

**HOUSE . . . . . No. 3124**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Frank I. Smizik**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An act relative to expanding energy efficiency in the commonwealth.

PETITION OF:

NAME:

Frank I. Smizik

DISTRICT/ADDRESS:

15th Norfolk

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO EXPANDING ENERGY EFFICIENCY IN THE COMMONWEALTH.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           **Section 1.** (A) Section 2 of chapter 25B of the general laws as appearing in the 2006 official  
2 edition, is hereby amended by inserting, after line 8, the following: -

3           “Bottle-type water dispenser” means a water dispenser that uses a bottle or reservoir as the source of  
4 potable water.

5 (B) Said section 2 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
6 inserting, after line 10, the following: -

7           “Combination television” means a system in which a television or television monitor and an  
8 additional device or devices including, but not limited to, a DVD player, an HDD player or a VCR,  
9 are combined into a single unit and which meets all of the following criteria: the additional devices  
10 are included in the television casing; it is not possible to measure the power requirements of  
11 the components separately without the removal of the television casing; and the system is  
12 powered through a single power cable.

13           “Commercial hot food holding cabinet” means a heated, fully-enclosed compartment with one or  
14 more solid or glass doors that is designed to maintain the temperature of hot food that has been  
15 cooked in a separate appliance. It shall not include heated glass merchandizing cabinets, drawer  
16 warmers, or cook-and-hold appliances.

17 (C) Said Section 2 of said chapter 25B of the general laws, as so appearing, is further amended by  
18 inserting, after line 11, the following: -

19           “Compact audio product,” also known as a mini, mid, micro, or shelf audio system, means an  
20 integrated audio system encased in a single housing that includes an amplifier and radio tuner,  
21 attached or separable speakers, and can reproduce audio from one or more of the following media:  
22 magnetic tape, CD, DVD, or flash memory. “Compact audio product” does not include products that  
23 can be independently powered by internal batteries or that have a powered external satellite antenna,  
24 or that can provide a video output signal.

25 “Component television” means a television composed of two or more separate components (e.g.,  
26 separate display device and tuner) marketed and sold as a television under one model or system  
27 designation. The system may have more than one power cord.

28 “Computer monitor” means an analog or digital device designed primarily for the display of computer  
29 generated signals, is “plug and play,” and is not marketed for use as a television.

30 (D) Said section 2 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
31 inserting the following language after line 13

32 “Digital versatile disc” and “DVD” mean a laser-encoded plastic medium capable of storing a large  
33 amount of digital audio, video, and computer data.

34 “Digital versatile disc player” and “digital versatile disc recorder” mean commercially-available  
35 electronic products encased in a single housing that includes an integral power supply and for which  
36 the sole purpose is, respectively, (1) the decoding and (2) production or recording of digitized video  
37 signal on a DVD. “DVD recorder” does not include models that have an electronic programming  
38 guide function that provides an interactive, onscreen menu of television listings, and that downloads  
39 program information from the vertical blanking interval of a regular television signal.

40 (E) Said section 2 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
41 inserting, after line 54, the following: -

42 “On mode” means the television is connected to a power source and produces sound and a picture

43 “Portable electric spa” means a factory-built electric spa or hot tub, supplied with equipment for  
44 heating and circulating water.

45 “Portable luminaire” means a luminaire which connects to a power supply by means of a power cord  
46 and plug.

47 (F) Said section 2 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
48 inserting, after line 102, the following: -

49 “Standby-passive mode” means the television is connected to a power source, produces neither sound  
50 nor images but can be switched into another mode with a remote control unit or an internal signal.

51 (G) Said section 2 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
52 inserting, after line 115, the following: -

53 “Television” means an analog or digital device designed primarily for the display and reception of a  
54 terrestrial, satellite, cable internet protocol tv (IPTV) or other broadcast or recorded transmission of  
55 analog or digital signals. Televisions include combination televisions, television monitors,  
56 component televisions, and any product that is marketed as a television. Televisions do not include  
57 computer monitors.

58 “Television monitor” means a television that does not have an internal tuner or receiver or playback  
59 device.

60 (H) Said section 2 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
61 inserting, after line 127, the following: -

62 “Water dispenser” means a factory-made assembly that mechanically cools and heats potable water and  
63 that dispenses the cooler or heated water by integral or remote means.

64 **Section 2.** (A) section 3 of chapter 25B of the general laws, as so appearing, is hereby amended by  
65 inserting, after subsection (j) the following subsections: -

66 (k) bottle-type water dispensers;

67 (l) commercial hot food holding cabinets;

68 (m) compact audio products;

69 (n) digital versatile disc players (DVD) and digital versatile disc recorders;

70 (o) portable electric spas;

71 (p) portable luminaires

72 (q) televisions (TVs); and

73 (r) any other products as may be designated by the Commissioner in accordance with

74 Section 7 of Chapter 25 of the general laws.

75 (B) Said section 3 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
76 inserting, after line 29, the following: -

77 “; or new products manufactured in the state and sold outside the state; new products manufactured  
78 outside the state and sold at wholesale inside the state for final retail sale and installation outside the state;  
79 products installed in mobile manufactured homes at the time of construction; or products designed  
80 expressly for installation and use in recreational vehicles”

81 **Section 3.** (A) Section 4 of chapter 25B of the general laws, as so appearing, is hereby amended by  
82 striking out the words “clauses (a) to (e) in line 1, and inserting in place thereof the words “clauses (a) to  
83 (r)

84 (B) Said section 4 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
85 striking out the words “clauses (a) to (e) in line 6 and inserting in place thereof the words “clauses (a) to  
86 (r)

87 **Section 4.** (A) Section 5 of chapter 25B of the general laws, as so appearing, is hereby amended by  
88 inserting, after the word “ninety” in line 12 the following language: -

89 “ Said commissioner may also by regulation increase the level of energy efficiency standards for bottle-  
90 type water dispensers, commercial hot food holding cabinets, compact audio products, digital versatile  
91 disc players (DVDs) and recorders, portable luminaries, portable electric spas, and televisions (TVs).

92 (B) Said section 5 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
93 inserting, after the word “users” in line 14, the following: -

94 “and promote energy conservation in the commonwealth,”

95 Said section 5 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
96 striking out the words “clauses (f) to (s) in line 23 and inserting in place thereof the words “clauses (a) to  
97 (r)”.

98 (C) Said section 5 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
99 inserting, after subsection (5) the following subsections: -

100 (6) Bottle-type water dispensers designed for dispensing both hot and cold water shall not have  
101 standby energy consumption greater than 1.2 kilowatt-hours per day, as measured in accordance with  
102 the test criteria contained in version 1 of the U.S. environmental protection agency’s “Energy Star  
103 Program Requirements for Bottled Water Coolers,” except units with an integral, automatic timer  
104 shall not be tested using Section D, “timer usage,” of the test criteria.

105 (7) Commercial hot food holding cabinets shall have a maximum idle energy rate of 40 watts per  
106 cubic foot of interior volume, as determined by the "idle energy rate-dry test" in ASTM F2140-01,  
107 “Standard Test Method for Performance of Hot Food Holding Cabinets” published by ASTM  
108 International. Interior volume shall be measured in accordance with the method shown in the U.S.  
109 environmental protection agency’s “Energy Star Program Requirements for Commercial Hot Food  
110 Holding Cabinets” as in effect on August 15, 2003.

111 (8) Compact audio products shall not use more than 2 watts in standby-passive mode for those  
112 without a permanently illuminated clock display and 4 watts in standby-passive mode for those with a  
113 permanently illuminated clock display, as measured in accordance with the international  
114 electrotechnical commission (IEC) test method 62087:2002(E), “Methods of measurement for the  
115 power consumption of audio, video, and related equipment.”

116 (9) Digital versatile disc players and digital versatile disc recorders shall not use more than 3 watts in  
117 standby-passive mode, as measured in accordance with international electrotechnical commission  
118 (IEC) test method 62087:2002(E), “Methods of measurement for the power consumption of audio,  
119 video, and related equipment.”

120 (10) Portable luminaires shall meet one or more of the following requirements:

121 (i) Be equipped with a dedicated fluorescent lamp socket connected to a high frequency electronic  
122 ballast contained within the luminaire. Dedicated fluorescent luminaires must meet the  
123 requirements of the U.S. environmental protection agency’s “Energy Star Program for Residential  
124 Light Fixtures Version 4.2”.

125 (ii) Be equipped with only GU-24 line voltage sockets and not be rated for use with incandescent  
126 lamps of any type, including line voltage or low voltage;

127 (iii) Be an LED luminaire or a luminaire with an LED light engine with integral heat sink and  
128 comply with the following minimum requirements:

- 129 a. Minimum light output: 200 lumens (initial)
- 130 b. Minimum LED luminaire efficacy: 29 lumens/watt
- 131 c. Minimum LED light engine efficacy: 40 lumens/watt
- 132 d. Color Correlated Temperature (CCT): 2700K through 5000K
- 133 e. Minimum Color Rendering Index (CRI): 75

134 (iv) Be equipped with an E12, E17, or E26 screw-based socket and be prepackaged and sold  
135 together with one screw-based compact fluorescent lamp or screw-based LED lamp for each  
136 screw-based socket on the luminaire. The compact fluorescent or LED lamps prepackaged with  
137 the luminaire shall be fully compatible with any luminaire controls incorporated into the  
138 luminaire (e.g., luminaires with dimmers shall be packed with dimmable lamps). Compact  
139 fluorescent lamps prepackaged with luminaires shall meet the requirements of the U.S.  
140 Environmental Protection Agency's Energy Star Program for CFLs Version 4.0.

141 (v) Be equipped with one or more single-ended, non-screw based halogen lamp sockets (line or  
142 low voltage), a dimmer control or high-low control, and be rated for a maximum of 100W.

143 Artwork luminaires that meet all of the following requirements are not required to be  
144 prepackaged and sold together with compact fluorescent or LED lamps: -

145 (a) designed only to be mounted directly to art work only for the purpose of illuminating  
146 that art work;

147 (b) fitted only with E-12 screw-based line-voltage sockets;

148 (c) having no more than three sockets per luminaire; and

149 (d) controlled with an integral high/low switch.

150 Art work luminaires with a single socket shall have a maximum relamping rated wattage of 25  
151 watts, luminaires with two or three sockets shall have a maximum relamping rated wattage of 15  
152 watts per socket, as listed on a permanent label in accordance with Underwriters Laboratories  
153 (UL) 153.

154 (11) Portable electric spas shall not have a standby power greater than  $5(V^{2/3})$  Watts where V=the total  
155 volume in gallons, as measured in accordance with the test method for portable electric spas contained in  
156 section 1604, title 20, California code of regulations.

157 (12) Televisions shall use no more than  $(0.20 \times \text{screen area (in}^2) + 32)$  watts in on mode and no more than  
158 one (1) watt in standby-passive mode. On and after January 1, 2013, televisions shall use no more than  
159  $(0.12 \times \text{screen area (in}^2) + 25)$  watts in on mode and no more than one (1) watt in standby passive mode.  
160 Television on mode energy use shall be measured according to International  
161 Electrotechnical Commission (IEC) 62087, Edition 2.0 "Methods of Measurement for Power  
162 Consumption of Audio, Video, and Related Equipment," as applied by the U.S. Environmental Protection  
163 Agency in the "Energy Star Program Requirements for Televisions, Version 3.0" Television standby-  
164 passive mode energy use shall be measured according to international electrotechnical commission (IEC)  
165 62301, Edition 1.0: household electrical appliances -measurement of standby power," as applied by the  
166 U.S. environmental protection agency in the "Energy Star Program Requirements for Televisions, Version  
167 3.0"

168 (D) Said section 5 of said chapter 25B of the general laws, as so appearing, is hereby further amended by  
169 inserting, in line 75, after the figure "2008" the following: -

170 “On or after January 1, 2011, no new bottle-type water dispenser, commercial hot food holding cabinet,  
171 compact audio product, digital versatile disc player or digital versatile disc recorder, portable electric spa,  
172 portable luminaire or television may be sold or offered for sale in the state unless the efficiency of the  
173 new product meets or exceeds the efficiency standards set forth in the regulations adopted pursuant to  
174 Section 5.”