesses regarding the prohibition program. The GEO has indicated that to fulfill the prohibition program requirements it would require additional staff resources. The bill includes General Fund appropriations of \$174,055 in fiscal year 20-21 for two Management Analyst II positions and associated costs.