

**HOUSE . . . . . No. 807**

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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 adoption of the accompanying bill:

An Act relative to expanding resource efficiency in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>

**HOUSE . . . . . No. 807**

By Mr. Smizik of Brookline, a petition (accompanied by bill, House, No. 807) of Frank I. Smizik and others for legislation to promote efficiency in the use of certain natural resources. Environment, Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to expanding resource 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. Said section 2 of chapter 25B, as so appearing in the 2008 Official Edition, is  
2 hereby amended by inserting after the definition of “Boiler” the following definition:-

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

5 Section 2. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
6 inserting after the definition of “Central furnace” the following definition:-

7 “Commercial hot-food holding cabinet,” a heated, fully-enclosed compartment with one  
8 or more solid or glass doors that is designed to maintain the temperature of hot food that has  
9 been cooked in a separate appliance. ‘Commercial hot food holding cabinet’ does not include  
10 heated glass merchandizing cabinets, drawer warmers, or cook-and-hold appliances.

11 Section 3. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
12 inserting after the definition of “Compensation” the following definition:-

13 “Dual flush tank-type water closet,” a tank-type water closet incorporating a feature that  
14 allows the user to flush the water closet with either a reduced or a full volume of water.

15 Section 4. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
16 inserting after the definition of “High-intensity discharge lamp” the following definition:-

17 “High light output double-ended quartz halogen lamp,” a lamp that--

- 18 (1) is designed for general outdoor lighting purposes;
- 19 (2) contains a tungsten filament;
- 20 (3) has a rated initial lumen value of greater than 6,000 and less than 40,000 lumens;
- 21 (4) has at each end a recessed single contact, R7s base;
- 22 (5) has a maximum overall length (MOL) between 4 and 11 inches;
- 23 (6) has a nominal diameter less than 3/4 inch (T6);
- 24 (7) is designed to be operated at a voltage not less than 110 volts and not greater than  
25 200 volts or is designed to be operated at a voltage between 235 volts and 300 volts;
- 26 (8) is not a tubular quartz infrared heat lamp; and
- 27 (9) is not a lamp marked and marketed as a Stage and Studio lamp with a rated life of  
28 500 hours or less.

29 Section 5. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
30 inserting after the definition of “Lamp” the following definition:-

31 “Lavatory faucet,” a plumbing fitting designed for installation at a washbowl or basin in a  
32 room containing a water closet, and includes associated faucet accessories such as flow  
33 restrictors, flow regulators, aerator devices, and laminar devices, except that such term does not  
34 include fittings designed to be installed in non-residential bathrooms that are exposed to walk-in  
35 traffic.

36 Section 6. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
37 inserting after the definition of “New appliance” the following definition:-

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

40 Section 7. Said section 2 of chapter 25B, as so appearing, is hereby further amended by  
41 inserting after the definition of “Transformer” the following definitions:-

42 “Tubular quartz infrared heat lamp,” a double-ended quartz halogen lamp that-

- 43 (1) is marked and marketed as an infrared heat lamp; and
- 44 (2) radiates predominately in the infrared radiation range and in which the visible  
45 radiation is not of principle interest.'

46 “Urinal,” a plumbing fixture that receives only liquid body waste and conveys the waste  
47 through a trap into a drainage system, except that such term does not include fixtures designed  
48 for installation in prisons.

49 “Water closet,” a plumbing fixture with a water-containing receptor that receives liquid  
50 and solid body waste and upon actuation conveys the waste through an integral trap into a  
51 drainage system, except that such term does not include fixtures designed for installation in  
52 prisons.

53 “Water dispenser,” a factory-made assembly that mechanically cools and heats potable  
54 water and that dispenses the cooled or heated water by integral or remote means.

55 SECTION 9. Section 3 of chapter 25B of the General Laws, as so appearing, is hereby  
56 amended by inserting after subsection (j) the following 6 subsections:-

57 (k) bottle-type water dispensers.

58 (l) commercial hot food holding cabinets.

59 (m) high light output double-ended quartz halogen lamps.

60 (n) lavatory faucets.

61 (o) portable electric spas.

62 (p) urinals.

63 (q) water closets.

64 SECTION 10. Said section 5 of said chapter 25B of the General Laws, as so appearing, is  
65 hereby further amended by striking out the words “clauses (f) to (s)” in line 23 and inserting in  
66 place thereof the words “clauses (a) to (q)”.

67 SECTION 11. Section 5 of chapter 25B of the General Laws, as so appearing, is hereby  
68 amended by inserting after subsection (5) the following subsections:-

69 (6) Bottle-type water dispensers designed for dispensing both hot and cold water shall not  
70 have standby energy consumption greater than 1.2 kilowatt-hours per day, as measured in  
71 accordance with the test criteria contained in version 1 of the document “Energy Star Program  
72 Requirements for Bottled Water Coolers,” except units with an integral, automatic timer shall not  
73 be tested using Section 4D, “Timer Usage,” of the test criteria.

74 (7) Commercial hot food holding cabinets with interior volume of 8 cubic feet or greater  
75 shall have a maximum idle energy rate of 40 watts per cubic foot of interior volume, as  
76 determined by the "idle energy rate-dry test" in ASTM F2140-01, “Standard Test Method for  
77 Performance of Hot Food Holding Cabinets” published by ASTM International. Interior volume

78 shall be measured in accordance with the method shown in the document “Energy Star Program  
79 Requirements for Commercial Hot Food Holding Cabinets” as in effect on August 15, 2003.

80 (8) High Light Output Double-Ended Quartz Halogen Lamps- A high light output  
81 double-ended quartz halogen lamp sold or offered for sale shall have a minimum efficiency of--

82 i. 27 LPW for lamps with a minimum rated initial lumen value greater than 6,000  
83 and a maximum initial lumen value of 15,000; and

84 ii. 34 LPW for lamps with a rated initial lumen value greater than 15,000 and less  
85 than 40,000.

86 (9) Lavatory faucets shall have a maximum water use of 1.5 gallons per minute when  
87 tested at a flowing water pressure of 60 pounds per square inch in accordance with the flow rate  
88 test procedure contained in section 5.4 of ASME A112.18.1-2011, “Plumbing Supply Fittings”  
89 published by the American Society of Mechanical Engineers.

90 (10) Portable electric spas shall have a normalized standby power not greater than  
91  $5(V^{2/3})$  Watts where V=the total volume in gallons, as measured in accordance with the test  
92 method for portable electric spas contained in section 1604, title 20, California Code of  
93 Regulations as in effect on August 9, 2009..

94 (11) Urinals-

95 i. Urinals, except for floor mounted urinals, shall have a maximum water use of  
96 0.125 gallons per flush when tested in accordance with the water consumption test contained in  
97 section 8.6 of ASME A112.19.2-2008, “Ceramic Plumbing Fixtures” published by the American  
98 Society of Mechanical Engineers.

99 ii. Floor mounted urinals shall have a maximum water use of 0.5 gallons per flush  
100 when tested in accordance with the water consumption test contained in section 8.6 of ASME  
101 A112.19.2-2008, “Ceramic Plumbing Fixtures” published by the American Society of  
102 Mechanical Engineers.

103 (12) Water Closets-

104 i. Water closets, except for dual flush tank-type water closets, shall have a  
105 maximum water use of 1.3 gallons per flush when tested in accordance with the water  
106 consumption test contained in section 7.4 of ASME A112.19.2-2008, “Ceramic Plumbing  
107 Fixtures” published by the American Society of Mechanical Engineers.

108 ii. Dual flush tank-type water closets shall have a maximum effective water use of  
109 1.3 gallons per flush when tested in accordance with the water consumption test contained in  
110 section 7.4 of ASME A112.19.2-2008, “Ceramic Plumbing Fixtures” published by the American

111 Society of Mechanical Engineers. The effective flush volume is the composite average flush  
112 volume of two reduced flushes and one full flush.

113 SECTION 12. Said section 5 of said chapter 25B of the General Laws, as so appearing, is  
114 hereby further amended by inserting, in line 75, after the figure “2008” the following: -

115 “On or after January 1, 2015, no new bottle-type water dispenser, commercial hot food  
116 holding cabinet, faucet, portable electric spa, urinal, or water closet may be sold or offered for  
117 sale in the state unless the efficiency of the new product meets or exceeds the efficiency  
118 standards set forth in the regulations adopted pursuant to Section 5, provided there is no further  
119 federal regulation concerning same.”