

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

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1985

Nothing in this subsection may be construed to require certification of title to a financial institution if that institution does not so require, or to a land title insurance company if that company does not so require.

Any violation of this section by a financial institution authorized to do business in this State is an anticompetitive or deceptive practice as defined in this chapter and subject to the remedies provided in this chapter in addition to such other remedies as may be provided otherwise by law.

Sec. 6. 9-B MRSA §439, as amended by PL 1983, c. 150, §2, is repealed.

Effective September 19, 1985.

CHAPTER 312

H.P. 1096 - L.D. 1589

AN ACT to Establish Minimum Energy Efficiency Standards for Major Appliances Sold in Maine.

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

Sec. 1. 5 MRSA §5004, sub-§3, ¶0 is enacted to read:

0. Administer the state standards for appliance energy efficiency as established by section 5012.

Sec. 2. 5 MRSA §5012 is enacted to read:

§5012. State standards for appliance energy efficiency

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "ASHRAE Standard" means standards established by the American Society of Heating, Refrigerating and Air-Conditioning Engineers.

B. "Manufacturer" means any person or business entity engaged in the original production or assembly of an appliance.

C. "New appliance" means an appliance that is sold, offered for sale or installed for the first time and specifically includes floor models and demonstration units.

D. With respect to "refrigerators," "refrigerator-freezers" and "freezers:"

(1) "Freezer" means a cabinet designed as a unit for the storage of food at temperatures of about 0° Fahrenheit, having the ability to freeze food and having a source of refrigeration requiring an energy input;

(2) "Refrigerator" means a cabinet designed for the refrigerated storage of food at temperatures above 32° Fahrenheit and having a source of refrigeration requiring an energy input. It may include a cabinet with a compartment for the freezing and storage of food at temperatures below 32° Fahrenheit, but which does not provide a separate low temperature compartment designed for the freezing of and the long-term storage of food at temperatures below 8° Fahrenheit. It has only one exterior door and may have interior doors on compartments; and

(3) "Refrigerator-freezer" means a cabinet which consists of 2 or more compartments with at least one of the compartments designed for the refrigerated storage of foods at temperatures above 32° Fahrenheit and with at least one of the compartments designed for the freezing of and the storage of frozen foods at temperatures of 8° Fahrenheit or below. The source of refrigeration requires energy input.

E. With respect to "water heaters:"

(1) "Storage-type water heater" means a water heater that heats and stores water within the appliance at a thermostatically controlled temperature for delivery on demand.

2. Efficiency standards. Efficiency standards shall be determined as follows.

A. The following are minimum energy efficiency standards for new residential gas and electric water heaters, oil and gas furnaces and boilers, refrigerators, refrigerator-freezers and freezers. Refrigerators, refrigerator-freezers

and freezers shall be certified by the manufacturer not to exceed the values derived from the appropriate formulae where V is the total refrigerated volume in cubic feet and EC is the energy consumption in kilowatt hours per year:

<u>APPLIANCE</u>	<u>STANDARD</u>
(1) <u>Refrigerators</u>	
<u>Single door,</u> <u>manual defrost</u>	<u>EC = 395+28V</u>
<u>Single door,</u> <u>automatic</u> <u>defrost</u>	<u>No standard</u>
(2) <u>Refrigerator-freezers</u>	
<u>Top freezer,</u> <u>partial auto-</u> <u>matic defrost</u>	<u>EC = 378+43V</u>
<u>Top freezer,</u> <u>automatic</u> <u>defrost</u>	<u>EC = 378+43V</u>
<u>Bottom freezer,</u> <u>automatic</u> <u>defrost</u>	<u>No standard</u>
<u>Side-by-side,</u> <u>automatic</u> <u>defrost</u>	<u>EC = 565+52V</u>
(3) <u>Freezers</u>	
<u>Upright, manual</u> <u>defrost, between 11.5</u> <u>and 21.4 cubic feet</u> <u>in volume</u>	<u>EC = 289 +</u> <u>37V</u>
<u>Upright, automatic</u> <u>defrost</u>	<u>No</u> <u>standard</u>
<u>Chest, manual defrost</u>	<u>EC = 315 +</u> <u>32V</u>
(4) <u>Water heaters</u>	
<u>Electric</u>	<u>ASHRAE</u> <u>Standard</u> <u>90A-1980</u> <u>Section 7</u>
<u>Gas</u>	<u>Energy</u> <u>Factor</u> <u>(EF) = 48%</u>

(5) Furnaces and boilers

<u>Oil</u>	<u>No standard</u>
<u>Gas</u>	<u>No standard</u>

B. The following residential appliances are covered by this section:

- (1) Only storage-type water heaters;
- (2) Gas furnaces and boilers; and
- (3) Refrigerators, refrigerator-freezers and freezers which can be operated by alternating current electricity, excluding the following types:
 - (a) Those with total refrigerated volume exceeding 39 cubic feet;
 - (b) Those designed to be used without doors;
 - (c) Those which do not include a compressor and a condenser unit as an integral part of the cabinet assembly; and
 - (d) Those with "through the door" features.

C. This section does not apply to:

- (1) New residential appliances manufactured in the State and sold outside the State;
- (2) New appliances manufactured outside the State and sold at wholesale in the State for final retail sale and installation outside the State;
- (3) Appliances installed in mobile homes at the time of construction;
- (4) Appliances designed expressly for installation and use in recreational vehicles or other equipment designed for regular mobile use; and
- (5) Appliances purchased outside of the State by Maine residents when the appliance

is installed for use by the purchaser or installed in a single family, detached structure.

3. Prohibitions. No new appliance may be sold, offered for sale or installed in the State on or after January 1, 1988, unless it is certified by the manufacturer to be in compliance with the standards adopted under subsection 2 or unless there is no state standard adopted for that type of appliance.

4. Test methods. The manufacturer shall cause the testing of samples of each model of each residential appliance covered by this section. The Office of Energy Resources shall use the United States Department of Energy approved test methods or, in the absence of those test methods, other appropriate nationally recognized test methods applicable to the respective appliances.

5. Office of Energy Resources. In order to reduce the wasteful, uneconomic, inefficient or unnecessary consumption of energy, the Office of Energy Resources shall:

A. Be responsible for the administration and enforcement of the appliance standards established by this section; and

B. Apply to the United States Department of Energy for an exemption from federal preemption, pursuant to the United States Energy Conservation Policy Act, Section 327(b), (3), or its successor.

6. Penalty. Any person who violates this section either personally or through an agent or employee is subject to a civil penalty of not more than \$500 for each violation. For purposes of this section, the sale, installation or offer for sale of any one new appliance which fails to meet the standards prescribed in subsection 2 shall constitute a violation.

Effective September 19, 1985.

CHAPTER 313

S.P. 607 - L.D. 1601

AN ACT Relating to Absentee Voting for
Residents of Coastal Islands.