

# SENATE BILL REPORT

## ESHB 2758

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As Reported By Senate Committee On:  
Water, Energy & Telecommunications, February 29, 2008

**Title:** An act relating to adding products to the energy efficiency code.

**Brief Description:** Adding products to the energy efficiency code.

**Sponsors:** House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Morrell and Hudgins).

**Brief History:** Passed House: 2/14/08, 76-19.

**Committee Activity:** Water, Energy & Telecommunications: 2/22/08, 2/29/08 [DPA, DNP].

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### SENATE COMMITTEE ON WATER, ENERGY & TELECOMMUNICATIONS

**Majority Report:** Do pass as amended.

Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Fraser, Oemig, Pridemore and Regala.

**Minority Report:** Do not pass.

Signed by Senators Honeyford, Ranking Minority Member; Holmquist and Morton.

**Staff:** Sam Thompson (786-7413)

**Background:** Washington law sets minimum energy efficiency standards for certain electrical products sold, offered for sale, or installed in the state that are not subject to federal energy efficiency standards. Products governed by state energy efficiency standards include:

- automatic commercial ice cube machines, commonly used in motels and restaurants;
- commercial clothes washers, commonly used in apartments and coin laundries;
- commercial pre-rinse spray valves, commonly used in restaurants to remove food residue from plates;
- commercial refrigerators and freezers, commonly used in large institutional kitchens;
- metal halide lamp fixtures, commonly used to illuminate industrial buildings and gymnasiums;
- single-voltage external AC to DC power supplies, devices enabling battery-operated appliances to use power from electrical outlets;
- incandescent reflector lamps, such as light bulbs typically used in recessed can lights; and
- commercial space heaters using natural gas or propane.

It is suggested that state efficiency standards be specified for other electrical products.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill (Recommended Amendments):** Minimum efficiency standards are established for the following electrical products manufactured after January 1, 2009, that are sold, offered, or installed in the state:

- wine chillers designed for use by an individual;
- internal illumination of certain cabinets and wine chillers that are not consumer products;
- hot water dispensers and mini-tank electric water heaters;
- bottle-type and point-of-use water dispensers;
- pool heaters, residential pool pumps, and portable electric spas;
- tub spout diverters; and
- commercial hot food holding cabinets.

The Energy Policy Division of the Department of Community, Trade and Economic Development (CTED) must convene a work group with representatives of the consumer electronics industry, energy efficiency organizations, and other state and federal energy efficiency programs, as deemed appropriate, to review and compare federal Energy Star program standards and coverage, and California and Oregon standards and coverage, to identify appropriate standards and coverage for Washington. The work group will report to the Legislature by December 1, 2008.

**EFFECT OF CHANGES MADE BY WATER, ENERGY & TELECOMMUNICATIONS COMMITTEE (Recommended Amendments):** A provision directing the CTED Energy Policy Division to adopt standards for new consumer audio and video equipment consistent with standards adopted by West Coast states is deleted. The Energy Policy Division must instead convene a work group with representatives of the consumer electronics industry, energy efficiency organizations, and other state and federal energy efficiency programs, as deemed appropriate, to review and compare federal Energy Star program standards and coverage, and California and Oregon standards and coverage, to identify appropriate standards and coverage for Washington. The work group will report to the Legislature by December 1, 2008.

**Appropriation:** None.

**Fiscal Note:** Requested on February 20, 2007.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Recommended Amendments:** PRO: This measure reduces climate pollution by increasing energy efficiency. It appropriately adopts standards adopted in California; Washington will thus join with California and other states in pushing the market forward, requiring new products to meet increasingly higher efficiency standards. While standards for new consumer audio and video equipment are needed, it may be appropriate to convene a stakeholder work group to study this matter. Washington should adopt higher efficiency standards than those specified in federal Energy Star standards.

OTHER: While the electronics industry does not oppose most provisions in the bill, the section directing the CTED Energy Policy Division to adopt new consumer audio and video equipment standards should be deleted. It is neither appropriate to include consumer audio and video equipment in this bill nor to require the Energy Policy Division – which currently

only recommends standards – to adopt new Washington standards. The rule adoption requirement will not allow informed stakeholder input and will lead to standards that will be difficult to implement, unlike nonmandatory, flexible federal Energy Star standards, which are developed with extensive input from varied stakeholder groups. It is preferable to follow upcoming federal Energy Star standards for consumer audio and video equipment.

**Persons Testifying:** PRO: Representative Morris, prime sponsor; Carrie Dolwick, Northwest Energy Coalition.

OTHER: Terry Byington, American Electronics Association, Washington Council; Charlie Brown and Doug Johnson, Consumer Electronic Association; John Merrell and Ned Kirk, Prima Technology; Mark Johnson, Washington Retail Association.